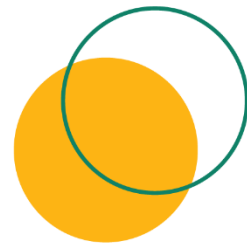




Balancing Growth with Green



Preliminary Ecological Appraisal



Paul Vinyard
Dorothy House Hospice Care, Winsley, Bradford on Avon, Wiltshire, BA15 2LE

September 2025

Project Information

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1 Introduction

1.1 Overview

Paul Vinyard ('the client') is seeking consent for a proposed development at Dorothy House Hospice Care, Winsley, Bradford on Avon, Wiltshire, BA15 2LE (hereafter referred to as the 'proposed development site'), which is within Wiltshire Council (WC).

The proposal is for a double-storey extension to the Nicholson House building located northwest of Dorothy House. It is worth noting that finalised proposals are still being prepared by the client.

ACP Consultants Ltd. was instructed by the client to produce a Preliminary Ecology Appraisal to accompany the planning application to the WC for consent to undertake the proposed works. Relevant planning policy and legislation can be found in Appendix C.

A Preliminary Ecology Appraisal has been prepared to assess the site's feasibility for this proposed development and identify need for any further consideration.

Local Authorities are tasked with determining new development and local planning applications against a wide range of social, economic, and environmental criteria. The purpose of this report is to assess whether the development proposal is compliant with the relevant local policies in terms of ecological impact as a result of the proposed development.

This assessment has been carried out in accordance with good practice guidelines, including the National Planning Policy Framework (2024) and applicable local supplementary guidance.

The remainder of this report is presented in the following order:

- Section 2: Methodology;
- Section 3: Baseline Ecological Conditions;
- Section 4: Results and Evaluation;
- Section 5: Discussion and Recommendations;
- Section 6: Conclusions.

1.2 Objectives

- To survey and determine the ecological value of the site according to the UKHab Ltd (2023). UK Habitat Classification Version 2.0 (at <https://www.ukhab.org>)
- To identify how protected species are / may be using the site in order to assess its functionality to the local populations;
- To consider impacts to all habitats immediately adjacent to the site;
- To consider potential impacts to local statutory and non-statutory site either within 2km or for European level designations, a buffer deemed as appropriate by the relevant Planning Authority; and
- To assess the suitability of the proposed development site in terms of existing ecological factors.

2 Methodology

To achieve the objectives outlined in Section 1.2, a desktop study was completed followed by a site visit undertaken by Ayan Chakravartty and Brydie Stacey.

2.1 Desktop Study

The desk study was undertaken by referring to the following data sources:

- Defra (2025). Multi-Agency Geographic Information for the Countryside (MAGIC)

2.2 UKHab Site Survey

On the 4th September 2025, the field survey was completed at the site in order to obtain detailed baseline information regarding the habitats and possibility of protected species present.

The assessment identifies sites, habitats, species and other ecological features that are of value based on factors such as legal protection, statutory or local site designations such as Sites of Special Scientific Interest (SSSI). Based upon this, recommendations for further, more detailed surveys are made as appropriate to confirm presence / absence of a protected species.

A UKHab Survey involved identifying and mapping the dominant habitat types within the site boundary. The survey and identification of habitats was undertaken in accordance with the UKHab Ltd (2023) methodology. UK Habitat Classification Version 2.0 (<https://www.ukhab.org>).

During the survey, a note was made of any field signs indicating the presence of protected species and the location of these signs was mapped. A record was also made of any other animal species identified within the site or adjacent areas during the survey. The results of the habitat survey are shown on UKHab Map, Appendix A.

2.3 Limitations

The results of the survey and assessment work undertaken by ACP Consultants Ltd. are representative at the time of surveying.

This document does not contain a comprehensive list of botanical species on site. Only plant species characteristics of each habitat and incidental observations of notable plant species were recorded. In addition, many plant species are only evident at certain times of year and so some plant species may have gone undetected.

Any third party and external data sources used may vary due to the quality and scale, the supporting information used to define locations/boundaries and sensitivity of the data itself. ACP Consultants Ltd. cannot take responsibility for the accuracy of external data sources and as such discrepancies and inaccuracies may occur.

3 Existing Baseline

3.1 Overview

The following section sets out the existing conditions in relation to ecology for the proposed development. Relevant ecological information is available from several sources including local, regional, and national ecological reports and websites. For the purpose of this assessment, some data has been obtained from Defra provided geographical sources¹.

3.1.1 Site Location

In Figure 3.1, data obtained from Defra shows the proposed development is not located on any type of protected land. There are 9 sites of Special Area of Conservation (SAC) within 5km of the proposed development; 0.21km southwest (Bath and Bradford on Avon Bats), 3.22km northwest (Bath and Bradford on Avon Bats), 3.26km northwest (Bath and Bradford on Avon Bats), 3.32km northwest (Bath and Bradford on Avon Bats), 3.34km northwest (Bath and Bradford on Avon Bats), 4.15km northwest (Bath and Bradford on Avon Bats), 4.38km northwest (Bath and Bradford on Avon Bats), and 4.45km north (Bath and Bradford on Avon Bats), and 4.63km northwest (Bath and Bradford on Avon Bats).

There are 18 sites of Sites of Special Scientific Interest (SSSI) within 5km of the proposed development; 0.21km southwest (Winsley Mines), 1.84km south (Iford Manor), 2km northwest (Midford Valley Woods), 2.36km southeast (Gripwood Quarry), 2km north (Inwood, Warleigh), 3.22km northwest (Combe Down and Bathampton Down Mines), 3.26km northwest (Combe Down and Bathampton Down Mines), 3.32km northwest (Combe Down and Bathampton Down Mines), 3.34km northwest (Combe Down and Bathampton Down Mines), 4.15km northwest (Combe Down and Bathampton Down Mines), 4.34km southwest (Hinton Charterhouse Pit), 4.38km northwest (Combe Down and Bathampton Down Mines), 4.45km north (Brown's Folly), 4.63km northwest (Combe Down and Bathampton Down Mines), 4.76km southwest (Hinton Charterhouse Field), 4.85km southwest (Hinton Hill Wellow), and 4.9km (Cleaves Wood).

