

Ecological Impact Assessment

LOCATION

Cold Harbour, Great Hinton,
Trowbridge

REPORT REFERENCE

251003-C31-1-1

REVISION

A

DATE

10-12-2025



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If the proposed works differ to those detailed in Section 1.2 of this report, written confirmation from Avon Ecology Limited is required to confirm the ecological impact assessment remains valid. Further surveys may be required subject to any change in scope of the proposed work.

In accordance with CIEEM's advice note¹ this report is valid for 18 months from the date of issue, further surveys will likely be required after this timeframe.

ISSUE REGISTER

Revision	Date	Author	Description
A	10 December 2025	MH	First Issue

¹ <https://cieem.net/wp-content/uploads/2019/04/Advice-Note.pdf> [Last accessed 10/12/2025]



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SUMMARY

Avon Ecology Limited has been commissioned by Mr. S Noad to produce an Ecological Impact Assessment (EclA) for the proposed works at Cold Harbour, Great Hinton, Trowbridge, BA14 6EA under planning application PL/2025/05597².

A desk study and daytime survey undertaken on 15 October 2025, confirmed the surveyed area to have:

- Habitats of site importance;
 - developed land - sealed surface;
 - artificial unvegetated - unsealed surface; and
 - modified grassland.
- Assumed presence of commuting and foraging bats, including Annex II bats associated with the Trowbridge Bat Mitigation Strategy and Bath and Bradford-on-Avon Bats Special Area of Conservation;
- No potential bat roost features;
- Low potential to host amphibians, reptiles, badger, breeding birds and other mammals; and
- The likely absence of other protected / notable species and habitats within the Zone of Influence of the proposed works.

The proposed development is not exempt from mandatory 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). The planning deliverables required to address mandatory BNG are issued in separate reports.

Section 5.2 of this report outlines the proposed measures to ensure compliance with the Trowbridge Bat Mitigation Strategy.

The proposed protected species enhancement measures include the installation of two tree mounted woodcrete bat boxes. Section 6 of this report details the full biodiversity strategy.

If Wiltshire Council approves this application, a suitably worded compliance condition for section 6 of this report can secure the implementation of the proposed biodiversity strategy for the duration of the proposed development.

Anyone undertaking this development should be aware that planning permission for development does not provide a defence against prosecution under legislation. If a protected species or evidence of protected species is found at any stage of development, the applicant is advised to follow the advice of a professional ecologist. A licence from Natural England may be required before works can proceed.

² <https://development.wiltshire.gov.uk/pr/s/planning-application/a0iQ300000FAK1d/pl202505597> [last accessed 18/11/2025]

1 INTRODUCTION

1.1 Site Description

For the purposes of this report, the site is the land within the red line boundary shown in drawing Figure 1 and is hereafter referred to as 'the Site'. The surveyed area is shown by the white line.

The Site address is Willow House, Cold Harbour, Great Hinton, Trowbridge, BA14 6EA with a central grid reference of ST 89597 58552.

Figure 1: Red line boundary of the Site along with the surveyed area shown in white



Image source: Getmapping_Aerial_Photography_12.5cm_1062645_1339119

The Site is located in pasture within a rural setting. Common Hill road and the A350 are on the east and west side respectively with a connecting road along the north. There southern hedgerow and ditch is considered to be a potentially significant biodiversity corridor that directly connect the local biodiversity to the wider environment.

1.2 Proposed Works

The proposed development plans are shown in Appendix A and include the construction of new steel framed and metal clad Agricultural Storage and Livestock Barn with an area of 620m².



2 METHODOLOGY

2.1 Zone of Influence

All ecological features that occur within a 'zone of influence' (Zol) for a proposed development are investigated. The Zol includes:

- Areas directly within the land take for the proposed development and access;
- Areas which will be temporarily affected during construction;
- Areas likely to be impacted by hydrological disruption; and
- Areas where there is a risk of pollution and noise disturbance during construction and/or operation.

The Zol is variable depending on the ecological receptors affected. For this assessment, the field survey was restricted to the white line area shown in Figure 1. Table 1 below describes the Zol variation for the desk study and ecological features.

Table 1: Zones of Influence used for this assessment

Ecological features	Zone of Influence
Statutory designated sites	1km buffer around Site boundary
Non-statutory designated sites	50m buffer around Site boundary
Designated site consultation/risk zones	On Site
Protected species records	1km buffer around Site boundary
Priority habitats and ancient woodland	50m from Site boundary
Protected species evidence	Within the Site boundary
Water bodies	50m buffer around Site boundary

2.2 Desk Study

The following sources were consulted to inform the desk-based assessment:

- Multi Agency Geographical Information for the Countryside (MAGIC) website³;
- Wiltshire Council's Wiltshire Planning Explorer⁴;
- Wiltshire Council's neighbourhood planning⁵;
- Trowbridge and Westbury Bat Mitigation Strategy (TBMS)⁶;
- Natural England's Open Data Geoportal⁷; and

³ [Magic Map Application](#) [last accessed 18/11/2025]

⁴ [Planning Experience App](#) [last accessed 18/11/2025]

⁵ <https://www.wiltshire.gov.uk/planning-neighbourhood> [last accessed 18/11/2025]

⁶ [TWBMS_v4_Final_July_2025.PDF](#) [last accessed 18/11/2025]

⁷ [Natural England Open Data Geoportal \(arcgis.com\)](#) [last accessed 18/11/2025]



- National Biodiversity Networks (NBN) Atlas⁸, not including data with a CC-BY-NC licence.

Biological records from the local Biological Records Centre were not requested since this is considered to be too onerous given the information provided from the above sources, the nature and scale of the proposed development and the existing land use.

2.3 Daytime Walkover

A daytime survey was completed on 15 October 2025 by Max Hemmings.

The weather conditions for the survey were optimal and are shown in Table 2 below.

