

Louise Blatchford

From: Gorman, Sarah [Sarah.Gorman@lancashire.gov.uk]
Sent: 18 June 2012 15:20
To: planning
Subject: 03/2012/0399 - land to the rear of Higher College Farm - ecology response
Attachments: 03 12 0399 ecology response.pdf

Planning Application No: 03/2012/0399

Proposals: Creation of a private swimming pool for teaching purposes. The pool will only be open for pre-booked lessons.

Location: Land to the rear of Higher College Farm, Blackburn Road, Longridge

District: Ribble Valley

Please find attached the ecology consultation response for the above planning application.

Kind regards

Sarah Gorman

Ecologist
Lancashire County Council
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Graeme Thorpe
Planning
Ribble Valley Borough Council
Council Offices
Church Walk
Clitheroe
BB7 2RA

Email: ecology@lancashire.gov.uk
Your ref: CONECO/3/2012/0399
Our ref: 03/12/0399/ASM/ASP/SG
Date: 18th June 2012

Dear Graeme Thorpe,

Ecological comments

Planning Application No: 03/2012/0399

Proposals: Creation of a private swimming pool for teaching purposes. The pool will only be open for pre-booked lessons.

Location: Land to the rear of Higher College Farm, Blackburn Road, Longridge

District: Ribble Valley

Thank you for your consultation in respect of the above planning application. It seems reasonably unlikely that the proposed development would have any significant ecological impacts, provided the planning conditions recommended below are attached to any approval.

RECOMMENDATIONS

If Ribble Valley Borough Council is minded to approve the above application, **planning conditions are recommended to address the following matters:**

- Any external lighting associated with the development should be designed to avoid excessive light spill, which may affect bats foraging / commuting in nearby habitat. The principles of relevant guidance should be followed (e.g. the Bat Conservation Trust and Institution of Lighting Engineers guidance Bats and Lighting in the UK, 2008).
- Any works that may affect nesting birds will be avoided between March and August inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections.

- All trees/hedgerows being retained in or adjacent to the application area will be adequately protected during construction, in accordance with existing guidelines (e.g. *BS5837: 2005 Trees in relation to construction - Recommendations*).
- If the presence of any protected species that may be affected by the proposed works is detected or suspected at any stage before or during the proposed works, then works should cease until ecological advice has been sought.

JUSTIFICATION FOR RECOMMENDATIONS

1. LEGISLATION AND PLANNING POLICY

In determining this application, the requirements of the following legislation, planning policies and guidance should be addressed:

- The Conservation of Habitats and Species Regulations 2010 (as amended).
- The Wildlife and Countryside Act 1981 (as amended).
- The Natural Environment and Rural Communities Act 2006.
- The National Planning Policy Framework, 2012 (NPPF)
- Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and Their Impact Within The Planning System (DEFRA 01/2005, ODPM 06/2005).
- North West of England Plan Regional Spatial Strategy to 2021, Policies EM1 and DP7.
- Environmental Protection / Nature Conservation policies of the Local Plan.

The NPPF states that if significant harm to biodiversity resulting from a development cannot be avoided or adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused (NPPF Para 118). Planning conditions are necessary to ensure compliance with the above legislation, policies and guidance.

2. PROTECTED SPECIES

Bats (European Protected Species)

From the information provided it appears that the current hedgerow and trees along the edge of the proposed development are to be retained. Hedgerows and trees are often used by bats for roosting, foraging and commuting.

In order to minimise impacts on bats it is recommended that any lighting be designed to minimise light spill, particularly on the adjacent hedgerows and trees. The principles of relevant guidance should be followed (e.g. the Bat Conservation Trust and Institution of Lighting Engineers guidance *Bats and Lighting in the UK*, 2008). This can be subject to

planning condition. NPPF states that planning decisions should limit the impact of pollution from artificial light on nature conservation (Para 125).

Breeding Birds

Habitats on the site have the potential to support nesting birds. It needs to be ensured that detrimental impacts on breeding birds are avoided. A planning condition is recommended above for the avoidance of impacts on nesting birds.

On the basis of the information submitted and records held by Lancashire County Council, it seems reasonably unlikely that there would be an impact on any other protected species.

3. Hedgerows and trees

Hedgerows with mature trees are present to the north and west of the site. The hedgerows may qualify as a Habitats of Principal Importance. DEFRA Circular 01/2005 indicates that UK Biodiversity Action Plan Priority Species and Habitats (Species and Habitats of Principal Importance, NERC Act 2006) are capable of being a material consideration in the making of planning decisions.

The proposed layout appears to show hard-standing in close proximity to the hedgerows and trees. The roots of hedgerows/trees on the site boundary could be adversely affected by the proposed building work. A planning condition is recommended above to address this matter.

Proposed planting includes native hedgerow and trees which has the potential to enhance the biodiversity value of the site and should be encouraged in accordance with NPPF. NPPF states that opportunities to incorporate biodiversity in and around developments should be encouraged (Para 118). The hedgerow should be managed for wildlife. Appropriate hedgerow management includes the British Trust for Conservation Volunteers Guide to Hedgerow Management and the Environmental Stewardship hedgerow management prescriptions.

The current hedgerow planting mix includes Field Maple. Whilst this species is native, it is not locally native in the area. It would be more appropriate to replace this with species listed in Lancashire County Council's Supplementary Planning Guidance on Landscape and Heritage

(<http://www.lancashire.gov.uk/corporate/web/view.asp?siteid=3654&pageid=11650&e=e>).

The above comments are based on a review of documents submitted with the planning application as well as a review of ecological records, maps and aerial photographs accessible to Lancashire County Council.

The above comments represent the professional opinion of an ecologist and do not constitute professional legal advice. You may wish to seek professional legal interpretation of the relevant wildlife legislation cited above.

I hope these comments are helpful.

Yours sincerely,

Sarah Gorman
Ecologist
Lancashire County Council