

Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Jenna Buss
Date:	05/03/2025
Application number:	PL/2024/09976
Proposal:	Outline planning permission with all matters reserved apart from details of access from Southampton Road, for a residential development of up to 47 dwellings, along with associated public open space, landscaping and biodiversity enhancements and a car park to serve the community allotments
Site address:	Land off Southampton Road and Junction Road, Alderbury, Wiltshire
Case officer:	Joe Richardson

Recommendations:

	No Comment
	Support
	No objection
	Condition (no objection subject to conditions)
x	Objection - further information required
	Objection in principle
	HRA completed/required

Further Information Required:

	Issue	Policy/Legislative Compliance	Date information requested & Further information required	Satisfactorily addressed (Document & Date)
1	Ecology	Habitat Regulations, NPPF, CP50	- Ecological Impact Assessment - Dormouse Mitigation Strategy - Reptile Mitigation Strategy - Bat Mitigation Strategy - Botanical Surveys following best practice guidance	
2	River Avon Hampshire Catchment – Nutrient Neutrality	Habitat Regulations	- Excel spreadsheets of the nutrient burden - Details and permissions of Mitigation strategy	
3	River Test- Nutrient Neutrality	Habitat Regulations	- Excel Spreadsheet of proposed Surface Water burden - Details and permissions of Mitigation strategy	

4	BNG	Environment Act 2021	• Assessment of habitat loss in line with the dormouse mitigation strategy • Baseline assessments	
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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.

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. November 2023. CWS
- BNG Assessment. November 2024. CEC Ltd
- Nutrient Neutral Assessment. October 2024. Nutrient Neutral
- The Statutory Biodiversity Metric. July 2024. Somerset Wildlife Trust Consultancy
- Soft Landscape Strategy (1 of 4) 22-125-01. Nov 2023. BEA Landscape Design Ltd
- Soft Landscape Strategy (2 of 4) 22-125-02. Nov 2023. BEA Landscape Design Ltd
- Soft Landscape Strategy (3 of 4) 22-125-03. Nov 2023. BEA Landscape Design Ltd
- Soft Landscape Strategy (4 of 4) 22-125-04. Nov 2023. BEA Landscape Design Ltd

Protected and Notable Species/Habitats

We note the proposal to create a residential development of up to 47 dwellings along with associated public open space, landscaping and biodiversity enhancements and a car park to serve the community allotments at land off Southampton Road and Junction Road Aldebury.

The site sits adjacent to priority Ancient Woodland habitat and the County Wildlife Site (CWS) of Ivy Church Copse to which the site is functionally linked, we do not support the ecologists conclusions that the road bisecting the site and adjacent CWS would be a significant barrier to dispersal. In addition, Aldebury Canal another County Wildlife Site lies to the south-east and although not adjacent to this site, is functionally linked by a network of mature hedgerows.

Currently no ecological impact assessment has been submitted in support of this application. Additional information is required in order to assess the impacts of these proposals on the adjacent sites and the habitats and species recorded on site, particularly with regards to increased access post development and the impact of domestic pets on small mammal and bird populations.

Dormice

Dormouse surveys were carried out in 2023 and no evidence of dormice were recorded on site. Although the number of tubes erected throughout the site were in line with current guidance, the tubes were installed in May and surveys commenced in the June, therefore the duration of time tubes were erected on site was too little. The guidance states that it is best to leave tubes out for a full season prior to commencing surveys.

Regardless of this, records for dormice exist in close proximity to the site and sightings of dormice on site were recorded during the BNG Assessment (BNG Assessment. November 2024. CEC Ltd). The proposals, although retaining some of the woodland and hedgerow habitat would result in loss of dormouse habitat. Dormice are afforded stringent protection under the Conservation of Habitats and Species Regulations 2017 (as amended) and as such are a material consideration within the planning consultation process. Sufficient and appropriate

mitigation measures to ensure that dormice are not adversely affected as a result of the proposed development must be submitted as part of the proposal.

The current proposal conflicts with Core Policy 50 of the adopted Wiltshire Core Strategy 2015 and Paragraphs 192 (b) and 193 (a) of the National Planning Policy Framework December 2024, because mitigation is not included in the proposal.

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. The information outlined above must therefore be submitted and reviewed by the LPAs ecology team prior to determination of the application.

