

Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Jessica Cracknell (Ecologist)
Date:	05/06/2025 29/12/2025 updated comments
Application number:	PL/2025/03672
Proposal:	Full Planning Application for Residential Development to Provide 55 Dwellings, Public Open Space, Access, Drainage, Landscaping, Associated Infrastructure And Ancillary Works
Site address:	Land East of Biddestone Lane, Yatton Keynell
Case officer:	James Taylor

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)
1	Great Crested Newt (GCN)	Habs Regs, WCA, CP50	05/06/2025 29/12/2025 Submission of GCN DLL IACPC	NO
2	Biodiversity Net Gain (BNG)	Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021)	05/06/2025 Submission of statutory metric calculation with the correct baseline habitats, condition assessments and associated baseline habitat plans.	YES 29/12/2025 - The Statutory Biodiversity Metric. 09 December 2025; - The Statutory Biodiversity Metric – Technical Annex 1: Condition Assessment Sheets and Methodology. 2025. All Ecology Ltd; - Biodiversity Net Gain Design Stage Report. 09 December 2025. All Ecology Ltd. Project No. 2437. Doc Version. 1.1.

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

The following submitted documentation was reviewed to inform this response:

- [BNG Baseline Habitat Plan](#);
- [Arboricultural Report containing: Arboricultural constraints, Arboricultural impact assessment \(AIA\), Tree protection, Arboricultural method statement. November 2025. Silverback Arboricultural Consultancy Ltd](#);
- Bat Activity Survey. 07 March 2025. All Ecology Ltd. Project No. 2437. Doc Version. 1.1;
- Breeding Skylark Survey. 07 March 2025. All Ecology Ltd. Project No. 2437. Doc Version. 1.0;
- Preliminary Ecological Appraisal. 07 March 2025. All Ecology Ltd. Project No. 2437. Doc Version. 1.1;
- [The Statutory Biodiversity Metric. 09 December 2025](#);
- The Statutory Biodiversity Metric – Technical Annex 1: Condition Assessment Sheets and Methodology. 2025. All Ecology Ltd;
- [Biodiversity Net Gain Design Stage Report. 09 December 2025. All Ecology Ltd. Project No. 2437. Doc Version. 1.1](#);
- Design & Access Statement. April 2025. Trower Davies Architectural Consultants;
- Planning Statement. April 2025. Grass roots Planning Ltd. Ref. 857/A3/AK. Version. V1;
- Arboricultural Report. May 2024. Silverback Arboricultural Consultancy Ltd;
- [Site Layout. November 2025. Trower Davies Architectural Consultants. Project No. 948. Drawing No. 101. Rev. A](#);
- [Detailed Soft Landscape Proposals Sheet 1 of 2. 04 December 2025. Mood Landscape. Drawing No. 24_342_101. Rev. D](#);
- [Detailed Soft Landscape Proposals Sheet 2 of 2. 04 December 2025. Mood Landscape. Drawing No. 24_342_102. Rev. D](#).

The application site does not lie within, or adjacent to any sites designated for nature conservation.

Bat Species

All Ecology Ltd undertook a three Night-time Bat Walkover surveys and several automated/static surveys between April and October in 2024 in accordance with Bat Surveys for Professional Ecologists: Good Practice Guidelines (Collins, 2016). Survey results recorded bat activity around the majority of the boundary vegetation. Whilst no key commuting routes were identified, the hedgerows and trees along the northern and eastern site boundaries provide valuable, sheltered conditions that support bat activity and maintain ecological connectivity across the landscape. The retention of existing hedgerows alongside proposed new hedgerow and scrub planting, provides connectivity and supports the functionality of commuting routes for bats. Retained hedgerows across the site must be buffered and enhanced where possible to reduce fragmentation and support bat movement.

Trees along the south and southwest boundaries have been identified as containing potential roosting features (PRFs) for bats. If these trees are to be removed or subject to tree surgery works, targeted PRF inspection surveys must be undertaken to assess their suitability for roosting bats and determine whether further emergence or re-entry surveys are required. These surveys must be carried out under the supervision of a licensed bat ecologist.

Ecological Enhancements set out in section 6 of the Bat Activity Survey report and section 4 of the Preliminary Ecological Appraisal include the installation of bat boxes during construction. The location of the bat boxes must be included in the site plan drawings (see condition below) and will become an enforceable part of the planning permission.