There are no Special Protection Areas (SPA) or Ramsar sites within 5km of the site. These sites are not expected to be impacted by the development.

Defra (2025). Multi-Agency Geographic Information for the Countryside (MAGIC)

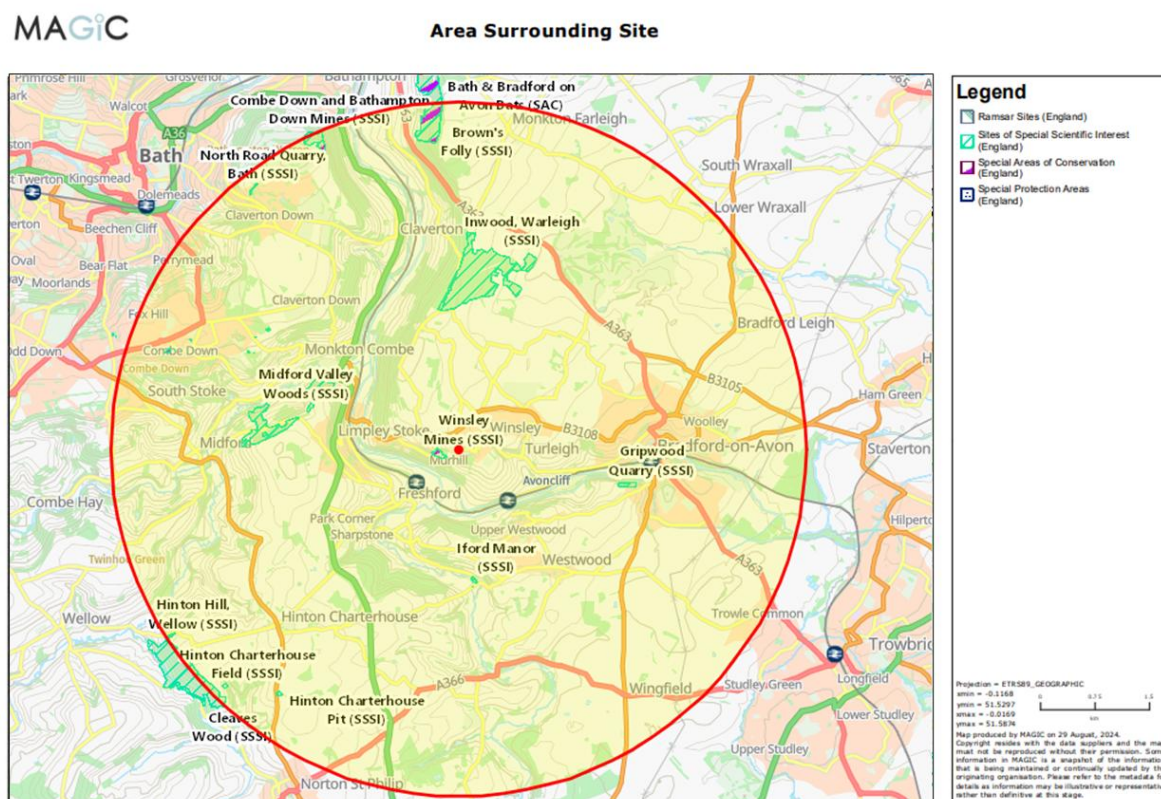


Figure 3.1 – Designations surrounding potential development site (highlighted in red) (Source: Defra).

3.2 Existing Baseline Conditions from Desktop Study

In Figure 3.2, the development site, highlighted in red, is situated in Winsley, Bradford on Avon. The site is situated near residential houses and greenspaces. There are 66 land parcels of woodland within 2km of the site. There are 42 parcels of Broadleaved woodland with the closest being 0.14km southeast of the site. There are 3 parcels of Conifer woodland with the closest being 1km northwest of the site. There is 1 parcel of Young Trees situated 1.8km northeast of the site. There are 7 parcels of mixed mainly Conifer woodland with the closest being 1.1km northwest of the site. There are 3 parcels of assumed woodland with the closest being 0.6km northwest of the site. There are 10 parcels of mixed mainly Broadleaved woodland with the closest being 1km northwest of the site.

Fourteen parcels of ancient woodland surround the site with the closest being 1km southwest of the site.

