

Council Planning Consultation Response

ECOLOGY

Officer name:	Patrick Olshansky
Date:	12/01/2026
Application No:	PL/2025/06596
Proposal:	Outline permission for the erection of up to 5 dwellings following the demolition of the existing dwelling, all matters are reserved except for access.
Site Address:	Bramley Cottage, 19 Red Pit, Dilton Marsh, Westbury, BA13 4BJ Parishes
Case Officer:	Julie Mitchell

Recommendations:

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

Further Information Required:

	Issue	Policy/Legislative Compliance	Date information requested & Further information required	Satisfactorily addressed (Document & Date submitted)
1.	Ecological Parameters Plan	CHSR, WCA, CP50, NPPF	Ecological Parameters Plan	No
2.	BNG	EA, TCPA	Clarification/amendment required to BNG metric/report/plans	No

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 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:

- Biodiversity Net Gain Report (05/08/2025, Avon Ecology)
- Ecological Impact Assessment (05/08/2025, Avon Ecology)
- Indicative Proposed Site Plan (06/2025, Fun:lab)
- Indicative Proposed Block Plan (07/2025, Fun:lab)
- Tree Protection Plan (08/2025, Jack Pine)
- Arboricultural Impact Assessment (01/2025, Jack Pine)
- BNG Metric (08/2025, Avon Ecology)
- Planning Statement (19/08/2025, Tedman Planning)

COMMENTS:

Protected Species

Bats

The EclA (05/08/2025), comprising a site walkover, PRA, static detector deployment (25 June–21 July 2025), and two dusk emergence surveys (25 June and 21 July 2025), identified a single soprano pipistrelle roost and low levels of common pipistrelle activity on the eastern side of the building. All other potential roosting features were assessed as suitable only for crevice-dwelling species, and no potential hibernaculum were identified. Appropriate avoidance and mitigation measures for both the construction and operational phases are set out in Section 6 of the EclA, including a lighting strategy that can be secured by condition. The proposals also include the provision of multiple compensatory bat roost features within the building and on site, which can likewise be secured by condition. **An EPS bat mitigation licence will be required to enable the lawful implementation of the development.**

The site lies immediately adjacent to the Trowbridge and Westbury Bat Mitigation Strategy (TWBMS) Yellow Zone and there are records of LHS and GHS bats within 500m. However, no Annex II bat species or suitable roost features are reported on site. The site appears to consist largely of vegetated garden with trees bordered by ornamental hedge within a suburban residential area. While these habits could occasionally be used by Annex II species, they do not represent optimal habitat and are subject to baseline levels of lighting and human activity. The eastern boundary hedgerow and most of the individual trees will be retained, no works are proposed within the Yellow Zone, and the proposed lighting approach is compliant with relevant ILP guidance and would limit light spill into boundary vegetation and neighbouring field. Subject to appropriate conditions, significant disturbance effects can therefore be avoided.

Other Species

Badger: Based on the EclA the site is sub-optimal habitat, but occasional presence of species cannot be ruled out.

Other mammals: The hedgerows on site have potential to support foraging and commuting mammals such as hedgehogs and rabbits.

Birds: The hedgerow and trees on-site have potential to support breeding birds.

Herpetofauna: The presence of common and smooth newt in the pond has been confirmed. Additionally, the pond, vegetated garden and hedgerows were considered likely to support common reptiles and amphibians. eDNA results confirmed the likely absence of GCN from the pond.

Appropriate avoidance/mitigation measures for these species during the construction phase are outlined in section 6 of the EclA and can be secured by condition. The proposed habitat plans indicate retention of the boundary hedgerow, individual trees and some of the vegetated garden indicating limited loss of functionality on site. Compensation/enhancement features (including brash piles, hedgehog highways, bat and bird boxes, a small hedge, a replacement pond and amenity grassland areas) are proposed in the EclA as can be secured by condition.

Habitats Regulation Assessment (HRA)

Salisbury Plain SPA 6.4km Buffer

This application lies within the 6.4km zone of influence of the Salisbury Plain SPA and in light of the HRA for the Wiltshire Core Strategy and the HRA for the Wiltshire Housing Site Allocations Plan it is screened into Appropriate Assessment due to the potential impact of recreational pressure on stone curlew in combination with other plans and projects.

A strategic Appropriate Assessment (AA) has been prepared pertaining to development within the 6.4km zone of influence that could result in a likely significant effect on the SPA as a result of an increase

in recreational / visitor pressure. The AA reached a conclusion of no adverse effects on the integrity of the SPA or its qualifying features provided that the council's mitigation strategy continues to be implemented. Annual stone curlew monitoring and protection measures continue to be secured by the Council.

