Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Rachel Whyte
Date:	22/11/2023 21/03/2024
Application number:	PL/2023/08810
Proposal:	Erection of grain store, inputs building, access track, hard standing and associated works
Site address:	Woolley Park Farm, Bradford on Avon, Wilts, BA15 1TU
Case officer:	Russell Brown

Recommendations:

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

Further Information Required:

	Issue	Policy/Legislative Compliance	Date Information Requested & Further Information Required	Satisfactorily Addressed (Document & Date)
1.	Ecological Assessment	CP 50, WCA 1981, NPPF 2021, Hab. Regs.	**22/10/2023** – Submission of ecological assessment	**YES 21/03/2024** - Preliminary Ecological Appraisal Report. Report ref: 1373/V1.0. February 2024. Johns Associates.
2.	Trees/ hedgerows	CP 50, Hedgerows Regs	**22/10/2023** – Proposals to demonstrate no loss of integrity of trees/hedgerows	**YES 21/03/2024** - Tree Survey and Tree Constraints Plan. Ref: 22.1515 Rev A. November 2023.
3.	Lighting	Hab. Regs	**21/03/2024** - Lux contour plot and Lighting Strategy	**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 Ecological Appraisal Report (J01023/Version 1.0, Johns Associates) submitted in support of this application relates to the redevelopment of the existing farmyard located approximately 300 m west of the application site. Whilst the report provides some useful background information for the local area it does not provide an assessment of ecological features associated with this application boundary or provide an assessment of the impacts of this proposed development.

There appears to be two ponds within close proximity to the application boundary, the Ecological Appraisal Report indicates that one of these ponds was due to be surveyed for great crested newt, though survey results have not been provided. The site is within a consultation zone for greater horseshoe bat associated with the Bath & Bradford on Avon Special Area of Conservation (SAC) and partially within a consultation zone for lesser horseshoe bat associated with the SAC. Surveys carried out to inform the Ecological Appraisal Report confirm the presence of commuting greater horseshoe and a lesser horseshoe day roost in the existing farmyard which is in close proximity to the application site.

The submitted documents indicate that a section of hedgerow will be lost to facilitate the new access track. 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.

Whilst a Biodiversity Net Gain (BNG) calculation will not be requested here, the Council requires the proposal to demonstrate no net loss of functional habitat.

Habitat Regulations Assessment

The application site is located within a consultation zone for bats associated with the Bath & Bradford on Avon Bats SAC and therefore has potential to result in significant adverse impact on the special features of that site. Habitat Regulations Assessment (HRA) under Section 63 of the Habitats Regulations must be carried out by the relevant Competent Authority (the LPA) to determine the potential significant effects and the suitability of any measures proposed to avoid or mitigate those effects. Insufficient information has so far been submitted to enable the HRA to be undertaken.

Further Information Required:

1. Ecological Assessment

~~An Ecological Assessment must be carried out by a professional ecologist with the results submitted to the LPA in a report which includes the methodology and results of any field survey. The report must include (but not necessarily be limited to) the following:~~

- ~~An assessment of the suitability of the site and adjacent habitat for bats (including SAC bats) and an assessment of potential impacts from the proposed development on bats (including SAC bats). The assessment should be supported by sufficient evidence.~~
- ~~An assessment of the impacts of the development on all other sensitive ecological features on the site and within the zone of influence e.g., great crested newt. The assessment should be supported by sufficient evidence.~~
- ~~Recommendations for measures to be implemented to protect sensitive ecological features and to ensure wildlife is accommodated for within the development.~~

~~The report must demonstrate how the proposals are in accordance with planning policy and legislation including the mitigation hierarchy and no net loss/enhancement.~~

A Preliminary Ecological Appraisal (1371/V1.0) has been submitted in support of the application. The ecology report makes a series of recommendations in Section 5.3 for precautionary measures to be implemented as part of the development, to ensure that protected habitats/species are not adversely impacted by the works. As the use of artificial lighting is expected in the new farmyard the PEA identifies a risk that this lighting could impact on the use of hedgerow 4 by foraging/commuting bats. Whilst it is noted that lighting is likely to be screened from the hedgerow by the presence of buildings the PEA has recommended that a lighting Lux assessment and Lighting Strategy is conducted to demonstrate that hedgerow 4 will be maintained as a dark corridor for bats.

The Preliminary Ecological Appraisal (PEA) is accompanied by a BNG metric which indicates that the proposals will result in an increase of 10.92% habitat units and 14.22% hedgerow units. This is achieved by enhancing retained hedgerows and creating other neutral grassland. The proposed biodiversity enhancements are welcomed and would be in accordance with Core Policy 50 with regard to biodiversity no net loss/enhancement. I consider that the level of survey has been thorough and appropriate to both the nature of the site and the scale of the development.

Note to case officer: some of the proposed biodiversity enhancement is located outside of the redline application boundary (though within the ownership boundary) and this will need to be adequately secured.

2. Trees/hedgerow

~~Submission of a plan showing root protection zones of retained trees and hedgerows in relation to the development (including the access track). The proposals must demonstrate that there will be no loss of integrity of trees/hedgerows.~~

The application has been supported by a Tree Survey and Tree Constraints Plan which sets out measures to protect retained trees/hedgerows. I can satisfied that sufficient information has been provided regarding trees/hedgerows.

3. Lighting

The PEA states the following: “a lighting Lux assessment and Lighting Strategy for the development should be conducted to inform a Habitats Regulations Assessment (HRA) to determine whether the effects of lighting will have a significant impact on the local light sensitive SAC populations of bats. Should it be demonstrated that a dark corridor is retained along hedgerow 4, there will be no significant effect to the integrity of the conservation status of the Bath and Bradford on Avon Bats SAC.”

The lighting strategy must include the location and specification of luminaires and any information regarding the operation of luminaries (e.g., motion sensor). Lighting on site will be expected to be in accordance with relevant best practice guidance (see Section 5.1.1 of the PEA). It is expected that hedgerow 4 will be maintained as a dark corridor for bats in accordance with the PEA.

Final sign off – all matters addressed:

Ecologist	Date