Table 2: Weather conditions for the daytime walkover

Temperature (°C)	Cloud Cover (%)	Wind (Beaufort Scale)	Precipitation
12	100	1	None

2.4 Personnel Competency

Max Hemmings MCIEEM has over nine years of experience as a professional ecologist with six years in a large multi-disciplinary consultancy and two with the development management team of a local planning authority. Max holds the following Natural England survey licences; GCN Level 1, hazel dormice Level 1 and bats Level 2.

⁸ <https://nbnatlas.org/> [last accessed 18/11/2025]



3 LIMITATIONS

Limitation	Assessment	Significance
A site visit can only provide an insight into the ecological function of the Site within a limited timeframe and cannot provide a holistic overview across all seasons.	The visit was completed in suitable weather conditions by a suitably qualified ecologist. The survey was outside of the optimal season for botanical surveys however, a vegetative survey gave reasonable certainty on the likely importance of the Site's habitats.	Low
Ecological information obtained from third parties and presented in the desk study does not represent a full and complete species & habitat list for the area. They are mostly given by individuals on an ad hoc basis, often meaning there are areas of deficiency in the data.	The site survey alleviates any deficiency in the desk study data. The precautionary principle is applied, and potential presence is assumed where the Site has reasonable habitat to support protected / notable species or habitats.	Negligible



4 LEGISLATION AND POLICY

Legislation relating to ecology is detailed in Appendix B and local policies are shown in Appendix C of this report.

There is no made Neighbourhood Plan for this area⁹.

⁹ [Neighbourhood planning](#) [last accessed 18/11/2025]



5 RESULTS AND IMPACT ASSESSMENT

5.1 Planning Application History

The planning applications on Site or within the immediate area do not contain information relating to ecology.

5.2 Statutory Sites

There are no international, national or local designated sites directly within the Zol of the Site.

The Site is within a Site of Special Scientific Interest (SSSI) Impact Risk Zone. The SSSI Impact Risk Zone online guidance¹⁰ confirms Natural England does not need to be consulted for this application since the development will not “*increase lighting levels or affect trees/woodland, waterbodies, rural buildings/structures (manmade or natural) or linear landscape features such as hedgerows, streams and rivers through direct loss, fragmentation or change of use*”.

Trowbridge Bat Mitigation Strategy & Bath and Bradford on Avon bats buffer zone

The Site is within the yellow zone of the Trowbridge and Westbury Bat Mitigation Strategy (TBMS) and is on the border of the Bradford on Avon bats buffer zone. Developments in these zones have the potential to result in significant adverse impact on the Annex II bat species associated with the Trowbridge and Westbury area along with the Bath and Bradford-on-Avon Bats Special Area of Conservation (SAC).

Bat activity surveys were not completed since they are considered to be too onerous given the scale, nature of the works, and the habitats present. NBN Atlas returned no records of bats within the Zol. It is assumed the absence of records does not confirm the absence of this species from the area.

The Site hosts pasture which is a habitat that can support an invertebrate assemblage of significant foraging resource for Annex II bats. The boundary of the field is delineated by hedgerow to the north and east along with a ditch with trees & scrub which forms the southern and western border. In the absence of further surveys to confirm otherwise it is considered likely the boundary features, especially the ditch with trees and scrub, provide significant commuting and foraging resource for bats.

The proposed development has been designed to minimise potential impacts by avoiding the border features and use the existing access. The development will result in a relatively small (1,460m²) loss of potential foraging resource being the pasture. The proposed loss of pasture is not considered to be a significant disturbance as defined under section 43(2)(a-b) of the Conservation of Habitats and Species Regulations 2017 (as amended):

¹⁰ [Impact Risk Zones - Threshold check](#) [Last accessed 18/11/2025]



(2) For the purposes of paragraph (1)(b), disturbance of animals includes in particular any disturbance which is likely:

a) to impair their ability:

i. to survive, to breed or reproduce, or to rear or nurture their young; or

ii. in the case of animals of a hibernating or migratory species, to hibernate or migrate; or

b) to affect significantly the local distribution or abundance of the species to which they belong

Since the wider field will continue to function as pasture, the associated invertebrate assemblage and consequentially, the bat foraging resource is expected to remain largely unaffected.

The proposed development does not include any external artificial lighting. The field is subject to intermittent artificial light from vehicles using the adjacent roads. Lighting from occasional agricultural vehicles that will be enabled from the proposed development is considered unlikely to significantly increase the lux levels in the local area.

Bath and Bradford on Avon bats buffer zone

Given the scale and nature of the works and the distance of the Site to the designated sites, it is considered that any temporary construction impacts and operational impacts would be de-minimis.

Trowbridge and Westbury Bat Mitigation Strategy (TBMS)

In reference to the strategy:

Paragraph 146.

“Development within the yellow medium risk zone will be expected to firstly, fully mitigate on site for the loss of habitat by ensuring no net loss,”

The drawing *Ecological Mitigation Plan, No: 251003-C31-1-4, Rev: A, Date: 20/11/2025 by Avon Ecology Limited* shown in Appendix A along with the separate statutory metric and BNG Report show that 24 new native individual trees sufficiently mitigate the loss of grassland. The planting of the trees has been designed to enhance the potential commuting and foraging corridor for bats along the southern and western boundary of the field. Six additional trees are included to achieve the mandatory 10% Biodiversity Net Gain.

No potential roost features will be impacted by the proposed works. Two tree-mounted woodcrete bat boxes will be installed on existing trees along the southern ditch to enhance the bat roost resource within the local area.

Paragraph 147.

