

Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Jessica Cracknell
Date:	01/04/2026
Application Number:	PL/2026/00863
Proposal:	Formalise the building's use as two separate dwellings. The property has already been physically divided under PL/2022/06040. The proposal therefore concerns only the material change of use from one dwellinghouse to two under sections 55(1) and 55(3)(a) of the Town and Country Planning Act 1990
Site Address:	Albany House, 3-5 New Street, Salisbury, SP1 2PH
Case Officer:	Hayley Clark

Recommendations:

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

An Appropriate Assessment for impacts on the New Forest Protected Sites has been completed and sent to Natural England for their agreement that the HRA can be favourably concluded. There is a statutory 21-day response window. The application must not be approved until NE have endorsed the conclusion of the AA.

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:

- Natural England Nutrient Neutrality budget calculator for the River Avon SAC. 31.3.26 Nutrient Neutrality Assessment – Completed Nutrient Calculators for 3-5 New Street;
- Nutrient Neutrality Assessment;
- Statement with reasons for the applicability of the de minimis exemption from biodiversity net gain;
- Existing Ground Floor. 31 July 2024. Russell Clark. Ref. RC/05/24. Drawing No. E1. Rev. C;
- Existing Ground Floor 1854. 31 July 2024. Russell Clark. Ref. RC/05/24. Drawing No. E2. Rev. C;
- Design and Access Statement.

New Forest Protected Sites

The proposed development site lies within the 13.8km zone of influence for the New Forest internationally protected sites, which comprises the New Forest SPA, New Forest SAC and New Forest Ramsar site. Therefore, the application is screened into appropriate assessment under the Conservation of Habitats and Species Regulations 2017 (as amended) on account of its potential to cause adverse effects on the New Forest protected sites through increased recreational pressure which may occur alone and in-combination with other plans and projects.

In line with the Councils Interim Mitigation Strategy, the applicant has agreed to pay the SAMM payment requirements of £612 per dwelling/tourism unit (plus legal fees). This will be secured via a S111 agreement

at determination. Unilateral undertakings or s106 agreements are also available to ensure the necessary mitigation is secured.

This will enable the Council to conclude, subject to endorsement from Natural England, that the development proposed by means of this application will not lead to significant adverse effects on the New Forest protected sites alone or in-combination with other plans and projects.

The cost of developer contributions to mitigate the burden would be £612 plus legal fees.

The applicant should be directed to the Guidance Note for Completing Agreements Under S111 of the Local Government Act 1972.

It is considered that this approach delivers the required level of certainty to secure effective mitigation for the recreational burdens of this planning application. There will be no in combination effects with other developments, therefore we can conclude that there would be no adverse effect on the integrity of the above European Sites as a result of the development.

Habitat Regulations Assessment: River Avon Special Area of Conservation (SAC) Hampshire Catchment

This development falls within the catchment of the River Avon SAC and has potential to cause adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater. Appropriate Assessment 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 submitted nutrient calculation (Natural England Nutrient Neutrality budget calculator for the River Avon SAC. 31.3.26 Nutrient Neutrality Assessment – Completed Nutrient Calculators for 3-5 New Street) calculated a total phosphorus budget of 0.11 kg TP/year pre 2030 and 0.2 kg TP/year post 2030. The budget has been approved by Wiltshire Council.

A Council-led scheme of phosphorus credits will be available for development which meets certain criteria at a fixed cost per kilogram of phosphorus, provided supply of mitigation is available. A completed Hampshire Avon Credit Screening Approval Certificate is required to apply for this scheme. The ecology section of this certificate has been completed by the Council's ecology team for this application. This certificate can only be issued by the case officer if the application meets the two deliverability tests. Further details of the Council-led scheme, including eligibility criteria, current cost to purchase credits, and details of how to apply, is available on our website [Phosphorus and nitrogen mitigation - Wiltshire Council](#).

Ecology officer approval	Document reviewed – 01/04/2026
Approval of Nutrient Budget	Pre 2030 budget - 0.11 kg TP/year
	Budget approved - Yes
	Date - 01/04/2026

Council-issued phosphorus credits are expected to be available; to ensure that adequate mitigation is secured and deliverable for this development, it is advised that the necessary credits are secured as part of the permission. In the absence of a legal agreement the mitigation fee and administration charge for the scheme can be paid by a section 111. The administration fee should be paid on the granting of permission, and the mitigation fee is payable prior to commencement of development.

Where an applicant chooses to progress without securing mitigation at permission stage, nutrient neutrality must be secured, before any development can lawfully commence, via a planning obligation (Grampian condition or legal agreement).

If the applicant elects to pursue this route, it should be noted that the planning permission will neither secure bespoke mitigation nor reserve any Council phosphorus credits. Consequently, there remains a risk that adequate mitigation may not be available, which could prevent the development from lawfully commencing.

A bespoke AA must be prepared and sent to NE, the application must not be determined until NE have endorsed the AA.

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 development meets the following criteria and is therefore below the de minimis threshold, meaning the development:

- does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

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.

CONDITIONS:

1. Compliance with submitted documents

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

- Natural England Nutrient Neutrality budget calculator for the River Avon SAC. 31.3.26 Nutrient Neutrality Assessment – Completed Nutrient Calculators for 3-5 New Street;
- Nutrient Neutrality Assessment.

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

2. Water Efficiency in Hampshire Avon Catchment

The overnight development hereby approved shall be designed to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage) and a water efficiency assessment should be submitted. Before the development is brought into use, a water efficiency report certifying that this standard has been achieved shall be submitted to the local planning authority for its written approval.

REASON: To ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located.

A water efficiency calculation will be needed to discharge this condition. For guidance on how to do this and what is required, please refer to the following document: 'The Building Regulations 2010 – Sanitation, hot water safety and water efficiency', Appendix A (p36-44).
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/504207/BR_PDF_AD_G_2015_with_2016_amendments.pdf

3. River Avon Phosphorus Mitigation

The development hereby permitted shall not commence until evidence of compliance to the Wiltshire Council River Avon Special Area of Conservation Mitigation scheme, or an alternative approved mitigation package addressing the additional nutrient input arising from the development, has been submitted to, and approved in writing by the Local Planning Authority.

REASON: To accord with the Conservation of Habitats and Species Regulations 2017, and Wiltshire Core Strategy Core Policy 69.

INFORMATIVES:

Hampshire Avon Phosphorus Mitigation

Evidence of compliance to the Wiltshire Council River Avon Special Area of Conservation Mitigation Scheme means the certificate of allocation of credits and confirmation of financial contribution to the scheme.

An alternative mitigation package must be approved by the local planning authority and Natural England with evidence of allocation to the scheme.

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	01/04/2026