

Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Jessica Cracknell
Date:	06/02/2026
Application Number:	PL/2025/09906
Proposal:	Proposal for x1 self-build dwelling and associated works.
Site Address:	The Old Paddock, Winsley, Wiltshire, BA15 2LN
Case Officer:	Andrew Thomas

Recommendations:

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

Thank you for your consultation on the above application. I have reviewed the submitted documents against OS maps, aerial photographs of the site and surrounding area, together with GIS layers of statutory and non-statutory designated sites and existing records of protected species.

The following submitted documentation was reviewed to inform this response:

- Ecological Appraisal. 10 December 2025. Luscinia Ecology. Ref. LUS25025 EA. Rev. Submission B;
- Biodiversity Net Gain Exemption Letter. 07 May 2025. Luscinia Ecology. LUS25025;
- Arboricultural Impact Assessment, Arboricultural Method Statement & Tree Protection Plan. 27 November 2025. NB Tree Management;
- Proposed Landscape & External Lighting Plan. 02 December 2025. ReFrame Studio. Project No. LAMA-56. Drawing No. L114. Rev. P04;
- Proposed Site Plan. 02 December 2025. ReFrame Studio. Project No. LAMA-56. Drawing No. L109. Rev. P09;
- Proposed Elevations 1. 25 September 2025. ReFrame Studio. Project No. LAMA-56. Drawing No. L201. Rev. P05;
- Proposed Elevations 2. 25 September 2025. ReFrame Studio. Project No. LAMA-56. Drawing No. L202. Rev. P06;
- Existing Site Plan. 18 November 2025. ReFrame Studio. Project No. LAMA-56. Drawing No. L109A. Rev. P01;
- Planning, Design & Access Statement. December 2025. LP Planning.

Bath and Bradford on Avon Bat Special Area of Conservation (SAC): Habitat Regulations Assessment (HRA)

The application site is located within a consultation zone for Bechstein's bats, Greater Horseshoe bats and Lesser Horseshoe bats associated with the Bath and Bradford on Avon Bats Special Area of Conservation (SAC) and therefore has potential to result in significant adverse impact on the special features of that site. 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 Ecological Appraisal concluded that the habitats within the site were assessed to be of moderate suitability for bat flight paths and foraging habitat, with particular importance attributed to the linear group of rural trees along the western boundary. Ground Level Tree Assessments identified two ash trees with potential roosting features of moderate suitability; however, no trees with bat roost potential are proposed for removal under the current scheme. Although evidence of recent tree removal was recorded, this related to a separately consented scheme and mitigation was agreed under that permission.

The Ecological Appraisal confirms that the proposed development will retain the linear tree feature along the western boundary. Subject to retention of key boundary features and implementation of a sensitive lighting strategy, it is likely that the functionality of the habitats within the site and their availability to bats will not be adversely affected. Should the proposals change such that trees with potential roosting features are affected, further survey work would be required and mitigation measures would need to be reviewed and updated accordingly.

A test of likely significance has been carried out by the relevant Competent Authority (Wiltshire Council) as required by Regulation 63 Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. This concluded that given the scale and nature of the development there is no mechanism for adverse effect/any temporary construction impacts and operational impacts would be de-minimus. The Habitat Regulation Assessment (HRA) has concluded that the application will not result in any mechanism for adverse effect on Annex II bats, or on the conservation objectives of the SAC and subsequently is screened out of Appropriate Assessment.

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.

Nesting Birds

The woodland, scrub and hedgerows across the site provide suitable nesting habitat for a range of bird species. All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.

Badgers

The Ecological Assessment identified the site as of importance for badgers. Any identified badger setts must be retained within the development proposals wherever possible, with a minimum 30m buffer from built form or construction activities. Where retention is not feasible, any active setts impacted by the scheme must be closed under a Natural England licence, following best practice protocols.

Biodiversity Net Gain

From 12 February 2024 Biodiversity Net Gain (BNG) became mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Based on the information available the biodiversity gain planning condition is not considered to apply to this application as the application is for self and Custom Build Development, meaning development which:

- consists of no more than 9 dwellings;
- is carried out on a site which has an area no larger than 0.5 hectares; and
- consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

Note to case officer: you should be satisfied that the proposals meet the above criteria and act accordingly. Further information will be required from the applicant prior to determination in the event the application is considered to be subject to mandatory biodiversity net gain.

Core Policy 50

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 187 d).

While it is not expected that this development will result in significant loss of habitat, both CP50 and NPPF requires the inclusion of biodiversity enhancements. Ecological enhancements are provided through the installation of four swift boxes and a bat tube within section 5.45 of the Ecological Appraisal. The location of ecological/biodiversity enhancements must be included in the site plan drawings (Proposed Elevations 2. 25 September 2025. ReFrame Studio. Project No. LAMA-56. Drawing No. L202. Rev. P06) and will become an enforceable part of the planning permission.

CONDITIONS:

1. Compliance with submitted documents

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

- Section 5 and Appendix B of the Ecological Appraisal. 10 December 2025. Luscinia Ecology. Ref. LUS25025 EA. Rev. Submission B;
- Biodiversity Net Gain Exemption Letter. 07 May 2025. Luscinia Ecology. LUS25025;
- Arboricultural Impact Assessment, Arboricultural Method Statement & Tree Protection Plan. 27 November 2025. NB Tree Management;
- Proposed Landscape & External Lighting Plan. 02 December 2025. ReFrame Studio. Project No. LAMA-56. Drawing No. L114. Rev. P04;
- Proposed Elevations 2. 25 September 2025. ReFrame Studio. Project No. LAMA-56. Drawing No. L202. Rev. P06.

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

2. 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.

INFORMATIVES:

Bat Species

There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species 2017 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found

during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the applicant is advised to follow the advice of a professional ecologist or to contact Natural England's Batline through the internet.

Final sign off – all matters addressed:

Ecologist	Date
Jessica Cracknell	06/02/2026