

Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Abi Gazzard
Date:	04/12/2025, 08/07/2026
Application number:	PL/2025/07553
Proposal:	Footpath improvement works including associated engineering and landscaping works and new benches.
Site address:	Land forming the footpath network surrounding the Garden Lake at Stourhead, Wiltshire, BA12 6QD
Case officer:	David Cox , Jemma Foster

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)
	CWSs	CP50	04/12/2025 -Assessment of impacts to CWSs on and surrounding the site, with details of any necessary protective measures, mitigation and enhancement.	08/07/2026 - YES - <i>EclIA Addendum and Response to Ecology Comments, Johns Associates, February 2026</i>
	Impacts on irreplaceable habitat (veteran trees)	NPPF, CP50	04/12/2025 -Clarification of veteran trees and nearly veteran trees present within the site -Measures to ensure these trees will be sufficiently protected during the works	08/07/2026 - YES - <i>EclIA Addendum and Response to Ecology Comments, Johns Associates, February 2026</i> - <i>Arboricultural Method Statement, Bosky Trees, February 2026</i>
	BNG	Environment Act 2021	04/12/2025 -Inclusion of the following in the baseline calculation: - All trees with stems that fall partially or wholly within the redline boundary - All areas of hedgerow that fall	08/07/2026 - YES - <i>Biodiversity Net Gain Report, Johns Associates, March 2026</i> - <i>Statutory Biodiversity Metric, Ellie Brine, January 2026</i>

			within the redline boundary Any veteran trees with RPAs encroaching the redline boundary (to be denoted as irreplaceable)	
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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:

- Planning Statement, LUC, July 2025
- Design & Access Statement, LUC, August 2025
- Landscape General Arrangement Sheets 1 and 2, LUC, August 2025
- Arboricultural Impact Assessment and Tree Protection Plan, Bosky Trees, July 2025
- Ecological Impact Assessment, Johns Associates, July 2025
- Biodiversity Net Gain Report, Johns Associates, July 2025
- Statutory Biodiversity Metric, Ellie Brine, June 2025
- [Phasing Strategy](#)
- [EclA Addendum and Response to Ecology Comments, Johns Associates, February 2026](#)
- [Biodiversity Net Gain Report, Johns Associates, March 2026](#)
- [Statutory Biodiversity Metric, Ellie Brine, January 2026](#)
- [Arboricultural Method Statement, Bosky Trees, February 2026](#)

The site comprises a footpath network at Stourhead landscape garden, proposed for improvement works to address ongoing drainage and repair issues.

[Thank you for re-consulting Ecology following the submission of further documents, my second comments are shown in blue.](#)

COMMENTS:

County Wildlife Sites

The application site falls within two County Wildlife Sites (CWSs) - Stourhead Woods CWS at the west of the site, and Garden Lake CWS, central to the site. Stourhead Woods is a coniferous woodland of over 340 ha, with corridors of wet alder woodland. Garden Lake comprises a 7.5 ha lake, also considered Priority Habitat. There are several additional CWSs nearby; approximately 90m south is Bonham Hanging CWS, 300m southwest is Top Wood (ancient woodland) CWS, and 440m west is Lynch Wood (ancient woodland) CWS. These sites are considered to be of county-level importance.

In reference to Stourhead Woods CWS, Section 7.3.1 of the Ecological Impact Assessment states that "*no works will take place within or immediately adjacent to these habitats*". However, the western section of the footpath (bordering the western edge of the lake) falls within Stourhead Woods CWS. The report also states that "*a minor positive*" impact on the Stourhead Woods CWS is predicted. It is not clear how a positive impact will be achieved. Further, whilst

pollution incidents in association with soils are acknowledged, it is not clear how prevention of pollution into the Garden Lake CWS (and Priority Habitat) has been considered.

