

Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Jenna Buss
Date:	29/06/2026
Application number:	PL/2026/00195
Proposal:	Outline Planning Permission with some matters reserved except for access for the erection of up to 205 no. dwellings, community hub, public open space, access, infrastructure and associated works, with all other matters reserved
Site address:	Land West of Westbury Road, Warminster
Case officer:	Gen Collins

Recommendations:

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

Further Information Required:

Issue	Policy/Legislative Compliance	Date information requested & Further information required	Satisfactorily addressed (Document & Date)
Protected/Notable Species	Habitat Regs, CP50 , NPPF, W & CA	- Updated ecological surveys - Updated EIA to reflect the current scheme	
Mitigation	CP50, NPPF Habitat Regs,	Updated Ecological Parameters Plan	
Lighting Plan	Habitat Regulations	Lux Plan demonstrating that dark foraging and commuting routes can be retained, particularly along the east/west commuting route for bats	
Nutrient Strategy	Habitat Regulations	Amended Nutrient calculator	
BNG	Environment Act	Submission of the Qudrat data and species lists	

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.

I have reviewed the application and supporting documents against OS Maps and aerial photography of the site and surrounding area, together with GIS layers of statutory and non-statutory sites and existing records of protected species.

The following submitted documentation was reviewed to inform this response:

- Ecological Impact Assessment. January 2022. Ethos
- Illustrative Landscape Masterplan W_71. October 2025. SLR
- Illustrative Masterplan 0736-2002 DB. August 2025. Focus on Design
- Illustrative Masterplan JR/SO. February 2021. Focus on Design
- Nutrient Mitigation Note. Pegasus Group
- Biodiversity Net Gain Report. November 2025. Ethos
- Ecological Addendum. November 2025. Ethos
- River Enhancement Technical Note. November 2025. Ethos
- Parameter Plan-Green Infrastructure Plan. August 2025. Focus on Design
- Shadow Habitat Regulations Assessment. November 2025. Ethos
- Statutory Biodiversity Metric. November 2025. Sarah Forsyth
- Phosphorus Neutrality Report. November 2025. Marian Cameron Consultants Ltd

The response below reflects the application in its current form, which differs significantly from that originally submitted. In addition, a considerable period has elapsed since the main body of survey work was undertaken, and the surveys will require updating to align with current best practice and the revised proposals.

While it is acknowledged that some additional ecological surveys were carried out in 2025, these were limited in scope. The original surveys are now outdated and should be renewed together with an updated EIA to ensure that up-to-date ecological data is available to accurately assess the impacts of the current proposed design.

Protected and Notable Species

Bats

The hedgerows and field margin habitats, stream and woodland copse offer suitable foraging habitat for bats.

Walked transect activity surveys were undertaken throughout the active seasons of 2020 and 2021. These surveys did not include the parcel to the north west and did not include central field parcels and only edges and therefore do not give a full reflection of the use of the site by bats.

Static surveys were also undertaken in 2020 and 2021 with updated static surveys undertaken in September 2025 in the same locations. Detectors were not deployed in the north eastern parcel and only one along the railway corridor, and therefore again do not give a true reflection of the use of the site by bats.

Bat activity was dominated by common pipistrelle bats, however a variety of species were recorded on site. Key features are assessed as being hedgerows, although this was the only habitat surveyed. Bats were identified across the survey locations although activity was lower at the central hedge and eastern boundary, hedgerow reference numbers are not always included and so it is not always clear which hedgerow is being referred to.

Barbastelle bats were recorded on occasions at static locations 2,3,4 and 5, however due to the low and sporadic nature of the calls, were scoped out of consideration with the assessment that 'mitigation for greater and lesser horseshoe bats will benefit barbastelle.' The bat analysis did not consider the times of first calls per survey, details of the timing of the barbastelle calls should be provided. Additional Annex II roosts are known within the area and the timings of the calls should

give an indication of the roost proximity to the site which may require further consideration within the impact assessment.

