Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Jenna Buss
Date:	21/05/2024
Application number:	PL/2024/03341
Proposal:	Construction of three bedroom timber lodge to provide staff accommodation and installation of photovoltaic panels to stable roof.
Site address:	CLARENDON STUD, HINDON ROAD, TEFFONT, SALISBURY, SP3 5QU
Case officer:	Hayley Clark

Recommendations:

	No Comment
	Support
	No objection
	Condition (no objection subject to conditions)
x	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	EcIA	CP50 NPPF Habs Regs	Ecological Assessment	
2	Chilmark Quarries Bat SAC	CP50, NPPF, Habs Regs	Lighting Plan Retention of foraging and commuting flight lines	
3	Avon River Hampshire Catchment	CP50 NPPF, Habitat Regs	Nutrient Budget calculation	
4	No Net Loss Biodiversity	CP50 NPPF	Evidence of no net loss of biodiversity	

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 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 following submitted documentation was reviewed to inform this response:

- Proposed Site Plan P815/22. Singleton Design;

Protected Species
No ecological surveys have been submitted in support of this application. There is therefore insufficient information to be able to determine if the proposlas will impact upon notable habitats and/or species. From site plans and photographs, it would appear that the lodge will be erected on grazed paddock, however no ecological information has been submitted to support this.

In carrying out its statutory function, the LPA must be reasonably sure that the proposal will not result in significant adverse effects on protected habitats or species. Additional information is therefore required to assess the baseline ecological value of the site and any impacts the proposlas may have on the ecology present. This information is required prior to determination of the application.

Chilmark Quarries Bat SAC Habitat Regulations Assessment (HRA)
The application site is within a consultation zone for bats associated with Chilmark Quarries Bat 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.

Insufficient information has so far been submitted to enable the AA to be undertaken, which must be completed and the conclusion agreed with Natural England prior to the application being determined. No ecological information has been submitted to date to support the application. No information has been submitted in relation to lighting and/or removal of habitat which may be used as foraging and commuting routes by bat species.

Habitat Regulations Assessment: Hampshire River Avon Special Area of Conservation (SAC) 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.

Where developments do not meet the Thresholds for Insignificant Effects – Phosphorus Discharges to Ground (see Annex F NE Water Quality and Nutrient Neutrality Advice 16 03 2022 Issue 1 Final 2.pdf (wiltshire.gov.uk), Appropriate Assessment 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 government released an update to the National Planning Policy Framework on 19 December 2023 along with a range of other guidance and policy documents. This included a statement from the Minister of State, Lee Rowley MP, on 20 December relating to nutrient neutrality. The council is obliged to consider all this new information before making decisions on planning applications.
A report was approved by Cabinet on 6 February and discussions are on-going in this respect which will continue over the next couple of weeks with the exact details of the strategy to be published soon on our website. The council's mitigation strategy will be split into sub-catchments with any available nutrient credits initially being assigned to applications on a priority basis.

The Council led mitigation scheme will only be available for applications that comply with saved housing site allocation policies (Appendix D, Wiltshire Core Strategy) and / or Core Policy 2 (Delivery Strategy) of the Wiltshire Core Strategy (excluding Core Policy 37 (Military

Establishments)), Wiltshire Housing Site Allocation Plan (2020), made Neighbourhood Plans, Core Policy 44 (rural Exception sites), Core Policy 46, Core Policy 47 and Core Policy 48 and where no other significant planning matters are outstanding.

If the development qualifies the applicant is welcome to apply for the Council-led scheme once this is available and all other significant planning matters are resolved. However, at this time, it is not possible to confirm if the council's mitigation credits are available or will be available for any specific application. Therefore, we advise applicants to investigate site specific, on or off-site mitigation and discuss the mitigation strategy with Natural England at the earliest opportunity. A completed nutrient budget will be required in order for either option to be progressed.

A positive conclusion to the Habitats Regulations Assessment will require certainty that the development proposals will not have an adverse effect on the integrity of the European site. Currently the application does not include accurate details to mitigate the impacts of these increases in phosphorus and consequently, without such detailed proposals, it cannot be concluded that there would be no adverse effect on the integrity of the River Avon SAC as a result of the proposed development.

Should developers wish to apply for the council led mitigation scheme, please request a 'Hampshire Avon Credit Screening Approval' certificate from the Case Officer and apply via the link of the 'Phosphorus and nitrogen mitigation' pages on the council's website Development Applications in the Hampshire Avon Catchment (ArcGIS Survey123)

We note the proposals to install a Bio Air Sewage Treatment Plant. However, insufficient information has been submitted to assess whether this PTP will be suitable to mitigate the burdens. A nutrient budget is therefore required.

BNG

This application was submitted prior to Biodiversity Net Gain (BNG) small sites metric becoming mandatory. Core Policy 50 of the Wiltshire Core Strategy requires all development to demonstrate no net loss of biodiversity and for major applications the expectation is that development will deliver biodiversity gains. The NPPF also encourages applications to deliver measurable net gains (para 180 d).

No ecological information has been submitted to date and therefore the proposal has not demonstrated that here will be no net loss of biodiversity. Evidence to confirm no net loss of biodiversity must be submitted and reviewed by the LPA's ecology team prior to determination.

Further information required:

- Additional ecological information will be required to determine impacts upon protected and notable species including bats within the Chilmark Quarries Bat SAC.
- A Nutrient calculator will be required to determine the nutrient burdens for the site and whether the proposed PTP will be sufficient to mitigate for this increased burden.
- Evidence of no net loss of biodiversity will be required to be demonstrated.

Final sign off – all matters addressed:

Ecologist Jenna Buss	Date