“Secondly, development within the yellow zone will be expected to make a financial contribution to mitigate against the in-combination effects of development on greenfield sites, through strategic habitat creation and enhancement”



Section 9.1.2

“Developer contributions for strategic habitat mitigation

234. Any development of new greenfield sites...located within the yellow Medium Risk Bat Sensitivity Zone (see Figure 4) must, where appropriate, expect to contribute to strategic habitat mitigation via a section 106 agreement (s106), a section 111 agreement (s111) or unilateral undertaking (UU) (legal fees will apply) as follows:

- For residential development, £972.03 per dwelling, which will be payable through s106, s111 or unilateral undertaking.*
- For all other development types, £29,137.50 per hectare, which will be payable through s106, s111 or unilateral undertaking.*

235. These costs will be subject to revision on an annual basis.

236. In order to ensure that the appropriate mitigation is delivered in a timely manner and that any adverse impacts on the sensitive woodlands are avoided, the developer financial mitigation contributions should be paid prior to determination (s111 agreements) or prior to commencement (s106 agreements and unilateral undertakings).”

The development will impact 0.146 hectares and consequentially, a financial contribution of £4,254.1 will be required to finance the off-site and strategic mitigation measures. It is requested that the contribution is secured by a S106, and, if possible, combined with any legal requirement for mandatory BNG.

Beyond the scope of the planning application, the applicant has expressed a strong interest in enhancing the rest of field through additional tree planting and would seek correspondence with the Wiltshire Council’s Bat Officer.

5.3 Non-Statutory Sites

From the available information returned from a desk study it is considered unlikely that the Site is a non-statutory site is within the Zol of the proposed development.

Therefore, non-statutory sites are not considered further in this assessment.

5.4 Designated Habitat

5.4.1 Priority Habitats, Ancient Woodland and Waterbodies

There are no Priority Habitats, ancient woodland or designated waterbodies within the Zol and they are not considered further in this assessment.



5.4.1 Tree Protection Orders

There are no Tree Protection Orders (TPOs) within the Zol of the proposed development, and they are not considered further in this assessment.

5.4.2 Protected and Notable Flora & Fungi

The daytime walkover confirmed the likely absence of protected and notable flora & fungi, and they will not be considered further in this assessment.

5.4.3 Site Habitats

The habitats on Site include:

- Developed land - sealed surface;
- Artificial unvegetated - unsealed surface; and
- Modified grassland.

Figure 2 to Figure 7 show pictures of the Site's habitats. These habitats are common and widespread and are considered to only have site importance.

The flora species list for each habitat within the red line boundary are detailed below. The DAFOR scale has been used to indicate the relative coverage of each species:

- D = Dominant (> 75%);
- A = Abundant (50-75%);
- F = Frequent (25-50%);
- O = Occasional (10-25%); and
- R = Rare (<10%).

Developed land - sealed surface and Artificial unvegetated - unsealed surface

- *Poa annua* – R;
- *Bromus sterilis* – R;
- *Taxacarum sp.* – R;
- *Rumex obtusifolius* – R;
- *Clover sp.* – R;
- *Helminthotheca echioides* – R;
- *Capsella bursa-pastoris* – R;
- *Geranium molle* – R; and
- *Dactylis glomerata* – R.

Modified grassland

- *Taxacarum sp* – R;
- *Rumex obtusifolius* – R;



- *Clover sp.* – R;
- *Geranium molle* – R;
- *Rubus fruticosus* – R;
- *Phleum pratense* – R;
- *Dactylis glomerata* – A;
- *Agrostis stolonifera* – A; and
- *Lolium perenne* – F.

The species assemblage per m² was highest near the hedgerows and ditch which are not within the development's redline boundary. The species assemblage within the Site was no higher than five species per m².

The impact on habitats and the corresponding mitigation measures are addressed in the Biodiversity Net Gain documents, which are issued separately from this report.

Figure 2: A view facing south of the proposed access which will use the existing entrance to the field



Figure 3: A view facing west at the existing entrance



Figure 4: A view facing west from the north-east corner of the field with the access and log pile on the right



Figure 5: A view facing south from the north-east corner of the field





Figure 6: A view facing north from the south side of the field near the ditch



Figure 7: A view facing west of the ditch with individual trees



The ditch was dry at the time of the survey with the exception of two small shallow pockets of standing water. The vegetation assemblage within the ditch indicates that it is largely frequently dry with the occasional section of standing water.

5.5 Protected and Notable Species

The daytime walkover confirmed the likely absence of the following protected and notable species within the Zol and they will not be considered further in this assessment:

- Hazel dormouse;
- Otter;
- Water vole;
- Fish; and
- Notable invertebrates.

MAGIC did not return any Granted European Protected Species Licences within 1km of the Site.

5.5.1 Amphibians and Reptiles

NBN returned no records of amphibian or reptile species within the Zol.

MAGIC returned:

- No Great Crested Newt (GCN) Class Survey Licence Returns; and
- One GCN pond survey 750m north of the Site which was completed in 2018 and confirmed the likely absence of GCN.

In accordance with Natural England's Open Data Geoportal, the Site is within:

- A Fringe GCN Strategic Opportunity Area; and
- Both an Amber and Green GCN Risk Zones.



The ditch that forms the southern boundary of the field was dry at the time of the survey. In wet seasons it could hold water for a suitable period to enable suitable breeding habitat for amphibians. The favorable management of the ditch for biodiversity, including amphibians, is being proactively implemented by the applicant but outside of the scope of this planning application. The minimum distance between the ditch and the proposed barn is 15m.

The stacked logs near the access could provide terrestrial refuge for these species but these log piles are not due to be impacted as part of the proposed development.

The grassland is relatively intensively grazed creating a short sward which offers little shelter for these species. This habitat is considered to have low foraging potential for amphibians and reptiles.

The proposed development's size, layout and design is considered unlikely to:

- Create a significant commuting barrier across the field;
- Impact any breeding sites or refugia;
- Reduce the foraging potential in the local area.

