Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Rachel Whyte
Date:	04/10/2023
Application number:	PL/2023/04777
Proposal:	Temporary Change of Use from Agricultural to Airsoft & for Erection of Structures
Site address:	Poors Ground, Cheverell Wood, Great Cheverell, Devizes, SN10 5SP
Case officer:	Meredith Baker

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.	Ecological Assessment	CP 50, WCA 1981, NPPF 2021, Hab. Regs.	**04/10/2023** – Ecological Assessment which covers all the concerns raised in this response.	**NO**
2.	Woodland Management Plan	CP 50, NPPF 2021	**04/10/2023** – Woodland Management Plan to demonstrate that the woodland habitats on the site will be managed for biodiversity.	**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.

It is noted that a rebuttal has been provided to a request made by the LPA ecology team on 11th August 2023 for an Ecological Impact Assessment. In carrying out its statutory function, the LPA must be reasonably sure that the proposal will not result in significant adverse effects on protected habitats or species.

The following ecological features are known to be, or could be, present on the site and therefore have the potential to be impacted by the proposals (please note that this list is not exhaustive and actual impacts can only be assessed by a professional ecologist undertaking surveys of the site):

- Cheverell Wood County Wildlife Site – the site is wholly within the County Wildlife Site.
- Priority Habitat Broadleaved woodland priority habitat – areas of the onsite woodland are included in Natural England's Priority Habitat Inventory.
- Bats – aerial mapping indicates that there are trees and structures within the site which could support roosting bats.
- Badger – there are records of badger setts near the site and aerial imagery indicates that there is suitable habitat for this species on the site.
- Hazel dormouse – aerial imagery indicates that there is suitable habitat for this species on the site.
- Nesting birds – aerial imagery indicates that there is suitable habitat for this nesting on the site.

Bats, badger, hazel dormouse and nesting birds and priority habitats such as woodland all benefit from legislative protection. Whilst County Wildlife Sites do not receive any statutory protection, they are covered by Core Policy 50 which states:

> *"Sustainable development will avoid direct and indirect impacts upon local sites through sensitive site location and layout, and by maintaining sufficient buffers and ecological connectivity with the wider environment. Damage or disturbance to local sites will generally be unacceptable, other than in exceptional circumstances where it has been demonstrated that such impacts:*
>
> *i. cannot reasonably be avoided*
> *ii. are reduced as far as possible*
> *iii. are outweighed by other planning considerations in the public interest*
> *iv. where appropriate compensation measures can be secured through planning obligations or agreements.*
>
> *Development proposals affecting local sites must make a reasonable contribution to their favourable management in the long-term."*

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). At the current time therefore, the Council expects all applications to demonstrate no net loss of biodiversity and where appropriate to deliver a net gain.

Salisbury Plain

This application lies within the 6.4 km buffer zone of the Salisbury Plain Special Protection Area (SPA) and in light of the Habitat Regulations Assessment (HRA) for the Wiltshire Core Strategy and the HRA for the Wiltshire Housing Site Allocations Plan it is screened into Appropriate Assessment due to the potential impact of recreational pressure on stone curlew in combination with other plans and projects. In April 2023 Natural England (NE) confirmed that the 2018 Appropriate Assessment for Salisbury Plain continues to be supported by NE. That Appropriate Assessment reached a conclusion of no likely significant effect on the conservation objectives of the SPA, for development within 6.4 km of the SPA boundary provided that the mitigation scheme continues to be implemented. Annual stone curlew monitoring and protection measures continue to be secured by the Council.

Further Information Required:

In the absence of sufficient information to address my concerns I am afraid I must maintain a holding objection on this application due to the risks posed by the proposals on sensitive ecological features. To overcome this objection the application must demonstrate that protected habitats and species will not be negatively impacted by the proposals and that the development will make a reasonable contribution to the favourable management of the CWS in accordance with Core Policy 50.

The following information is therefore requested.

1. Ecological Assessment

   An Ecological Assessment must be carried out by a professional ecologist with the results submitted to the LPA in a report which includes the methodology and results of any field survey. The report should include (but not necessarily be limited to) the following:
   - An assessment of impacts on all sensitive ecological features on the site and within the zone of influence. The assessment must include impacts on the woodland from human disturbance e.g., trampling of ground flora, noise, requirement for tree and vegetation removal.
   - Demonstrate how the proposals are in accordance with planning policy and legislation, including the mitigation hierarchy and biodiversity no net loss/enhancement.
   - Recommendations to protect sensitive ecological features and provide an enhancement for biodiversity.
   - A scaled plan showing any sensitive areas (where access may need to be restricted), extent of habitat to be impacted and extent of habitat to be enhanced. The plan should show the size of the areas in an appropriate unit of measurement.
   - A site plan showing how any mitigation/enhancement measures will be included in the proposal.

   The Ecological Assessment can be proportional to the size and scale of the development.

2. Woodland Management Plan

   This document will detail how the woodland will be sensitively managed throughout the lifetime of the development and beyond to make a reasonable contribution to the favourable management of the County Wildlife Site and provide enhancements for biodiversity in accordance with Core Policy 50. The document must also include constraints in terms of protected species to ensure management is carried out in accordance with legislation and policy. The document should also include measures to enhance the woodland for the species which do or could utilise these habitats. The Woodland Management Plan should be supported by annotated site plans as appropriate.

   This document can be appended to Ecological Assessment or submitted as a standalone report.

In carrying out its statutory function, the LPA must be reasonably sure that the proposal will not result in significant adverse effects on protected habitats or species. The information outlined above must therefore be submitted and reviewed by the LPA's ecology team prior to determination of the application.

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

Final sign off – all matters addressed:

Ecologist	Date