

Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Abi Gazzard
Date:	25/06/2026
Application number:	PL/2026/03012
Proposal:	Proposed demolition of existing storage building with the erection of one bedroom dwelling area at land at the rear of 48 Empire Road, the retention of existing parking bay and a proposed two car parking. Drop kerb to main dwelling front entrance area (subject to Highways approval)
Site address:	48 Empire Road, Salisbury, SP2 9DF
Case officer:	Joe Richardson

Recommendations:

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

The Appropriate Assessment (AA) of impacts on the New Forest protected sites (included in these comments) has been sent to Natural England (NE) for their consideration (25/06/2026). There is a statutory 21-day response window. The application must not be approved until NE have endorsed the conclusion of the AA.

Further information is required to complete AA for impacts on the River Avon SAC.

Further Information Required:

	Issue	Policy/Legislative Compliance	Date information requested & Further information required	Satisfactorily addressed (Document & Date)
	Phosphorus neutrality	Habitat Regs	25/06/2025 -Corrected nutrient calculator -Confirmation of mitigation approach	
	BNG	Environment Act 2021	25/06/2025 -Further clarification is required to determine the extent of the baseline habitat that has the potential to be impacted and whether this exceeds the 25 sq m minimum	

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 consulting Ecology. I have reviewed the application and supporting documents against OS Maps, aerial photography 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:

- Nutrient Neutrality Statement – River Avon SAC, unauthored, undated
- Design and Access Statement, unauthored, undated
- Proposed Plans, Cathedral Gate Ltd, undated

The site comprises an existing dwelling, garden and associated outbuilding/storage building. It is proposed to demolish the storage building and construct a 1-bedroom dwelling.

COMMENTS:

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 (January 2022), the SAMM payment requirements for this development are £660 per dwelling/tourism unit (plus legal and admin 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 £660 plus legal and admin 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.

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 (AA) 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 applicant has submitted a Nutrient Neutrality Statement, which states that the development proposals have been estimated to result in a phosphorus load of 0.34 kg TP/year. However, submitted River Avon SAC nutrient neutrality calculator contradicts this, and outputs 0.07 kg TP/year. Given that Ecology requires a completed River Avon SAC nutrient neutrality calculator for approval, I have reviewed this file **in place of** the Nutrient Neutrality Statement.

The following issues have been identified:

- The nutrient budget uses an average occupancy rate of 1.80. The Natural England nutrient budget calculator uses an average occupancy rate of 2.4 people per dwelling as standard. It is understood that the current proposal concerns a one-bedroom dwelling.

However, insufficient evidence has been provided to support the use of a different rate (1.80). Please can the applicant provide such information?

- The current and proposed land use types must be entered in full and reflect the entirety of the red line boundary of the development. At present, they only cover 0.02 ha of the 0.04 ha site.
- The SuDS (which appear to be infiltration through paving) do not represent a nutrient benefit compared to the previous scenario (infiltration through paving and vegetated garden). Where there is no post-development betterment in nutrient burden from surface water discharge (compared to pre-development), the SuDS tab should remain blank. +
- The applicant has not clarified what mitigation route they wish to pursue (the Nutrient Neutrality Statement recommends three different potential actions). Confirmation of whether the applicant wishes to use the Council-led scheme of phosphorus credits is required.

Guidance on completing the phosphorus budget is available on our website ([Phosphorus and nitrogen mitigation - Wiltshire Council](#)). This webpage also contains information on the options available for developments to achieve nutrient neutrality.

Protected species and habitats

The existing storage building is a single-storey, flat-roofed building within a highly urbanised area. It is considered unlikely to support roosting bats.

The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding. Please be advised that works should not take place that will harm nesting birds (such as vegetation clearance or building demolition) from March to August inclusive. Structures or vegetation capable of supporting breeding birds should be checked prior to commencement, and any removal or altering of such features should be delayed until after young birds have fledged.

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). The applicant is seeking to apply the de minimis exemption whereby the statutory BNG condition does not apply as the proposal would impact less than 25 square metres of habitat and would not impact any priority habitats. However, as per the site plans, it appears that an area of grassland (and/or trees/scrub) exceeding this will be lost under the footprint of the proposed dwelling. It is therefore not clear whether the application is below the de minimis threshold – the applicant should provide further information to clarify that the development is below the threshold and is not subject to the biodiversity gain condition. In this case, this should include confirmation of the type and extent (in sq m) of habitat to be lost, as shown on a plan/map.

Please see [Biodiversity net gain - GOV.UK](#) for full details about BNG as well as its exemptions.

IN SUMMARY: Insufficient information has been submitted. In carrying out its statutory function, the LPA must be reasonably sure that the proposal will not result in significant adverse effects on protected habitats. The information outlined above must therefore be submitted and reviewed by the LPA's ecology team prior to determination of the application. I therefore maintain a holding objection until all the issues listed above have been suitably addressed.

CONDITIONS: wording to be provided once above issues addressed.

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

Ecologist	Date
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