The single updated static bat survey undertaken in 2025 stated that *'provided the levels of bat activity were similar as previously recorded across the site; together with not significant changes in habitat or land usage, it could be reasonable extrapolated that there has been no change in assemblage use of commuting features.'*

The Ecology Addendum then goes on to say *'there appears to be an increase of activity in September, likely attributed to bats transitioning summer roost site, swarming sites and their hibernation roosts.'* It is unclear if this increase is considered significant and whether there is a change in assemblage of bats and use of commuting features. Further assessment is required in light of the amended proposals.

Table 2 in the Ecological Addendum report shows proposed habitat amendments to the outline landscape and ecology strategy and shows a clear reduction in suitable habitat along the existing hedgerows to provide a continued east west commuting route. Continued foraging and commuting routes along the east west route must be clearly demonstrated on the ecological Parameters Plan showing the retention of the hedgerow features with the clear inclusion of the hedgerow buffers (as stated would be a minimum of 5m) of suitable habitat to allow for continued bat use. Specimen trees to provide hop overs must be clearly shown.

North south connectivity along the rail corridor is welcomed and should be secured on the Parameters Plan. Although there are some concerns that the planting proposed may not be achievable as the northern parcel of the site particularly sits within a flood zone.

Bat SAC

The site is situated within the consultation zone for the Bath and Bradford on Avon Bat SAC 4km core roost buffer for greater horseshoe bats (GHB). Annex II bats associated with the SAC were recorded on site. Annex II bats were regularly recorded within the northern boundary of the site (H2) and the hedgerow towards the south of the site (H4). The southern hedgerow is assessed as being the main foraging feature for both lesser and greater horseshoe bats providing a strong linear connection between Arns Hill woodland to the east and the railway corridor to the west.

The assessment of impacts upon the Bath and Bradford on Avon Bat SAC are largely drawn from the surveys undertaken in 2020/2021. The impact assessment is therefore undertaken on inadequate and outdated survey data as large parcels of land within the development were not included within the survey effort. No acknowledgement of the core roost type for which the site sits within is provided and no assessment of the requirements of the bats at varying stages throughout the year is provided. Increased use by bats during the September 2025 was noted but this increased use is not considered within an updated impact assessment and no further consideration is made to impacts on bats at these critical times.

Likely GHB flight routes as outlined in Fig 11 of the EIA but have no explanatory basis. No surveys were undertaken in the northern parcel which could provide suitable foraging and commuting habitat for bats together with the link to the railway network going north which is known to be used by a number of bats species for foraging and commuting.

Appendix 1 of the EIA states that during the September 2020 transect surveys bat activity *'was focused on the cattle-grazed pasture in the north of the site.'* However the transect pathway doesn't appear to have included this section and so it is unclear how this assessment is made. It is anticipated that GHB would favour grazed pasture and the invertebrates found within. An

assessment of the use of this pasture is not included within the EIA or shadow HRA nor consideration if its loss.

The ecology report states that buffering of the retained hedgerows will be implemented. The extent and locations of these features are not clearly mapped and there appears to be significant breaks within each of the bisecting hedgerows for access and a foul water pump station. The hedgerows appeared to be buffered with play areas and a public footpath with development backing straight onto this. The 5m buffer should be of suitable habitat type to support movement of bats across this scheme.

Section 5 of the EIA in 5.2 states that there will be 'retention of a continuous canopy along H4, to retain linear feature for bats'. A buffer of 5m is proposed although it is unclear if this is 5m in total or 5m either side of the hedgerow. However, within the illustrative plans, this hedgerow is clearly proposed to be bisected by at least two access routes and crossing safeguarding zone and a continuous canopy is not shown and may not be achievable. The retained hedgerow and buffer zones should be clearly demonstrated on the Parameters Plan. Additional planting along the railway corridor to retain a north/south commuting route is welcomed. However insufficient information to ensure the east/west corridor can be retained in perpetuity.