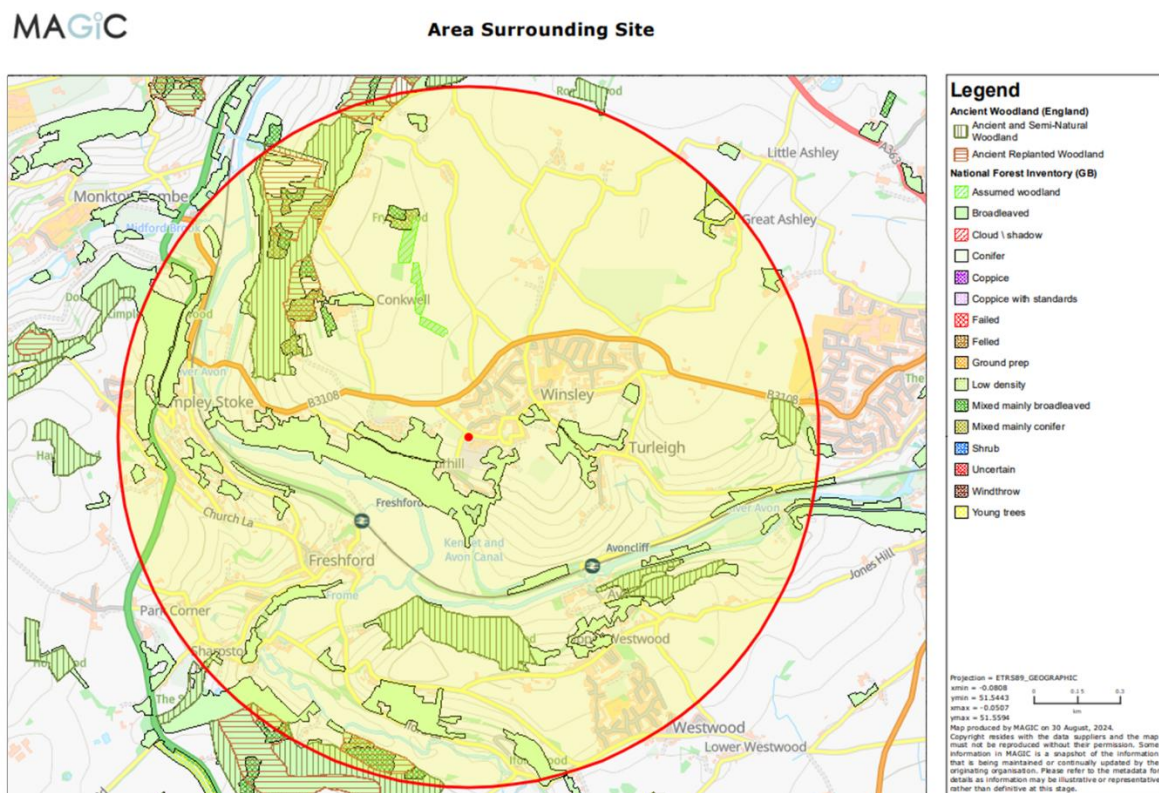


Figure 3.2 – Area surrounding potential development site (highlighted in red) (Source: Defra).

3.2.1 Protected Species

Figure 3.3 shows that there have been recordings of protected species present within 2km of the potential development site. There are 17 Granted European Protected Species Applications for Bats with the closest 0.3km north of the site.

There are no Great Crested Newt Pond Surveys/Licences within 2km of the site.

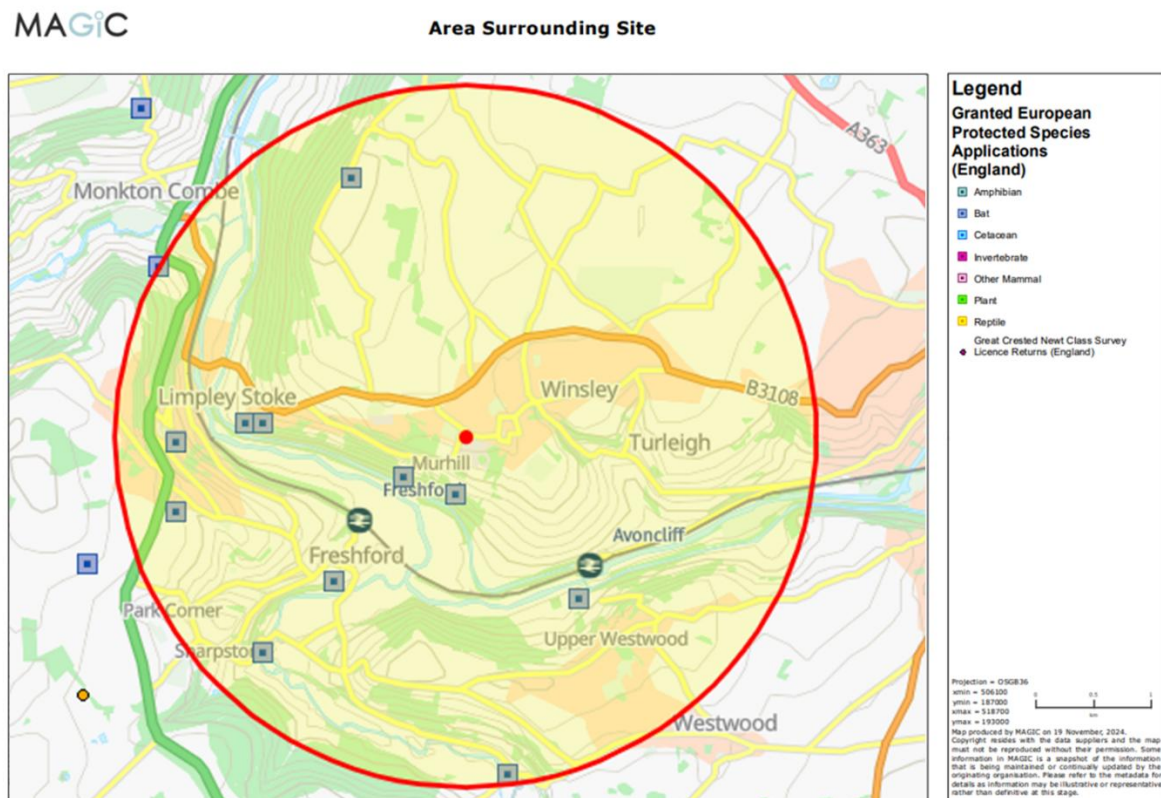


Figure. 3.3. Protected Species within 2km of the potential development site (Source: Defra)

3.3 Ecological Data Search

An ecological data search was obtained from the Wiltshire and Swindon Biological Records Centre (WSBRC) on the 10th of September 2025. Whilst protected species records are confidential in order to prevent human interference, the presence of numerous protected species was identified within a 2km search radius and included records of Protected, BAP, and Conservation Concern Species.

Species included bats, hedgehog, reptiles, amphibians including Great Crested Newts, nesting birds (including Owls), otters, badger, water shrews, brown hare, beavers, and voles. The report also states that non-statutory designated sites are present within the search parameters.

3.4 Habitats On Site

The habitats on site should be read alongside the UKHab Map (Figure 1, Appendix A). The site comprises of Building (u1b5), Other developed land (u1b6), Vegetated Garden (828), Trees (200), Bare ground (510), and Scattered scrub (10).

3.5 Protected Species

Due to the features present (buildings/trees), protected species may potentially be present on-site, as explored further in Section 4.3.

3.6 Baseline Summary

Based on the data obtained from Defra and the UKHab survey, the proposed development does not seem to be negatively affecting any Special Sites of Scientific Interest. Protected species potentially could be present on site.

