

Project: Land south of Coate Road, Devizes

Application ref: PL/2026/01963

Aspect ref: 1006968/OG

Date: 25/06/26

Response to Wiltshire County Council Ecology Comments

Introduction

This Technical Note provides a response to the comments of Abi Gazzard on Application Number PL/2026/01963: an outline planning application for the construction of up to 175 dwellings on the Land South of Coate Road, Devizes. It is intended that this document provides the additional information and clarification that the Local Authority has requested.

We would consider that in light of the additional information provided, it is demonstrated that the proposed development will not have a significant negative effect on ecology and biodiversity and presents an opportunity for the enhancement of the site's biodiversity. It is hoped that a constructive working relationship can be established to enable the delivery of the positive ecological and biodiversity enhancements that can be realised through this development.

Responses to Wiltshire Council's comments are provided in Table 1, below.

Table 1: responses to Wiltshire Council's questions regarding ecology and biodiversity

Issue	Wiltshire Council Information Requested	Aspect Ecology Response
Ecological Parameters Plan (EPP)	An EPP is required to ensure required ecological features are integrated into the development. The EPP must clearly identify those areas of the site which are unconstrained, those areas where sensitive design or restrictions may be required, and any areas of the site which are to be retained, remain undeveloped, enhanced, form part of the landscaping for the purposes of protecting and enhancing biodiversity and any areas to be used as compensatory habitat in line with the submitted ecology documents, including the Biodiversity Net Gain Calculator spreadsheet. The EPP will become an 'approved document' of any outline permission granted and any reserved matters application must be in compliance with the plan.	The supplied Plans 6968/BNG1 and 6968/BNG2 do largely provide these details showing a scaled drawing of the existing ecological features and the areas to be retained, enhanced, form part of the landscaping for the purposes of protecting and enhancing biodiversity (as detailed within the Ecological Appraisal), and the areas to be used as compensatory habitat. These plans denote habitat types, including a large area of proposed woodland and retained scrub etc. The plan includes the proposed SuDS features. As this is an application for outline planning consent, detailed plans of the external lighting with isolux lines showing anticipated light levels are not available. However, as per the statements in the Ecological Appraisal, the development proposals have been designed to avoid impacts on the site hedgerows. This has the specific aim of ensuring that the potential commuting and dispersal corridors for bats remain unaffected, along with such foraging opportunities as the hedgerows provide. The locations of these dark corridors have been added to the Ecological Parameters Plan. It should be noted that as this is an outline planning permission there may be minor changes to the layout and landscaping. However, the dark corridors will be retained, maintaining permeability through the site for commuting bats. Where it may be necessary to cross over DEVI65 with a footpath/cycleway, if lighting is considered necessary then this should be low level to avoid increasing lighting at tree/shrub canopy level, and consideration should be given to using timers to allow a dark period in the early hours of the morning.
Hampshire River Avon	Insufficient information has so far been submitted to enable the Appropriate Assessment to be undertaken,	Foul sewage from the development will be discharged west to the existing 150mm diameter Wessex Water foul sewer in Harebell Way. The foul sewage

Special Area of Conservation (SAC) Catchment: Phosphorus neutrality	which must be completed and the conclusion agreed with Natural England prior to the application being determined. It is acknowledged that the ecology report states: “The proposed development would discharge to the River Avon (Bristol) catchment, so will have no risk of effects on the River Avon (Hampshire)”. However, the applicant has not provided details of which treatment works the wastewater would be discharged to. The site appears to fall within the Upper Avon Western Arm catchment. If discharging within this catchment, a completed River Avon SAC nutrient neutrality calculator will be required.	infrastructure in the existing residential development to the west flows south and west to the Potterne WRC where it is treated. Treated effluent from the centre is discharged to the Bristol Avon Catchment and will not enter the Hampshire Avon Special Area of Conservation. Therefore, there is no risk of Likely Significant Effects on the SAC. Details of the foul water treatment have been agreed in principle with Wessex Water and additional details can be found in Section 7 of the Flood Risk Assessment Addendum (Phoenix Design Partnership Limited, June 2026).
Bats	Emergence survey results and mitigation, as appropriate. Historical and current bat activity survey results, or clear justification as to why these have not been provided	The original bat surveys identified low numbers of Common Pipistrelle and an unidentified species of Myotis bat. At the time of submission, the buildings had been inspected and appraised for their potential to support roosting bats, but it was not a suitable time of year to complete emergence surveys. Building 1 was a dilapidated and vandalised structure with a collapsed roof open to the elements and was considered to have negligible potential to support roosting bats. Building 2 was of breeze block and composite panel construction and considered to have low potential to support non-significant bat roosts (i.e. not suitable for maternity or hibernation roosts). Building 3 was a metal open-sided Dutch barn with negligible potential to support roosting bats.

