Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Rachel Whyte
Date:	11/03/2024 22/07/2024
Application number:	PL/2023/11113
Proposal:	The erection of 3 glamping pods at land at Botany Farm, Bradley Road, Warminster
Site address:	Botany Farm, Bradley Road, Warminster, BA12 7JY
Case officer:	Steven Vellance

Recommendations:

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

Further Information Required:

	Issue	Policy/Legislative Compliance	Date Information Requested & Further Information Required	Satisfactorily Addressed (Document & Date)
1.	Nutrients	Hab. Regs, CP 69	**11/03/2024** – Nutrient calculator and nutrient mitigation strategy	**YES 22/07/2024** - Proposals meet the threshold for insignificant effects

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 all 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 application has not been supported by an ecology report. The works associated with installing three glamping pods on the site are expected to be minor and an ecology survey will not be requested at this time. Measures to enhance the site for biodiversity (e.g., bird and bat boxes) can be secured via condition.

Habitat Regulations Assessment

River Avon

This development falls within the catchment of the River Avon Special Area of Conservation (SAC) and has potential to cause adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater. 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.

A bespoke mitigation strategy is needed for developments that fall outside of the scope of the strategic mitigation strategy. These could be:

1. Non-planned development
2. Development which generates wastewater as part of its commercial processes other than those associated directly with employees (e.g. vehicle wash, agricultural buildings for livestock, fish farms, laundries etc)
3. Development which provides overnight accommodation for people whose main address is outside the catchment (e.g. tourist, business or student accommodation, B&B, hotels, camping, glamping etc).

This application is considered to be non-planned development and must therefore follow guidance published by Natural England and use the River Avon nutrient calculator to calculate the phosphorus budget. Information on calculating the phosphorus budget can be found here: https://www.wiltshire.gov.uk/planning-bio-phosphorous-nitrogen-mitigation

Where mitigation is required, a bespoke scheme must be agreed by Natural England in the first instance. We advise that developers contact Natural England through their charged advice service https://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planning-proposals. Natural England has set out guidance on the type of phosphorus removal measures that are appropriate as mitigation such as permanent removal of agricultural land or creation of wetlands.

The application must submit their own mitigation strategy showing that the development will achieve nutrient neutrality, together with a letter from NE demonstrating that the strategy and development proposals submitted for planning have been reviewed by them and found to be compliant with the Habitats Regulations.

The Council, as competent authority needs to have certainty that the development proposals will not have an adverse effect on the integrity of the European site. Currently the application does not include detailed proposals to mitigate the impacts of these increases in phosphorus and consequently, without such detailed proposals, the Council as a competent authority cannot conclude that there would be no adverse effect on the integrity of this European site as a result of the development.

Sufficient evidence has been provided via email to demonstrate that the proposals meet the threshold for insignificant effects (as detailed in Annex F of Natural England: Water Quality and Nutrient Neutrality Advice (16 March 2022)). Mitigation is therefore not considered to be required as operational impacts would be de-minimis. 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 the application is not likely to have significant impacts on the SAC and Appropriate Assessment is not required.

Salisbury Plain

This application lies within the 6.4 km buffer zone of the Salisbury Plain Special Protection Area (SPA), within which development could have an impact on the SPA through an increase in recreational pressure. The application site is located over 4 km from the SPA and there are public right of ways from the site which provide access to the wider countryside, there are also large areas of woodland and other recreational areas much closer to the site. Furthermore, the Planning Statement indicates that attractions such as Longleat and Centre Parks will be promoted to visitors. For these reasons it is considered unlikely that the addition of three glamping pods will have a significant impact on the SPA and Appropriate Assessment is therefore not required.

INFORMATIVES:

A non-mains sewerage system is proposed. The area in which the development is located is within close proximity to the River Avon and may experience flooding and ground water conditions of concern. Primary responsibility for ensuring sewage systems for new developments are adequate lies with the Building Control Department. We would recommend you satisfy yourself that a non-mains sewerage system is appropriate and practicable in the circumstances taking into account ground water conditions throughout the year. For further guidance see the National Planning Practice Guidance "Water supply, wastewater and water quality". Any installation of a Package Treatment Plant needs to meet approval of Environment Agency's requirements under their permitting role.

Final sign off – all matters addressed:

Ecologist **Rachel Whyte**	Date **22/07/2024**