Wiltshire Core Policy 50 requires that CWSs are protected from the effects of development and should be enhanced where possible. It states: “*Sustainable development will avoid direct and indirect impacts upon local sites through sensitive site location and layout, and by maintaining sufficient buffers and ecological connectivity with the wider environment.*”

I note that a Construction Environmental Management Plan (CEMP) is recommended by the applicant’s ecologist (via condition) to outline measures that will minimise the risk of adverse impacts during construction. However, without presently knowing details of impacts, mitigation and enhancements, it is unclear how the CWSs will be adequately protected. **Further information about the impacts to Stourhead Woods and Garden Lake CWSs, together with detailed proposals for mitigation and enhancement, are required to support this application.**

Thank you for submitting the EclA Addendum, which addresses the concerns above. It is stated that measures to reduce impacts on the CWSs will include:

- The use of off-site compounds outside of root protection areas and, where materials are transported on-site, low impact machinery will be used
- Construction timings to avoid the wetter months, reducing likelihood of runoff events that could impact, e.g., Garden Lake CWS
- Specialist equipment and methods to avoid compaction
- A full CEMP to be approved and implemented

It is also clarified that the expected “positive” impacts will be achieved via the redirection of footpaths away from root protection zones (including that of veteran trees), which is anticipated to reduce incidences of pedestrians straying into the CWSs. Habitat adjacent to the footpaths is to be reseeded with a native species mix, including through the section of footpath that crosses into Stourhead Woods CWS.

Overall, I am satisfied that sufficient information has been provided to overcome the CWS-related objection, **subject to the relevant ecology documents, as well as provision and implementation of a CEMP, being secured via condition.**

Veteran trees

The majority of the footpaths fall within tree root protection areas, including that of several veteran trees. Trees of this type are important to protected and notable species, including bats. There is an expectation that all veteran and nearly veteran trees will be retained and protected by the development.

Paragraph 193c of the NPPF states “*development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists*”. The Design and Access Statement refers to 4 veteran trees along the footpath, whereas the Arboricultural Impact Assessment describes 6 veteran trees, and the Ecological Impact Assessment refers to 1. Nearly veteran trees which could form the next generation of veteran trees must also be identified. **Please could the applicant clarify how many veteran and nearly veteran trees exist within or close to the redline boundary/along the footpath, and how these will be specifically protected from the proposed works, as well as any compensatory measures?**

Protective measures, as detailed in the addendum (and noted in the CWS section above) will ensure that impacts on trees are minimised, and in the long-term, reduce the negative implications of pedestrian traffic in close proximity of the trees (via the relocation of the footpaths). The addendum further states that ECoW and arborist supervision will take place during any works undertaken within the root protection areas of veteran trees. As per the aboricultural method statement and phasing plan, vehicle use will be restricted to areas away from the footpaths and trees.

Overall, I am satisfied that sufficient information has been provided to overcome the veteran tree-related objection, **subject to the relevant ecology documents, as well as provision and implementation of a CEMP, being secured via condition.**

Other protected species and habitats

Given the site’s connectivity to high-value habitats suitable for use by protected species such as bats, badgers and nesting birds, as well as the nature of the proposals (no significant habitat loss is proposed, but there is risk of temporary degradation or disturbance), it is considered that the risk posed to protected fauna should be minimised through the implementation of a **CEMP**. **This should be secured via a condition, should planning permission be forthcoming.**

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, condition assessments and map (Biodiversity Net Gain Report, Johns Associates, July 2025; Statutory Biodiversity Metric, Ellie Brine, June 2025) stating the baseline and predicted post-development biodiversity units of the site have been submitted with the following values:

On-site pre-development (baseline) biodiversity value	3.39 Habitat units
	0.00 Hedgerow units
	0.00 Watercourse units
Are there any <u>irreplaceable</u> habitats on-site?	The BNG report and metric spreadsheet indicates “no”. Please see further comments below.
Has any habitat <u>degradation</u> of occurred?	No

The baseline calculations exclude all trees and hedgerow. Whilst many of the tree stems surrounding the footpath fall outside of the redline boundary, multiple trees do sit wholly or partially within the redline boundary, as shown on the landscaping plans. Such trees include, for example, T60, T75, T78, T86, T88, T170, T190, T193, T222, T232, T266, T294, T338, T339, T437, T445, T504, T51, and possibly more. Hedgerows including H5, H6, H7, H9, H14 and H18 are also shown as occurring within the redline boundary, yet not included within the BNG metric.

Furthermore, the Root Protection Areas (RPAs) of many trees sit within the redline boundary. The area of trees included within BNG baseline metrics is calculated based on a root protection area formula (see the User Guide), thus, arguably, all trees with RPAs encroaching the redline, and those that will be impacted by the works (via soil compaction etc.), should be considered in the BNG baseline. However, it is appreciated that this approach would result in a significantly amplified baseline calculation which may be disproportionate to the proposed works, considering

the existing impacts on said trees (e.g., from the existing footpath, regular visitor footfall and disturbance). In this case, it is considered appropriate for the BNG baseline calculation to at least include:

- All trees with stems that fall partially or wholly within the redline boundary (such as the specimens listed above)
- All areas of hedgerow that fall within the redline boundary
- Any veteran trees with RPAs encroaching the redline boundary (to also be denoted as irreplaceable), or full justification as to why these are excluded. Whilst the stems of these trees might fall outside of the redline boundary, the important ‘ecosystems’ of veteran trees extend beyond this, and the trees are at risk of adverse impacts from localised digging, damage of woody roots, soil compaction, etc.

