Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Max Hemmings
Date:	07/11/2023
Application number:	PL/2023/09217
Proposal:	Demolition of existing outbuilding/garage with proposed replacement double garage with room above
Site address:	Medlar Cottage, Barnes Green, Brinkworth, Chippenham, SN15 5AJ
Case officer:	Stefan Galyas

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)

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.

The ecology report (Preliminary Roost Assessment for Bats and Nesting Birds and Nocturnal Bat Survey Report, Doc number: CE001077, Date: August 2023 by Cotswold Environmental) submitted to this application is welcomed. The report details a sufficient survey effort to determine the ecological baseline of the site and the suitable mitigation measures to ensure the continued functionality of the area for biodiversity.

The ecology report confirms the likely absence of roosting bats and nesting birds or other protected species in the Zone of Influence of the works. However, these species are mobile and can readily find refuge in structures such as those in the Site, please see the informatives at the bottom of the response for more detail.

CONDITIONS:

1. **Compliance with submitted documents**

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

- Sections 4.7 to 4.13 of the report: Preliminary Roost Assessment for Bats and Nesting Birds and Nocturnal Bat Survey Report, Doc number: CE001077, Date: August 2023 by Cotswold Environmental.

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

2. **Lighting**

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.

Birds and the nesting season
The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding.
Please be advised that works should not take place that will harm nesting birds from March to August inclusive. 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 at night”, issued by the Bat Conservation Trust and Institution of Lighting Professionals.

Final sign off – all matters addressed:

Ecologist **Max Hemmings**	Date **07/11/2023**