Bats

A number of bats were recorded foraging and commuting around the perimeter of the site to include serotine, Leisler, common and soprano pipistrelle, barbastelle, natterer's, noctule and Daubentons bats. It was noted that the surveys did not include the central areas. Bats and their roosts are afforded stringent protection under the Conservation of Habitats and Species Regulations 2017 (as amended) and as such are a material consideration within the planning consultation process. Sufficient and appropriate mitigation measures to ensure that bats are not adversely affected as a result of the proposed development must be submitted as part of the proposal, and shown on development drawings, where bats are present, or likely to be present.

The report states that *'none of the trees on site supported features suitable for bat roosting or hibernation'*. However, it was also noted that *'no bats emerged from the veteran trees on site'*. It is unclear whether emergence surveys of these trees were undertaken specifically, it appears these are observational comments from the walked transect surveys. It is also unclear as to what potential these trees have to support roosting bats. Although it is noted that the veteran trees will be retained as part of the proposal, other trees may require removal. Additional surveys to include ground level tree assessments of all trees on site should be included to support this proposal.

Limited assessment of the impacts on bats is provided in the ecological report submitted. Due to the presence of a number of bat species utilising the site for foraging and commuting and the clear ecological connectivity between the two County Wildlife Sites providing functionally linked habitat to the wider area, impacts on bats must be considered. It is recommended that a lighting strategy is also provided to ensure dark foraging and commuting routes for bats are retained to ensure foraging and commuting can continue throughout the site post construction.

Reptiles

The ecological assessment scoped out reptiles from the site, stating that *'there were no obvious refugia or hibernacula and no reptiles were observed during the site visits'*. The mosaic of habitats present on site appear to be suitable to support a number of reptile species. We do not support the ecologists conclusion at this time. Further surveys are recommended specifically for reptiles to determine presence, species and population estimates. Surveys should follow best practice guidance and where evidence of reptiles is found, an impact assessment and mitigation strategy should follow this survey.

Botanical Surveys

A Preliminary Ecological Appraisal was carried out on site in August 2022. The habitat descriptions include a species list but no detail of the botanical survey methodology is included to

support this assessment. It is noted that the grassland had been mown and topped at the time of the survey. From the information provided, we note that the grassland includes birds foot trefoil and meadow cranesbill, species indicative of lowland meadows.

The scheme will entail the loss of 3.76ha of neutral grassland, 1.32 ha of which was classified as 'good' in the BNG Assessment, however no condition assessment sheets were submitted in support of the application. Due to the site location and species present on site, we have concerns that the timing of the survey and survey effort has prevented full assessment of the ecological value of this habitat. We advise that additional surveys are undertaken to establish the grassland type communities. The grassland areas should be mapped highlighting the most diverse areas and comparison against UK BAP priority habitat and lowland meadows as defined by the UK Habitat Classification definition should be provided.

If surveys conclude that the grassland fits the description of lowland meadow, A UK Priority Habitat, a mitigation strategy in line with CP50 is required with evidence of consideration of the mitigation hierarchy to ensure no net loss of the local biodiversity resource.

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

The foul water discharge of this application will enter 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. 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.

A Nutrient Assessment has been submitted in support of the application, however the following issues were identified:

The development seeks to achieve nutrient neutrality via a bespoke scheme involving the upgrade of six septic tanks within the River Avon Hampshire catchment to a Graf one 2 Clean PTP system. This method of mitigation is agreeable in principle. However, a positive conclusion to the Habitats Regulations Assessment requires certainty that the development proposals will not have an adverse effect on the integrity of the European site. Currently the application does not fully demonstrate how the impacts of these increases in phosphorus will be mitigated. Additional information is therefore required and this should include;

- Confirmation of the individual septic tank locations demonstrating they are located within the River Avon Hampshire catchment.
- Confirmation of the planning permissions granted for these upgrades to ensure they are legally compliant and will be retained in perpetuity
- Evidence of a legal agreement between the owners of the upgrades and the applicant linking the mitigation to this proposal specifically
- An updated excel spreadsheet showing the proposed nutrient burden and the individual proposed upgrades to demonstrate the mitigation in place will provide nutrient neutrality.

In order for the council to fulfil its monitoring responsibilities. A nutrient monitoring contribution will be required and secured via a separate legal agreement.

The nutrient assessment must be amended to address these issues. The calculation must be approved by the council to enable the AA to be undertaken, which must be completed, and the conclusion agreed with Natural England prior to the application being determined.

