Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Rachel Whyte
Date:	23/08/2023
Application number:	PL/2023/06091
Proposal:	Change of use to a mixed-use site comprising agriculture and B8 storage (including open storage) and replacement of existing areas of hardsurfacing.
Site address:	Ox House Farm, Devizes Road, Rowde, Devizes, Wilts
Case officer:	Jonathan James

Recommendations:

	No comment
	Support
	No objection
x	Condition (no objection subject to conditions)
	Objection - further information required
	Objection in principle
	HRA completed

Further Information Required:

	Issue	Policy/Legislative Compliance	Date Information Requested & Further Information Required	Satisfactorily Addressed (Document & Date)

The outstanding document(s) listed above are needed to enable the council's ecology team to consider all the relevant impacts and benefits of the proposed scheme. The council's ecologists will provide a further response once <u>all</u> the above information has been submitted via the case officer.
Please Note: When resubmitting a revised document, ALL changes must be highlighted to enable review.

Thank you for consulting Ecology, I have reviewed the application and supporting documents against OS Maps and aerial photography of the site and surrounding area, together with GIS layers of statutory and non-statutory sites and existing records of protected species.

<u>Habitats Regulations Assessment</u>

The application site is located within an informal consultation zone for bats associated with the Bath & Bradford on Avon Special Area of Conservation (SAC) and therefore has potential to result in significant adverse impact on the special features of that site. Appropriate Assessment (AA) under Section 63 of the Habitats Regulations must be carried out by the relevant Competent Authority (the LPA) to determine the potential significant effects and the suitability of any measures proposed to avoid or mitigate those effects.

A test of likely significance has been carried out by the relevant Competent Authority (Wiltshire Council) as required by Regulation 63 Conservation of Habitats and Species Regulations 2017 (as amended). The development is small in scale and nature and will not result in removal or

impacts to any habitat which could be used by bats associated with the SAC. The test of likely significance therefore concluded that there is no mechanism for adverse effect and operational impacts would be de-minimis. **The HRA has concluded that the application is not likely to have significant impacts on the SAC and Appropriate Assessment is not required.**

Artificial Lighting

The Planning Statement (July 2023, RCC Town Planning Consultancy) states that no external lighting is proposed, this is welcomed, and a condition should be applied to secure this. Bats are likely to use habitats outside of the site boundary for foraging and commuting, furthermore the proposals include the planting of boundary vegetation which could be used by bats in the future. An increase in artificial lux levels can deter bats which could result in roost abandonment and/or the severance of key foraging areas. This will likely result in a significant negative impact upon the health of bat populations across the region. Artificial light at night can have a substantial adverse effect on biodiversity. Any new lighting should be for the purposes for safe access and security and be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2021), and Guidance note GN08-23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

Biodiversity Enhancement

Core Policy 50 of the Wiltshire Core Strategy requires all development to demonstrate no net loss of biodiversity and encourages developments to seek opportunities to enhance biodiversity. The Proposed Site Plan shows the locations of new hedgerow and tree planting, the provision of new habitat is welcomed and would be in accordance with Core Policy 50. It is encouraged that efforts are taken to maximise the benefit of these habitats for wildlife e.g., planting of native species or local provenance or those of known value to wildlife, and provision of features for wildlife such as habitat piles. Habitats should be managed to provide cover for wildlife.

CONDITIONS:

1. The development will be carried out in strict accordance with the following documents:
    - Proposed Site Plan. 3rd May 2023.
    - Planning Statement July 2023, RCC Town Planning Consultancy

    REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

2. No external light fixture or fitting will be installed within the application site unless details of existing and proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.

    REASON: To avoid illumination of habitat used by bats.

INFORMATIVES:

Nesting Birds

All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features

until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.

Final sign off – all matters addressed:

Ecologist **Rachel Whyte, Ecologist**	Date **23/08/2023**