Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Rachel Whyte
Date:	11/12/2023
Application number:	PL/2023/08857
Proposal:	Demolition of existing building and construction of a 9no. bedroom flats, storage and associated landscaping
Site address:	5-9 Duke Street, Trowbridge, BA14 8EA
Case officer:	Gen Collins

Recommendations:

	No comment
	Support
	No objection
X	Condition (no objection subject to conditions)
	Objection - further information required
	Objection in principle
	HRA completed

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 application has not been supported by an ecological assessment. Given the information available for the site, the risk to ecology is considered low and it would be disproportionate in this case to request a survey.

The proposals include landscaping and a sedum roof, this would represent a welcome increase in biodiversity over the existing situation and would be in accordance with Core Policy 50.

Trowbridge Bat Mitigation Strategy (TBMS) - Grey Zone

The application site is located with the 'grey hatched' recreational zone of the TBMS. This is an area within a zone of influence within which new residential development is likely to result in increased recreational use of the woodland bat sites. New residential development proposals within this zone will be expected to contribute towards the delivery of mitigation to address strategic recreational pressure. Such mitigation will be paid for through Community Infrastructure Levy (CIL). Developers will not pay directly for strategic recreational mitigation. Funding will instead be calculated annually from the number of housing completions and taken from the CIL receipts at the following rate: For residential development, £641.48 per dwelling.

Habitat Regulations Assessment

The proposals will not result in the loss of any vegetation, furthermore the site is in a very urban location and any changes to artificial lighting as a result of the proposals are not expected to be

significant. No impacts to the Bath & Bradford on Avon bats Special Area of Conservation is therefore anticipated and Appropriate Assessment is not required.

CONDITIONS:

1. The development will be carried out in strict accordance with the following documents:
    - Landscape Plan. Drawing no: A17 23 33 P08. 24th September 2023. Atelier 17 Ltd.

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

INFORMATIVES:

Bats

There is a risk that bats may occur at the development site. The council considers it would be unreasonable to require the applicant to submit a bat survey because this could be considered disproportionate to the scale of development. Furthermore, given the nature of this development, the council considers that if bats were found, mitigation would probably not require further planning permission and a European Protected Species Licence would be forthcoming. Nevertheless, anyone undertaking this development should be aware that bats and their roosting places are protected at all times by the Conservation of Habitats and Species Regulations 2017 (as amended). 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. Consideration should be given to obtaining a survey from a professional ecologist before commencing work. If bats or evidence of bats is found at any stage of development, 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.

Final sign off – all matters addressed:

Ecologist **Rachel Whyte**	Date **11/12/2023**