

Council Planning Consultation Response

ECOLOGY

Officer name:	Patrick Olshansky (Graduate Ecologist)
Date:	11/11/2025
Application No:	PL/2025/05347
Proposal:	Change of use to dog walking field and associated works
Site Address:	Land at Winsley Road, Bradford on Avon, BA15 2HL
Case Officer:	Russell Brown

Recommendations:

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

Thank you for your consultation on the above application. I have reviewed the submitted documents against OS maps, aerial photographs 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 (May 2025. Brian Kirby)
- Preliminary Ecological Assessment (20 June 2025. Luscinia Ecology)
- Statutory BNG Metric (20 June 2025. Luscinia Ecology)
- Biodiversity Statement & Biodiversity Gain Plan (20 June 2025. Luscinia Ecology)

COMMENTS:

Habitats Regulation Assessment (HRA): Bath and Bradford-on-Avon Bat SAC

The application site is located within a consultation zones for bats associated with the Bath & Bradford on Avon Bats Special Area of Conservation (SAC):

- GHS 4km SAC Parcel Buffer
- GHS 4km Core Roost Buffer
- LHS 2km Core Roost Buffer
- LHS 2km SAC Parcel Buffer

A test of likely significance has been carried out by the relevant Competent Authority (Wiltshire Council) as required by Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). This concluded that given the nature of the development, any temporary construction impacts and operational impacts would be de-minimus. **The HRA has concluded that the application is not likely to have significant impacts on the SAC and subsequently the application is screened out of Appropriate Assessment.**

Non-Statutory Sites (LWS)

Winsley Reservoir Local Wildlife Site (LWS) is approx. 20m to the south. Based on the nature of the development, any temporary construction impacts and operational impacts would be de-minimus.

Compliance with CP50 (no net loss etc)

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 193d).

An area of 900 m² of grassland will be cleared to make way for the development. The development is subject to the statutory biodiversity net gain requirement. Gains will be achieved through the delivery of statutory BNG.

In addition to the statutory BNG, the proposal will include the creation of two log piles and two hedgehog boxes (outside of the dog walking field but within redline boundary). These enhancements will be secured by condition.

Protected Species

The site is mostly poor condition other neutral grassland with a marginal area of ruderal/ephemeral vegetation along northern border. The site had some limited suitability for commuting/foraging badgers, bats, birds and hedgehog. While most of the site will be fenced off, the perimeter of the site will remain open and connected allowing wildlife to commute. The boundary will be enhanced with a good condition native hedgerow, log piles and hedgehog boxes.

Note on GCN: The site is within the amber zone for GCN. There was one pond within 250m of the site and two ponds within 500m of the site. There were no granted great crested newt EPSLs, within 1km of the Site. There were six great crested newt records within 1km of the site. Although the site is located within a commuting pathway between a network of ponds, the site itself has low habitat suitability for great crested newts in their terrestrial phase. A rapid risk assessment was carried out which determined an offence to great crested newts within the Site was highly unlikely.

Biodiversity Net Gain (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 (20 June 2025) confirming the baseline and predicted post-development biodiversity units of the site has been submitted (including the condition assessment sheets 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	4.16 Habitat units
	0.00 Hedgerow units
	0.00 Watercourse units
Are there any irreplaceable habitats on-site?	No
Has any habitat degradation of occurred?	No

Confirmation of how the development will achieve BNG is a post-determination matter however consideration should be given to how any proposed BNG will be secured.

The Biodiversity Gain Plan must be accompanied by a completed Biodiversity Metric with the following issues addressed:

- All proposed habitats should be shown on a post-development habitat map (including trees and any areas of enhanced grassland) and this map should be consistent with other layout/landscape plans.
- An amended metric including all proposed habitat creation/enhancement on site
- An amended metric showing that at least 10% net gain has been achieved and that trading rules have been satisfied. Trading rules are a mandatory part of statutory BNG.
- The number of trees on the post-development plans must match the number entered in the metric.
- Grassland enhancement/creation should not be within the dog walking area due to the probable level of nutrients being introduced.

If the submitted metric has a deficit of 0.25 biodiversity units or less to meet the 10% BNG requirement and on-site BNG is not achievable, statutory credits can be bought without providing evidence that insufficient off-site options are available in England. For further information please refer to guidance on Statutory Biodiversity Credits on the GOV.UK website (<https://www.gov.uk/guidance/statutory-biodiversity-credits>) under 'How to prove statutory credits are needed'.

CONDITIONS:

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

- Proposed Site Plan (May 2025. Brian Kirby)
- Preliminary Ecological Assessment (20 June 2025. Luscinia Ecology)
- Biodiversity Statement & Biodiversity Gain Plan (20 June 2025. Luscinia Ecology)

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

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:

- a non-technical summary;
- the planned work and schedule for habitat creation and enhancement to achieve the biodiversity net gain in accordance with the statutory Biodiversity Gain Plan;
- 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

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

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:

Lighting:

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.

Protected Wildlife:

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.

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

Ecologist	Date
Patrick Olshansky (Graduate Ecologist)	11/11/2025