Therefore, the proposed development is considered unlikely to significantly change the existing functionality of the area for these species.

Potential impacts to amphibians and reptiles during the construction phase can be reduced to negligible if the avoidance / mitigation measures detailed in section 6 of this report are implemented.

5.5.2 Badger

NBN returned no records of badger within the Zol. It is assumed the absence of records does not confirm the absence of this species from the area.

The daytime walkover did not identify the presence of badger or badger setts.

The Site's grassland is considered to have moderate foraging potential for badgers and the hedgerows have the potential to support badger setts.

Although no impact on badgers is anticipated, they have been scoped in for further consideration since they are a mobile species and can readily establish new territories.

The potential impacts to badgers during the construction phase can be reduced to negligible if the avoidance / mitigation measures detailed in section 6 of this report are implemented.

5.5.3 Bats

The impact assessment for Annex II species of bat outlined in section 5.2 of this report is applicable for all species of bat.

The potential impacts to bats during the construction phase can be reduced to negligible if the avoidance / mitigation measures detailed in section 6 of this report are implemented.



5.5.1 Birds

NBN returned 22 records for 8 species of bird including:

- Swift;
- Greenfinch;
- Blackbird;
- Kestrel;
- Song thrush;
- Bullfinch;
- Starling; and
- Barn owl

The Site's grassland is considered to host limited potential for foraging and ground nesting birds.

The proposed development's size, layout and design is considered unlikely to significantly impact the nesting and foraging resource for birds.

The proposed planting of native trees will considerably enhance the Site for breeding birds.

Potential impacts to breeding birds during the construction phase can be reduced to negligible if the avoidance / mitigation measures detailed in section 6 of this report are implemented.

5.5.2 Other Mammals

NBN returned:

- Two records of harvest mouse (1972);
- One record of otter (2022);
- One record of roe deer (2025); and
- One record of red fox (2025).

It is assumed the absence of other mammal records does not confirm the absence of these species from the area.

The current management of the grassland as relatively intensive pasture reduces the likelihood of the area being used as refuge with the exception of the European hare which was not observed during the daytime walkover.

The grassland is considered likely to have foraging potential for other mammals. The proposed development's size, layout and design is considered unlikely to significantly impact the foraging resource in the local area for these species.

Potential impacts to other mammals during the construction phase can be reduced if the avoidance / mitigation measures detailed in section 6 of this report are implemented.

5.6 Invasive Non-Native Species (INNS)

The daytime walkover confirmed the likely absence of INNS to be on Site and they will not be considered further in this assessment.



6 BIODIVERSITY STRATEGY

6.1 Construction Phase

A suitably qualified ecologist will complete a Site walkover 24 hours before the works commence to ensure the suitability of the following methodology.

If a protected species or evidence of a protected species is discovered all works must stop immediately. An appropriate avoidance or mitigation strategy will be agreed with a suitably qualified ecologist before works can continue.

If significant impacts to the protected species are unavoidable, additional mitigation measures will be implemented that are proportionate to ensure no net loss of biodiversity and ideally a net gain.

In the event that a protected species such as a reptile, amphibian or other mammal are identified they will be transported by an ecologist to a suitable refugia in the near vicinity such as the scrub on the southern border.

The vegetation clearance and demolition works should seek to avoid the breeding bird season which is generally considered to be from March to August inclusive. If this is not possible, immediately prior to the building's demolition and vegetation clearance a suitably qualified ecologist will inspect the Site for breeding birds and other protected species. If an active nest is confirmed, works will likely need to be delayed until the chicks have successfully fledged.

The Site's grassland will be initially cut no lower than 150mm without breaking ground. The arising will be cleared, and the area checked for protected species before ground works can continue.

Any arisings from the development that are to remain on Site for longer than a week will be stored in containers such as skips to reduce the potential of them becoming refugia features for wildlife.

A ramp will be installed in any overnight excavations to allow safe egress for trapped species. Excavations will be checked each morning, and any animals found will be safely removed before works resume.

There will be no night-time working or disturbance associated with the construction works at night such as but not limited to artificial light spill.

During the construction phase, two tree mounted woodcrete bat boxes (see drawing *Ecological Mitigation Plan, No: 251003-C31-1-4, Rev: A, Date: 20/11/2025 by Avon Ecology Limited* in Appendix A of this report) will be installed.



6.2 Operational Phase

No additional external artificial light will be installed unless approved by a subsequent planning application. Any external artificial light will use fittings that have the following specifications and features:

- Designed only for safe access;
- The lowest viable lux;
- A K value of 2700K or less;
- Only include downwards facing elements; and
- Do not enable light spill onto the surrounding environment.

