Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Rachel Whyte
Date:	19/02/2024
Application number:	PL/2023/10856
Proposal:	Demolition of existing 3no. storage buildings and erection of 2no. replacement storage buildings
Site address:	West Yard, Dummer Lane, Chute Standen, Wiltshire, SP11 9EE
Case officer:	Hayley Clark

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 mitigation	CP 50, WCA 1981, NPPF 2023, Hab. Regs.	**19/02/2024** - Ecological compensation, mitigation and enhancement to be shown on enforceable drawings.	**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 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.

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 is supported by an Ecological Impact Assessment by Darwin Ecology. The surveys confirmed the presence of day roosting barbastelle and brown long-eared bats in barn 1. Both barns also had potential for nesting birds. **A European Protected Species (EPS) bat Mitigation Licence will need to be obtained for the lawful construction of this development.**

The development must be carried out in strict accordance with Paragraphs 6.9 – 6.24 and Section 7 of the Ecological Impact Assessment which sets out mitigation, compensation and enhancement measures for bats, enhancement measures for birds, and measures to create a wildlife beneficial landscaping scheme. The inclusion of the proposed enhancement measures

would be in accordance with Core Policy 50 which encourages developments to seek opportunities to enhance biodiversity.

Proposals must be carried out in strict accordance with the measures set out in the Arboricultural Method Statement.

Further Information Required:

1. Compensation, mitigation and enhancement to be shown on enforceable drawings

   The replacement garage drawing shows the wood store mitigation which is welcomed however the following features are missing: lifted tile features, wooden cladding features, ridge tile features, bird and bat boxes. These features should be shown on the proposed drawings. Figure 3 of the Ecological Impact Assessment should also be submitted as a standalone document.

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

1. The development will be carried out in strict accordance with the following documents:
   - Arboricultural Method Statement. November 2023. Savills.
   - Ecological Impact Assessment. November 2023. Darwin Ecology.

   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. Bat roosts and bat access points will be incorporated into the development in accordance with:
   - *To be updated*

   or as otherwise specified in a relevant European Protected Species Licence superseding this permission. The installation of these bat roosts and access features will be supervised by a professional ecologist and this part of the condition will be discharged when photographic evidence of installed features have been submitted to and approved in writing by the local planning authority. These bat roosts and access points will continue to be available for bats for the lifetime of the development.

   REASON: To mitigate for impacts to bats arising from the development.

INFORMATIVES:

Bats

Barn 1 is used as a bat roost. Under the Conservation of Habitats and Species Regulations 2017 (as amended), it is an offence to harm or disturb bats or damage or destroy their roosts. Planning permission for development does not provide a defence against prosecution under this legislation. The applicant is advised that a European Protected Species Licence will be required before any work is undertaken to implement this planning permission. Future conversion of the roof space to living accommodation or replacing the roof could also breach this legislation and

advice should be obtained from a professional bat ecologist before proceeding with work of this nature.

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.

Protected Species General

The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Habitats Regulations 2017 (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