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Technical Note

Project:	**Marshall Road, Devizes**
Title:	**Ecological Compliance Statement**
Date:	16 June 2023
Client:	Vistry Western
Reference:	230616_P1281_Devizes_Ecological_Compliance_Report_Final01: June 2023
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1 Introduction

1.1 This Ecological Compliance Statement has been prepared by EAD Ecology on behalf of Vistry Western. It is for submission to Wiltshire Council as part of the Reserved Matters planning application for 163 residential units and associated infrastructure and landscaping at Marshall Road, Devizes.

1.2 Outline consent for residential development, with associated access, landscaping, public open space, drainage and infrastructure works, was granted by Wiltshire Council in March 2023 (Planning reference PL/2021/07203). This Ecological Compliance Statement is prepared to confirm implementation of the ecological mitigation measures proposed at outline application stage.

2 Approach

2.1 The Ecological Impact Assessment (GE Consulting, 2021), Ecology Technical Note (GE Consulting, 2021), Ecology Update Technical Note (GE Consulting, 2022) and Ecological Parameters Plan (GE Consulting, 2022) that supported the Outline Planning Application were reviewed. An updated Phase 1 Habitat survey, Habitat Condition Assessment and badger survey of the site was undertaken by EAD Ecology in December 2022.

3 Assessment of ecological requirements and compliance

3.1 The ecological mitigation and enhancement measures that were proposed at the outline application stage are summarised in Table 3.1. The table confirms inclusion of relevant measures within the Reserved Matters Application where they relate to design, or alternatively identifies measures which will be implemented during the pre-construction or construction phases and the mechanism to ensure their delivery.

Table 3.1. Summary of recommendations, mitigation and enhancement measures

Recommendation / mitigation / enhancement measures identified at outline application stage	Details of how measures are reflected in scheme design or mechanism for implementation of specific mitigation measures.	Compliance / Mechanism
Strategic planting to be implemented along dismantled railway line to enhance its suitability for commuting and foraging bats and other wildlife. Planting to create good varied structure and a 'tunnel' dark corridor with vegetation either side.	Soft Landscape Proposals include planting of native hedgerow on the southern boundary of the dismantled railway and large canopy trees (once established) adjacent to the hedgerow on its northern side. This will create a 'tunnel' dark corridor and will create a strong commuting and foraging corridor for bats.	Soft Landscape Proposals submitted with the Reserved Matters Application. Landscape Management Plan (LEMP) to be submitted under Condition 12.
Public Open Space (POS) to include formal and informal areas including wildflower grassland, native tree and scrub planting managed for the benefit of biodiversity. A significant number of new native trees to be planted within the public realm.	Soft Landscape Proposals include wildflower meadow planting around the SuDs basin and along all site boundaries, including wide areas on the dismantled railway. Native tree and scrub/shrub planting will also be planted along the site boundaries, dismantled railway and within POS.	Soft Landscape Proposals submitted with the Reserved Matters Application. Landscape Management Plan (LEMP) to be submitted under Condition 12.
Future reserved matters applications will require a detailed BNG assessment using the latest version of the metric to accompany the submission and to include an unlocked spreadsheet together with scaled plans referenced to the spreadsheet, demonstrating the amount and type of habitat being delivered within the site.	A Biodiversity Net Gain Assessment for the proposed development was undertaken by EAD Ecology using 'Biodiversity Metric 4.0'. The Assessment calculated that there would be a net gain over 10% for area-based and hedgerow biodiversity units.	Biodiversity Net Gain Plan submitted with the Reserved Matters Application.
Native hedgerow to be bolstered and gapped up within 4-5m buffer to Nursteed Road.	Soft Landscape Proposals detail where gaps in retained native hedgerow will be infilled.	Soft Landscape Proposals submitted with the Reserved Matters Application. Landscape Management Plan (LEMP) to be submitted under Condition 12.
Any ponds created as part of drainage strategy to hold permanent water with suitable planting and benefits to biodiversity.	It was not possible to design the SuDS ponds to include areas that hold water permanently throughout the year. SuDS pond will be inundated at times throughout the year and planted with Emorsgate EM8 Meadow Mixture for Wetland, so will provide habitat for a variety of common species including invertebrates.	Soft Landscape Proposals submitted with the Reserved Matters Application. Landscape Management Plan (LEMP) to be submitted under Condition 12.

