

## Wiltshire Council Planning Consultation Response

### ECOLOGY

**Officer name:** Fiona Elphick

**Date:** 17/5/2017

Application No: 17/03417/OUT  
Proposal: Outline Planning for the Erection of up to 1,000,000 sq ft of Class B8 (storage and distribution) Employment Space and Associated Infrastructure.  
Site Address: Land South-East of Junction 17 of M4 Motorway, Kington Langley, Chippenham, Wiltshire,  
Case Officer: Lee Burman

### Recommendations:

<input type="checkbox"/>	No Comment
<input type="checkbox"/>	Support
<input type="checkbox"/>	Support subject to conditions (please set out below)
<input checked="" type="checkbox"/>	<u>Holding Objection</u> (for reasons set out below)
<input type="checkbox"/>	No objections

### Matters Considered

Thank you for consulting me on the above application. I note that my colleague Jon Taylor had previously responded to both the Pre-Application Consultation and to the Screening Consultation that preceded this current application for Outline Permission. I further note that Jon had quite extensive discussion with the consultant ecologist in regard to scope of survey required and acceptable levels of mitigation.

An ecological appraisal of the site has been carried out by Green Ecology, which I consider has been conducted to a suitable level to fully inform this application as to the current ecological function of the habitats within the site, such that appropriate strategies can be developed to fully mitigate for ecological losses and to provide enhancement that will help to buffer the effects of increased urbanisation. I consider that all sensitive ecological receptors have been identified and the potential effects of development upon them have been sufficiently explored. I am of the opinion that no further survey work is required to inform this application.

The ecological appraisal found that the majority of the site supports arable fields, which are of relatively low ecological value. However the margins of the arable fields do support a variety of arable weeds which are of somewhat more importance. The site also contains some "important" hedgerows (as classified under the Hedgerow Regulations) and these hedgerows also contain a number of overmature and veteran trees which, due to their age and the features they have developed over time, provide a very important function for biodiversity as they support a wide variety of wildlife species including birds, bats and other small mammals but perhaps most importantly they support large numbers of notable invertebrate species, including notable (to Wiltshire) butterflies and deadwood invertebrates such as saproxylic beetles. Most of the mature and veteran trees, together with important hedgerows occur within the central part of the site and will therefore be lost due to the development. It is impossible to fully mitigate for the loss of these older trees and the function they provide for biodiversity, simply due to their age. This habitat cannot be replaced in either the short or medium term, therefore if the site cannot

be designed so that significant volume of this habitat can be retained, a very robust compensatory strategy will be required.

The Landscape Strategy, together with the Parameters Plan put forward in support of this proposal, go some way to ensuring that sufficient habitat can be retained within the site (boundary hedgerows and trees) or created within the site (new woodland and hedge planting). The Parameters Plan also indicates a darkened corridor for bat foraging and commuting use. Unfortunately, both these plans are still slightly deficient as they do not indicate minimum distances for ecological buffers. A distance of a minimum of 10m was discussed with the consultant ecologist and I would recommend that this is the absolute minimum acceptable buffer as these areas will need to provide areas for additional planting as well as darkened corridors for bats and secluded commuting habitat for a range of other wildlife species.

It is not clear what strategy is proposed to mitigate for the loss of the over-mature and veteran trees. While the hedgerow translocation is likely to be successful if properly carried out, there remains the loss of the trees. It is acknowledged in section 5.2.2 of the Ecological Appraisal Report that there will be a residual impact from the loss of these trees however mitigation or compensation measures are unclear. Mention is made of compensation for invertebrates being provided off-site but no detail has been offered.

While I acknowledge that this is a difficult site to provide ecological mitigation for, I do not believe that a robust solution has yet been designed. The LPA should not give permission, albeit outline, to a scheme that does not satisfy the requirements of NPPF. Based on the current mitigation strategy submitted, I do not consider that paragraph 118 of the NPPF is satisfied because there will be a significant residual impact from the loss of the mature and veteran trees within the site and the function they provide for ecology and therefore the permission should not be given until this issue has been addressed.

Sufficient mitigation should be provided within the site, or if outside of the site boundary, should be on land in the applicant's ownership or evidence of a legal agreement for use in perpetuity of other land should be in place prior to any permission being given. I would however advise that the latter is almost impossible to secure.

I consider that there could be sufficient space for additional habitat creation within the site boundary to mitigate for the habitats and subsequent ecological function lost from the site, however these must be clearly shown on the Landscape Strategy drawing and the Parameters Plan, with relevant distances for buffers and volume of replacement planting, replacement watercourse creation and all other mitigation. A clear distinction must be made between mitigation and enhancement, so that it is clear whether sufficient habitat will be retained and recreated within the site to mitigate losses as far as possible.

If this information is submitted and agreed, it is likely that I will be able to lift my holding objection. If the application can reach this point, I would support the outline permission but with the following conditions:

**Conditions:**

1. A Landscape & Ecological Management Plan must be submitted at full planning. This will detail all prescriptions for management of key ecological features within the site and the species they support, as set out in the agreed Landscape Strategy.
2. Prior to the commencement of any development within the site, a Construction Ecological Management Plan will be submitted to and for approval by the LPAs ecologists. Section 7.1 of the Ecological Appraisal by Green Ecology should provide the basis for the content of the CEMP.

Fiona Elphick  
Senior Ecologist  
Landscape & Design Team  
Economic Development & Planning  
Wiltshire Council