Guidance on completing the phosphorus budget is available on our website ([Phosphorus and nitrogen mitigation - Wiltshire Council](#)). This webpage also contains information on the options available for developments to achieve nutrient neutrality.

Solent Maritime Special Area of Conservation (SAC), Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar site, Portsmouth Harbour SPA and Ramsar site, Solent and Southampton Water SPA and Ramsar site

The site sits within the River Test Catchment and although foul water will discharge into the Salisbury Petersfinger WWTW in the Avon Hampshire Catchment, surface water will drain into the Test Catchment.

This region is protected by a number of international designations including the Solent Maritime Special Area of Conservation (SAC), Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar site, Portsmouth Harbour SPA and Ramsar site, Solent and Southampton Water SPA and Ramsar site; as well as the nationally designated Sites of Special Scientific Interest (SSSIs) that underpin these international designations.

The Solent water environment is one of the most important for wildlife in the United Kingdom. It is protected under the Water Environment Regulations and the Conservation of Habitats and Species Regulations 2017 (as amended) as well as through national legislation for many parts of the coastline and adjacent maritime areas. Natural England has confirmed high levels of nitrogen and phosphorus are entering this water environment and that there is sound evidence that this eutrophication is causing excessive growth of plants and algae which reduces oxygen and light levels and is leading to negative effects on the special features for which the European sites are designated. 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.

A Nutrient Assessment has been submitted in support of the application, however the following issues were identified:

The development seeks to achieve nutrient neutrality via a bespoke scheme involving the upgrade of four septic tanks within the River Test catchment to a Graf one 2 Clean PTP system. This method of mitigation is agreeable in principle. However, a positive conclusion to the Habitats

Regulations Assessment requires certainty that the development proposals will not have an adverse effect on the integrity of the European site. Currently the application does not fully demonstrate how the impacts of these increases in nitrogen will be mitigated. Additional information is required and this should include;

- Confirmation of the individual septic tank locations demonstrating they are located within the River Test catchment.
- Confirmation of the planning permissions granted for these upgrades to ensure they are legally compliant and will be retained in perpetuity
- Evidence of a legal agreement between the owners of the upgrades and the applicant linking the mitigation to this proposal specifically
- An updated excel spreadsheet showing the proposed nutrient burden and the individual proposed upgrades to demonstrate the mitigation in place will provide nutrient neutrality.

In order for the council to fulfil its monitoring responsibilities. A nutrient monitoring contribution will be required and secured via a separate legal agreement.

The nutrient assessment must be amended to address these issues. The calculation must be approved by the council to enable the AA to be undertaken, which must be completed, and the conclusion agreed with Natural England prior to the application being determined.

BNG

Under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) this application is required to deliver 10% Biodiversity Net Gain (BNG). The Biodiversity Gain Plan condition will automatically apply if approval is forthcoming.

A completed statutory metric calculation (BNG Assessment. November 2024. CEC Ltd) confirming the baseline and predicted post- development biodiversity units of Site has been submitted.

The pre-development (baseline) situation is summarised below. However, the current baseline is not accepted. Condition assessment sheets for the baseline habitats have not been submitted in support of the application. This information is a minimum requirement set out in Article 7 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and must therefore be submitted for review by the ecology team prior to determination.

On-site pre-development (baseline) biodiversity value	46.89 Habitat units
	8.14 Hedgerow units
	4.64 Watercourse units
Are there any irreplaceable habitats on-site?	Yes
Has any habitat degradation occurred?	No

In addition, please note that;

- Other neutral grassland is unlikely to achieve “good” condition within an urban environment, the proposed condition should be revised to a more appropriate target.
- A dormouse mitigation strategy has been requested, please note that this may impact upon the current BNG assessment and may require re-assessment inline with the following guidance. [What you can count towards a development's biodiversity net gain - GOV.UK](#)
- Irreplaceable habitat in the form of veteran trees at T12 and T13 are proposed to be retained outside of the residential curtilage which is welcomed.
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New Forest Protected Sites

The proposed development site lies within the 13.8km zone of influence for the New Forest internationally 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 Conservation of Habitats and Species 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.

The applicant should be directed to the Guidance Note for Completing Agreements Under S.111 of the Local Government Act 1972.

Final sign off – all matters addressed:

Ecologist Jenna Buss	Date
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