

Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Fiona Elphick Jessica Cracknell
Date:	24/01/2023-28/02/2025 10/04/2026 updated comments
Application Number:	PL/2023/03359
Proposal:	Construction and operation of anaerobic digestion facility, ancillary infrastructure and construction of new access from Ashton Road
Site Address:	Land West of Ashton Road, Ashton Keynes, Wilts, SN6 6QT
Case Officer:	Ruaridh O'Donoghue

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:

- Environmental Statement: Ecology 5. SLR Consulting Ltd;
- Bat Nocturnal Surveys Report. 21 October 2025. Bradley Murphy Design Ltd. Doc Ref. 25.0155.RPE.P2.003BatNocturnal;
- Ecological Assessment. 14 August 2025. Bradley Murhy Design Ltd. Doc Ref. BMD.25.0155.RPE/P1.001.Ecology&Bat;
- Preliminary Ecological Appraisal. 31 March 2023. SLR Consulting Ltd. Doc Ref. 20230331 404.11923.0004 Ashton Keynes PEA fv1;
- Technical Note – Ashton Keyes. 17 November 2024. Tyler Grange. Project No. 17204. Report No. R01;
- The Statutory Biodiversity Metric;
- Biodiversity Net Gain (BNG) Plan. 23 September 2025. Bradley Murphy Design Ltd. Doc Ref. BMD.25.0155.RPE.IA.002.Biodiversity Net Gain Plan;
- Biodiversity Net Gain (BNG) Assessment. 24 April 2023. SLR Consulting Ltd. Doc Ref. 20230424 404.11923.00002 Ashton Keynes BNG fv1;
- Lighting Assessment. October 2025. Strenger;
- Landscape Strategy Plan. 12 June 2025. Pegasus Group. Drawing No. P24-1022_EN_010_B_A1 L;
- Figure 6: Landscape Strategy. April 2023. SLR Consulting Ltd;
- Arboricultural Development Statement. February 2023. The Complete Arboricultural Consultancy. Ref. CBA11674v1;
- Access Arboricultural Feasibility Report. November 2022. The Complete Arboricultural Consultancy. Ref. CBA11674v1;
- Figure 7.4 – Environmental Designations Plan. 18 July 2024. Pegasus Group. Drawing No. P24-1022_EN_02;
- Site Layout Plan. 24 March 2023. GGP Consult. Drawing No. 29419/P/101. Rev. F;

- Site Layout Plan Sheet 1 of 2. 11 September 2024. GGP Consult. Drawing No. 29419/P2/101. Rev. P03;
- Site Layout Plan Sheet 2 of 2. 11 September 2024. GGP Consult. Drawing No. 29419/P2/101. Rev. P03;
- Planning, Design and Access Statement Addendum. 17 October 2025. SLR Consulting Limited. Project No. 402.065897.00001. Rev. V3.

North Meadow and Clattinger Farm Special Area of Conservation (SAC)

The development lies within the outer zone of influence (4.2 – 9.4km) for the North Meadow National Nature Reserve (NNR)/Site of Special Scientific Interest (SSSI) component of North Meadow and Clattinger Farm SAC, notified as an exceptional example of lowland meadow with a very high proportion of the surviving UK population of snake's head fritillary. The development is screened into Appropriate Assessment under the Habitat Regulations 2017 (as amended) on account of its potential to cause adverse effects through increased recreational pressure, which may occur alone or in-combination with other plans and projects.

Wiltshire Council, Cotswold District Council and Swindon Borough Council in partnership with Natural England have produced an Interim (2023-2028) Recreation Mitigation Strategy for proposed development within this zone.

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 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 the conservation objectives of the SAC and subsequently is screened out of Appropriate Assessment.

Cotswold Water Park Site of Special Scientific Interest (SSSI)

The LPA have a duty to consult NE prior to determining a planning application that is in or likely to affect a SSSI (Schedule 4 (w) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and section 281 of The Wildlife and Countryside Act 1981).

This application lies within the Impact Risk Zone of Cotswold Water Park Site of Special Scientific Interest. There is potential for the proposed development to have an effect on this SSSIs and those SACs, SPAs or Ramsar sites that they underpin. Please note that the developer has a responsibility to protect the qualifying features of this site and must seek approval (assent) from Natural England prior to carrying out any works likely to damage the qualifying features of sites special scientific interest. Further advice can be found here: [Sites of special scientific interest: public body responsibilities - GOV.UK](https://www.gov.uk/guidance/sites-of-special-scientific-interest-public-body-responsibilities)

The information submitted (Response to Natural England's Information Request – 23rd May 2025. Acorn Bioenergy) demonstrates that the applicant has sought advice from NE. Further information for the protection for the SSSI should be secured through measures in the conditioned Construction Environmental Management Plan (CEMP).