The EIA also states that , *'provided mitigation to retain a continuous canopy on H4 and a sensitive lighting plan is implemented to retain dark corridors along H2 and H4, and that hedgerows are appropriately managed and buffered for bats, it is considered that there would be no adverse effect on the favourable conservation status of greater and lesser horseshoe bats, either alone or in combination with other plans or projects'*. This has yet to be demonstrated, insufficient information to enable this assessment has been provided.

No information on the proposed lighting scheme has been provided, a lux plan, showing the proposed street lighting should also be submitted in support of this application to demonstrate that dark foraging and commuting routes can be retained along the north/south and east/west routes, particularly H2 and H4 of the scheme.

GCN

3 ponds were identified within or connected to the site. All were subject to and HSI assessment. Pond 1 was assessed as having good suitability and was subject to eDNA surveys which returned a negative result. As the remaining ponds scored poorly and below average, GCN have been scoped out of further assessment. Assuming habitats remain similar as stated in the Ecological Addendum we would support the continued assessment that GCN are unlikely to be present on site. If however the habitats have altered, further surveys will be required to inform this application.

Dormice

Dormouse surveys were undertaken in 2021 and although the index of probability score was reached, surveys began soon after tubes were deployed and were not given time to bed in. Tubes should be left in situ up to 6 months prior to commencing surveys.

Records for dormice exist within 1km, with functionally connected habitat between the record and the proposed site. Although the railway line exists between, this is not considered a barrier to dispersal as dormice are known to populate railway corridor habitat. In addition, due to the age of the dormouse surveys, insufficient information in relation to dormice is provided in support of this application.

Badgers

Badger records exist on site and a number of sett holes were found, particularly along the eastern boundary.

From the surveys carried out in 2020 badger use of the site would mean that a mitigation strategy would be required and sett closures may be necessary. The proposal within the EIA is to design a badger mitigation strategy once pre works surveys have been undertaken. Whilst this is welcomed, consideration to potential mitigation required should be considered at the design stage to ensure landscape scale considerations for badger are included within the scheme mitigation design. If setts are required to be closed and a mitigation sett proposed, this should be included now to ensure the location and access to surrounding habitat is fully considered and included within the scheme design.

Especially as the northern parcel is in the flood risk zone and therefore mitigation setts in these areas would not be suitable.

Marsh Fritillary

Records for marsh fritillary exist in close proximity to the development. Marsh Fritillary are protected under schedule 5 (section 9 (5)) of the Wildlife and Countryside Act 1982 (as amended). As well as a species of principle importance in Section 41 of the NERC ACT 2006.

Habitats on site including neutral grassland and wet woodland could provide suitable habitat to support this species, however no specific invertebrate studies have been undertaken. The primary food plant of Devil's bit scabious may be present on site, detailed lists of botanical surveys have not been submitted. Quadrat surveys undertaken to support the BNG metric have not been included. Insufficient information to rule out likely Marsh Fritillary presence on site has not been submitted in support of the application.

Additional information to assess whether Marsh Fritillary occupy the site should be carried out prior to determination. This species relies on metapopulation dynamics thus making habitat connectivity critical. Due to the close proximity of Marsh Fritillary records, should this species be found to be absent, habitat suitable to support this species should still be a consideration, particularly within the northern parcel. Details of which could be included within a LEMP.

Farmland birds

Surveys for farmland birds were scoped out of the EIA as the areas suitable to support such species in the northern parcel are being retained. However, it is apparent that the proposal now includes an orchard, informal kickabout and allotments within this parcel which reduces the open space opportunities for farmland birds to nest. The increase in recreational disturbance may also impact upon any ground nesting species and should therefore be scoped in.

Otter and water vole,

Although no signs of otter or water vole were identified during the surveys undertaken in 2020 and 2021, habitat within the northern parcel and along the stream corridor is suitable to support these species. The updated survey undertaken in October 2025 showed the winterbourne stream to be dry.