4 Results and Evaluation

4.1 Survey Conditions

Table 1: Summary of conditions during survey

Abiotic Factor	Survey 1
Survey type	PEA
Date completed	04.09.25
Temperature	16 degrees Celsius
Precipitation	0
Weather Conditions	Partial clouds

4.2 UKHab Survey

The site comprises of Building (u1b5), Other developed land (u1b6), Vegetated Garden (828), Trees (200), Bare ground (510), and Scattered scrub (10).

Habitat types detailed below are listed according to UKHab Ltd (2023). *UK Habitat Classification Version 2.0* (<https://www.ukhab.org>). The species list provided in this report reflect only those taxa observed during the survey.

4.2.1 Buildings (u1b5) and Other Developed Land (u1b6)

There is one building within the application boundary as shown in Figure 4.1, alongside associated areas of hardstanding ground. The proposed plan will modify the building at the rear, creating a ground floor extension behind the attached garage and a ground floor and first floor extension from the main building (Appendix B). Additional areas of hardstanding ground are shown in figures 4.2 (driveway) and 4.3 (road). On the northeast side of the site are two green storage sheds located on the area of hardstanding ground (Figure 4.4). There is also a small green shed (Figure 4.5) behind the garage that will require removal for the proposed development to occur.



Figure 4.1 – u1b5 & u1b6 (ACP 2025)



Figure 4.2 – u1b5 & u1b6 (ACP 2025)



Figure 4.3 – u1b6 (ACP 2025)



Figure 4.4 – u1b6 (ACP 2025)



Figure 4.5 – u1b6 (ACP2025)

4.2.2 Vegetated Garden (828)

A medium area of vegetated grassland, which comprised modified grassland and introduced/scattered shrub, exists to the rear (Figure 4.6) of the building which extends along the left-hand side (Figure 4.6) and across the front of the building (Figures 4.6 and 4.7). The vegetated grassland was observed to be in poor condition, thereby reducing the overall botanical value. There is also a flower bed situated on the left side and front left of the building (Figure 4.6 and 4.7).



Figure 4.6 – 828 (ACP 2025)



Figure 4.7 – 828 (ACP 2025)



Figure 4.8 – 828 (ACP 2025)

4.2.3 Trees (200) and Bare ground (510)

Tree species identified during the survey that are likely to be impacted by the proposed development were: Pear, Silver Birch, Ash, Holly, Sycamore, and Yew. The Pear and Silver Birch tree (Figure 4.9), located in front of the building on the area of vegetated garden will be removed by the proposed development plan. There is also potential for the trees located in front of the mortared wall (Figure 4.10) to be impacted. Several trees at the rear of the building (Figure 4.11) will also likely require removal for the proposed development. Behind the garage is also an area of bare ground.



Figure 4.9 – 200 (ACP 2025)



Figure 4.10 – 200 (ACP 2025)



Figure 4.11 – 200 (ACP 2025)

4.3 Protected Species

Species/Group	Desk Study Record	Potential Habitat	Other Relevant Factors	Potential Constraint?
Bats	17 Granted European Protected Species Applications for bats are present within 2km of the site. Records found within 2km (Source: WSBRC, 2025).	Existing buildings could provide roosting features for bats.	No signs of bats were found on site.	Possible
Badger	Records found within 2km (Source: WSBRC, 2025).	No suitable habitat on site.	No signs of badger were found on site.	No
Reptiles	Records found within 2km (Source: WSBRC, 2025).	No suitable habitat on site.	No signs of reptiles were found on site.	No
Great Crested Newts (GCN) and Amphibians	Records found within 2km (Source: WSBRC, 2025).	1 pond exists within 80m of the site. However, there is a lack of suitable connectivity pathways as a result of a building, carpark and roads, as well as intensively managed modified grassland.	No signs of Great Crested newts were found on site.	No
Water Vole	Records found within 2km (Source: WSBRC, 2025).	No suitable habitat on site.	No signs of water vole were found on site.	No
Otter	Records found within 2km (Source: WSBRC, 2025).	No suitable habitat on site.	No signs of otter were found on site.	No
Birds	Records found within 2km (Source: WSBRC, 2025).	Trees and buildings could provide suitable nesting habitat.	Bird nests in Ash tree located on the east side of the site.	Possible

5 Discussions and Recommendations

5.1 Potential Constraints

The following habitats and species have been identified as possible constraints to the proposed development:

- General nesting birds
- Bats

5.2 Further Surveys and Mitigation

5.2.1 Further Surveys

A bird nest was observed in an Ash tree located in front of the building by the mortared wall. Existing vegetation that may also provide nesting bird habitat is present. It is recommended that the building is surveyed for nesting birds prior to any modifications or works. If such vegetation is to be modified, it is recommended that this vegetation should be surveyed for nesting birds prior to removal. It is worth noting that surveying for nesting birds is only required if building alterations or vegetation clearance takes place within the breeding season (March – August inclusive).

As stated in Section 4.2.1, modifications and extensions are to occur to the main building and attached garage. As these structures have potential to provide roosting opportunities for bats and Granted European Protected Species Applications for bats exist within 2km of the site (Figure 3.1), a Preliminary Roost Assessment (PRA) has been undertaken by ACP Consultants Ltd. (September 2025). The PRA identified that no further bat surveys are deemed necessary as the existing building was considered to have a negligible suitability for roosting bats. The PRA should be read in conjunction with this report.

These works can be carried out as part of a planning condition. It is worth noting that results and further recommendations made are based on what was present on-site at the time of survey only.

5.2.2 Habitat Protection

It should be noted that external lighting could affect nocturnal species such as bats, therefore, a sensitive lighting scheme is recommended.

During construction and operation of the site, all relevant waste components should be stored securely with a waste management strategy in place to prevent spills and leaks into the wider environment.

In order to minimise the risk of harm to animals using the site it is recommended that preventative measures are in place during construction. These precautions are:

- Keep all fuel and other harmful substances in a locked area;
- Ensure any spillages are treated;
- Mammal ladders (such as a plank) or earth ramps to be placed in any open excavations at the end of each day;
- Cap off any open pipes at the end of each day; and
- Cover any open holes or install mammal ladders or earth ramps in any open excavations at the end of each day to prevent animals from becoming trapped.

