Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name: Jenna Buss
Date: **25/01/2024**
Application No: PL/2023/08583
Proposal: Discharge of conditions 6, 7, 9, 10, 11, 12, 14 & 15 relating to 19/05898/OUT ("Outline application for up to 50 residential units, internal road, parking, open space and associated works, with all matters reserved other than access")
Site Address: Land off Park Road, Malmesbury, SN16 0QW
Case Officer: **James Repper**

Condition No.	Further information required by condition	**Satisfactorily addressed (Document & Date)**
7	Prior to the submission of the first reserved matters application a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the local planning authority. The content of the LEMP shall include, but not necessarily be limited to, the following: i. Description and evaluation of features to be managed; ii. Landscape and ecological trends and constraints on site that might influence management; iii. Aims and objectives of management, including long term objectives to ensure biodiversity net gain and management in perpetuity on land outlined in red and blue on boundary plan 17021(90) 200 Rev B; iv. Appropriate management options for achieving aims and objectives as set out in points i.-iii. above; v. Prescriptions for management actions for the site outlined in red and blue on plan 17021(90) 200 Rev B; vi. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5 year period); vii. Details of the body or organisation responsible for implementation of the plan; Appeal Decisions APP/Y3940/W/21/3289757 & APP/Y3940/W/21/3286853	**No** **25/01/2024** **REF: LEMP. September 2023. EDP Ltd** **Points 9, 10 and 11 of condition 7 have not been addressed within the LEMP.**

	https://www.gov.uk/planning-inspectorate 19 viii. Ongoing monitoring and remedial measures which shall include measurable targets; ix. Details of how the aims and objectives of the LEMP will be communicated to future occupiers of the development; x. Details of the legal and funding mechanism(s) by which the longterm implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery, and; xi. In the circumstances where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met, details of how contingencies and/or remedial action will be identified, agreed and implemented. The development shall thereafter be carried out in accordance with the approved LEMP. A report shall be submitted to the local planning authority annually for a period of 5 years from commencement of the work schedule detailing the works undertaken and performance against the targets set.	
9	No demolition, site clearance or development hereby permitted shall commence on site until an Arboricultural Method Statement (AMS) prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees has been submitted to, and approved in writing by, the local planning authority. All works shall subsequently be carried out in strict accordance with the approved AMS. In particular, the AMS must provide the following: i. A specification for protective fencing to trees during both demolition and construction phases for all development associated Appeal Decisions APP/Y3940/W/21/3289757 & APP/Y3940/W/21/3286853 https://www.gov.uk/planning-inspectorate 20 with the development hereby approved, including the trees and hedges in Park Road, which complies with British Standard BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) and a plan indicating the alignment of the protective fencing; ii. A specification for scaffolding and ground protection within tree protection zones in accordance with BS 5837:2012 (or in an	**Yes** **25/01/2024** **Ref: Arboricultural Impact Assessment (Incorporating Tree Protection Measures). September 2023. EDP Ltd**

	equivalent British Standard if replaced); iii. A schedule of tree works conforming to British Standard BS 3998:2010 Tree work - Recommendations (or an equivalent British Standard if replaced); iv. Details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires; v. Plans and particulars showing the siting of the service and piping infrastructure; vi. A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of any no-dig specification and extent of the areas of any driveways to be constructed using a no-dig specification; vii. Details of the works requiring arboricultural supervision to be carried out by an arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the local planning authority of the findings of the supervisory visits; and viii. Details of all other activities, which have implications for trees on or adjacent to the site and works that form part of the development hereby permitted. Subsequently, and until the completion of all site works, site visits should be carried out on a monthly basis by an arboricultural consultant. A report detailing the results of site supervision and any necessary remedial works undertaken or required should then be submitted to, and approved in writing by, the local planning authority on a monthly basis. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant in accordance with the approved details.	

We welcome the information submitted in support of the discharge of conditions 7 and 9 in relation to Ecology to include;

- LEMP. September 2023. EDP Ltd;
- Arboricultural Impact Assessment (Incorporating Tree Protection Measures). September 2023. EDP Ltd

We welcome the provision of a LEMP in support of condition 7. However, additional information is required as outlined above. Points ix, x and xi of condition 7 have not been addressed within the LEMP. Additional information to address these points should be included prior to discharge of this condition.

Sufficient information has been submitted in support of the discharge of condition 9 and assuming works are carried out in accordance with the Arboricultural assessment and tree protection plan included within, we would support the discharge of this condition.

Final sign off – all matters addressed:

Ecologist	Date
Jenna Buss	