The EIA states in section 5.2 that '*Substantial buffering of stream and created wetland habitat*' will occur, however this is not demonstrated on the ecological Parameters Plan. Clarification as to what this entails is required. The current Illustrative drawings show the river corridor to be accessible surrounded by grassland meadow which will be subject to increased recreational pressure from the development especially dog walking.

Clearly the scheme design has progressed since the EIA was drawn up. This will need amending to reflect the current scheme. Insufficient information has therefore been provided in support of the applications current design.

Habitats

The EA flood extent is mapped on the Parameters Plan which is welcomed. However, the EIA does not take into consideration the impacts of this flooding within the northern parcel. There is currently no consideration as to whether the habitats proposed within those areas can be created and maintained in the long term. No consideration as to how management may need to be adapted if the site can only be accessed during limited times of the year due to flooding. This should also apply to the BNG assessment as flood events may significantly affect the type and condition of habitats that can be created.

To protect the stream present on site, precautionary working methods are included within the EIA which are welcomed. This should be secured within a Construction Environment Management Plan which could be secured by condition and will require updating due to the change in scheme design since the EIA was first produced. For example clarification on the wetland floating filtration system is required, as does not appear to be mapped and is potentially part of a previous scheme design.

Section 6.2.13 refers to the SUDs proposed for surface water drainage strategy, but no detailed information is provided in support of the application. Discussed further in the Hampshire Avon Catchment section.

Section 7.4 of the EIA states that the stream will be retained with a minimum 10m buffer and enhanced by buffering and the creation of specific planting. This is not demonstrated on the Ecological Parameters Plan and will require amending.

Section 1.4.4 of the Ecological Addendum states that species rich grassland and scrub will be created, however clarification is sought as to where these habitats will be created. Figure 2 within the same report states that other neutral grassland will largely comprise the north western parcel and that 70%/30% grassland/scrub will be present in the areas proposed for the residential units. Clarification is required here to align with the scheme design.

An attenuation basin is mapped as comprising other neutral grassland, is the attenuation basin proposed to hold water all year? As the stream is a winterbourne and dries up periodically, retention of some water on site year round would be beneficial, this should be designed in to the scheme and clearly demonstrated on the Ecological Parameters Plan. This would benefit a wide variety of species known to use the site.

Protected Verge

The Warminster protected verge adjacent to the eastern boundary may be indirectly impacted by a separate cycle route proposal associated with this development. The proposals to offset the loss of protected verge by improving the quality of the retained verge as outlined within the EIA are welcomed and should be included in any CEMP/LEMP and secured by condition.

CP50

It is anticipated that the habitats on site will be monitored for 30 years, however the key foraging and commuting corridors for bats to be retained in support of the Habitat Regulations assessment in line with the Bath and Bradford on Avon bat SAC will be required to be retained in perpetuity and this should be clearly defined within a LEMP which could be conditioned should permission be granted.

Those areas created specifically for BNG will be required to be monitored for the 30 year period and will require specific monitoring regime in accordance with the habitats created and discussed in further detail below.

Hampshire River Avon

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 calculated a total phosphorus budget of 17.85 kg TP/year pre 2030 and 12.03 kg TP/year post 2030.

We note from the calculations that a number of SUDs features are included within the calculations. However, as the surface water currently drains to ground, the inclusion of these features will ensure the same discharge to ground which is like for like. Although they are welcomed, they cannot be included within the calculation as are a doubling up of the current surface water drainage situation. These SUDs must be removed and the amended calculation re-submitted in support of the application.

The applicants proposed mitigation will be via a bespoke scheme (Nutrient Mitigation Note. Pegasus Group) which will involve the upgrading of third party septic tanks within the catchment, the details of which are yet to be finalised. All bespoke nutrient mitigation schemes must be approved by Natural England ([Charged environmental advice service request form - GOV.UK](#)) and the LPA prior to the 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 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 once the calculation has been approved, the application must not be determined until NE have endorsed the AA.

