

Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Jessica Cracknell (Ecologist)
Date:	23/06/2025
Application number:	PL/2025/02874
Proposal:	Change of Use of land and proposed buildings associated with Implemented Phase IV holiday accommodation to Class C3 Residential Use for Independent Older Persons, together with formalisation of footpath connection, car parking and associated works (alteration to previously approved phase IV)
Site address:	Oaksey Park Golf and Leisure, Wick Road, Oaksey, Malmesbury, SN16 9SB
Case officer:	James Taylor

Recommendations:

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

An Appropriate Assessment for impacts on the North Meadow and Clattinger Farm SAC site has been completed and sent to Natural England for their agreement that the HRA can be favourably concluded. There is a statutory 21-day response window. The application must not be approved until NE have endorsed the conclusion of the AA.

Further Information Required:

	Issue	Policy/Legislative Compliance	Date information requested & Further information required	Satisfactorily addressed (Document & Date)
				NO

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 following submitted documentation was reviewed to inform this response:

- Preliminary Ecological Appraisal. 20 December 2024. Focus Environmental Consultants. Contract No. 3192. Rev. 01. Version. V21;
- The Statutory Biodiversity Metric. 12 February 2025;

- Biodiversity Net Gain Assessment. 12 February 2025. Focus Environmental Consultants. Contract No. 3192. Rev. 01. Version. V3;
- Phase 4 Site Layout. 20 January 2025. NC Architects. Drawing No. 1630-106. Rev. B;
- Floor Plans and Elevations – Plots 1-4. 31 August 2022. NC Architects. Drawing No. 1630-010. Rev. A;
- Floor Plans and Elevations – Plots 5-7. 31 August 2022. NC Architects. Drawing No. 1630-011. Rev. A;
- Floor Plans and Elevations – Plots 8-10. 31 August 2022. NC Architects. Drawing No. 1630-012. Rev. A;
- Floor Plans and Elevations – Plots 11-12. 31 August 2022. NC Architects. Drawing No. 1630-013. Rev. A;
- Planning Statement. 19 March 2025. Impact Planning Services Ltd. Ref. JC/006/RG/COU.

North Meadow and Clattinger Farm Special Area of Conservation (SAC)

The development lies within the outer zone of influence (4.2 – 9.4km) for the North Meadow National Nature Reserve (NNR)/Site of Special Scientific Interest (SSSI) component of North Meadow and Clattinger Farm SAC, notified as an exceptional example of lowland meadow with a very high proportion of the surviving UK population of snake's head fritillary. The development is screened into Appropriate Assessment under the Habitat Regulations 2017 (as amended) on account of its potential to cause adverse effects through increased recreational pressure, which may occur alone or in-combination with other plans and projects.

Wiltshire Council, Cotswold District Council and Swindon Borough Council in partnership with Natural England have produced an Interim (2023-2028) Recreation Mitigation Strategy for proposed development within this zone.

The standard mitigation agreed under the above strategy for all relevant (e.g., overnight accommodation) development of under 50 units in the Outer Zone is:

- Strategic Access Management and Monitoring (SAMM) contribution per unit £331.75

Full details of the mitigation strategy, affected developments, and current charge per unit can be found on our website [Biodiversity and development - Wiltshire Council](#)

Developer contributions can be secured using a S111 Agreement (prior to determination), Unilateral Undertaking or a S106 Agreement. The applicant should be directed to the Guidance Note for Completing Agreements Under S.111 of the Local Government Act 1972.

The LPA concludes that subject to the mitigation measures detailed in the Interim (2023-2028) Recreation Mitigation Strategy being secured via an appropriate method (see above), the Appropriate Assessment concludes no adverse effects on the integrity of the North Meadow and Clattinger Farm SAC. The AA has been sent to Natural England (23/06/2025) and the application must not be determined until they have agreed with the LPAs conclusion.