		The emergence survey of Building 2 has now been completed at an optimum time of year. No roosting bats were recorded. An addendum Bat Survey report with additional details has been provided. The Ecological Appraisal Report identified the presence of one tree assessed as having the potential to support individual roosting bats only (T1). This is being retained and falls within a dark corridor. There will also be no buildings or roads constructed within at least 30m of the tree. It is also located adjacent to an existing road, and any bats that may be roosting will be acclimated to a commensurate level of disturbance. Therefore, the potential roost feature will not be directly or indirectly affected by the proposals. No further update bat activity surveys have been undertaken since 2012 as the site habitats remain as previously recorded and all features of potentially elevated importance for bats are being retained, protected and enhanced within the development proposals. All potential roosting sites are being retained and dark corridors will be maintained to ensure that bats can continue to disperse across and around the site. The creation of a wide woodland belt along the southern boundary combined with the creation of grassland areas will improve the foraging potential for bats post development, compared to pre-development. The Ecological Appraisal also references ecological enhancements for bats, including integral boxes within buildings and external boxes attached to retained trees. Exact details of the locations of the enhancements cannot be provided at outline stage, but it is noted that these enhancements would be delivered via a Construction Ecological Management Plan and a Landscape
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		Ecological Management Plan that would be secured by planning condition. Such conditions typically include approval of the plans by the Local Authority. Whilst we note that the emergence survey of Building 2 had not previously been completed due to seasonal restrictions, we would contend that as the building was not suitable for maternity or hibernation roosts, it was possible to determine the potential impacts of the development proposals on bats sufficiently to determine that any mitigation that may be required was possible to deliver within the scope of the development as proposed. The emergence survey of Building 2 has now been completed and no bats were found to be roosting within it. All features of potentially elevated importance for bats within the site are being retained and protected within the development, all potentially significant commuting corridors are being retained and protected, and a range of enhancements for both foraging and roosting are being proposed. Therefore, we would contend that additional survey would serve no purpose. At most, additional survey would simply record different bat species that are using the linear green infrastructure that is being retained, protected and enhanced. The potential effects of the development on the local bat assemblage can be determined, and we would consider that these would be positive, initially at the site level and, once the woodland has established and matured, also positive at the local level.
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Badgers	Survey results and mitigation, as appropriate.	The Badger survey results, survey plan, and mitigation are provided within a Confidential Appendix that has been provided. However, the badger sett will be retained and protected both during and post-construction. It is located sufficiently far from the construction footprint that no direct or indirect effects upon it are expected. The Ecological Appraisal also details the recommendation for an update badger survey prior to commencement of works, in order to detect any new setts that may be created.
Dormouse	Precautionary measures for dormice during construction should be detailed within a CEMP, and habitat improvements/management plan detailed within a LEMP. The Hazel Dormouse is a European Protected Species afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended). The applicant is advised that a European Protected Species (EPS) dormice Mitigation Licence will need to be obtained for the lawful construction of this development.	The Ecological Appraisal notes that a CEMP and LEMP will be produced and implemented to cover all mitigation, enhancement and management. The Ecological Appraisal notes that an EPS licence is likely to be required for Dormouse and will be obtained as necessary. However, as the removal of hedgerow is very limited and significant areas of optimal dormouse habitat will be created and managed, the overall effect on Dormouse is expected to be positive.
Breeding birds	The ecology report's recommended mitigation for breeding birds consists of the avoidance of vegetation clearance during nesting season. No further mitigation is suggested, such as specific nest boxes (e.g., for starling), appropriate hedgerow management or the provision of open spaces (on- or off-site). The site is neighboured by a large, approved development to the north, resulting in significant cumulative pressure on	Given the site does not appear to be of any elevated interest for breeding birds, it is considered that the frequently accepted approach of 3 survey visits during the peak breeding season (April to June) was an appropriate level of survey effort to determine which bird species may be breeding at the site. Mitigation and enhancement for birds is recommended within the Ecological Appraisal including avoiding clearance during the nesting bird season as noted. It also recommends enhancements (Paragraph 6.2.10) including the

