Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Max Hemmings
Date:	03/04/2024
Application number:	PL/2023/09195
Proposal:	Redevelopment of existing industrial site to facilitate restoration, renovation and creation of 2no. dwellings and 2no. self-contained holiday units, including airsource heat pumps & in-roof photovoltaic panels, together with external swimming pool, landscaping and associated works.
Site address:	J Price Bath Ltd, Quarry Hill, Box, Corsham, SN13 8LH
Case officer:	Rose Fox

Recommendations:

	No Comment
	Support
	No objection
X	Condition (no objection subject to conditions)
	Objection - further information required
	Objection in principle
X	HRA required – the AA has been sent to NE for approval

It should be noted that the comments below are reliant on the accuracy and completeness of the submitted reports, and we do not take any responsibility for incorrect data or interpretation made by the authors.

The ecology reports submitted to this report are welcomed and are listed below:

- Bat Survey & Assessment, Version: CIC v1.1, Date: 11/11/22 by Ellendale Environmental Ltd.
- EEL502 Quarry Hill, Box – Protected Species Survey and Assessment - Addendum

These reports in combination with those submitted to a previous planning application on the site (17/09403/OUT) confirm the sites hosts:

- Breeding birds such as but not limited to house sparrow, swifts and swallows.
- Building C (Candle Factory) hosts four bat day roosts; lesser horseshoe (max count 1 individual), common pipistrelle (3 individuals), serotine (1) and soprano pipistrelle (1).

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 mitigation roost features 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.

If this application is approved the conditioned CEMP should be brief and reference the requirements to complete the works under a bat licence methodology, the Arboricultural Assessment's Tree Protection Plan and the avoidance of external artificial light at night.

Habitat Regulations Assessment (HRA)

The application site is located within a consultation zone for bats associated with the Bath & Bradford on Avon Bats Special Area of Conservation (SAC) and therefore has potential to result in significant adverse impact on the special features of that site. Appropriate Assessment (AA) 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.

The application has potential to result in significant adverse impact either alone or in combination with other projects on the statutorily designated Bath & Bradford on Avon Bats SAC. As required by the Habitats Regulations an Appropriate Assessment has been completed by the LPA with a favourable conclusion. **The AA has been sent to Natural England (03/04/2024) and the application must not be determined until they have agreed with the LPAs conclusion.**

CONDITIONS: these will be added once the issues above have been addressed

1. **Compliance with submitted documents**

The development will be carried out in strict accordance with the following documents:

- Drawing: PR external lighting plan, Ref: 688-PL-125, Rev: A, Date: 06/03/2024 by Artel 31
- Drawing: PR bat loft, Ref: 688-PL-127, Date: October 2023 by Artel 31
- Drawing: PR ecology plan, Ref: 688-PL-124, Rev: A, Date: 06/03/2024 by Artel 31
- Drawing: PR landscaping plan, Ref: 688-PL-126, Date: October 2023 by Artel 31
- Arboricultural Assessment, Former J. Price Factory by Tim Pursey

The installation of the biodiversity mitigation and enhancement measures will be supervised by a professional ecologist and will continue to be available for wildlife for the lifetime of the development.

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

2. **Lighting**

No additional external light fixture or fitting will be installed within the application site other than those shown on drawing *PR external lighting plan, Ref: 688-PL-125, Rev: A, Date: 06/03/2024 by Artel 3* unless details of the additional new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.

The plans will be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals (ILP) Guidance Notes on the Avoidance of Obtrusive Light (GN 01/2021) and Guidance note GN08/23 “Bats and artificial lighting at night”, issued by the Bat Conservation Trust and Institution of Lighting Professionals.

REASON: To avoid illumination of habitat used by bats.

3. Construction Environment Management Plan (CEMP)

Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

a) Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.
b) Working method statements for protected/priority species, such as nesting birds and bats.
c) Mitigation strategies already agreed with the local planning authority prior to determination, such as for bats; this should comprise the pre-construction/construction related elements of strategies only.
d) Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.
e) Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).

Development shall be carried out in strict accordance with the approved CEMP.

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

4. Soft Landscaping

All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner,

- All shrubs, trees and hedge planting shall be maintained in accordance with drawing *PR landscaping plan, Ref: 688-PL-126, Date: October 2023 by Artel 31* for the duration of the development from the commencement of the scheme and shall be protected from damage by vermin and stock.
- Any trees or plants which, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure a satisfactory implementation and maintenance of the Soft Landscaping strategy

Final sign off – all matters addressed:

Ecologist	Date