

Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Abi Gazzard
Date:	04/12/2025
Application number:	PL/2025/07553
Proposal:	Footpath improvement works including associated engineering and landscaping works and new benches.
Site address:	Land forming the footpath network surrounding the Garden Lake at Stourhead, Wiltshire, BA12 6QD
Case officer:	David Cox

Recommendations:

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

Further Information Required:

	Issue	Policy/Legislative Compliance	Date information requested & Further information required	Satisfactorily addressed (Document & Date)
	CWSs	CP50	04/12/2025 -Assessment of impacts to CWSs on and surrounding the site, with details of any necessary protective measures, mitigation and enhancement.	
	Impacts on irreplaceable habitat (veteran trees)	NPPF, CP50	04/12/2025 -Clarification of veteran trees and nearly veteran trees present within the site -Measures to ensure these trees will be sufficiently protected during the works	
	BNG	Environment Act 2021	04/12/2025 -Inclusion of the following in the baseline calculation: - All trees with stems that fall partially or wholly within the redline boundary (such as the specimens listed above) - All areas of hedgerow that fall within the redline boundary - Any veteran trees with RPAs encroaching the redline boundary (to be denoted as <u>irreplaceable</u>)	

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:

- Planning Statement, LUC, July 2025
- Design & Access Statement, LUC, August 2025
- Landscape General Arrangement Sheets 1 and 2, LUC, August 2025
- Arboricultural Impact Assessment and Tree Protection Plan, Bosky Trees, July 2025
- Ecological Impact Assessment, Johns Associates, July 2025
- Biodiversity Net Gain Report, Johns Associates, July 2025
- Statutory Biodiversity Metric, Ellie Brine, June 2025

The site comprises a footpath network at Stourhead landscape garden, proposed for improvement works to address ongoing drainage and repair issues.

COMMENTS:

County Wildlife Sites

The application site falls within two County Wildlife Sites (CWSs) - Stourhead Woods CWS at the west of the site, and Garden Lake CWS, central to the site. Stourhead Woods is a coniferous woodland of over 340 ha, with corridors of wet alder woodland. Garden Lake comprises a 7.5 ha lake, also considered Priority Habitat. There are several additional CWSs nearby; approximately 90m south is Bonham Hanging CWS, 300m southwest is Top Wood (ancient woodland) CWS, and 440m west is Lynch Wood (ancient woodland) CWS. These sites are considered to be of county-level importance.

In reference to Stourhead Woods CWS, Section 7.3.1 of the Ecological Impact Assessment states that "*no works will take place within or immediately adjacent to these habitats*". However, the western section of the footpath (bordering the western edge of the lake) falls within Stourhead Woods CWS. The report also states that "*a minor positive*" impact on the Stourhead Woods CWS is predicted. It is not clear how a positive impact will be achieved. Further, whilst pollution incidents in association with soils are acknowledged, it is not clear how prevention of pollution into the Garden Lake CWS (and Priority Habitat) has been considered.

Wiltshire Core Policy 50 requires that CWSs are protected from the effects of development and should be enhanced where possible. It states: "*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.*"

I note that a Construction Environmental Management Plan (CEMP) is recommended by the applicant's ecologist (via condition) to outline measures that will minimise the risk of adverse impacts during construction. However, without presently knowing details of impacts, mitigation and enhancements, it is unclear how the CWSs will be adequately protected. **Further information about the impacts to Stourhead Woods and Garden Lake CWSs, together with detailed proposals for mitigation and enhancement, are required to support this application.**

Veteran trees

The majority of the footpaths fall within tree root protection areas, including that of several veteran trees. Trees of this type are important to protected and notable species, including bats. There is an expectation that all veteran and nearly veteran trees will be retained and protected by the development.

Paragraph 193c of the NPPF states “*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*”. The Design and Access Statement refers to 4 veteran trees along the footpath, whereas the Arboricultural Impact Assessment describes 6 veteran trees, and the Ecological Impact Assessment refers to 1. Nearly veteran trees which could form the next generation of veteran trees must also be identified. **Please could the applicant clarify how many veteran and nearly veteran trees exist within or close to the redline boundary/along the footpath, and how these will be specifically protected from the proposed works, as well as any compensatory measures?**

Other protected species and habitats

Given the site’s connectivity to high-value habitats suitable for use by protected species such as bats, badgers and nesting birds, as well as the nature of the proposals (no significant habitat loss is proposed, but there is risk of temporary degradation or disturbance), it is considered that the risk posed to protected fauna should be minimised through the implementation of a construction method statement. **This should be secured via a condition, should planning permission be forthcoming.**

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, condition assessments and map (Biodiversity Net Gain Report, Johns Associates, July 2025; Statutory Biodiversity Metric, Ellie Brine, June 2025) stating the baseline and predicted post-development biodiversity units of the site have been submitted with the following values:

On-site pre-development (baseline) biodiversity value	3.39 Habitat units
	0.00 Hedgerow units
	0.00 Watercourse units
Are there any irreplaceable habitats on-site?	The BNG report and metric spreadsheet indicates “no”. Please see further comments below.
Has any habitat degradation of occurred?	No

The baseline calculations exclude all trees and hedgerow. Whilst many of the tree stems surrounding the footpath fall outside of the redline boundary, multiple trees do sit wholly or partially within the redline boundary, as shown on the landscaping plans. Such trees include, for example, T60, T75, T78, T86, T88, T170, T190, T193, T222, T232, T266, T294, T338, T339, T437, T445, T504, T51, and possibly more. Hedgerows including H5, H6, H7, H9, H14 and H18 are also shown as occurring within the redline boundary, yet not included within the BNG metric.

Furthermore, the Root Protection Areas (RPAs) of many trees sit within the redline boundary. The area of trees included within BNG baseline metrics is calculated based on a root protection area formula (see [the User Guide](#)), thus, arguably, all trees with RPAs encroaching the redline, and those that will be impacted by the works (via soil compaction etc.), should be considered in the BNG baseline. However, it is appreciated that this approach would result in a significantly amplified baseline calculation which may be disproportionate to the proposed works, considering the existing impacts on said trees (e.g., from the existing footpath, regular visitor footfall and disturbance). In this case, it is considered appropriate for the BNG baseline calculation to at least include:

- All trees with stems that fall partially or wholly within the redline boundary (such as the specimens listed above)
- All areas of hedgerow that fall within the redline boundary
- Any veteran trees with RPAs encroaching the redline boundary (to also be denoted as irreplaceable), or full justification as to why these are excluded. Whilst the stems of these trees might fall outside of the redline boundary, the important 'ecosystems' of veteran trees extend beyond this, and the trees are at risk of adverse impacts from localised digging, damage of woody roots, soil compaction, etc.

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.

CONDITIONS: wording to be provided once above issues have been resolved.

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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