Recommendation / mitigation / enhancement measures identified at outline application stage	Details of how measures are reflected in scheme design or mechanism for implementation of specific mitigation measures.	Compliance / Mechanism
15m width dark corridor for bats along the western and southern boundaries. Lux levels no greater than 0.5 lux or no greater than pre-development baseline lux levels.	Proposals include a 15m width dark corridor along the western and southern boundaries suitable for bats. These corridors will be planted with a mixture of wildflower meadow and native trees. Ecologist to input to lighting scheme required under Condition 18 with regard to compliance with outline parameters recommendations.	Development layout. Soft Landscape Proposals submitted with the Reserved Matters Application. Landscape Management Plan (LEMP) to be submitted under Condition 12. External lighting scheme required under Condition 18.
Provision of 'hop-overs' with strategic advance planting to minimise impacts to commuting bats and improve connectivity.	'Hop-overs' will be created comprising trees planted adjacent to the access road to maintain good connectivity over the road for bats.	Soft Landscape Proposals submitted with the Reserved Matters Application. Landscape Management Plan (LEMP) to be submitted under Condition 12.
Construction phase works between 1st April and the 31st October to be undertaken no earlier than 30 minutes after sunrise and finishing no later than 30 minutes prior to sunset, with no site lighting to be left on overnight.	Contractors' compounds will be located away from retained hedgerows and trees to minimise potential lighting and disturbance impacts. No lighting will be left on overnight.	Detailed in CEMP: Biodiversity to be submitted under Condition 11.
Variety of integrated bat, bird and bee bricks and boxes suitably located within new dwellings and garages.	82 Ibstock Enclosed Batbox C, 81 Manthorpe swift bricks and 40 bee bricks will be located within new dwellings.	Detailed in CEMP: Biodiversity to be submitted under Condition 11.
All retained hedgerows and woody vegetation to be protected during construction.	Retained trees, hedgerow and plantation woodland to be protected from potential damage during construction through the use of temporary barriers (e.g. Heras fencing). Protective fencing to be installed in accordance with Tree Protection Plan.	Tree Protection Plan submitted with the Reserved Matters Application. Detailed in CEMP: Biodiversity to be submitted under Condition 11.
Field margins /areas with long sward subject to habitat manipulation to prevent killing/injury of amphibians and reptiles. Clearance of hedgerow to be undertaken by Ecological Clerk of Works (ECoW).	Reptile and amphibian mitigation strategy and appointment of an ECoW by Vistry Western as detailed in the CEMP: Biodiversity.	Detailed in CEMP: Biodiversity to be submitted under Condition 11.

Recommendation / mitigation / enhancement measures identified at outline application stage	Details of how measures are reflected in scheme design or mechanism for implementation of specific mitigation measures.	Compliance / Mechanism
Provision of hibernacula/resting places for amphibians and reptiles within POS and dismantled railway.	A minimum of three hibernacula and additional habitat piles will be installed within POS and will be shown on construction drawings.	Detailed in LEMP to be submitted under Condition 12.
Update badger survey. Provision of any licensing requirements. Good practice construction measures to ensure badger welfare during construction.	Badger survey to be updated and an application for a Natural England Badger Mitigation Licence will be made for any new active setts likely to be damaged or disturbed during site clearance/construction. Badger welfare measures to be implemented and exclusion barrier erected to protect main sett during construction, detailed in CEMP: Biodiversity to be submitted under Condition 11.	Detailed in CEMP: Biodiversity to be submitted under Condition 11.
Hedgerow and scrub removal to be undertaken outside of the bird nesting season or under supervision by the ECoW.	Mitigation included in the CEMP: Biodiversity and new planting detailed in Soft Landscape Proposals. New hedgerow, tree and scrub planting to increase nesting and foraging opportunities for birds.	Detailed in CEMP: Biodiversity to be submitted under Condition 11. Soft Landscape Proposals submitted with the Reserved Matters Application. Landscape Management Plan (LEMP) to be submitted under Condition 12.
Provision of hedgehog passes within garden fences.	Each gap will have a minimum dimension of 13cm x 13cm and be cut out of close board fencing on the bottom of the fence, or a similar sized gap left at the end of a board. One hedgehog pass will be created in each boundary fence.	Detailed in CEMP: Biodiversity to be submitted under Condition 11.

4 Conclusion

4.1 The proposed ecological mitigation and enhancement measures are considered to reflect the key principles of the ecological mitigation and enhancement strategy that was proposed with the Outline Application. They also ensure that significant adverse ecological effects, including to legally protected species, are avoided, and that the development provides ecological enhancement. This is in accordance with relevant planning policy concerning ecology, including the National Planning Policy Framework 2021.

5 References

Green Ecology (2021) Ecological Impact Assessment. Land at Marshall Road, Devizes, Wiltshire. A report on behalf of Princeton Land, July 2021.

Green Ecology (2021) Ecology Technical Note. Land at Marshall Road, Devizes.

Green Ecology (2022) Ecology Update Technical Note. Land at Marshall Road, Devizes. April 2022.