Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Rachel Whyte
Date:	13/09/2023
Application number:	PL/2023/06886
Proposal:	Repairs to roof, including the replacement of weather proofing materials to match the existing.
Site address:	Tidcombe Manor, Tidcombe, Marlborough, SN8 3SL
Case officer:	Andrew Minting

Recommendations:

	No comment
	Support
	No objection
	Condition (no objection subject to conditions)
X	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.	**13/09/2023** – Mitigation and enhancement to be shown on enforceable plan.	**NO**

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.

Ecological survey of the site was carried out by ABR Ecology Ltd at a suitable time of year and following industry guidelines. I consider that the level of survey has been thorough and appropriate to both the nature of the site and the scale of the development. I am satisfied that there is sufficient information to be able to make a judgement as to whether protected habitats and/or species are likely to be adversely impacted by the proposed development and that no further survey is required in relation to the current application.

The ecological survey confirmed the presence of four common pipistrelle day roosts and infrequently used day roosts for a low number of serotine and brown long-eared bats. The ecology report makes a series of recommendations in Section 5 (and Appendix 6) for precautionary measures to be implemented as part of the development, to ensure that bats are

not adversely impacted by the works. These include avoidance measures and some provision of alternative features and habitat areas to ensure that wildlife continues to be accommodated within the development.

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 bats can be maintained should the application be approved. However, none of these recommendations have been taken up within other relevant documents and therefore are not part of an enforceable permitted plan, should the application be approved. I therefore must maintain a holding objection since it has not been shown that the recommendations can be sufficiently and appropriately included within the development design. To overcome this, the recommendations need to be added to the elevations drawing and site plan and submitted for review by the council's ecologist. On the face of it, there does appear to be space within the site to accommodate the consultant ecologist's recommendations, but they do need to form part of the enforceable plan for the site.

DRAFT CONDITIONS: to be finalised when all information detailed above has been submitted and approved.

1. The development will be carried out in strict accordance with the following documents:
    - Preliminary Roost Appraisal (PRA) Report. V1.1. 10th August 2023. ARB Ecology Ltd.

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

2. 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.

3. Bat roosts and bat access points will be incorporated into the development in accordance with *TO BE UPDATED* 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.

INFORMATIVES:

Bats

The roof space of Tidcombe Manor 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