In January 2026 Natural England (NE) confirmed that the 2026 strategic AA for **Salisbury Plain SPA** continues to be supported by NE.

Bath & Bradford on Avon SAC Consultation Zone

The application site is located within a consultation zone for bats associated with the Bath & Bradford on Avon Bats Special Area of Conservation (SAC). The site is also directly adjacent to the TWBMS Yellow Zone where habitat have been shown to be of importance, or highly likely to be of importance for bats associated with the Bath and Bradford-on-Avon Bat SAC. Therefore, the development has potential to result in significant adverse impact on the special features of that site.

Although directly adjacent to the TWBMS Yellow Zone, the development site is not within TWBMS area. The development is also within an existing residential curtilage and within the local settlement boundary. However as it is still within a within a consultation zone for the 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.

The proposal is directly adjacent to the TWBMS Yellow Zone. As such, the applicant must demonstrate how adjoining habitat will be protected from loss or disturbance, including impacts from lighting. The applicant must demonstrate how the proposal complies with the avoidance and mitigation requirements of the TWBMS Yellow Zone by clearly referencing the relevant criteria and explaining how each is met. The proposed mitigation measures should inform and be incorporated into the Ecological Parameters Plan (EPP).

Insufficient information has so far 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. **The proposal will be assessed once EPP has been submitted in support of the application.**

Non-Statutory Sites (LWS)

The nearest non-statutory sites include Black Dog Woods North (ancient woodland) and Farmers Hill (neutral grassland) which are both within the TWBMS yellow zone and over 250m from the development site. Given the scale, nature of the proposed works and the distance of the development site to the wildlife sites it is considered any temporary construction impacts and operational impacts would be negligible.

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).

The proposed development will result in a net loss of on-site biodiversity, primarily due to the removal of vegetated garden areas and individual trees. Statutory biodiversity net gain will be delivered through a combination of on-site enhancements and off-site provision, although the location of the off-site gains has yet to be confirmed. Nevertheless, at the site and local level the proposed habitat losses are not considered to result in a significant adverse impact on biodiversity resources or ecological networks, and appropriate species enhancement features will be incorporated to compensate for loss of habitat and will be secured with any permissions granted.

Cotoneaster (a Schedule 9 invasive species) was identified on the eastern boundary hedge. It is unclear if this species is to be removed or avoided during construction. A method statement for the removal of this species or to avoid its spread will need to be included in a Construction Method Statement (CMS) to comply with relevant regulations on preventing the spread of invasive non-native species.

Neighbourhood Plan

The site is within the settlement boundary of Dilton Marsh. The proposal appears to be largely in-line with the Dilton Marsh Neighbourhood Plan (2020-2028) Biodiversity Policy DM05 as it has retained most of the medium distinctiveness habitats, such as trees, and several species enhancements will be incorporated into the development. Based on HRAs above, the development will have no likely significant effect on the Bath and Bradford-on-Avon Bats SAC and the Salisbury Plain Special Protection Area.

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 development 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 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:

- **The number of trees recorded at baseline (Biodiversity Net Gain Report (05/08/2025) and BNG Metric (08/2025) Avon Ecology) does not match the number indicated in Arboricultural Impact Assessment (01/2025, Jack Pine). Further clarification/amendments to metric/report required.**

~~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	4.40 Habitat units
	0.03 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

~~The Biodiversity Net Gain Report (05/08/2025, Avon Ecology) and Indicative Site Plans (07/2025 & 06/2025, Fun:lab) identify the areas of habitat creation/enhancement which could contribute to the applications proposed BNG. The proposed on-site habitat creation is of very low – low distinctiveness. Some of the retained habitat is of medium distinctiveness but this is limited to 8 individual trees. Based on the scale and complexity of these proposals a monitoring contribution and full HMMP will not be required for on-site units and can be secured by appropriate conditions. Confirmation of how the development will achieve BNG is a post-determination matter.~~

Off-site Biodiversity Gain Site

~~All land located outside the redline application boundary of the development site is considered off-site (refer to information here Make off-site biodiversity gains as a developer – GOV.UK~~

~~All off-site biodiversity gains sites must be registered on the national biodiversity gains site register. Guidance on how to register a biodiversity gains site including a list of item required to apply can be found here – Register a biodiversity gain site – GOV.UK. For the Biodiversity Gain Plan condition to be discharged all off-site gains must be shown on the Biodiversity Gain Plan as allocated to this development on the national biodiversity gains site register.~~