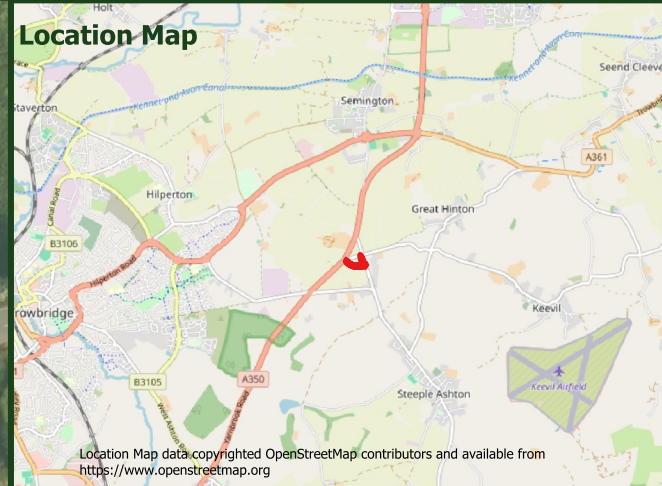
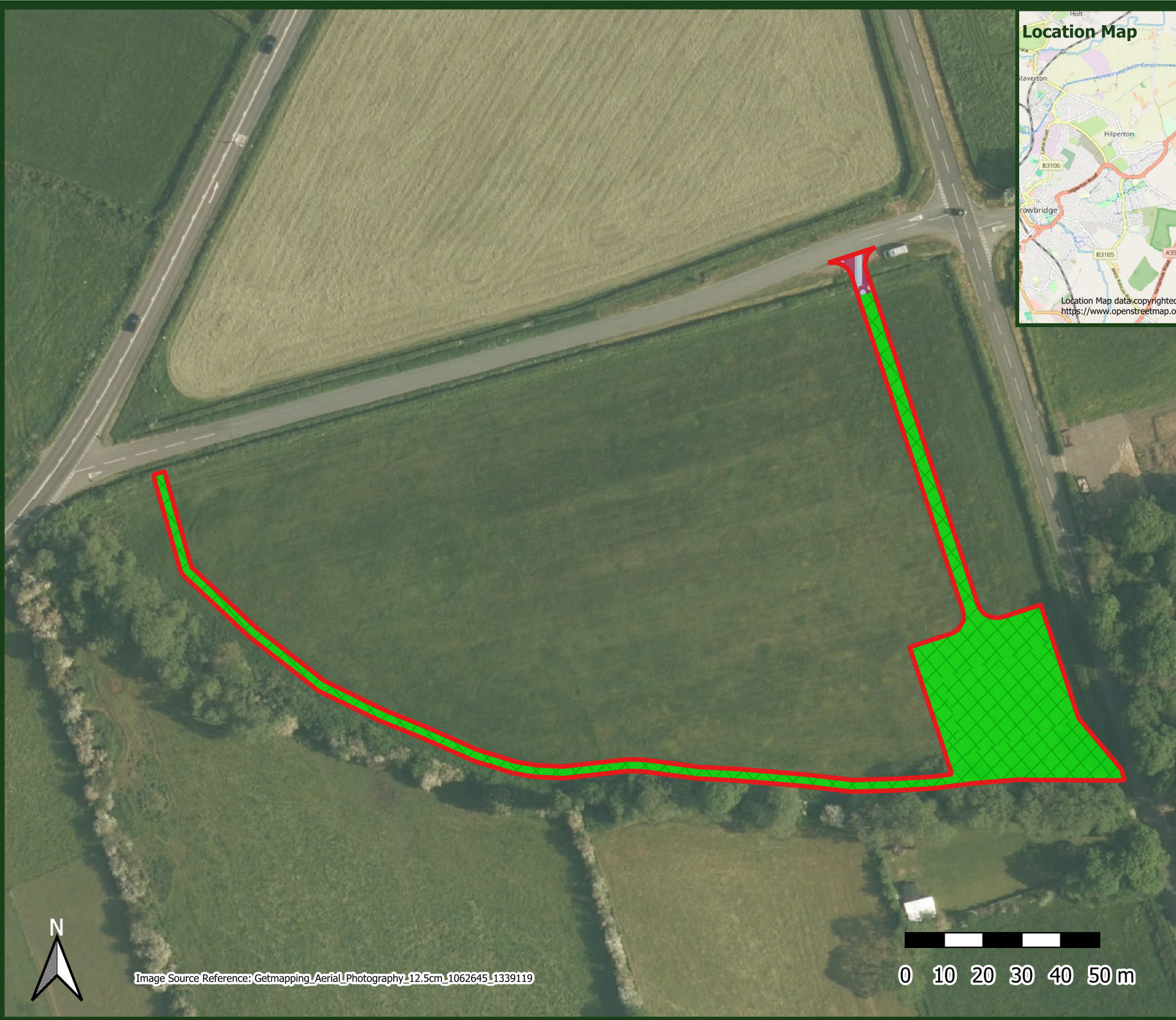
The biodiversity enhancement measures (bat boxes) shown in Appendix A of this report will be retained and favourably managed for biodiversity for the duration of the proposed development.



APPENDIX A BASELINE HABITATS AND PROPOSED PLANS

Drawings:

- Baseline Habitats, No: 251003-C31-1-3, Rev: A, Date: 20/11/2025 by Avon Ecology Limited;
- Proposed Site Plan, No: 2504-03, Rev: B by Hodges Associates; and
- Ecological Mitigation Plan, No: 251003-C31-1-4, Rev: A, Date: 20/11/2025 by Avon Ecology Limited



Legend

- Red Line Boundary
- Artificial unvegetated, unsealed surface
- Developed land; sealed surface
- Modified grassland

Habitat Condition

- Poor
- N/A - Other

Project Title:
Great Hinton

Drawing Title:
Baseline Habitats

Drawing No:
251003-C31-1-3

Revision & Date
A | 20/11/2025



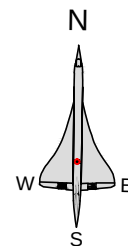
CHARTERED ARCHITECTS

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This is a CAD drawing and should not be altered manually.
Do not scale from this drawing, work to figured dimensions.
Any discrepancies should be reported immediately.
This drawing is to be read in conjunction with all other
relevant documentation.
All dimensions to be checked on site.

Revisions

Iss.	Description	Date
A	SECOND FIELD ACCESS GATE REMOVED	12.08.25
B	SITE INFO ADJUSTED	29.11.25



HODGES ASSOCIATES



CHARTERED ARCHITECTS

The Studio
13 Dark Lane North
Steeple Ashton
Trowbridge, Wiltshire
BA14 6EY

Tel: +44 (0)1380 871072
Fax: +44 (0)1380 871759
Email: office@hodgesassociates.co.uk
Website: www.hodgesassociates.co.uk

Client:

MR & MRS S NOAD

Project:

PROPOSED BARN
COLD HARBOUR
STEEPLE ASHTON
TROWBRIDGE
WILTSHIRE
BA14 6EA

Drawing Title

PROPOSED SITE PLAN

Drawn by
BH

Date
10.06.2025

Checked by
rbh

Scale
1:1000 at A3

Drg. No.

