

Council Planning Consultation Response

ECOLOGY

Officer name:	Elizabeth Burrows, senior ecologist
Date:	07/05/2026
Application No:	PL/2026/00102
Proposal:	Separation of 57 Canal Road into two properties, 57 & 57a Canal Road, with minor internal reconfigurations to facilitate utilities for both properties.
Site Address:	57 Canal Road, Trowbridge, BA14 8QU
Case Officer:	Selina (Nina) Parker-Miles

Recommendations:

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

Appropriate Assessment with a positive conclusion must be completed and sent to Natural England, who must endorse the conclusion (within 21 days) prior to this application being permitted.

Further Information Required:

	Issue	Policy/Legislative Compliance	Date information requested & Further information required	Satisfactorily addressed (Document & Date submitted)
1	Biodiversity Net Gain (BNG)	Town and Country Planning Act	Statement clarifying is BNG exemption is being sought and if so justification of exemption.	

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:

- Baseline BNG Plan Version 1.0. (01/02/26).
- Post Construction BNG Plan Version 1.0. (01/02/26).
- Agent's Ecologist Statement on BNG Score
- 57 Canal Road – The_Small_Sites_Metric_1.2.3

COMMENTS:

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

Trowbridge & Westbury Bat Mitigation Strategy Grey Hatched Zone: Grey Hatched Zone

The application site is located within the 'grey hatched' recreational zone of the Trowbridge & Westbury Bat Mitigation Strategy (TWBMS) 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). 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 favorably, 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 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).

The cost of mitigation via the Council's strategic Trowbridge and Westbury Bat Mitigation Strategy (Grey hatched recreation pressure zone) would be £925 (£925 per dwelling). The mitigation is required prior to the commencement of development and must be secured by planning obligations.

The total financial contribution to mitigate the burden would be £925 plus legal fees.

Developer contributions must be secured through a Section 111, Section 106 or Unilateral Undertaking at the time of permission with contributions secured prior to commencement. The applicant should be directed to the Guidance Note for Completing Agreements Under S.111 of the Local Government Act 1972. Where the applicant elects to use the S111 process the fee must be paid and S111 signed by both the applicant and the council on the granting of planning permission.

Biodiversity Net Gain (BNG)

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).

The Application Form states that the development would be subject to mandatory BNG however the submitted Agent's Ecologist Statement on BNG Score suggests that the development may be exempt. If the applicant considers that the development would not be subject to the biodiversity gain condition, Schedule 7A of the Town and Country Planning Act 1990 the applicant must provide a statement as part of the planning application setting out the reasons why they believe this is the case.

The submitted metric and plans indicate that the losses would be limited to the removal of vegetated garden to facilitate the car parking spaces. In order to determine if this development would be exempt clarification of this loss meeting the de-minimis threshold (provided below is required) should be provided.

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.

Informative:

General Protected Species

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Conservation of Habitats and Species Regulations 2017 (as amended) it is an offence to disturb or harm any protected species including for example, breeding birds and reptiles. The protection offered to some species such as bats, extends beyond the individual animals to the places they use for shelter or resting. Please note that this consent does not override the statutory protection afforded to any such species. In the event that

your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

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

Ecologist	Date