Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Rachel Whyte
Date:	03/08/2023 01/09/2023
Application number:	PL/2023/05519
Proposal:	Demolition of existing extension to north elevation and erection of 2.5-storey extension
Site address:	Kingston Cottage, West Grafton, Marlborough, SN8 3BY
Case officer:	Helena Carney

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)
1.	Bats	WCA 1981, Hab. Regs.	**03/08/2023** – Mitigation and enhancement measures to be shown on technical drawings (i.e., site plan/elevations).	**YES 01/09/2023** - Elevations Sheet 1. Drawing no: 210208-07. April 2023. Received 15th August 2023.

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 all 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.

The application is supported by the following ecology reports:

- Preliminary Roost Appraisal (PRA) Report. V.1. 31st March 2023. ABR Ecology Ltd.
- Bat Survey Report. 3rd July 2023. Plan Ecology Ltd.

The house was found to support day roosting common pipistrelle bats in five locations. The proposed works will result in the loss of two of the identified roost locations. **A European Protected Species (EPS) bat Mitigation Licence will need to be obtained for the lawful construction of this development.** In terms of ecology sufficient information has been provided

to ensure that favourable conservation status of common pipistrelle can be maintained should the application be approved. This detail will however need to be shown on technical drawings so that it can be secured via a condition.

The development must be carried out in strict accordance with the Bat Survey Report (July 2023, Plan Ecology Ltd), specifically Section 6: Bat Mitigation Plan and Appendix 5: Mitigation proposals.

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 NPPF also encourages applications to deliver measurable net gains (para 174 d). The inclusion of a bird brick as recommended in the Bat Survey Report is welcomed and would be in line with Core Policy 50. The recommendation to minimise light and noise pollution on the site during construction is a minimum requirement, not an enhancement.

Further Information Required

1. The locations of the bat mitigation detailed in Section 6 and Appendix 5 of the Bat Survey Report must be shown on technical drawings (i.e., elevations drawings/site plan). The plans should reference the appropriate sections in the ecology report where further information can be found. These plans should also include the location of the bird brick to be provided as an enhancement measure.

Artificial Lighting

The habitat within the proposed development site and the surrounding area is suitable for roosting, foraging and commuting bats. 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 GN08-18 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

01/09/2023 - The information requested on 3rd August 2023 has been provided and is sufficient to remove my holding objection. I have no objection providing the below conditions (or similar) are applied to the decision notice in the event this application is successful.

CONDITIONS:

1. The development will be carried out in strict accordance with the following documents:
    - Bat Survey Report. 3rd July 2023. Plan Ecology Ltd.
    - Elevations Sheet 1. Drawing no: 210208-07. April 2023. Received 15th August 2023.

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

2. Bat roosts and bat access points will be incorporated into the development in accordance with Elevations Sheet 1. Drawing no: 210208-07. April 2023. (Received 15th August 2023) or as otherwise specified in a relevant European Protected Species Licence superseding this permission. The installation of these bat roosts and access features will be supervised by a professional ecologist and this part of the condition will be discharged when photographic evidence of installed features have been submitted to and approved in writing by the local planning authority. These bat roosts and access points will continue to be available for bats for the lifetime of the development.

   REASON: To mitigate for impacts to bats arising from the development.
3. No new external artificial lighting shall be installed at the site unless otherwise agreed in writing by the local planning authority.

   REASON: In the interests of conserving biodiversity.

INFORMATIVES:

Roosting Bats

Kingston Cottage is used as a bat roost. Under the Conservation of Habitats and Species Regulations 2017 (as amended), it is an offence to harm or disturb bats or damage or destroy their roosts. Planning permission for development does not provide a defence against prosecution under this legislation. The applicant is advised that a European Protected Species Licence will be required before any work is undertaken to implement this planning permission. Future conversion of the roof space to living accommodation or replacing the roof could also breach this legislation and advice should be obtained from a professional bat ecologist before proceeding with work of this nature.

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	Date
Rachel Whyte, Ecologist	**01/09/2023**