Wiltshire and Swindon Waste Site Allocations Plan

The proposed development lies within a wider site allocation identified in the Wiltshire and Swindon Waste Site Allocations Plan (adopted February 2013). Under the Biodiversity and Geodiversity section of the Waste Site Allocations Plan for the Barnground, South Cerney site, it is specified that: "A site level survey will be required to inform a planning application and should include a Phase I habitat survey plus surveys for badgers, reptiles and commuting bats."

Badgers

Evidence of badger activity was recorded within the Site, including an active outlier sett located along the southern side of a hedgerow. Badger fur was present, and the sett entrances were intact, indicating recent use. No further signs of badger activity were identified elsewhere within the Site. In the absence of a main, annexe or subsidiary sett within or immediately adjacent to the Site, and given the constrained foraging resource available, the Site is considered to be of low ecological value for badger. 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. Additional precautionary measures has been proposed within the Ecological Assessment which is welcomed.

Reptiles

As outlined in Section 4 of the Preliminary Ecological Appraisal and Section 5.2 of the Ecological Assessment, a precautionary method of working will be undertaken including a sensitive (phased) vegetation clearance methodology between the months of March and October, carried out under the supervision of a suitably qualified ecologist. Additional precautionary measures, including buffering and enhancement of existing hedgerows, hedgerow and woodland planting, wildflower meadow, wetland meadow and wildflower grassland, will enhance the site's suitability for amphibians and reptiles.

Bat Species

The 2022 Preliminary Ecological Appraisal established that several mature trees have high potential to support roosting bats. Four ash trees are to be removed to facilitate the proposed development, one of which contains features suitable for roosting bats. SLR Consulting Ltd undertook, three dusk emergence surveys of the mature trees onsite in April 2023, in accordance with Bat Surveys for Professional Ecologists: Good Practice Guidelines (Collins, 2023). The surveys identified a number of potential roosting features and confirmed the presence of two-day roosts within Tree 1, located on its northern aspect used by common pipistrelle and southern aspect used by soprano pipistrelle.

The Ash Tree (Tree 1) identified within Land West of Ashton Road, Ashton Keynes, Wilts, SN6 6QT is used as a bat roost. Under the Conservation of Habitat Regulations, it is an offence to harm or disturb bats or damage or destroy their roosts. Planning permission for development does not provide a defence against prosecution under this legislation. The applicant is advised that a Natural England licence will be required before any work is undertaken to implement this planning permission.

To compensate for the loss of roosting habitat, the Bat Survey Report (October 2023. SLR Consulting Ltd. SLR Ref. 404.11923.00004. Version. Final) gives recommendations for precautionary working methods and for the provision of mitigation measures, including two general-purpose Woodcrete bat boxes and one maternity-suitable bat box will be installed on retained trees, with an additional box provided for each tree lost, as identified within the Appendix 4: Bat Survey Report. These mitigation/enhancements will need to be repeated in the licence application. There is sufficient information as to the use of the building by bats and sufficient recommendations for mitigation, such that it is likely that a licence from Natural England would be forthcoming.

The habitat within the proposed development site has been found of high value to 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. Lighting restrictions during construction and operation is recommended.

Subject to retention and buffering 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.

Nesting Birds

Four winter bird survey visits were undertaken between December 2022 and February 2023, and five breeding bird survey visits were undertaken between March and July 2023 across the whole site. The surveys recorded a number of Birds of Conservation Concern, including four Red List species and a number of Amber List species. The site is considered to be of Local importance for breeding and wintering birds. The proposed development will result in the loss of open farmland and the removal/alteration of hedgerows, leading to the loss of foraging and nesting habitat.

To compensate for the loss of habitat for ground-nesting birds of conservation importance, an off-site area of land to the north of the Site will be used to provide suitable compensatory habitat. The mitigation area will comprise approximately 7 ha of arable farmland with a 6 m grass buffer. Existing hedgerows both on-site and within the off-site landholding identified in Appendix 5 (Winter and Breeding Bird Survey Report (August 2023. SLR Ref. 404.11923.0004. Version No. 1) will be managed to form an 'A-shape' structure, alongside the creation of wide set-aside margins (approximately 6 m), to benefit wintering and breeding bird species. In addition, 14 Skylark Plots will be created to the north of the mitigation area, each a minimum of 16 m² and 3 m wide, in accordance with the survey recommendations and the Ecological Assessment (14 August 2025. Bradley Murphy Design Ltd. BMD.25.0155.RPE/P1.001.-.Ecology & Initial Bat). The mitigation land must be clearly identified on a plan (Appendix 5 of the Winter and Breeding Bird Survey Report (August 2023. SLR Ref. 404.11923.0004. Version No. 1) and managed specifically for nesting habitat.