~~Off-site gains must be secured via a legal agreement for at least 30 years. This must be a planning obligation (Section 106 agreement) or conservation covenant. Wiltshire Council will not enter into a Section 106 agreement for off-site gains unless the off-site gain site has been verified. Contact ecologychargeableservice@wiltshire.gov.uk to request further information on site verification.~~

Ecological Parameters Plan (EPP)

An Ecological Parameters Plan (EPP) is required. The EPP must clearly identify those areas of the site which are unconstrained, those areas where sensitive design or restrictions may be required, and any areas of the site which are to be retained, remain undeveloped, enhanced, form part of the landscaping for the purposes of protecting and enhancing biodiversity and any areas to be used as compensatory habitat in line with the submitted ecology documents, including the Biodiversity Net Gain Calculator spreadsheet. The EPP will become an 'approved document' of any outline permission granted and any reserved matters application must be in compliance with the plan.

The EPP must include:

1. A scaled drawing showing existing ecological features, distinguishing between those to be retained and those which will be lost including hedgerows and trees
2. Specify the minimum distance from each feature to the footprint of development e.g. to curtilage of properties, car parks, roads.
3. Specify the buffer distance from light sensitive ecological features including hedgerows where the increase in lux levels will be zero or, if lux contours have been modelled, show contour lines for 1, 0.5 or 0.1 lux depending on the sensitivity of ecological features
4. Identify where new habitats will be created on site, include minimum area in hectares or length in metres and habitat type
5. Identify areas where habitat enhancement will be undertaken, include minimum area in hectares or length in metres and habitat type, e.g. defunct hedgerow to be grubbed up and replanted
6. Provide stand-off distances to the footprint of development e.g. curtilage to properties, car parks, roads for each tree to be retained, sufficient to ensure the tree will survive throughout the operational phase without risk of it being removed for health and safety, loss of amenity or liability reasons.
7. Provide cross-sectional drawing to show profile of SuDs, ponds or wetland features to demonstrate there is adequate room for these features to have gently profiled sides and thereby maximise their biodiversity potential

DRAFT CONDITIONS:

~~ECOLOGICAL PARAMETERS PLAN~~

~~At Reserved Matters, the design and layout of the site will be in accordance with the Ecological Parameters Plan [add ref.]. This document sets out the ecologically sensitive areas of the site that will be retained, protected and enhanced. It will not be altered at Reserved Matters without detailed justification based on additional habitat and wildlife species surveys.~~

~~REASON: To protect the ecologically sensitive features of the site.~~

~~CONSTRUCTION METHOD STATEMENT (CMS)~~

~~No development shall commence on site (including any vegetation removal or works to existing structures), until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The Construction Method Statement shall include all precautionary measures to be implemented during the construction period with reference to: bats, badger, small mammals, birds, herpetofauna and INNS.~~

~~The development shall be carried out in strict accordance with the approved Construction Method Statement.~~

~~REASON: To ensure adequate protection, mitigation and compensation for protected species and priority habitats throughout the construction period.~~

LIGHTING

~~No external light fixture or fitting will be installed within the application site unless details of existing and proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.~~

~~The plans will be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals (ILP) Guidance Notes on the Avoidance of Obtrusive Light (GN 01/2021) and Guidance note GN08/23 “Bats and artificial lighting at night”, issued by the Bat Conservation Trust and Institution of Lighting Professionals.~~

~~REASON: To avoid illumination of habitat used by bats.~~

~~HABITAT MANAGEMENT AND MONITORING PLAN (HMMP)~~

~~No development shall commence until a Habitat Management and Monitoring Plan (HMMP) prepared in accordance with the statutory Biodiversity Gain Plan has been submitted to and approved in writing by the Local Planning Authority.~~

~~The HMMP shall be informed by the approved **reserved matters** and the approved Biodiversity Gain Plan and shall include:~~

- ~~(a) a description and evaluation of the habitats to be managed;~~
- ~~(b) management objectives and prescriptions;~~
- ~~(d) adaptive management measures;~~
- ~~(e) responsibilities for delivery; and~~
- ~~(f) a timetable for implementation for a minimum period of 30 years.~~

~~The development shall thereafter be carried out in accordance with the approved HMMP.~~

~~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.~~

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

Ecologist	Date
Patrick Olshansky	