Protected Species

The Preliminary Ecological Appraisal identified the site as providing moderate potential for foraging and commuting bat species. There are no built structures or mature trees onsite with the potential to support roosting bats. The construction of the new dwellings will not require removal of any vegetation considered to be functionally valuable to foraging or commuting bats and no additional external lighting is proposed as part of the development. Therefore, it is my view that there is no mechanism for adverse effect on bat species.

A lighting condition should be applied to any permission given this application, as detailed below. Any domestic lighting, e.g. at doorways or pathways, should be low level bollard style or wall

mounted and pointed downward to avoid light spill onto areas of vegetation likely to be used by bats and other wildlife species.

Please be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. If removal/management during this period is unavoidable, a pre-works nesting bird inspection must be conducted no more than two weeks before work begin.

The Preliminary Ecological Appraisal Ecological Assessment identified nine ponds within 250m of the site. The habitats onsite are recorded as providing suitable terrestrial habitats for amphibians. low value to reptiles. Creation of habitats onsite will enhance the site's suitability for amphibians and reptiles. As outlined in Section 3, a Construction Environmental Management Plan should address precautionary working methods to avoid potential harm to amphibians, including the implementation of a Reasonable Avoidance Methods Statement (RAMS).

Core Policy 50

Core Policy 50 of the Wiltshire Core Strategy requires all development to demonstrate no net loss of biodiversity and to seek opportunities to enhance biodiversity. The NPPF also encourages applications to deliver measurable net gains (para 186 d).

While it is not expected that this development will result in significant loss of habitat, both CP50 and NPPF require that development should deliver enhancements for wildlife. The location of ecological/biodiversity enhancements must be included in the site plan drawings (see condition below) and will become an enforceable part of the planning permission.

Biodiversity Net Gain

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 (12 February 2025) confirming the baseline and predicted post- development biodiversity units of Site has been submitted (including the condition assessment sheets (if applicable) and maps).

Information in the completed on-site baseline habitat tabs is accepted as accurate based on the information submitted. The pre-development (baseline) situation is summarised below.

On-site pre-development (baseline) biodiversity value	4.93 Habitat units
	3.16 Hedgerow units
	0.00 Watercourse units
Are there any irreplaceable habitats on-site?	No
Has any habitat degradation of occurred?	Yes

Off-site pre-development (baseline) biodiversity value	1.67 Habitat units
	0.00 Hedgerow units

	0.00 Watercourse units
Are there any irreplaceable habitats off-site?	No
Has any habitat degradation of occurred?	No

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

Off-site Biodiversity Gain Site

It is intended that an area of land (Plan 5.1.3 Off-site Baseline UK Habitat Classification Survey Plan. 23 January 2025. Focus Environmental Consultants, of the Biodiversity Net Gain Assessment. 12 February 2025. Focus Environmental Consultants. Contract No. 3192. Rev. 01. Version. V3) would be enhanced to achieve a 10% gain.

All land located outside the redline application boundary of the development site is considered off-site (refer to information here [Make off-site biodiversity gains as a developer - GOV.UK](#))

All off-site biodiversity gains sites must be registered on the national biodiversity gains site register. Guidance on how to register a biodiversity gains site including a list of items required to apply can be found here - [Register a biodiversity gain site - GOV.UK](#). In order for the Biodiversity Gain Plan condition to be discharged all off-site gains must be shown on the Biodiversity Gain Plan as allocated to this development on the national biodiversity gains site register.

Off-site gains must be secured via a legal agreement for at least 30 years. This must be a planning obligation (Section 106 agreement) or conservation covenant. Wiltshire Council will not enter into a Section 106 agreement for off-site gains unless the off-site gain site has been verified. Contact ecologychargeableservice@wiltshire.gov.uk to request further information on site verification.