6 Conclusions

This report provides an assessment of the following potential key impacts associated with the construction and operational phases of the proposed development at Dorothy House Hospice Care, Winsley, Bradford on Avon, Wiltshire, BA15 2LE. The aims were:

- To survey and determine the ecological value of the site according to the UKHab Ltd (2023). *UK Habitat Classification Version 2.0* (<https://www.ukhab.org>);
- To consider impacts to all habitats immediately adjacent to the site;
- To identify how protected species are / may be using the site in order to assess its functionality to the local populations;
- To consider potential impacts to local statutory and non-statutory site either within 2km or for European level designations, a buffer deemed as appropriate by the relevant Planning Authority; and
- To assess the suitability of the proposed development site in terms of existing ecological factors.

A Preliminary Ecological Appraisal including a UKHab survey of possible ecological affects has been undertaken for the proposed development.

It has been recommended further surveys involving nesting birds be carried out. Further surveys involving nesting birds should be carried out if works take place within the breeding season (March – August inclusive). To assess the structures' suitability for bats, a PRA was undertaken by ACP Consultants Ltd. (September 2025), of which should be read in conjunction with this this report.

It can, therefore, be concluded that the proposed development is not considered to conflict with any national, regional or local planning policies and will not have any significant or adverse impacts on protected species and their habitats, providing that no site work takes place without the surveys/measures detailed in Section 5 being completed and if necessary, resulting mitigation measures being implemented before construction.

