Garstons, Park Lane, Heytesbury, Wiltshire BA12 0HE

Planning Application for two recently dug ponds

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Together with this Application are:

1. Drawings and cross-sections of the two ponds
2. An Ecological Assessment of the site
3. A Flood Risk Assessment
4. A completed Application Form.

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1. Introduction and Site Context

Garstons is a residential dwelling, surrounded by 34 acres of land, roughly bisected by the River Wylye.

The land across the river from the house comprises two fields, which have historically been used for grazing, and one for occasional arable production. Historically, the fields were water-meadows, but the sluices are destroyed beyond repair, on neighbouring land.

There are no Rights of Way across this land, and the ponds are out of sight of any neighbours.

Having purchased the house and land in October 2022, the owners decided to try and increase the biodiversity of this land, by planting trees and digging a couple of ponds.

The heavy rains of December 2022 and early January 2023 were helpful in showing the areas which flooded, and suggested where the ponds should be sited. The unflooded areas were also apparent, and this was where the spoil would be located.

2. The Scheme

Having planted 250 native trees in Spring 2023, the applicants went ahead and dug the ponds in June 2023. The ground was still waterlogged from the spring rain, and the high water-table meant that construction was difficult.

The ponds are self-filling from the water-table, and the water level rises and falls with it. They are not fed from, or discharging back into, the River Wylye.

The ponds have already shown themselves to be attractive to a wide variety of wildlife. Birds seen include: herons; egrets; snipe; jack snipe; mallard; teal. An otter has also been seen swimming in the larger pond.

Woodpigeons, corvids and swallows, swifts and house martens have also seen drinking there, or dipping into the ponds.

The ponds have clearly already shown an increase in local bio-diversity.

3. Relevant Planning Policy

The National Planning Policy Framework (NPPF) was updated in 2021 and is a material consideration in the determination of planning applications. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and involves the pursuit of three objectives which are mutually supportive and interdependent: economic, social and environmental.

With regard to conserving and enhancing the natural environment, Paragraphs 174 states that: Planning policies and decisions should contribute to and enhance the natural and local environment by:
b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

With regard to habitats and biodiversity, Paragraph 179 states:

To protect and enhance biodiversity and geodiversity, plans should: a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; (b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity; (d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

It is considered that the planning application meets the requirements of the NPPF in this respect.

Wiltshire Core Policy 50 relates to Biodiversity and Geodiversity. ‘All development should seek opportunities to enhance biodiversity. Major development in particular must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services. Such enhancement measures will contribute to the objectives and targets of the Biodiversity Action Plan (BAP) or River Basin/ Catchment Management Plan, particularly through landscape scale projects, and be relevant to the local landscape character.’

Core Policy 51 relates to Landscape. ‘Development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures.’

It is considered that the planning application meets the requirements of the

Core Strategy in this respect.

4. Planning Justification.

Specifically, the National Planning Policy Framework (NPPF) requires planning decisions to minimise impacts and, where possible, improve conditions for wildlife.

By radically improving featureless grassland and arable land, this proposal has already improved habitat for a number of species of wildlife.

Further tree planting is planned for Spring 2024, together with the creation of wild-flower, and bird-friendly, plantings.

All the above measures should increase biodiversity including bat foraging areas, wet locations for amphibians and bird habitats and cover.

5. Observations on Flood Risk

As stated above, photographs and film were taken of the extensive flooding in January 2023. Although the area where the ponds have been dug is classed as Flood Zone 3, it is clear that flooding occurs to the North of the Wylye, not to the South.

This is because dredging of the river – apparently undertaken during World War II – has created a bank to the south, over which the flood water does not flow. The water level would have to be nearly a metre higher than where it was in January to impact significantly on those fields – in which case most of the local housing would be underwater, too, which hasn't happened in living memory.

(Discussions with the Environment Agency have taken place - specifically with Jessica Thompson, Partnerships and Strategic Overview Officer; Partnerships and Strategic Overview – Dorset and Wiltshire; Flood and Coastal Risk Management Wessex Area.
Contact: [redacted]

My neighbouring farmer, whose family has farmed here for the last 50 years, has never seen the fields in question ‘flood’, but has seen them unusable - from a farming point-of-view – only because of the high water-table.

6. Summary

The planning application has demonstrated that the scheme will provide biodiversity restoration and enhancement and will not make any significant changes to the landform. The proposal has embraced opportunities to deliver significant enhancements to the natural environment including ecological and landscape enhancements.

The proposals have been sensitively designed, taking into account landscape and ecological context. The proposal is therefore supported by the relevant policies set out in the Wiltshire Core Strategy and the National Planning Policy Framework.

It is respectfully concluded, that planning permission for these actions should be granted retrospectively.

Rupert and Laura Godfrey.
23 October 2023