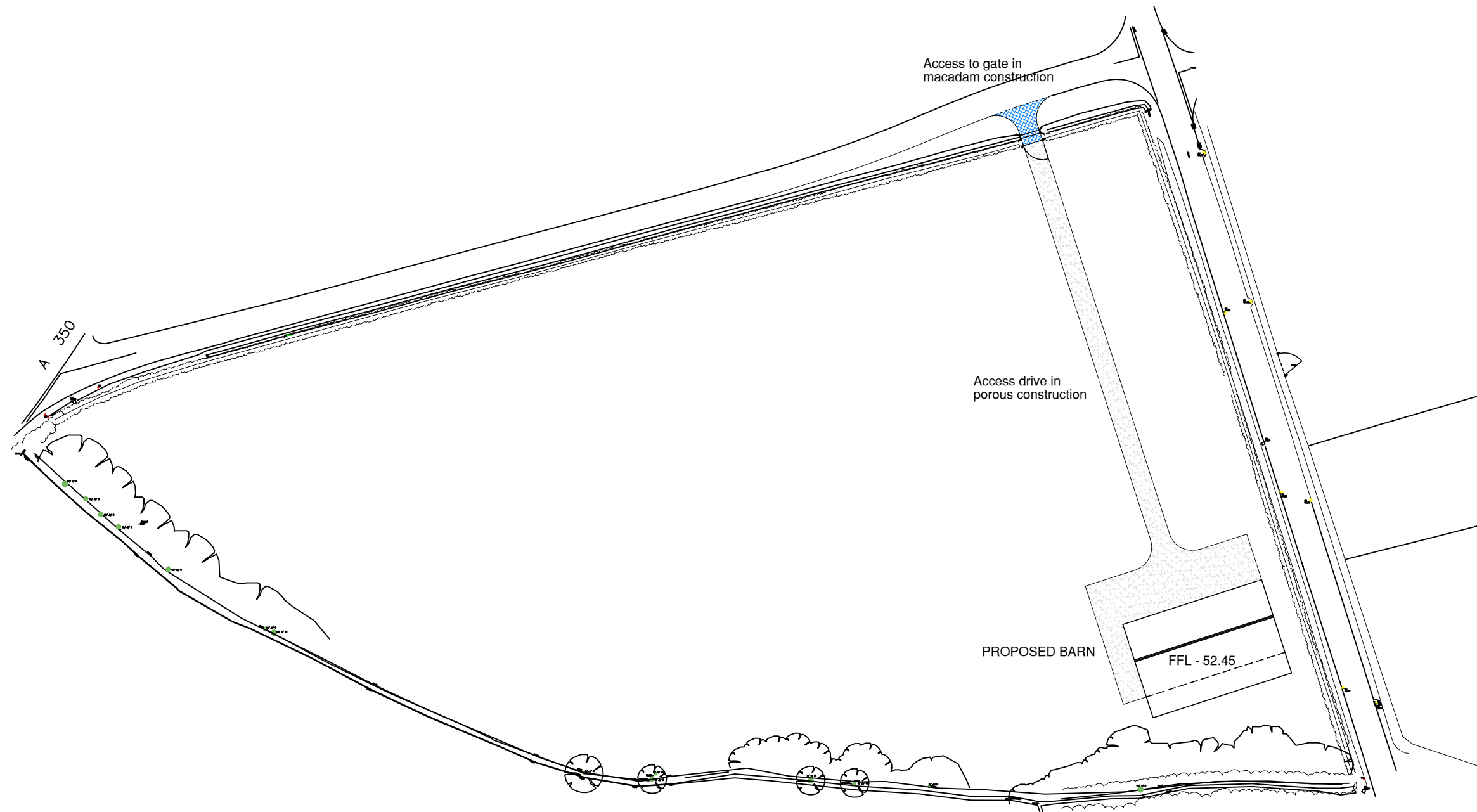
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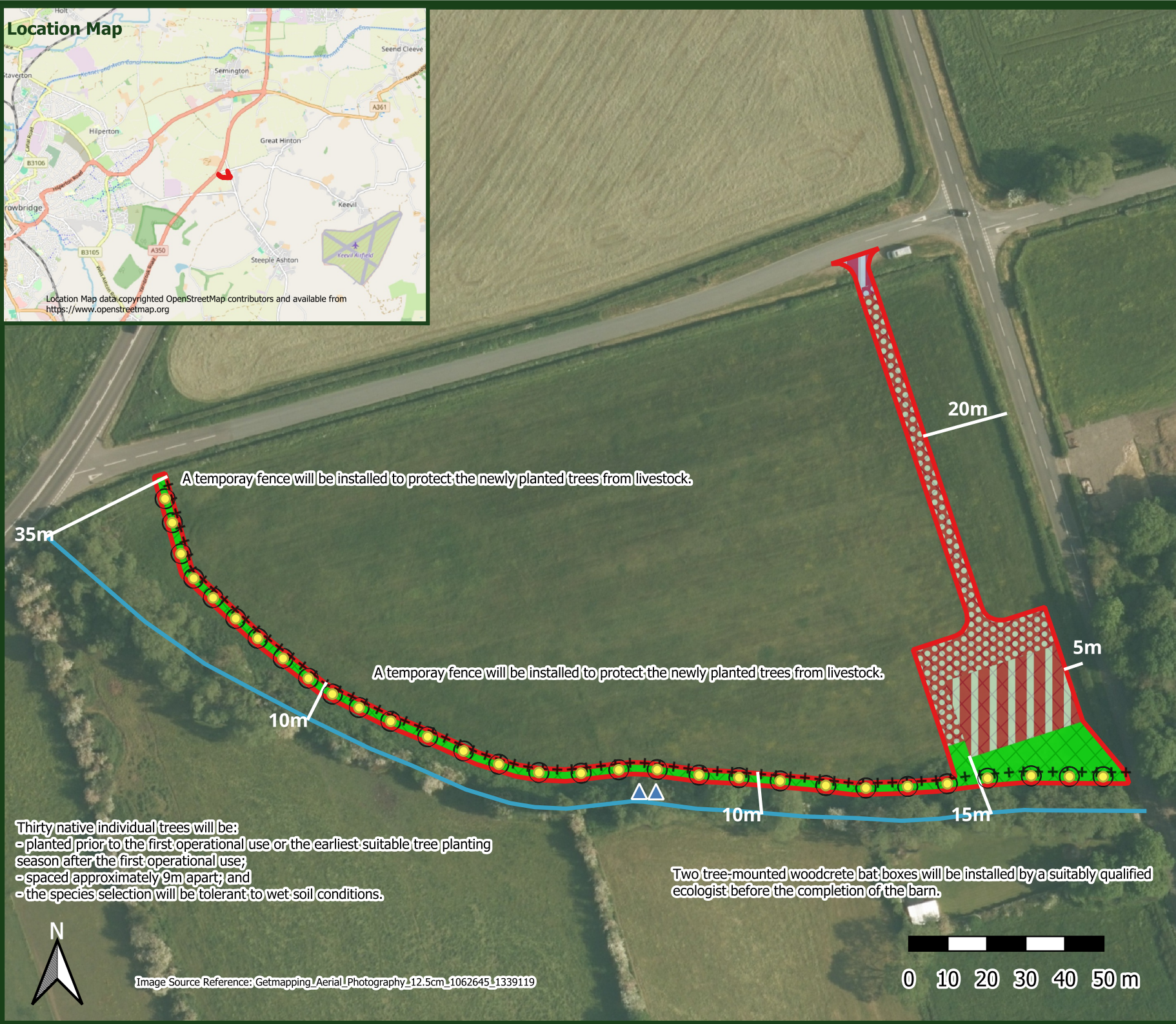
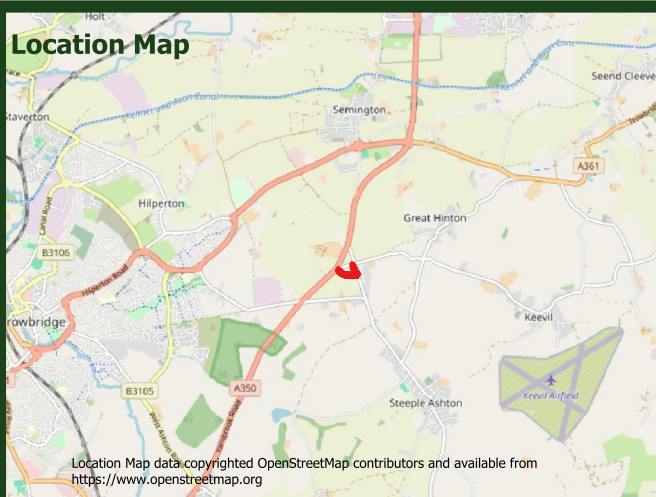
Rev.