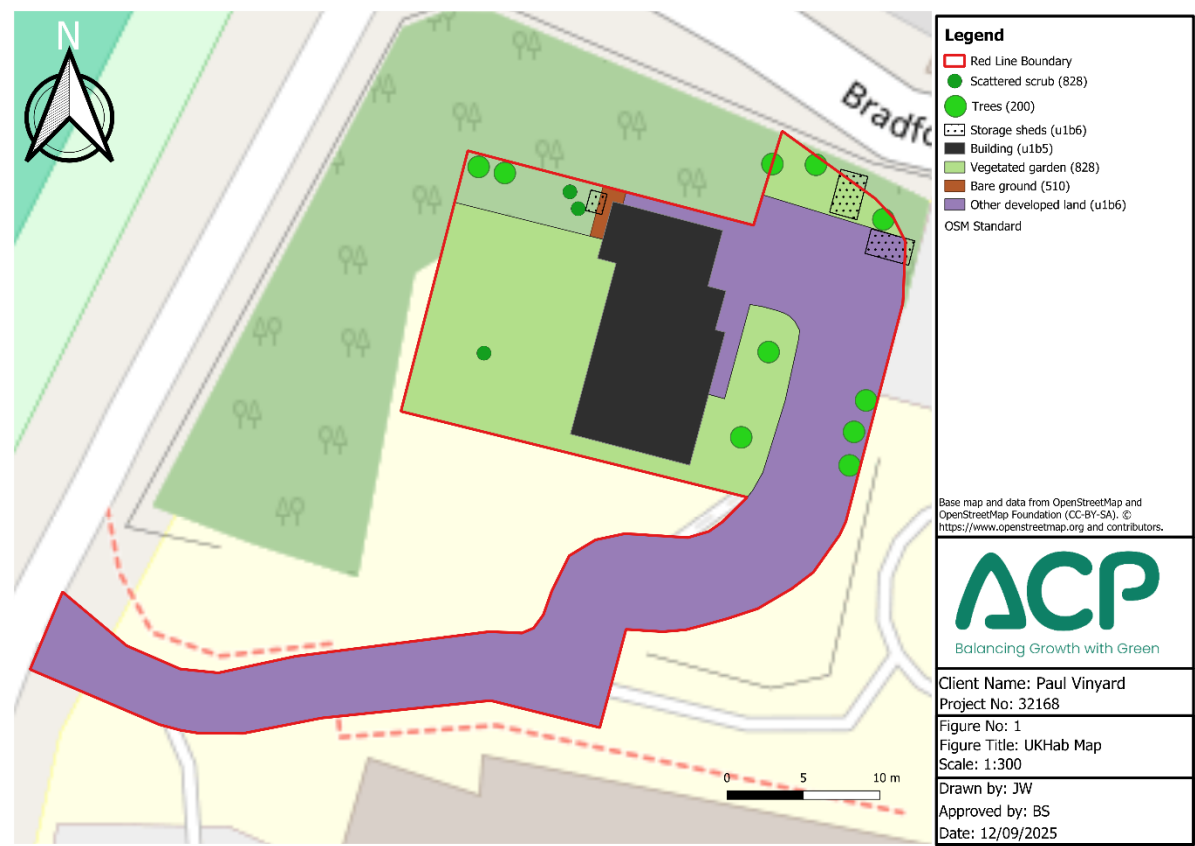
Appendices

Appendix A: UKHab Map

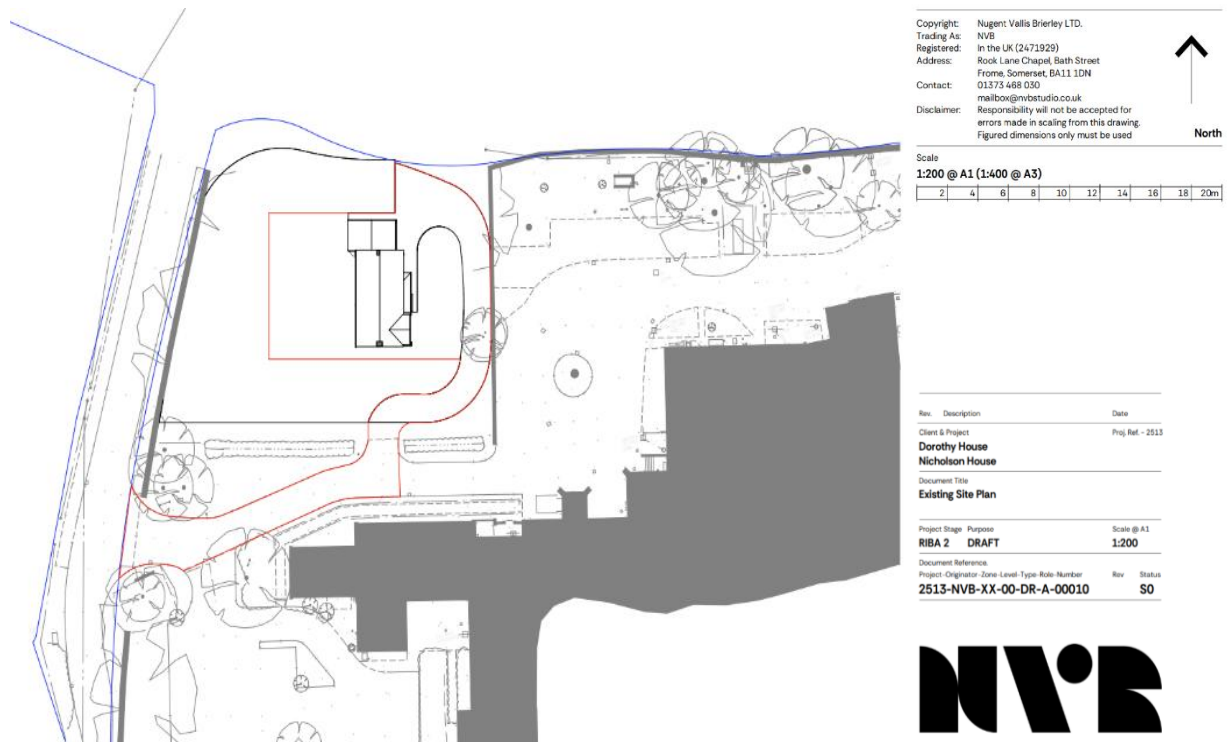
Appendix B: Proposed Site Plans

Appendix C: Planning Policy & Legislation

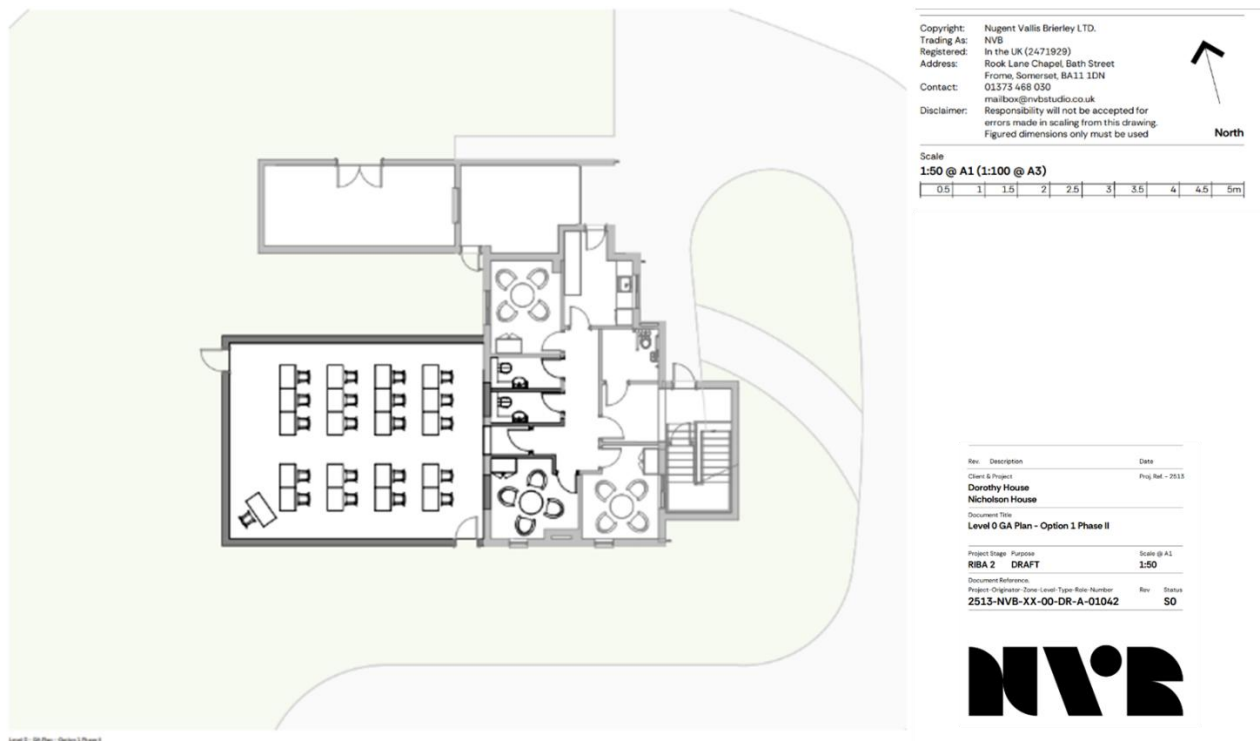
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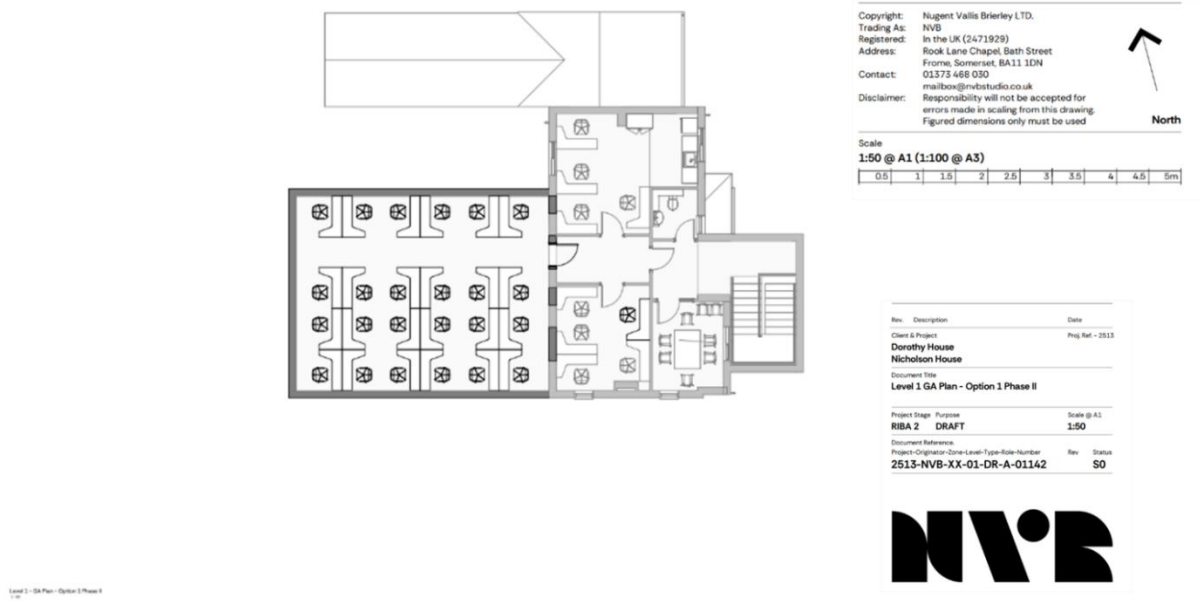
Appendix B: Proposed Site Plans



