

Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Rachel Whyte; Mary Holmes
Date:	01/04/2025; 19/01/2026; 31/03/2026
Application number:	PL/2022/02557
Proposal:	Rebuilding properties known as Mill House to create 5 houses (3 already existing and approved) and 5 no. flats with internal courtyard area for amenity. Convert and extend Mill House to create 10 dwellings (5x3bedroom houses and 4x1 bedroom flats and 1x2 bedroom flat), an increase in 6 dwelling units on Mill House from application 17/00200/FUL. Regularisation of Clarks Mill development for 16 apartments and alterations.
Site address:	Clarks Mill & Mill House, 58 Stallard Street, Trowbridge, Wilts, BA14 8HH
Case officer:	David Cox

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.	Bats	Habs Regs. NPPF 2014, CP50	01/04/2024 - assessment of the potential of Mill House to support SAC bats 31/03/2026 An update assessment of the potential of Mill House to support SAC bats is required to inform a Habitat Regulations Assessment (HRA). See below for additional information.	15/01/2026 NO. Previous report resubmitted so surveys out of date. 31/03/2026 An update bat roost assessment is required.

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.

Habitat Regulations Assessment

The application is located in the centre of Trowbridge adjacent the River Biss. The River Biss is known to be a key commuting/foraging corridor for bats (Bechstein's, greater horseshoe and lesser horseshoe bats) associated with the Bradford-on-Avon Bat Special Area of Conservation (SAC). As such the River Biss is also located within the 'yellow medium risk' zone of the Trowbridge Bat Mitigation Strategy. The yellow zone is a large area covering habitat shown to be of importance for the SAC bat species. Impacts will arise on individual sites and in-combination with other sites as a result of loss and/degradation of habitat of importance to the qualifying bats. The application site is close (within 100m) to an important lesser horseshoe roost in one of the former industrial buildings at Innox Mills close to the River Biss and is also located within the greater horseshoe bat Core Buffer Zone for a greater horseshoe bat Core Roost at Gripwood.

The application must therefore be assessed under Section 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). The HRA must be carried out by the relevant Competent Authority (the LPA) to determine the potential significant effects on the Bradford on Avon Bat SAC and the suitability of any measures proposed to avoid or mitigate those effects.

Bat surveys

The application has not been supported by an ecology report. Ecology surveys were carried out to inform the original application (17/00200/FUL). Mill House was considered to have moderate bat roost potential in 2017, though no bats were recorded roosting in the building during the Phase 2 surveys in 2018. An update assessment of the potential of Mill House to support SAC bats is required to inform a Habitat Regulations Assessment (HRA).

Trowbridge Bat Mitigation Strategy (TBMS)

The application site is located with the 'grey hatched' recreational zone of the Trowbridge Bat Mitigation Strategy (TBMS) SPD (adopted February 2020). This is an area within a zone of influence within which new residential development is likely to result in increased recreational use of the woodland bat sites. New residential development proposals within this zone will be expected to contribute towards the delivery of mitigation to address strategic recreational pressure. The current rate is £641.48 per dwelling. An update to the strategy is expected in June 2025 and the rate and method of payment is therefore subject to change.

Increases in artificial lighting and human disturbance

No external lighting is currently proposed, and a condition will be recommended to control external lighting. The site is already developed with hardstanding, car parking and buildings. The proposals are considered unlikely to significantly increase human disturbance based on the existing

Other Matters

The Phase 1 & 2 Bat Survey Report (Lindsay Carrington, July 2018) recommended that bat and bird boxes were incorporated into the proposals. Condition 15 on 17/00200/FUL required two bat boxes were installed on the rear elevation of the bin store and three swift brick/boxes on the southwest elevation of Clarks Mill. It is understood that these features have been installed on these buildings.

The River Biss is a priority habitat. Core Policy 50 of Wiltshire Core Strategy requires development proposals to 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”*. This application deals with Mill House, it is understood that plans for the wider site are being considered under a separate application.

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 for planning permission was made before 12 February 2024.

19/01/2026

The application has not been supported by an assessment of the potential of Mill House to support SAC bats as requested by my colleague Rachel Whyte previously. Ecology surveys were carried out to inform the original application (17/00200/FUL). Mill House was considered to have moderate bat roost potential in 2017, though no bats were recorded roosting in the building during the Phase 2 surveys in 2018. An update assessment of the potential of Mill House to support SAC bats is required to inform a Habitat Regulations Assessment (HRA).

31/03/2026

Just to clarify, the previous comments above have requested an update bat roost assessment of Mill House. This would consist of an update survey completed by a licensed bat worker of the building in the first instance. Please note, this is a daytime visit that can be undertaken anytime of the year, i.e. could be completed now. The results of this would inform bat activity surveys, if so required.

The application site is located within the ‘grey hatched’ recreational zone of the Trowbridge & Westbury Bat Mitigation Strategy (TWBMS) (adopted July 2025) and therefore has potential to result in significant adverse impact on the special features of the Bath & Bradford on Avon Bats Special Area of Conservation (SAC). An 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.

In order to conclude the AA favourably, new residential development proposals for 49 dwellings or less within the grey hatched medium recreational risk zone will be expected to provide a financial contribution of £925 per additional dwelling towards the council’s strategic recreational pressure mitigation scheme. This is to be secured via section 106 agreement (s106), a section 111 (s111) agreement or unilateral undertaking (UU) (legal fees will apply).

This application results in a net four residential units and therefore a financial contribution of £925 per additional unit is required to ensure the AA can conclude favourably. As required under the Habitats Regulations an Appropriate Assessment must be completed with a favourable conclusion and Natural England consulted. The application must not be determined until Natural England has agreed with the LPAs conclusion.

Please be advised that any planning permission issued subsequent to an unfavourable Appropriate Assessment would be unlawful and subject to legal challenge.

Draft CONDITIONS:

1. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. 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.

Where light spill has the potential to impact bat habitat, a lighting impact assessment must be submitted with the reserved matter application(s) to demonstrate the requirements of section 8.3 of the Trowbridge Bat Mitigation Strategy February 2020 are met.

The approved lighting shall be installed and maintained in accordance with the approved details and no additional external lighting shall be installed.

This condition will be discharged when a post-development lighting survey conducted in accordance with section 8.3.4 of the Trowbridge Bat Mitigation Strategy has been submitted to the Local Planning Authority demonstrating compliance with the approved lighting plans, having implemented and retested any necessary remedial measures.

REASON: In the interests of the amenities of the area, to minimise unnecessary light spillage above and outside the development site and to ensure lighting meets the requirements of the Trowbridge Bat Mitigation Strategy and the Habitat Regulations Assessment.

Final sign off – all matters addressed:

Ecologist	Date
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