	open farmland habitats that are critical for ground-nesting species such as skylark. The current development must provide a clearly defined mitigation strategy; it may be appropriate to include suitable habitat provision for species such as skylark.	provision of bird boxes incorporated within the buildings of the proposed development and the provision of on-site grassland, woodland and other habitats to provide increased foraging and nesting opportunities for birds, with specific details to be determined once development design details have been approved. Further detail on specific management post-development, including hedgerow and scrub management to provide the ecotones favoured by Yellowhammer and other farmland bird species, will be provided within a LEMP secured via condition. It will not be possible to provide effective on-site mitigation for Skylark due to the species' requirements for long, uninterrupted, sight-lines, specific vegetation heights, and a lack of disturbance from people and pets. However, should it be required (only one singing male was recorded and no confirmed breeding noted, and the site is considered to have a negligible risk of being critical to the maintenance of the local skylark population), there is an established protocol for offsite mitigation using Skylark Plots. However, the proposed development is considered highly unlikely to have a significant impact on the maintenance of the local Skylark population. The species is highly mobile (typically relocating several times throughout the breeding season), no breeding was confirmed on site, and appropriate habitat is ubiquitous in the locality to the south and east.
County Wildlife Site (CWS)	The ecology report identifies that the canal must be protected from pollution and light spill. Appropriate mitigation must be fully detailed within a Construction Environmental Management Plan (CEMP) to be submitted with any subsequent reserved matters application. Further, buffers and dark zones should be	No works are proposed to the Kennet and Avon Canal CWS, either the banks or the watercourse. At the time of submission, the red line included part of the road over the canal as it included the visibility splays required for the road alignment changes at the junction of Coate Road and Windsor Drive.

	sufficiently set out in an Ecological Parameters Plan (as above).	However, these works have now been completed as part of the “Land North of Coate Road” development, for which they were also required. There will be no direct or indirect impacts to the Kennet and Avon Canal CWS from the proposals.
BNG	The redline boundary used for the BNG assessment is different from the redline boundary shown on the location plan (the baseline habitats map in the BNG report shows areas on the boundaries as “excluded” from BNG assessment). The redline application boundary and site boundary used for the BNG assessment must match. The BNG metric, map and condition assessments must be updated as appropriate. Watercourse units have not been calculated, despite the site boundary crossing into the riparian zone of the canal to the northwest. Please could clarification be provided regarding the works proposed to the northwest (if any) and whether any development will encroach the riparian zone? Condition assessment sheet/s for trees.	The redline boundary shown within all plans in the Ecological Appraisal and BNG Assessment are consistent. The areas shown as being excluded from BNG assessment have been included within the BNG calculations for the consented development to the North of Coate Road. The red line boundaries overlap where land is shared between both applications (for example, the visibility splays mentioned above). Including these areas within the BNG assessment for this application as well would result in double counting. As described above, where the red line boundary crosses the Kennet and Avon Canal, this relates to the visibility splay from the junction. The works in this area were completed as part of the Land North of Coate Road application and no works to the road over the canal are required for this application. Consequently, as there are no works within the riparian zone of the canal, watercourses have been excluded from the BNG assessment. It is understood that this area has also been subject to BNG assessment under the North of Coate Road application. The majority of standard trees either fall outside the area being assessed for BNG with respect to this application (having been assessed under separate applications), outside the red line boundary, or are part of “hedgerow with trees” habitat. Individual condition assessments are not considered necessary for those trees. Condition assessment sheets for the remaining few trees not covered by the above appear to have been inadvertently omitted and will be provided during the update of the BNG as more detailed landscaping