The habitat within the proposed development site and the surrounding area is suitable for roosting, foraging and commuting bats. An increase in artificial lux levels can deter bats which could result in roost abandonment and/or the severance of key foraging areas. This will likely result in a significant negative impact upon the health of bat populations across the region. 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. Suitable lighting to ensure dark foraging and commuting routes can be retained could be secured via condition

Birds

Site visits conducted between March to August 2024 recorded several bird species, primarily using the boundary hedgerows. Where possible, tree removal will be scheduled outside the bird breeding season (1st March–31st August) to avoid potential disturbance. If removal during this period is unavoidable, a pre-works nesting bird inspection must be conducted no more than two weeks before tree felling begins. Ecological enhancements are provided through the installation of bird boxes and stated within section 4 of the Preliminary Ecological Appraisal report. The location of ecological/biodiversity enhancements must be included in the site plan drawings and will become an enforceable part of the planning permission. Please see condition below.

The submitted Preliminary Ecological Appraisal identified the potential for breeding Skylarks on site. Following three site visits, the subsequent Breeding Skylark confirmed that the site was not a breeding site for Skylarks. The survey did record at least two displaying males to the east of the site during the survey period, but no breeding activity was observed within the site boundary. Despite this, the site may continue to offer suitable habitat for Skylarks and could support nesting in the future. As such, if Skylarks or evidence of nesting are identified during the course of works, the applicant is advised to cease work immediately and seek guidance from a qualified ecologist or contact Natural England for further advice.

Great Crested Newts (GCN)

The submitted Preliminary Ecological Appraisal identifies that whilst the majority of the site consists of poor to sub-optimal terrestrial habitat, some suitable features are present, including hedgerows and one on-site pond. In addition, eleven ponds are located within 500 m of the site, of which eight (including the on-site pond) were accessible for Habitat Suitability Index (HSI) assessment. Four of these ponds achieved HSI scores above 0.5, as stated within the provided All Ecology Ltd report, indicating the need for further survey work to determine the presence or possible absence of GCN within the site. The site and nearby ponds were visited in April 2024 to carry out eDNA sampling but the presence of Great Crested Newts was confirmed following daytime observations of this species in two of the ponds.

The Preliminary Ecological Appraisal recommends that either further surveys for GCN are undertaken or that the applicant seeks to enter the District Level Licensing (DLL) scheme. GCN are a European Protected Species and must be considered within the planning process. The applicant must confirm whether mitigation and enhancement measures will be incorporated into the proposals or if they intend to use the District Level Licensing (DLL) scheme.

Instead of carrying out site-specific mitigation and compensation, the applicant can apply to Natural England to determine whether the scheme is eligible for DLL. Once the scheme is accepted under the District Level Licensing Scheme for Great Crested Newts, the *Impact Assessment and Conservation Payment Certificate (IACPC)*, which must be signed by the applicant and countersigned by Natural England is submitted to the LPA. [Please note:

‘Annex 3: Site Location’ must also be submitted with the IACPC and correspond with the red line site boundary submitted with the planning application]. There are two options with DLL, either the survey route, where survey info is available, or the no survey route, where the DLL risk zones are used to determine the likelihood to GCN presence.

The Local Planning Authority must be reasonably certain that the proposed development will not result in significant adverse effects on protected species or their habitats. The information outlined in the table above is required prior to determination to enable the objection to be lifted.

Reptiles

All Ecology Ltd assessed the site as unsuitable for reptiles. However, an adjacent, off-site area of scrub and grassland mosaic to the southeast of the site may provide suitable reptile habitat. Therefore, as outlined in Section 4 of the Preliminary Ecological Appraisal, a precautionary method of working will be undertaken including a sensitive (phased) vegetation clearance methodology between the months of April to September. If any reptiles are discovered during construction, the applicant is advised to cease work immediately and seek guidance from a qualified ecologist.

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 (09 December 2025) confirming the baseline and predicted post- development biodiversity units of the site has been submitted (including the condition assessment sheets and maps).