Please note that the proposal to upgrade third party septic tanks is an accepted form of mitigation in principle. However, to ensure any upgrades are legally compliant, all upgrades will be required to be secured by planning permission to ensure accepted PTPs are used and that any upgrades are secured in perpetuity.

Residential apps within Salisbury Plain Special Protection Area (SPA) 6.4km Salisbury Plain

This application lies within the 6.4km zone of influence of the Salisbury Plain SPA and in light of the HRA for the Wiltshire Core Strategy and the HRA for the Wiltshire Housing Site Allocations Plan it is screened into Appropriate Assessment due to the potential impact of recreational pressure on stone curlew in combination with other plans and projects.

A strategic Appropriate Assessment (AA) has been prepared pertaining to development within the 6.4km zone of influence that could result in a likely significant effect on the SPA as a result of an increase in recreational / visitor pressure. Due to the location of these proposals the AA reached a conclusion of no adverse effects on the integrity of the SPA or its qualifying features provided that the council's mitigation strategy continues to be implemented. Annual stone curlew monitoring and protection measures continue to be secured by the Council.

Biodiversity Net Gain

Under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) this application is required to deliver 10% Biodiversity Net Gain (BNG). The Biodiversity Gain Plan condition will automatically apply if approval is forthcoming. A completed statutory metric calculation (Statutory Biodiversity Metric, November 2025, Sarah Forsyth) confirming the baseline and predicted post-development biodiversity units of the site has been submitted.

The BNG Assessment states that quadrat data to support the grassland assessment was undertaken, however the grassland surveys do not appear to be included and no species list provided. This information is required to support the baseline assessment.

Please note that the creation of traditional orchard in moderate condition may take more than 30 years and require specialist establishment and maintenance. Planting immature trees in grassland is not sufficient to achieve this. The HMMP will need to outline how a traditional orchard in moderate condition can be achieved, particularly in areas at risk from flooding.

Figure 2 within the Ecology Addendum has the development area mapped as 70%/30% grassland/scrub. Whereas Figure 6 of the BNG Assessment Report states the areas as 70%/30% developed land sealed surface/vegetated garden. Although it would appear that the land classification is correct within the metric, the figure within the Ecology Addendum requires amending.

For the recorded culvert, the area or length is smaller than the commonly used Minimum Mappable Unit for this habitat and may not realistically represent ecological function. However, it does reflect the variations in habitat conditions which is welcomed.

The proposed BNG is considered 'significant' due to:

- i. the scale and nature of the application (major);
- ii. units required (28.83 area units, 4.18 linear units and 2.10 watercourse units), and
- iii. the BNG proposed (including medium and high distinctiveness habitats of traditional orchards, rivers and streams, other neutral grassland, broadleaved woodland and urban trees).

A Habitat Management and Monitoring Plan (HMMP) will be required and should be secured via condition.

In order for the council to fulfil its BNG monitoring responsibilities, a Biodiversity Net Gain On-site 30 year Monitoring Fee 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.

In order for the council to fulfil its monitoring obligations, the BNG monitoring fee would be £12,000 plus legal fees payable on commencement of development.

LNRS

The published Wiltshire and Swindon Local Nature Recovery Strategy (LNRS) covers the proposed site by recommending the creation of calcareous grassland along the eastern section of the site whilst maintaining, enhancing and creating rivers streams and wetlands within the northern parcel. This would support an attenuation basin that could support year round water due to the nature of the stream running through the northern parcel.

In summary:

The application currently lacks robust, up-to-date ecological evidence and clearly secured mitigation, particularly in relation to SAC bats, and requires survey updates, a revised EIA, plan revisions, and a clarified mitigation strategy prior to determination.

CONDITIONS:

Suggested condition will be included once further information is available.

Final sign off – all matters addressed:

Ecologist Jenna Buss	Date
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