B

Paper Size.

A3





Legend

- Red Line Boundary
- Artificial unvegetated, unsealed surface
- Developed land; sealed surface
- Modified grassland
- Habitat Condition**
 - Poor
 - N/A - Other
 - Small rural native tree Moderate condition
 - Bat box - indicative locations
- Temporary fence
- Ditch

Project Title:

Great Hinton

Drawing Title:

Ecological Mitigation Plan

Drawing No:

251003-C31-1-4

Revision & Date

A | 20/11/2025



APPENDIX B LEGISLATION AND POLICY

The key legislation relating to ecology and the environment is the Wildlife and Countryside Act 1981 as amended (WCA) and The Conservation of Habitats and Species Regulations 2017 as amended (Habitat Regulations).

Together, the WCA and Habitat Regulations form the precedent for species and habitat protection in England and Wales. In addition to terrestrial legislation, the Marine and Coastal Access Act (2009) protect nationally important marine wildlife, habitats, geology and geomorphology by created designated protection areas called Marine Conservation Zones (MCZs).

The Natural Environment and Rural Communities (NERC) Act 2006 requires public bodies, including local authorities, 'to have regard to the conservation of biodiversity in England' when carrying out their normal functions. Section 40 of the Act also refers to a list of habitats and species of 'principal importance to biodiversity in England. Hereafter Section 41 (S41) habitats and species are referred to as 'priority habitats and species'.

The Environment Act 2021 details targets, plans and policies for improving the natural environment including the introduction of mandatory Biodiversity Net Gain (BNG).

The National Planning Policy Framework (NPPF) sets out the government's planning policies for England and how these are expected to be applied. The NPPF paragraphs relating to biodiversity and planning applications are 180, 183, 186-188.

The following section details species specific legislation and is a summary version of the full legislative text only. The relevant acts referred to for each species should be referred to for the full legislative text.

Breeding Birds

All breeding birds are protected under the WCA which prohibits the intentional killing, injuring or taking of any wild bird (and) the taking, damaging or destroying eggs or of the nest (whilst being built or in use). Schedule 1 bird species are afforded greater protection under the WCA. It is an offence to disturb Schedule 1 birds or the dependants in the vicinity of their nest site.

Reptiles

Reptiles have varying degrees of protection under the WCA. The four widespread species of reptiles that are protected under Schedule 5 are common lizard (*Zootoca vivipara*), slow-worm (*Anguis fragilis*), grass snake (*Natrix natrix*) and adder (*Vipera berus*). This means it is prohibited to intentionally kill, injure or trade these species.