~~The following issues must be addressed in the baseline prior to determination:~~

~~It is noted within the submitted BNG Preliminary Design Stage Report (Appendix 3 – Habitat Plan) and the accompanying Preliminary Ecological Appraisal (07 March 2025. All Ecology Ltd. Project No. 2437. Doc Version. 1.1) that a ‘wet ditch’ is recorded onsite.~~

~~In accordance with the Statutory Biodiversity Metric User Guide (Natural England, 2024), where hedgerows or lines of trees are associated with a ditch, and that ditch meets the definition of a watercourse, it must be:~~

- ~~Recorded as a length in the watercourse module of the statutory metric; and~~
- ~~Not included within the hedgerow module as a habitat type ‘associated with ditch’.~~

~~As such, confirmation is required as to whether the ditch identified within the submitted habitat plan and ecological reports qualifies as a watercourse under the statutory biodiversity metric. If the ditch meets the relevant definition, it must be included within the watercourse tab of the statutory metric and reflected accurately within the accompanying habitat plans. If the ditch is not considered a watercourse for the purposes of the metric, this must be clearly justified, with supporting evidence.~~

~~All submitted documentation must align, with the same recorded baseline habitat area reflected across all documentation. The information outlined above must therefore be submitted and reviewed by the LPA’s ecology team prior to determination of the application.~~

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.

	10.06 Habitat units
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On-site pre-development (baseline) biodiversity value	14.91 Hedgerow units
	0.00 Watercourse units
Are there any <u>irreplaceable</u> habitats on-site?	No
Has any habitat <u>degradation</u> of occurred?	No

In order for the council to fulfil its BNG monitoring responsibilities. A Biodiversity Net Gain On-site 30 year Monitoring Fee must be paid prior to commencement of development and secured via legal agreement. In the absence of a S106 the fee can be paid by a section 111 agreement. Where the applicant elects to use the S111 process the fee must be paid and S111 signed by both the applicant and the council on the granting of planning permission.

The Biodiversity Gain Plan condition will require the submission of a Biodiversity Gain Plan demonstrating how the biodiversity objective (10% biodiversity net gain) will be met. The development can only legally commence once the Biodiversity Gain Plan condition has been discharged.

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

- Other Neutral Grassland is unlikely to achieve “good” condition within this environment, we would advise that the proposed condition should be revised to a more appropriate target.

Note to case officer: The Statutory Biodiversity Metric identifies the areas of habitat creation/enhancement which contributes to the applications proposed BNG, however a proposed habitat plan has not been provided. 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.

DRAFT CONDITIONS: these will be finalised once the issues above have been addressed

1. Compliance with submitted documents

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

- TO BE UPDATED

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

2. Construction Environment Management Plan (CEMP)

Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

- a. Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.
- b. Working method statements for protected/priority species, such as nesting birds, bats, great crested newts (GCN), badgers and reptiles.

- c. Mitigation strategies already agreed with the local planning authority prior to determination, such as for great crested newts, nesting birds, bats and reptiles; this should comprise the pre-construction/construction related elements of strategies only.
- d. Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.
- e. Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).

Development shall be carried out in strict accordance with the approved CEMP.

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

3. Landscape and Ecological Management Plan (LEMP)

Prior to the start of construction, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets.

The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

4. Ecological Enhancements

Prior to the commencement of any works, including vegetation removal and demolition, details of the number, design and locations of bat roosts and nesting opportunities for birds (e.g. bat and bird boxes) shall be submitted to the local authority for approval. The approved details shall be implemented before occupation of the final works.

REASON: To provide mitigation /enhancement for biodiversity.

5. Lighting

Prior to commencement of development, a lighting plan that includes a Lux Plot, shall be submitted to the LPA for approval. The plan will demonstrate that bat habitat (trees, scrub and hedgerows) on the perimeter of the site will remain below 0.5 lux.

All lighting provided on site shall 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.

REASON: In the interests of the amenities of the area and to minimize impacts on biodiversity caused by light spillage to areas above and outside the development site.

6. Habitat Management and Monitoring Plan

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:

1. a non-technical summary;
2. the roles and responsibilities of the people or organisation(s) delivering the HMMP;
3. the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the statutory Biodiversity Gain Plan and schedule for implementation;
4. 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; and
5. the monitoring methodology and specification of a Monitoring Pack (to include but not exclusively up to date Management Actions Logs, Habitat Condition Assessment Reports, metric calculation; and corresponding post intervention Habitat Map) which shall be submitted to the Local Planning Authority in years 2 (two) 5 (five) 10 (ten) 15 (fifteen) 20 (twenty) and 30 (thirty) of the Maintenance Period,

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

No [*consider occupancy trigger e.g. more than 50% units/floor space shall be occupied*) until the habitat creation and enhancement works set out in the approved HMMP have been implemented.

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:

Protected Species

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
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