	The ecology report states in section 5.5.5 that 30m of hedgerow will be removed. However, the BNG metric appears to estimate a total loss of 10m.	proposals become available. It is understood that all standard trees within the red line boundary are being retained, so there will be no significant effect on the BNG score in the event that the condition appraisal of the trees is disputed (although we anticipate no reason that this should be the case). The BNG Assessment should be considered as the accurate measurement of the hedgerow removal and replacement, the Ecological Appraisal was produced prior to the BNG assessment and included an element of precautionary estimation. Biodiversity Net Gain should not be considered to be a reason to refuse planning permission, particularly for an outline planning application. The application proposals have clearly demonstrated that no irreplaceable habitats would be lost and that it is possible exceed the minimum 10% net gain target on site. Should there be modifications to the layout and landscaping between outline and detailed planning permission, there is clearly sufficient open space to accommodate further enhancements to compensate. Even if it had not been possible to meet all 10% net gain on site, then schemes for the provision of off-site compensation exist. The Government's Planning Practice Guidance on biodiversity net gain, paragraph: 018 Reference ID: 74-018-20240214 states that provided that a biodiversity net gain condition can reasonably be expected to be met then <i>"..it would generally be inappropriate for decision makers, when determining a planning application for a development subject to biodiversity net gain, to refuse an application on the grounds that the biodiversity gain objective will not be met."</i> Therefore, Biodiversity Net Gain should not be considered a reason to refuse planning consent in this instance.
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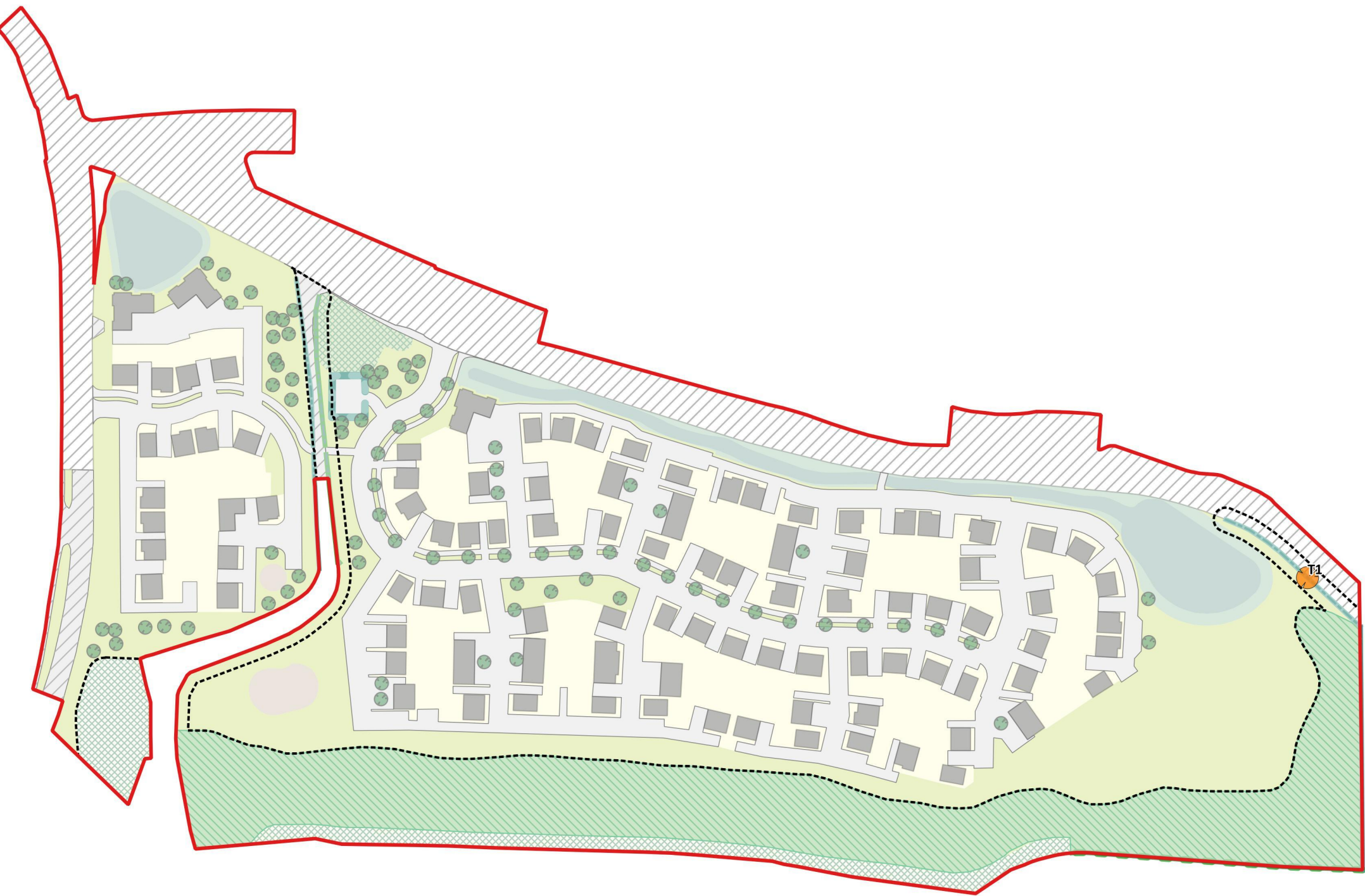
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Legal Guidance

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- Key:
- Site Boundary
 - Dark Buffers
 - Tree with Potential Roosting Features for Individual Bats

aspect ecology
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Land South of Coate Road, Devizes	PROJECT
Ecological Parameters Plan	TITLE
6968/EPP1	DRAWING NO.
A/BG	REV
June 2026	DATE
MM/BG	QC

