Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Rachel Whyte
Date:	13/09/2023
Application number:	PL/2023/03879
Proposal:	Formation of slurry reservoir. Infilling of existing slurry reservoir and erection of new barn (part retrospective).
Site address:	Sharcott Pennings Farm, Wilcot Road, Pewsey, Wilts, SN9 5NL
Case officer:	Jonathan James

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.	Nutrients	Habs Regs	**13/09/2023** – Completed nutrient budget calculator and mitigation scheme which demonstrates the development achieves nutrient neutrality.	**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 <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.

This development falls within the River Avon catchment and is for agricultural development that supports intensification of livestock numbers as confirmed in the covering letter (Fowler Architecture & Planning, May 2023). It therefore has the potential for adverse effects alone or in combination to the River Avon Special Area of Conservation (SAC) with other developments through increased phosphorous in the catchment.

In order to avoid impacts on the European sites, Natural England advises that all development with the potential to give rise to additional phosphorus should achieve nutrient neutrality before it is permitted. Accordingly, the Local Planning Authority considers this proposal is likely to lead to significant effects on the European Sites and an Appropriate Assessment (AA) is required under the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations).

A scheme for nutrient neutrality has not been submitted with this application and therefore we currently don't have sufficient evidence to conclude that it is compliant with the Habitats Regulations.

A bespoke nutrient calculation will be necessary in this case. In the first instance, we advise that information is provided by the applicant on the livestock numbers that are legally permitted at the farm and whether the proposed development will change the legal baseline. We advise that Natural England is contacted through their Discretionary Advice Service https://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planning-proposals for advice to help calculate the budget and to provide advice on options for mitigation.

The applicant must submit their own mitigation strategy showing the development will achieve nutrient neutrality, together with a letter from NE demonstrating that the strategy and development proposals submitted for planning have been reviewed by them and found to be compliant with the Habitats Regulations. Until we've got NE's agreement that the development, we are permitting is nutrient neutral, we cannot conclude AA's favourably.

Conditions to be imposed once the above issues have been addressed.

Final sign off – all matters addressed:

Ecologist	Date