Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Jenna Buss
Date:	27/02/2024 18/4/2024
Application number:	PL/2023/10394
Proposal:	Construction and operation of a solar photovoltaic farm and associated infrastructure
Site address:	Land South of Salisbury Road, nr Homington, Coombe Bissett, Salisbury
Case officer:	Joe Richardson

Recommendations:

	No Comment
	Support
	No objection
x	Condition (no objection subject to conditions)
	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	Protected Species/Habitats	NPPF, CP50, Habs Regs	Bat transect surveys Skylark Mitigation Strategy	**Yes** **18/04/224** **Skylark Mitigation Strategy. March 22. EDP** **Ecology Technical Note. March 2024. EDP** **Technical Briefing Note. April 2024. EDP**
	Biodiversity Net Gain	NPPF, CP50	Submission of the unlocked Biodiversity Metric spreadsheet used to calculate no net loss, and where appropriate BNG, accompanied by maps referencing the	**Yes** **18/04/2024 Unlocked**

2			current measured habitats within the site and those proposed for mitigation or for BNG.	**Metric Version 4.0**
3	Mitigation and Enhancement	NPPF CP50	Additional information in line with published guidance: Solar PV Farms and Ecology is required to include a HMMP	**Yes** **18/04/2024** **FLEMP. March 2024. EDP**

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 <u>all</u> 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 additional 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 the following documents:

- Ecological Appraisal. November 2023. EDP;
- Landscape Plan edp7926_d010c. November 2023. EDP;
- Development Zone Plan LCS052 DZ-01. October 2020. Low Carbon;
- Site Layout Plan External LCS052 PLE-01. October 202. Low Carbon;
- Site Location Plan LCS052-SP01. April 2023. Low Carbon;
- Shadow Habitats Regulations Report. November 2023. EDP;
- Security Fence and CCTV Standard Detail LCS-SD-04.1. February 2023. Low Carbon
- Arboricultral Report. November 2023. Tree Heritage
- Skylark Mitigation Strategy. March 2024. EDP;
- Ecology Technical Note. March 2024. EDP;
- Technical Briefing Note. April 2024. EDP;
- Framework Landscape Ecological Management Plan. March 224. EDP and
- Landscape and Ecology Strategy Plan. March 2024. EDP.

1. Protected Species and Habitats

Bats
We welcome the bat surveys undertaken in relation to proposed tree works on site and note the recommendations made within the Technical Briefing Note with regards to T17 and T18. Additional surveys have been recommended for T17 due to the presence of multiple PRF's for multiple bats and the nature of the works proposed. This additional survey work must be completed prior to the commencement of works and details of the survey and necessary mitigation measures submitted to and agreed with the LPA.

In addition, we note the mitigation measures proposed on site to support the retention of bat foraging and commuting flight lines which have been included within the Landscape and Ecology Strategy Plan, these include;

- A minimum 10m build buffer between all boundary hedgerows and development;
- An additional 10m no build buffer between the woodland and development;
- Neutral grassland planting along the buffers to be managed for the benefit of biodiversity
- The retention of boundary hedges and some double hedge planting with in-boundary trees included

- Infill hedgerow planting to reduce gapping.

Skylark
We welcome the skylark mitigation strategy submitted in support of the application. We note from the strategy that additional land within the blue line boundary (as outlined in Appendix EDP2) will be required to support the strategy. As this is outside of the red line boundary this strategy will require a separate legal agreement prior to determination. Additional information to include a landscape plan, outlining the locations of the proposed skylark mitigation plots will be required in order to support this proposal.

A number of Reasonable Avoidance Measures have been included within the Ecological Appraisal Report for badger, breeding birds and reptile. These integrated mitigation measures are welcomed and can be secured through a construction environment management plan. Further mitigation is proposed in the form of bird and bat boxes, the detail of which have not been included. This information could be secured through condition.

In addition, we note the gird connection route will be secured through a separate application.

Hampshire River Avon Catchment
This development falls within the catchment of the River Avon SAC and has potential to cause adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater. 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 Regulations 2017 (as amended). This concluded that as the proposals are for the construction and operation of a solar photovoltaic farm there is no mechanism for adverse effect and operational impacts would be de-minimis.

