Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name: Mary Holmes MCIEEM

Date: 08/04/2024

Application No: PL/2023/11026

Proposal: Variation of condition 2 (approved plans) on PL/2022/03452 - changing the roofing material to a grey slate type, multiple solar panels on the south / rear pitches, water sourced heating panels and replacing windows with two leaf opening units.

Site Address: Limpley Mill, Lower Stoke, Limpley Stoke, BA2 7FJ

Case Officer: Jemma Foster

Recommendations

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

Matters Considered:

As the proposed application is located within Core Sustenance zones for all qualifying annex II species a high standard of precautionary working practices will be required to ensure that there is no contravention of either European or UK wildlife legislation. Due to the River Avon being adjacent the site, the qualifying bat species are highly likely to be commuting and foraging close by and therefore restrictions on lighting and retention of vegetation are required to ensure no adverse effects on these species as a result of the development. With these restrictions in place, (as set out below in conditions), there will be no mechanism for adverse effect, and the application can be screened out of Appropriate Assessment.

Please also refer to ecology comments on PL/2022/03452.

It will be necessary to impose the following conditions to ensure that the permission complies with legislation:

Condition

1. No external light fixture or fitting will be installed within the application site unless details of existing and proposed new lighting have been submitted to and approved by the LPA in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.

   REASON: to avoid illumination of habitat used by bats

2. Prior to the commencement of development, details of all habitat creation/enhancement and landscaping to be planted within the development including their location, species and size of stock, shall be submitted on a stand-alone plan and approved by the LPA. All planting will be planted in accordance with the approved details in the first planting season following first occupation and maintained and replaced as necessary for the first five years and thereafter retained.

   Reason: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences to ensure it complies with planning policy and wildlife legislation.

3. No woody vegetation (hedgerow/trees/scrub) will be removed from anywhere within the site without prior agreement with the LPA through submission of a detailed site drawing showing areas to be removed and replacement planting within the site.

   REASON: To ensure the protection of important wildlife habitat features.

4. No construction (*including demolition, ground works*) will take place outside daylight hours.

   REASON: The introduction of artificial light is likely to mean nocturnal wildlife (otters/bats) are disturbed and/or discouraged from using established flyways or foraging areas. Such disturbance will constitute an offence under relevant wildlife legislation.

Informative:

Bats

There is a risk that bats may be present at the 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 behind woodland cladding and are therefore not often seen. Anyone undertaking this development should be aware that bats and their roosting places are protected at 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 to contact the Bat Advice Service on **0845 1300 228**, email enquiries@bats.org.uk or visit the Bat Conservation Trust website