Site Location Plan (Source: Client, 2025)



Proposed Site Plan; Level 0 (Source: Client, 2025)



Proposed Site Plan; Level 1 (Source: Client, 2025)

Appendix C: Planning Policy & Legislation

This section summarises the relevant National and Local legislative and policy background, statutory and non-statutory guidelines relevant to the potential commercial development.

National Policy

National Planning Policy (December 2024)

The principal national planning policy guidance with respect to the potential development is the National Planning Policy Framework (NPPF). The most recent update of the NPPF was published in December 2024 by the Ministry of Housing, Communities and Local Government. This guidance sets out the Government's planning policies for England and how they are expected to be applied. Three dimensions to sustainable development have been identified in the NPPF: economic, social, and environmental.

The NPPF Section 187 states that:

"Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;*
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate."*

Section 188 states that:

"Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries."

Section 189 states that:

"Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the Broads⁶³. The scale and extent of development within these designated areas should be limited, while

development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.”

Section 190 states that:

“When considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development⁶⁴ other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”*

Section 192 states that:

“To protect and enhance biodiversity and geodiversity, plans should:

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and steppingstones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and*
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.”*

Section 193 states that:

“When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”*

Section 194 states that:

“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or

projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”

6.1.1 Relevant National Planning Practice Guidance (NPPG, 2016)

NPPG is a web-based resource which brings together planning guidance on various topics into one place. It was launched in March 2014 and coincided with the cancelling of the majority of Government Circulars which had previously given guidance on many aspects of planning.

The guidance note on ‘Natural Environment’ explains key issues in implementing policy to protect and enhance the natural environment, including local requirements. This has been referred to when preparing this report. It states that:

“Planning authorities need to consider the potential impacts of development on protected and priority species, and the scope to avoid or mitigate any impacts when considering site allocations or planning applications. Guidance on the law affecting Habitats Sites, protected species and SSSIs.

Natural England has issued standing advice on protected species. A protected species mitigation licence from Natural England may be required before any work can start.”

The PPG also states that:

“Information on biodiversity and geodiversity impacts and opportunities needs to inform all stages of development (including site selection and design, pre-application consultation and the application itself). An ecological survey will be necessary in advance of a planning application if the type and location of development could have a significant impact on biodiversity and existing information is lacking or inadequate. Pre-application discussions can help to scope whether this is the case and, if so, the survey work required.

Even where an Environmental Impact Assessment is not needed, it might still be appropriate to undertake an ecological survey, for example, where protected species may be present or where biodiverse habitats may be lost.

As with other supporting information, local planning authorities should require ecological surveys only where clearly justified. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity. Further guidance on information requirements is set out in making an application.”

Biodiversity net gain is mentioned in the PPG and states that:

“The National Planning Policy Framework encourages net gains for biodiversity to be sought through planning policies and decisions. Biodiversity net gain delivers measurable improvements for biodiversity by creating or enhancing habitats in association with development. Biodiversity net gain can be achieved on-site, off-site or through a combination of on-site and off-site measures. It may help local authorities to meet their duty under Section 40 of the Natural Environment and Rural Communities Act 2006.”

Species and Habitats Legislation

The Conservation of Habitats and Species Regulations 2017 (as amended)

The Conservation of Habitats and Species Regulations 2017 (as amended) consolidates all various amendments made to The Conservation (Natural Habitats & c.) Regulations 1994, in respect of England and Wales. The 1994 Regulations transposed the EC Habitats Directive 1992 (Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora) into national law.

Annexes I and II of the Habitats Directive list (respectively) habitats and species for which member states are required to establish and monitor SACs. The EC Birds Directive provides a similar network of sites (SPAs) for all rare or vulnerable species listed in Annex I and all regularly occurring migratory species, with particular focus on wetlands of international importance.

Together with SACs, SPAs form a network of pan-European protected areas known as 'NATURA 2000' sites.

The Habitats Regulations also make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade on the animals listed in Schedule 2, or pick, cut, uproot, destroy or trade in the plants listed in Schedule 4.

This legislation was amended in January 2021: The main changes to the 2017 Regulations are:

- “the creation of a national site network within the UK territory comprising the protected sites already designated under the Nature Directives, and any further sites designated under these Regulations
- the establishment of management objectives for the national site network (the ‘network objectives’)
- a duty for appropriate authorities to manage and where necessary adapt the national site network as a whole to achieve the network objectives
- an amended process for the designation of Special Areas of Conservation (SACs)
- arrangements for reporting on the implementation of the Regulations, given that the UK no longer provides reports to the European Commission
- arrangements replacing the European Commission’s functions with regard to the imperative reasons of overriding public interest (IROPI) test where a plan or project affects a priority habitat or species
- arrangements for amending the schedules to the Regulations and the annexes to the Nature Directives that apply to the UK.”

