Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Jenna Buss
Date:	22/11/2023
Application number:	PL/2023/05442
Proposal:	Demolition of existing barn and erection of 1No. New Barn
Site address:	Berrybrook Farm, Street Lane, Sedgehill, SP7 9JQ
Case officer:	Joe Richardson

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	Protected Species/Habitats	Habs Regs WCA CP50 NPPF	**14/08/2023** **Ecological Impact Assessment**	**Yes 22/11/2023 Ecological Impact Assessment. October 2023. Darwin Ecology**
2	Biodiversity Net Gain	NPPF, CP50	**27/06/2023** Submission of the condition assessment sheets used in the site assessment, together with the unlocked Biodiversity Metric spreadsheet used to calculate no net loss, and where appropriate BNG, accompanied by maps referencing the current measured habitats within the site and those proposed for mitigation or for BNG.	**Yes 22/11/2023** **BNG Assessment. October 2023. Darwin Ecology** **Metric v4.0 unlocked**

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 following submitted documentation was reviewed to inform this response:

- Preliminary Roost Assessment. June 2023. Darwin Ecology;
- Ecological Impact Assessment. October 2023. Darwin Ecology;
- Condition Assessment Sheets;
- Metric V4.0 unlocked and;
- Biodiversity Net Gain Assessment. October 2023. Darwin Ecology.

1. Ecological Impact Assessment

We welcome the survey report Preliminary Roost Assessment (Darwin Ecology 20203). We note that evidence of roosting bats exists on site within the farmhouse and Barn B. However, Barn K to be demolished was assessed as having *negligible* potential to support roosting bats.

The area of land to the north of the existing buildings, where the new barn will be sited was assessed as modified grassland that is currently sheep grazed, with limited potential to support biodiversity including reptiles or amphibians.

Although no evidence of amphibians or reptiles were found, there is a residual risk that great crested newts / reptiles could occur on the application site. These species are legally protected and planning permission does not provide a defence against prosecution. In order to minimise the risk of these species occurring on the site, the developer is advised to clear vegetation during the winter, remove all waste arising from such clearance and maintain vegetation as short as possible together with the the recommendations made in the Ecological Impact Assessment.

If these species are found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the Council Landscape and Design Team (ecologyconsultations@wiltshire.gov.uk)

2. Biodiversity Net Gain

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) and the government has signalled its intention to bring forward legislation to require development to deliver 10% net biodiversity gain. Natural England has now prepared version 4.0 of the Biodiversity Metric that includes a small site metric Beta version. 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.

We note the submission of the BNG assessment including the metric spreadsheet which demonstrates a net gain for biodiversity through the woodland planting that was carried out earlier this year. Although this work is outside of the redline boundary, it is within the ownership boundary and within close proximity to the proposals and in this instance is considered acceptable biodiversity enhancement. A management plan for the protection of this habitat, as outlined within the BNG Assessment report should be undertaken together with the additional enhancement recommendations of the inclusion of bat boxes.

Conditions:

1. The development will be carried out in strict accordance with the following documents:

- Preliminary Roost Assessment. June 2023. Darwin Ecology;
- Ecological Impact Assessment. October 2023. Darwin Ecology;
- Biodiversity Net Gain Assessment. October 2023. Darwin Ecology.

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.

Informatives:

Bats
There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the applicant is advised to follow the advice of a professional ecologist or to contact Natural England's Batline through the internet.

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.

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 GN08-23 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

Final sign off – all matters addressed:

Ecologist Jenna Buss	Date **22/11/2023**