New Forest Protected Sites 13.8km Recreation Zone of Influence
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, there is no mechanism for adverse effect and operational impacts would be de-minimus. The HRA has concluded that the application is not likely to have significant impacts on the SAC and Appropriate Assessment is not required.

Biodiversity Net Gain

We welcome the submission of the unlocked BNG metric. From the information submitted it appears that net gain has been met through the inclusion of new hedgerows, together with the creation and enhancement of grassland meadows. We note that the application is also supported by the updated Landscape and Ecology Strategy Plan.

HMMP

A number of proposals have been recommended to enhance biodiversity on site through the BNG Assessment with the proposed management outlined within the FLEMP document submitted. Additional information will be required as outlined within our previous response. This could be conditioned.

Decommissioning

A condition will be required to ensure an appropriate decommissioning and restoration plan is submitted to and agreed with the council a minimum of 12 months prior to commissioning. The condition must ensure the plan will be supported by an impact assessment based on up to date baseline survey and carried out according to the current guidelines. It must set out clear ais of restoration to benefit key habitats and species.

Please note that if the permission is granted for longer than the standard agreed start time of 3 years, ecology will need to be reconsulted.

CONDITIONS:

1. The development will be carried out in strict accordance with the following documents:
    - Skylark Mitigation Strategy. March 2024. EDP;
    - Ecology Technical Note. March 2024. EDP;
    - Technical Briefing Note. April 2024. EDP;
    - Framework Landscape Ecological Management Plan. March 224. EDP and
    - Landscape and Ecology Strategy Plan. March 2024. EDP.

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

2. 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:
        - dentification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.
        - Working method statements for protected/priority species, such as nesting birds and reptiles.
        - Mitigation strategies already agreed with the local planning authority prior to determination, such as for great crested newts, dormice or bats; this should comprise the pre-construction/construction related elements of strategies only.
        - 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.
        - Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).
        - Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence.

    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.

3. Prior to the start of construction, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets.

   The LEMP shall also include details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured. The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

   REASON: To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

4. Prior to the commencement of any works, including vegetation removal and demolition, details of the number, design and locations of bat roosts and nesting opportunities for birds shall be submitted to the local authority for approval. The approved details shall be implemented before occupation of the final works. This condition will be discharged once photgraphic evidence of installed feayures has been submitted to and approved by the local panning authority.

   Reason: To provide mitigation/enhancement for biodiversity.

5. No work shall commence on site until evidence of further Bat Surveys have been submitted to and approved in writing by the local planning authority. The report shall contain details of survey work to establish whether bats are present within existing trees on site and if so, the necessary details to enable a full assessment of impacts of development on bats as well as all necessary mitigation measures. The latter will include times when a professional ecologist will be present to oversee the works and whether a European Protected Species Licence is required to enable the work to proceed. The works shall be undertaken in complete accordance with the approved details.

   REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter must be agreed with the Local Planning Authority before development commences to ensure the development mitigates for potential disturbance to protected species.

6. Within 6 months of the date of expiry of any planning permission, or , if sooner, the cessation of the sue of the solar panels for electricity generation purposes for a continuous period of 6 months, the solar panels together with any supporting/associated infrastructure including the inverter stations, security equipment, poles and fencing shall be removed from the land and the land restored in accordance with a scheme of work submitted to , and approved in writing by the local planning authority. The scheme of work, including a restoration plan and a decommissioning scheme that takes account of a recent ecological survey, shall be submitted to the local planning authority not less than six months before the removal of the installation.

   REASON: To ensure the long-term management of landscape and ecological features retained and crated by the development.

INFORMATIVES:

Bats

There is a low risk that bats may occur at the development 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 in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected 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 the applicant is advised to follow the advice of a professional ecologist or to contact Natural England's Batline through the internet.

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.

Reptiles
There is a residual risk that reptiles could occur on the application site. These species are legally protected and planning permission does not provide a defence against prosecution. In order to minimise the risk of these species occurring on the site, the developer is advised to clear vegetation during the winter, remove all waste arising from such clearance and maintain vegetation as short as possible. If these species are found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the Council Landscape and Design Team (ecologyconsultations@wiltshire.gov.uk)

Final sign off – all matters addressed:

Ecologist	Date
Jenna Buss	19/04/2024