Wiltshire Council

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Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Max Hemmings
Date:	09/04/2024
Application number:	PL/2023/09727
Proposal:	Tennis and games building over existing outdoor tennis court.
Site address:	Tennis Court, Ferne Estates, Berwick St John, Wiltshire SP7 0EU
Case officer:	Mary Rose Scott

Recommendations:

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

The ecology report (Ecological Appraisal, Proposed Sports Barn At Ferne Park, Date: 21st June 2023 by Malford Environmental Consulting) submitted to this application is welcomed. The report details a sufficient survey effort to determine the ecological baseline of the site and the suitable mitigation measures to ensure the continued functionality of the area for biodiversity.

The proposed structure has a large percentage cover of fenestrations which is a concern due to internal light spill onto the adjacent habitats including the Deciduous Woodland Habitat of Principal Importance. However, since the current site has significant unmitigated light pollution from the existing flood lights the proposed design will seemingly result in a net reduction of artificial light spill. We request the Dark Sky officer at Cranborne Chase National Landscape (previously called AONB) team is consulted to confirm the proposed lighting meets the requirements of Environmental Zone E0 as defined by the Institute of Lighting Professionals.

A significant proportion of the proposed habitat mitigation and enhancement is outside the red line boundary but in the blue line boundary. The proposed habitat creation on drawing *Landscape Strategy, Number: WHL-1676-05, Date: February 2024 by WH Landscape Consultancy Ltd* must be secured by condition or legal agreement if planning approval is forthcoming.

Habitat Regulations Assessment (HRA) – Test of likely significance - Hampshire River Avon Catchment Special Area of Conservation (SAC):

A test of likely significance has been carried out by the relevant Competent Authority (Wiltshire Council) as required by Regulation 63 Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. This concluded that given the scale and nature of the development any temporary construction impacts and operational impacts **The HRA has concluded that the application is not likely to have significant impacts on the SAC and Appropriate Assessment is not required.**

CONDITIONS:

1. **Compliance with submitted documents:**

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

- Landscape Implementation and Maintenance Detail for Proposed Tennis Barn, Ref: 23.1676, Rev: , Date: February 2024 by WH Landscape Consultancy Ltd
- Sections 6.1, 6.3, 6.4 of the report: Ecological Appraisal, Proposed Sports Barn At Ferne Park, Date: 21st June 2023 by Malford Environmental Consulting

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

2. **Lighting**

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 Local Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.

Any new lighting should be for the purposes for safe access and security and be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, 'Guidance for the Reduction of Obtrusive Light' (ILP, 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. **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 *Landscape Strategy, Number: WHL-1676-05, Date: February 2024 by WH Landscape Consultancy Ltd* 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 Biodiversity Mitigation and Enhancement Strategy

INFORMATIVES

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2017) 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 planning application 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 **Max Hemmings**	Date 09/04/2024