Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Jenna Buss
Date:	15/01/2024
Application number:	PL/2023/08318
Proposal:	Conversion of store building to 2 bedroom dwelling and associated works
Site address:	The Store, Land North of Close Farm, Close Lane, Marston, SN10 5SN
Case officer:	Lucy Rutter Dowd

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 following submitted documentation was reviewed to inform this response:

- Protected Species Survey. May 2023. Malford Environmental Consultancy;
- Proposed GF Plan and E Elevation. 2305-CL-PL-101. August 2023. DRA Architects and;
- Proposed N, S and W Elevations 2305-CL-PL-210. August 2023. DRA Architects

Protected Species

We note the proposal to convert the store building into a residential dwelling. The ecology report found no evidence of protected species on site and the building was assessed to have negligible potential to support roosting bats. Although no evidence of bats were present, records of bat roosts exist within close proximity and may be impacted by the proposals through changes in light spill. We therefore advise that any external lighting is submitted to the LPA and agreed in writing. This could be secured through condition.

A pond outside of the red line boundary but within close proximity was not formally assessed. However, the pond and surrounding marginal habitat was considered to be sub-optimal to support GCN. Due to the nature and location of the proposals which will not directly impact the pond, it is considered there is unlikely to be an impact upon GCN in this instance. No evidence of other protected species were noted on site.

Salisbury Plain SPA 6.4km Recreational Zone

This application lies within the 6.4km buffer zone of the Salisbury Plain SPA and in light of the HRA for the Wiltshire Core Strategy and the HRA for the Wiltshire Housing Site Allocations Plan

it is screened into Appropriate Assessment due to the potential impact of recreational pressure on stone curlew in combination with other plans and projects. In April 2023 Natural England (NE) confirmed that the 2018 Appropriate Assessment for Salisbury Plain continues to be supported by NE.

That Appropriate Assessment reached a conclusion of no adverse effects on site integrity for development within 6.4km of the SPA boundary provided that the mitigation scheme continues to be implemented. Annual stone curlew monitoring and protection measures continue to be secured by the Council.

BNG

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). 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 welcome the ecological enhancements included within the ecology report, to include additional bird and bat boxes on site. The number, type and location of these can be secured through condition.

CONDITIONS:

1. The development will be carried out in strict accordance with the following documents:
   - Protected Species Survey. May 2023. Malford Environmental Consultancy;

   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.

3. Prior to the commencement of any works, including vegetation removal and demolition, details of the number, design and locations of bat roosts and nesting opportunities for birds shall be submitted to the local authority for approval. The approved details shall be implemented before occupation of the final works. This condition will be discharged once photographic evidence of installed features has been submitted to and approved by the local planning authority.

   REASON: To provide mitigation /enhancement for 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.

Protected Species

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitat Regulations 2019 (as amended) it is an offence to disturb or harm any protected species including for example, breeding birds and reptiles. The protection offered to some species such as bats, extends beyond the individual animals to the places they use for shelter or resting. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

Final sign off – all matters addressed:

Ecologist	Date
Jenna Buss	**16/01/2024**