Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Jenna Buss
Date:	19/08/2024
Application number:	PL/2024/00112
Proposal:	Proposed new fishery lodge
Site address:	Walden Farm, Walden Estate, West Grimstead, Salisbury, Wiltshire. SP5 3RJ
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	New Forest	NPPF, CP50, Habitat Regulations	Mitigation Payments	**YES 19/08/2024**
2	River Test	NPPF, CP50, Habitat Regulations	Nitrogen Budget and Mitigation strategy	**YES 19/08/2024** **Compost Field Location 0434-152 A. August 2024. Adam Knibb Architects** **Site Survey DTS020819-77A. August 2019. Adam Knibb Architects**
3	Biodiversity, no net loss	NPPF, CP50	Delivery of no net loss of Biodiversity	**YES** **Proposed Site Plan 0434-15- C . June 2024. Adam Knibb Architects**

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:

- Preliminary Ecological Appraisal. January 2024. Dr Jonty Denton;
- Design and Access Statement. December 2023. Adam Knibb Architects and;
- Compost Field Location 0434-152 A. August 2024. Adam Knibb Architects
- Proposed Site Plan 0434-15 C . June 2024. Adam Knibb Architects
- Site Survey DTS020819-77A. August 2019. Adam Knibb Architects

Protected Habitats/Species

From the ecological survey submitted in support of the application, it would appear that the site has been cleared prior to the survey being undertaken. An accurate assessment of the baseline ecology is therefore difficult to determine. As the proposed site sits on now disturbed/cleared ground, no evidence of protected/notable species was noted. In addition, with the surveys being carried out in January, the floristic diversity of the site is also difficult to determine. It is noted however that the site sits within an area of Norway spruce.

We note that the local ponds are stocked and are therefore unsuitable for GCN. Otter may be present, however their access to the ponds is limited due to fencing. Although no trees or buildings will be impacted by the proposlas, bats may be present foraging and commuting throughout the site and may be impacted by light spill. Lighting proposals could be conditioned.

Measures to protect wildlife during construction, including timings of works and pre-commencement surveys should be included within a construction ecological management plan which can be conditioned.

New Forest Protected Sites 13.8km Recreation Zone of Influence

The proposed development site lies within the 13.8km zone of influence for the New Forest protected sites, which comprises the New Forest SPA, New Forest SAC and New Forest Ramsar site. Therefore, the application is screened into appropriate assessment under the Habitats Regulations 2017 (as amended) on account of its potential to cause adverse effects on the New Forest protected sites through increased recreational pressure which may occur alone and in-combination with other plans and projects. Many of the special features of the New Forest protected sites afforded protection are vulnerable to adverse effects associated with an increase in recreation as demonstrated in Natural England's supplementary advice issued for the SPA on 19 March 2019 and for the SAC on 18 March 2019.

Following a Cabinet decision on 7 May 2024, Wiltshire Council's "Interim recreation mitigation strategy for the New Forest internationally protected sites" (Version 1.1, 21 March 2023) is being revised. Cabinet approved revised mitigation measures to manage recreational pressures on the New Forest protected sites, including the cessation of use of Community Infrastructure Levy (CIL) to fund Strategic Access Management and Monitoring (SAMM) measures for minor residential development (1-49 dwellings) and tourism / visitor accommodation within the 13.8km zone of influence. Instead, SAMM measures are to be funded by developer contributions at a rate of £600 (plus legal and admin fees) per unit of residential or tourism accommodation. This revision applies to all development that will result in a net increase in accommodation units within the 13.8km zone of influence from the New Forest protected sites and therefore applies to this application. Evidence for the revised approach derives from the New Forest SAMM Report (Footprint Ecology, October 2023) which can be found here: Research into recreational use of the New Forest's protected habitats - New Forest National Park Authority (newforestnpa.gov.uk). The New Forest SAMM Report was commissioned by all the local planning authorities with areas

lying within the 13.8km zone, in order to identify and implement a consistent strategic approach to mitigation across the zone of influence.

It will therefore be necessary for developer contributions of £600 per dwelling / tourism unit (plus legal and admin fees) to be secured via s111 agreement, unilateral undertaking or s106 agreement for this application to ensure the necessary mitigation is secured. This will enable the Council to conclude, subject to endorsement from Natural England, that the development proposed by means of this application will not lead to significant adverse effects on the New Forest protected sites alone or in-combination with other plans and projects.

River Test Catchment
Natural England currently advises that every permission for new dwellings in the River Test Catchment Area could result in increased nutrients entering the Solent area (NE776 Edition 5 Nutrient Neutrality and Nutrient Mitigation.pdf) from the increase in waste water and land use change. Accordingly, the Local Planning Authority considers this proposal is likely to lead to significant effects on the European Sites and an Appropriate Assessment (AA) is required.

Nitrogen budget

Due to the nature of the proposals a nitrogen budget cannot be completed. The proposlas is for a single, contained system composting toilet and the waste will be spread within the catchment. Natural England has confirmed that it will be acceptable to spread the waste as long as certain criteria are met.

Considering the scale of the proposals and that the waste would not be discharging to ground at the site location, we may be able to consider that the proposals will have a minimum impact. In order to be satisfied that this is the case, we would advise the applicant to demonstrate that the field where the waste is to be disposed must be more than 40m from any surface water feature (ie ditch, drain, watercourse) and that the field is in an area where the high water table groundwater depth is always at least 2m below the surface. We would further advise that the waste is disposed within the farm's Nutrient Management Plan. Your authority should be satisfied that the crop limits for nitrogen are not currently exceeded.

The proposed location is a field within the applicants ownership and 40m or greater from the nearest water feature. The applicant has confirmed that the steep gradient present means that the water table is below the 2m requirement and the field parcel will be used for Hay. As long as works are carried out in accordance with the requirements of NE it is considered that the proposals will present a low risk that the nitrogen will have a significant impact on the designated site. The planning officer should be satisfied that this can be secured by condition or legal agreement as they see fit and in accordance with advice from NE.

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. This concluded that given the scale and nature of the development, there is no mechanism for adverse effect. **The HRA has concluded that the application is not likely to have significant impacts on the SAC and Appropriate Assessment is not required.**

BNG
This application was submitted prior to Biodiversity Net Gain (BNG) 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).

An updated site plan has been submitted to include the location of a reptile refugia which will be included on site, demonstrating how no net loss of biodiversity will be delivered.

CONDITIONS:

1. 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:

    - Identification 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.
    - 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).

    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.

2. No new external artificial lighting shall be installed at the site unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of conserving biodiversity.

3. The overnight development hereby approved shall be designed to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage) and a water efficiency assessment should be submitted. Before the development is brought into use, a water efficiency report certifying that this standard has been achieved shall be submitted to the local planning authority for its written approval.

REASON: To ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located.

A water efficiency calculation will be needed to discharge this condition. For guidance on how to do this and what is required, please refer to the following document: *'The Building Regulations 2010 – Sanitation, hot water safety and water efficiency'*, Appendix A (p36-44). https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/504207/BR_PDF_AD_G_2015_with_2016_amendments.pdf

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

- Compost Field Location 0434-152 A. August 2024. Adam Knibb Architects
- Proposed Site Plan 0434-15 C . June 2024. Adam Knibb Architects
- Site Survey DTS020819-77A. August 2019. Adam Knibb Architects

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

Final sign off – all matters addressed:

Ecologist	Date
Jenna Buss	19/08/2024