Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Max Hemmings
Date:	27/11/2023
Application number:	PL/2023/05076
Proposal:	Storage building ancillary to the site.
Site address:	The Kennels, Spye Park, Lacock, Chippenham, Wilts, SN15 2PS
Case officer:	Victoria Davis

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 Impact Assessment (EcIA)	WCA, CP50, NPPF, NERC	**27/11/2023** An Ecological Assessment has been submitted in support of this application however this contains insufficient information to determine potential impacts on the following habitats and protected/ notable species: - Deciduous Woodland Habitat of Principle Importance (HPI), Scutts Copse and *Spye Park* Site of Special Scientific Interest (SSSI) root protection zone.	**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.

The ecology report (Ecological Appraisal Report, Ref: eg230152, Tev: REV01, Date: 04/09/23 by Environmental Gain Ltd) submitted to this application is welcomed.

1. **Ecological Impact Assessment (EcIA)**

<u>Deciduous Woodland Habitat of Principle Importance (HPI), *Scutts Copse* Ancient Woodland and *Spye Park* Site of Special Scientific Interest (SSSI) root protection zone.</u>

The barn is partially within and not adjacent to these sites as stated in the Design and Access Statement and ecology report. The barn and vast majority of the site is entirely within the root protection zone of the trees. These sites are designated for their ground flora and other notable species alongside the individual trees.

Section 5.3 of the ecology report states:

"*The construction of the barn does not appear likely to have had any significant ecological impacts as it appears to have been built on land of negligible ecological value. Future use of the barn is unlikely to result in harm to the SSSI as long as there is no lighting and the use is not contrary to the conservation objectives of the SSSI*."

This conflicts with the information submitted to this application, including the ecology report, which includes evidence of degradation of the designated sites with the storage of equipment behind the barn.

Evidence is required to support the statement that the land held negligible ecological value. The precautionary principle should be applied if insufficient evidence is provided.

Justification is required on how the impacts to woodland habitat have been determined seemingly without any arboricultural assessment.

A Biodiversity Net Gain (BNG) Appraisal is required as mentioned in the Natural England comment (C-1383833) and Section 5.5 of the ecology report. Any habitat mitigation/compensation needs to be detailed in a Landscape Plan. The suggestion that a secure fence is constructed around the operational yard to protect the designated sites is welcomed and should be detailed on the proposed drawings/plans.

A Biodiversity Net Gain calculation using Natural England's metric (version 4.0) would help inform the amount of habitat mitigation required. Any impacted SSSI/Ancient Woodland habitat is "irreplaceable habitat" and considerably more habitat mitigation would be required than stated in the metric.

Confirmation that no external lighting is proposed on the barn is welcome. Clarification is required if the increase in artificial disturbance such as but not limited to noise and dust from the operational use of the barn has the potential to significantly disturb any protected species associated with the designated sites.

The inclusion of bat and bird boxes is welcome. However, clarification is required if the proposed operational use of the barn would impact the success of these features and if more optimal siting is available elsewhere.

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.

DRAFT CONDITIONS: to be finalised when all information detailed above has been submitted and approved.

1. **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**.**

Final sign off – all matters addressed:

Ecologist	Date