CONDITIONS:

1. Compliance with submitted documents

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

- Section 3 of the Preliminary Ecological Appraisal. 20 December 2024. Focus Environmental Consultants. Contract No. 3192. Rev. 01. Version. V21;
- The Statutory Biodiversity Metric. 12 February 2025;
- Plans 5.1.1 to 5.1.5, Sections 5.2.2 to 5.2.5 of the Biodiversity Net Gain Assessment. 12 February 2025. Focus Environmental Consultants. Contract No. 3192. Rev. 01. Version. V3;
- Phase 4 Site Layout. 20 January 2025. NC Architects. Drawing No. 1630-106. Rev. B.

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

2. Construction Environmental Management Plan

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:

- a. Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.
- b. Working method statements for protected/priority species, such as nesting birds, reptiles and amphibians.
- c. Mitigation strategies already agreed with the local planning authority prior to determination, such as for great crested newts; this should comprise the pre-construction/construction related elements of strategies only.
- d. 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.
- e. Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).
- f. Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence.

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.

3. Landscape and Ecological Management Plan

Prior to the start of construction, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets.

The LEMP shall also include details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured. The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

4. Wildlife Mitigation and Enhancement Scheme

No development or removal of trees or shrubs shall take place until full details of a Wildlife Protection and Enhancement Scheme have been submitted to and approved in writing by the local planning authority. This shall include details of habitat features that will contribute to the functionality of the site for the wildlife present in the area. This should include a plan showing the location(s) and type(s) of feature(s) to enhance the site for bats, nesting birds, reptiles, amphibians, invertebrates and hedgehog. The approved details shall be implemented before occupation of the final works.

REASON: To provide enhancement for biodiversity in line with CP50 and NPPF.

5. Lighting

Prior to commencement of development, a lighting plan that includes a Lux Plot, shall be submitted to the LPA for approval. The plan will demonstrate that bat habitat (trees, scrub and hedgerows) on the perimeter of the site will remain below 0.5 lux.

All lighting provided on site shall be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2021), and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

REASON: In the interests of the amenities of the area and to minimize impacts on biodiversity caused by light spillage to areas above and outside the development site.

6. Habitat Management and Monitoring Plan (HMMP)

No development shall commence on site until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the statutory Biodiversity Gain Plan and including:

1. a non-technical summary;
2. the roles and responsibilities of the people or organisation(s) delivering the HMMP;
3. the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the statutory Biodiversity Gain Plan and schedule for implementation;
4. the management measures to maintain habitat in accordance with the statutory Biodiversity Gain Plan for a period of 30 years from the completion of development; and
5. the monitoring methodology and specification of a Monitoring Pack (to include but not exclusively up to date Management Actions Logs, Habitat Condition Assessment Reports, metric calculation; and corresponding post intervention Habitat Map) which shall be submitted to the Local Planning Authority in years 2 (two) 5 (five) 10 (ten) 15 (fifteen) 20 (twenty) and 30 (thirty) of the Maintenance Period,

has been submitted to, and approved in writing by, the local planning authority.

No [*consider occupancy trigger e.g. more than 50% units/floor space shall be occupied*) until the habitat creation and enhancement works set out in the approved HMMP have been implemented.

The created and/or enhanced habitat shall be managed and maintained in accordance with the statutory HMMP at all times thereafter.

REASON: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

INFORMATIVES:

Protected Species

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Conservation of Habitats and Species Regulations 2017 (as amended) it is an offence to disturb or harm any protected species including for example, breeding birds and reptiles. The protection offered to some species such as bats, extends beyond the individual animals to the places they use for shelter or resting. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

Artificial Lighting

The habitat within the proposed development site and the surrounding area is suitable for roosting, foraging and commuting bats. An increase in artificial lux levels can deter bats which could result in roost abandonment and/or the severance of key foraging areas. This will likely result in a significant negative impact upon the health of bat populations across the region. Artificial light at night can have a substantial adverse effect on biodiversity. Any new lighting should be for the purposes for safe access and security and be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2021), and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

Final sign off – all matters addressed:

Ecologist Jessica Cracknell	Date 23/06/2025
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