Thank you for updating the BNG documents. The EclA Addendum clarifies that seven veteran trees with RPAs encroaching the redline boundary or compound storage areas, as well as 45 other trees within (or on) the boundary, have now been added to the BNG baseline. It has also been confirmed (during a meeting on 09/12/2025, and in the revised documents) that there are no hedgerows on-site, but these areas instead comprise non-native shrubs.

The amended statutory metric calculation, condition assessments and map (Biodiversity Net Gain Report, Johns Associates, March 2026; Statutory Biodiversity Metric, Ellie Brine, January 2026) stating the baseline and predicted post-development biodiversity units of the site have been submitted with the following values:

On-site pre-development (baseline) biodiversity value	13.81 Habitat units
	0.00 Hedgerow units
	0.00 Watercourse units
Are there any <u>irreplaceable</u> habitats on-site?	Yes – 7 veteran trees.
Has any habitat <u>degradation</u> of occurred?	No

Confirmation of how the development will achieve BNG is a post-determination matter, however, consideration should be given to how any proposed BNG will be secured. The metric shows that a 10.08% gain can be achieved on-site, primarily via grassland enhancement as well as the creation of shrub and grassland areas. Further, some enhancements to individual trees have been proposed, and are noted in the metric as “*enhancement due to path narrowing/realignment to avoid RPZ*”, linking to criterion D (which requires little evidence of adverse impact on tree health caused by human activity). This is considered a reasonable approach through which to capture the reduction in recreational pressure upon the trees that will be achieved through this development.

The site contains irreplaceable habitat – 7 veteran trees – that are not included in the BNG requirement as standard, because loss of irreplaceable habitats is impossible to achieve. Compensation for impacts upon these habitats should not be recorded within the metric (neither as enhancement nor creation, see [Biodiversity net gain - GOV.UK](#)). One veteran tree, T396, has been recorded in the “On-Site Enhancement” tab. However, this is considered acceptable as it is not ‘compensation’ *per se* and instead reflects a genuine enhancement (its root protection area is currently encroached by the existing footpath, and the footpath will be redirected away from this zone). Provided protective measures for the veteran trees are secured during the construction phases, the development is unlikely to result in any additional losses or deterioration of irreplaceable habitat, therefore, bespoke compensation is not required.

It is proposed to implement the footpath works over three phases, which will include the phasing of BNG delivery. Therefore, prior to the commencement of development of each phase, the applicant will be required to submit a phased biodiversity gain plan (that sets out how each phase will contribute to the overall gain), in addition to the overall biodiversity gain plan.

Whilst the proposed on-site gains are not considered “significant” and a Habitat Management and Monitoring Plan is not required in this case, a Landscape and Ecological Management Plan (LEMP) would be appropriate, with particular regard to the sensitive habitats on and surrounding the site. **The LEMP should also detail measures to manage and monitor enhanced and created habitats, and must be secured via condition.**

~~**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 or species. 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:

1. Compliance with submitted documents

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

- Ecological Impact Assessment, Johns Associates, July 2025
- EclA Addendum and Response to Ecology Comments, Johns Associates, February 2026
- Biodiversity Net Gain Report, Johns Associates, March 2026
- Statutory Biodiversity Metric, Ellie Brine, January 2026
- Arboricultural Method Statement, Bosky Trees, February 2026

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

2. 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 and habitats, including veteran trees and County Wildlife Sites.
- c) 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.
- d) 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.

3. Landscape and Ecological Management Plan

Prior to the commencement of each phase of development, a Landscape and Ecology Management Plan (LEMP) for that phase shall be submitted to and approved in writing by the Local Planning Authority. The LEMP must be prepared in accordance with the Phase Biodiversity Gain Plan, and will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within that phase of 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.

Informative – Artificial Lighting

The habitat within the proposed development site and the surrounding area is suitable for 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 GN08-18 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

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

Ecologist Abi Gazzard	Date 08/07/2026
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