

Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Abi Gazzard
Date:	11/11/2025
Application number:	PL/2025/08594
Proposal:	Permission in Principle: Erection of 1 No. self-build dwelling (Class C3) and associated works
Site address:	Land at Clarendon Road, Trowbridge, Wiltshire
Case officer:	Steven Vellance

Recommendations:

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

Further Information Required:

	Issue	Policy/Legislative Compliance	Date information requested & Further information required	Satisfactorily addressed (Document & Date)
	HRA assessment for bat SAC	Habitat Regulations, NPPF, Wiltshire CP50	11/11/2025 Information needed for Appropriate Assessment (surveys and mitigation)	

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, aerial photography of the site and surrounding area, together with GIS layers of statutory and non-statutory designated sites and existing records of protected species.

Information considered:

- Proposed Site Plan (Illustrative), MEC, October 2025
- Proposed Landscaping Plan, IM, April 2014
- Cover Letter, Planning Sphere, October 2025

The site comprises a circular plot of grassland, bordered by a number of mature trees and within an urban setting, where the applicant seeks Permission in Principle to construct one dwelling. A previous application (14/04469/FUL) for two dwellings was dismissed at appeal.

COMMENTS:

Habitat Regulations Assessment (HRA)

Bath and Bradford on Avon Bat Special Area of Conservation (SAC)

Background

The application site is located within the 'grey hatched' recreational zone of the Trowbridge & Westbury Bat Mitigation Strategy (TWBMS) and therefore has potential to result in significant adverse impact on the special features of the Bath & Bradford on Avon Bats Special Area of Conservation (SAC). Appropriate Assessment (AA) under Section 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) 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.

Paragraph 1A of regulation 70 of the Conservation of Habitats and Species Regulations 2017 stipulates that the assessment provisions apply to "*granting permission in principle under section 59A of the TCPA 1990 (Development orders: permission in principle)*". This makes it clear that the Conservation of Habitats and Species Regulations 2017 must be applied before any Permission in Principle is authorised.

Accordingly, the [Government's guidance for applications for permission in principle](#) states:

"for sites where development is likely to have a significant effect on a qualifying European site [...] without any mitigating measures in place, the local planning authority should ensure an appropriate assessment has been undertaken before consideration of the grant of permission in principle".

Current proposal

The nearest bat record is that of a Lesser Horseshoe bat (one of the qualifying species of the SAC), located 80m north of the site. The current proposal could result in the loss of foraging/commuting habitat as well as disturbances during construction and post-development, via, e.g., new lighting or noise, vibration and dust pollution. Whilst the illustrative plans show that the mature trees on-site will be retained, they may still contain potential roosting features that could be disturbed (and therefore abandoned) as a result of the works. No tree plans, lighting scheme or ecology information have been provided.

In order to conclude the AA favourably, it must be demonstrated that impacts on sensitive features (e.g., roosts, foraging and commuting habitat) can be mitigated. **At present, insufficient information has been submitted to enable the AA to be undertaken, which must be completed and the conclusion agreed with Natural England prior to the application being determined.** Such information should include surveys of the trees on site, as well as a clear statement of any vegetation proposed for removal, and proposed mitigation.

Also to conclude the AA favourably, the applicant should note that new residential development proposals for 49 dwellings or less within the grey hatched medium recreational risk zone will be expected to provide a financial contribution of £925 per dwelling towards the council's strategic recreational pressure mitigation scheme. This is to be secured via section 106 agreement (s106), a section 111 (s111) agreement or unilateral undertaking (UU) (legal fees will apply). **No mechanism for securing an agreement in writing (at Permission in Principle stage) to provide the required contribution (e.g., either now or at the Technical Details Consent stage) has been proposed.** Without securing this mitigation, the AA cannot be concluded favourably.

Other protected and notable species and habitats

Although the site is within an urban area, it is surrounded by valuable habitats such as Paxcroft Brook 60m north, and Biss Meadows Country Park (a locally designated wildlife site) 340m southwest.

In line with NPPF and with CP50, applications must ensure that no net loss of functional habitat for the benefit of wildlife in the local area will occur as a result of the proposed development. In addition, it is expected that gains for biodiversity, relevant to local habitats and wildlife populations will form part of the proposed development. **Ecology information submitted at the technical details consent stage should therefore consider the potential impacts upon protected and notable wildlife (e.g., bats and nesting birds), and precautionary mitigation, as appropriate. It is also recommended that the details and locations of biodiversity enhancements (further to any necessary mitigation for bats) are shown on plans at the technical details consent stage.**

Biodiversity Net Gain

The grant of permission in principle is not within the scope of biodiversity net gain (as it is not a grant of planning permission). **The subsequent technical details consent (as a grant of planning permission) will be subject to the biodiversity gain condition.** Please note that applications subject to the biodiversity gain condition must be accompanied by minimum information set out in [Article 7 of The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#), which includes:

- [the completed metric calculation tool](#) showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including the publication date of the biodiversity metric used to calculate that value;
- a description of any [irreplaceable habitat](#) (as set out in [column 1 of the Schedule to the Biodiversity Gain Requirements \(Irreplaceable Habitat\) Regulations 2024](#)) on the land to which the application relates, that exists on the date of application, (or an earlier date); and
- plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).

Note: this is a summary, please refer to Paragraph: 011 [Biodiversity net gain - GOV.UK](#) for full details.

If the applicant considers that the development would not be subject to the biodiversity gain condition, Schedule 7A of the Town and Country Planning Act 1990 the applicant must provide a statement as part of the planning application setting out the reasons why they believe this is the case. Submission of a completed metric calculation tool may be necessary to evidence the statement.

IN SUMMARY: Insufficient information has been submitted. 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 LPA's ecology team prior to determination of the application. I therefore maintain a holding objection until all the issues listed above have been suitably addressed.

Sign off by WC Ecologist will only be given once ALL outstanding information has been submitted and agreed sufficient.

Ecologist	Date
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