The Convention on Conservation of European Wildlife and Natural Habitats (Bern Convention 1979)

The Convention on Conservation of European Wildlife and Natural Habitats (Bern Convention 1979) aims to ensure conservation and protection of all wild plant and animal species and their natural habitats (listed in Appendices I and II of the Convention), to increase cooperation between contracting parties, and to afford special protection to the most vulnerable or threatened species (including migratory species).

The Wildlife and Countryside Act 1981 (as amended) (WCA 1981)

The WCA is the primary UK mechanism for statutory site designation (Sites of Special Scientific Interest [SSSIs]) and the protection of individual species listed under Schedule 1, 2, 5 and 8 of the Act, each subject to varying levels of protection.

The Countryside and Rights of Way Act 2000

This legislation strengthens the provision of the 1981 WCA (as amended), both in respect of statutory sites such as SSSIs and protected species. It also places a statutory obligation on Local Authorities and other public bodies to further conservation of biodiversity in the exercise of their functions, thus providing a statutory basis to the Biodiversity Action Plan (BAP) process, which began in 1994. Section 74 of the Act lists the habitat types and species of principal importance in England. The UK Biodiversity action Plan has now been superseded by the ‘UK Post-2010 Biodiversity Framework’ (July 2012), however, many of the species and habitats in the UK and local BAPs have not been updated and are still considered relevant to date.

A Bill to amend the Countryside and Rights of Way Act 2000 to extend the right of public access to the countryside, including to woodlands, the Green Belt, waters and more grasslands; and for connected purposes is currently in second reading in the House of Commons (November 2022).

Local Policy

Wiltshire Core Strategy (2015)

The Wiltshire Core Strategy (2015) the planning policy for Wiltshire up to 2026. The Strategy outlines the basis for biodiversity and environmental measures against which planning applications are determined.

The “Core Policy 50: Biodiversity and geodiversity” states:

“Protection

Development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale. There is an expectation that such features shall be retained, buffered, and managed favourably in order to maintain their ecological value, connectivity and functionality in the long-term. Where it has been demonstrated that such features cannot be retained, removal or damage shall only be acceptable in circumstances where the anticipated ecological impacts have been mitigated as far as possible and appropriate compensatory measures can be secured to ensure no net loss of the local biodiversity resource, and secure the integrity of local ecological networks and provision of ecosystem services.

All development proposals shall incorporate appropriate measures to avoid and reduce disturbance of sensitive wildlife species and habitats throughout the lifetime of the development.

Any development potentially affecting a Natura 2000 site must provide avoidance measures in accordance with the strategic plans or guidance set out in paragraphs 6.75-6.77 above where possible, otherwise bespoke measures must be provided to demonstrate that the proposals would have no adverse effect upon the Natura 2000 network. Any development that would have an adverse effect on the integrity of a European nature conservation site will not be in accordance with the Core Strategy.

Biodiversity enhancement

All development should seek opportunities to enhance biodiversity. Major development in particular must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services. Such enhancement measures will contribute to the objectives and targets of the Biodiversity Action Plan (BAP) or River Basin/ Catchment Management Plan, particularly through landscape scale projects, and be relevant to the local landscape character.

Local sites

Sustainable development will avoid direct and indirect impacts upon local sites through sensitive site location and layout, and by maintaining sufficient buffers and ecological connectivity with the wider environment. Damage or disturbance to local sites will generally be unacceptable, other than in exceptional circumstances where it has been demonstrated that such impacts:

- i. cannot reasonably be avoided*
- ii. are reduced as far as possible*
- iii. are outweighed by other planning considerations in the public interest*
- iv. where appropriate compensation measures can be secured through planning obligations or agreements.*

Development proposals affecting local sites must make a reasonable contribution to their favourable management in the long-term.” (p.263-264)

The “Core Policy 51: Landscape” states:

Development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. Proposals should be informed by and sympathetic to the distinctive character areas identified in the relevant Landscape Character Assessment(s) and any other relevant assessments and studies. In particular, proposals will need to demonstrate that the following aspects of landscape character have been conserved and where possible enhanced through sensitive design, landscape mitigation and enhancement measures:

- i. The locally distinctive pattern and species composition of natural features such as trees, hedgerows, woodland, field boundaries, watercourses and waterbodies.*
- ii. The locally distinctive character of settlements and their landscape settings.*
- iii. The separate identity of settlements and the transition between man-made and natural landscapes at the urban fringe.*
- iv. Visually sensitive skylines, soils, geological and topographical features.*
- v. Landscape features of cultural, historic and heritage value.*
- vi. Important views and visual amenity.*
- vii. Tranquillity and the need to protect against intrusion from light pollution, noise, and motion.*
- viii. Landscape functions including places to live, work, relax and recreate.*
- ix. Special qualities of Areas of Outstanding Natural Beauty (AONBs) and the New Forest National Park, where great weight will be afforded to conserving and enhancing landscapes and scenic beauty.” (p.268)*

The “Core Policy 52: Green Infrastructure” states:

Development shall make provision for the retention and enhancement of Wiltshire’s green infrastructure network, and shall ensure that suitable links to the network are provided and maintained. Where development is permitted developers will be required to:

- i. retain and enhance existing on site green infrastructure*
- ii. make provision for accessible open spaces in accordance with the requirements of the adopted Wiltshire Open Space Standards*
- iii. put measures in place to ensure appropriate long-term management of any green infrastructure directly related to the development*
- iv. provide appropriate contributions towards the delivery of the Wiltshire Green Infrastructure Strategy*
- v. identify and provide opportunities to enhance and improve linkages between the natural and historic landscapes of Wiltshire.*

If damage or loss of existing green infrastructure is unavoidable, the creation of new or replacement green infrastructure equal to or above its current value and quality, that maintains the integrity and functionality of the green infrastructure network, will be required.” (p.272)

“Development will not adversely affect the integrity and value of the green infrastructure network, prejudice the delivery of the Wiltshire Green Infrastructure Strategy, or provide inadequate green infrastructure mitigation.” (p.272)