Invasive Species

Invasive Alien Species (Enforcement and Permitting) Order 2019 and Schedule 9 and Section 14 of the WCA prohibits the introduction into the wild of any species that is not ordinarily resident in and is not a regular visitor to Great Britain in a wild state, or any species listed on Schedule 9.

Plant or soil material contaminated by invasive non-native species such as Japanese knotweed that is to be discarded is considered to be a 'controlled waste' under the Environmental



Protection Act 1990 (EPA 1990). It is an offence to deposit, treat, keep, or dispose of controlled waste without a licence. Furthermore, knotweed that has been cut down and removed must be received by an authorised person to be disposed of correctly. A licence can be obtained from the Environment Agency (EA). The release or planting of a listed species in the wild can be permitted under a licence granted by the relevant statutory body.

Badgers

Badgers (*Meles meles*) and their setts are protected under the Protection of Badgers Act 1992. This makes it an offence to:

- Directly or indirectly kill, injure or take badgers;
- Cruelly ill-treat a badger;
- Dig for a badger;
- Intentionally or recklessly damage or destroy a badger sett, or obstruct access to it;
- Cause a dog to enter a badger sett; and
- Disturb a badger when it is occupying a sett.

Otter

Otter (*Lutra lutra*) are a European Protected species and are fully protected under Schedule 5 of the WCA and Habitat Regulations. It is an offence to:

- Intentionally or deliberately kill, injure or take an otter;
- Intentionally or deliberately damage, destroy or obstruct access to any structure or place used for shelter or protection by an otter; and
- Intentionally or deliberately disturb an otter while it is occupying a structure or place which it uses for that purpose.

Water Vole

Water vole (*Arvicola amphibius*) are a European Protected species and are fully protected under Schedule 5 of the WCA, and Habitat Regulations. It is an offence to:

- Intentionally capture, kill or injure water voles;
- Damage, destroy or block access to their places of shelter or protection (on purpose or by not taking enough care);
- Disturb them in a place of shelter or protection (on purpose or by not taking enough care); and,
- Possess, sell, control or transport live or dead water voles or parts of them (not water voles bred in captivity).

Bats

All bat species are protected under the WCA and Habitat Regulations. This means it is illegal to:

- Intentionally or deliberately kill, injure, disturb or capture these species or damage, destroy or obstruct access to any structure, breeding or resting place used by them.

A person commits a disturbance offence when they significantly to affect:



- The ability of any significant group of animals of that species to survive, breed, or rear or nurture their young; or
- The local distribution or abundance of that species.

Hedgehog

The hedgehog (*Erinaceus europaeus*) is partially protected under Schedule 6 of the WCA.

Great Crested Newt

Great crested newts (*Triturus cristatus*) (GCN) are fully protected under the WCA and Habitat Regulations. This means that is an offence to:

- Intentionally or recklessly kill, injure or take GCN;
- Possess or control any live or dead specimen or anything derived from a GCN;
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place used as shelter or protection by a GCN; and
- Intentionally or recklessly disturb a GCN while it is occupying a structure or place, which it uses for that purpose.

The legislation applies to all life stages of great crested newts.



APPENDIX C LOCAL POLICIES

The key Wiltshire Council policies that relate to biodiversity are outlined below.

Core Policy 50: Biodiversity and geodiversity

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:

1. cannot reasonably be avoided
2. are reduced as far as possible
3. are outweighed by other planning considerations in the public interest



4. 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.

Core Policy 52: Green Infrastructure

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:

1. retain and enhance existing on-site green infrastructure
2. make provision for accessible open spaces in accordance with the requirements of the adopted Wiltshire Open Space Standards
3. put measures in place to ensure appropriate long-term management of any green infrastructure directly related to the development
4. provide appropriate contributions towards the delivery of the Wiltshire Green Infrastructure Strategy
5. 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.

Proposals for major development should be accompanied by an audit of the existing green infrastructure within and around the site and a statement demonstrating how this will be retained and enhanced through the development process.

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. Green infrastructure projects and initiatives that contribute to the delivery of a high quality and highly valued multi-functional green infrastructure network in accordance with the Wiltshire Green Infrastructure Strategy will be supported. Contributions (financial or other) to support such projects and initiatives will be required where appropriate from developers.

Core Policy 54: Cotswold Water Park

In the Cotswold Water Park, proposals for outdoor or water-based sports, leisure, and recreation-based development will be supported where they help transform the area into an informal recreation and leisure resource for Wiltshire residents and visitors in line with the key objectives of the Cotswold Water Park Vision and Implementation Plan. Proposals for any such development must meet the following criteria:

1. Increase or enhance public accessibility and enjoyment of the lakes and countryside.



2. Contribute towards the local economy in the Cotswold Water Park.
3. Strengthen the local landscape character and engender a sense of place.
4. Contribute towards enhancement of biodiversity within the Cotswold Water Park.
5. Retain the character of individual settlements including the tranquillity of their settings.
6. Protect the Cotswold Water Park's built heritage, and enhance accessibility and interpretation of such features where possible.
7. Demonstrate high levels of sustainability, particularly including sustainable building design, accessibility by sustainable transport modes, and sustainable drainage systems.

Core Policy 69: Protection of the River Avon SAC

In order to avoid and reduce potential environmental effects on the River Avon SAC, development will need to incorporate measures during construction and operation to avoid and prevent pollution and mitigate potential disturbance effects; appropriate measures may include consideration of suitable buffer zones along watercourses, habitat enhancements, and river access management measures. All development within 20m of the river banks should submit a construction management plan to the local planning authority to ensure measures proposed during construction are satisfactory.

Where additional sewage discharges to a STW cannot be accommodated without measures to offset phosphate loading, development will be required to undertake proportionate measures (which may include contributions towards those measures identified in the Nutrient Management Plan) to demonstrate that the proposals would have no adverse effects upon the SAC.