As the compensatory land lies outside the red line boundary, it cannot be secured effectively by condition and must instead be secured through a legal agreement. The agreement must include a plan of the mitigation land and secure its management in accordance with the Ecology 8. Appendix 3: Winter and Breeding Bird Survey Report (August 2023. SLR Ref. 404.11923.0004. Version No. 1). Full details of habitat creation, long-term management and monitoring must be provided through a Winter and Breeding Bird Mitigation Management and Monitoring Strategy.

Core Policy 50

Core Policy 50 of the Wiltshire Core Strategy requires all development to demonstrate:

- i. No net loss of local biodiversity resource and
- ii. Secure the integrity of local ecological networks

This application was submitted prior to Biodiversity Net Gain (BNG) becoming mandatory on 12th February 2024, therefore BNG *per se* is not obligatory. However, 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 submitted information (Biodiversity Net Gain (BNG) Plan. 23 September 2025. Bradley Murphy Design Ltd. Doc Ref. BMD.25.0155.RPE.IA.002.Biodiversity Net Gain Plan) demonstrates that the development will not result in a net loss of local biodiversity resource and the proposed habitat creation is anticipated to exceed the 10% minimum required by the current statutory regime as detailed in Post Development Plan (23 September 2025. Bradley Murphy Design Ltd. BMD.25.0155.DRE.002) and Landscape Strategy Plan (12 June 2025. Pegasus Group. P24-1022_EN_010_B_A1 L).

Site drawings, accompanied by the statutory biodiversity metric calculation used, must identify all measured areas of habitat to be retained and enhanced or created. Location of features such as bat and bird boxes, darkened corridors for wildlife commuting, reptile refugia etc., must also be clearly identified within an ecological mitigation and enhancement plan. A plan showing the location, number of specification of features is required. If not provided in advance of determination it must be secured by condition.

CONDITIONS:

1. Compliance with submitted documents

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

- Environmental Statement: Ecology 5. SLR Consulting Ltd;
- Appendix 3: Winter and Breeding Bird Surveys. August 2023. SLR Consulting Ltd. Ref. 404.11923.00004. Version. 1;
- Appendix 4: Bat Survey Report. October 2023. SLR Consulting Ltd. Ref. 404.11923.00004. Version. Final;
- Bat Nocturnal Surveys Report. 21 October 2025. Bradley Murphy Design Ltd. Doc Ref. 25.0155.RPE.P2.003BatNocturnal;
- Ecological Assessment. 14 August 2025. Bradley Murhy Design Ltd. Doc Ref. BMD.25.0155.RPE/P1.001.Ecology&Bat;

- Preliminary Ecological Appraisal. 31 March 2023. SLR Consulting Ltd. Doc Ref. 20230331 404.11923.0004 Ashton Keynes PEA fv1;
- Technical Note – Ashton Keynes. 17 November 2024. Tyler Grange. Project No. 17204. Report No. R01;
- The Statutory Biodiversity Metric;
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- Biodiversity Net Gain (BNG) Assessment. 24 April 2023. SLR Consulting Ltd. Doc Ref. 20230424 404.11923.00002 Ashton Keynes BNG fv1;
- Lighting Assessment. October 2025. Strenger;
- Landscape Strategy Plan. 12 June 2025. Pegasus Group. Drawing No. P24-1022_EN_010_B_A1 L.

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

2. Bat Mitigation

The roost and access point opportunities to be created for bats, as detailed in the submitted Bat Survey Report (October 2023. SLR Consulting Ltd. SLR Ref. 404.11923.00004. Version. Final), shall be implemented as agreed or as agreed with Natural England prior to the completion of the development hereby permitted under the supervision of an appropriately qualified ecologist. The details shall be maintained for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of conserving and enhancing biodiversity.

3. 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, reptiles and bats.
- c) Mitigation strategies already agreed with the local planning authority prior to determination, such as for bats and nesting birds; 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.

4. 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 (Woodland, Hedgerows, Grassland, bat and bird boxes) within the development, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management 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.

5. 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:

Roosting Bats

The tree identified within Land West of Ashton Road, Ashton Keynes, Wilts, SN6 6QT is used as a bat roost. Under the Conservation of Habitats and Species Regulations 2017 (as amended), it is an offence to harm or disturb bats or damage or destroy their roosts. Planning permission for development does not provide a defence against prosecution under this legislation. The applicant is advised that a European Protected Species Licence will be required before any work is undertaken to implement this planning permission. Future conversion of the roof space to living accommodation or replacing the roof could also breach this legislation and advice should be obtained from a professional bat ecologist before proceeding with work of this nature.

Nesting Birds

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.

Final sign off – all matters addressed:

Ecologist	Date
Jessica Cracknell	10/04/2026