

Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Abi Gazzard
Date:	23/07/2026
Application number:	PL/2026/02930
Proposal:	Residential development for up to 40 dwellings, associated works, infrastructure, ancillary facilities, open space and landscaping. Construction of a new vehicular access off Windsor Drive
Site address:	Land off Windsor Drive, Devizes
Case officer:	Adrian Smith

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)
1	Ecological Parameters Plan	Wiltshire CP50; NPPF	23/07/2026 -Provision of an Ecological Parameters Plan (EPP) or similar (see full comments)	
2	Phosphorus neutrality	Habitat Regs	23/07/2026 -Confirmation of wastewater treatment site	
3	Bats	Habitat Regs, Wiltshire CP50; NPPF	23/07/2026 -The results of presence/absence surveys (and/or roost characterisation surveys, as appropriate) of the tree (if it is to be removed), and mitigation -The results of bat activity surveys, or strong justification as to why these are not considered necessary -Demonstration of no direct illumination of bat commuting and foraging features	
4	Badgers	Protection of Badgers Act 1992, Wiltshire CP50; NPPF	23/07/2026 -Survey results and mitigation, as appropriate	
5	Nesting birds	Wildlife and Countryside Act 1981, Wiltshire CP50; NPPF	23/07/2026 -Mitigation plan	

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, Pegasus Group, April 2026
- Site Location Plan, Robert Hitchins, April 2026
- Indicative Masterplan, Robert Hitchins, August 2025
- Tree Survey Report, MHP, November 2024
- Ecological Appraisal, Aspect Ecology, March 2026
- Statutory Biodiversity Metric, Aspect Ecology, February 2026
- Biodiversity Net Gain Assessment, Aspect Ecology, February 2026

The ~2.9 ha site comprises an agricultural field with hedgerows, where it is proposed to construct up to 40 dwellings. The plot is directly south of another site where up to 175 dwellings are proposed (PL/2026/01963).

COMMENTS:

Hampshire River Avon Special Area of Conservation (SAC) Catchment

This development falls within the catchment of the River Avon SAC and has potential to cause significant adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater. 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.

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 (and mitigation) will be required.

However, 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)*”. The applicant has not provided details of which treatment works the wastewater would be discharged to. **Please could the applicant confirm whether the development would be connected to Potterne WRC?** The Potterne wastewater treatment site discharges into Semington Brook, which is indeed outside of the Hampshire River Avon SAC.

Ecological Parameters Plan

An Ecological Parameters Plan (EPP) is typically required for outline applications 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 indicative masterplan addresses many of these matters. However, an EPP must also show buffer distances from light sensitive features, or dark corridors, where lux levels will remain low (<0.5 lux). Please could this be marked on a revised layout plan?

Protected species

Given the large size of the site and the protected species potentially present, a Construction Environmental Management Plan (CEMP) as well as Landscape Ecological Management Plan (LEMP) will be necessary to ensure the appropriate precautions and working methods are adhered to. This should be secured via a condition.

In line with NPPF and with CP50, gains for biodiversity, relevant to local habitats and wildlife populations, should form part of the proposed development. The ecology report's recommendations of bat and bird boxes, habitat piles and refugia, and bee bricks and insect boxes are welcomed. A condition should be added to ensure the provision and implementation of a plan showing ecological enhancements.

Please see my detailed comments on protected fauna below.

Bats – foraging and commuting

The hedgerows bordering the site are linked to good bat habitat (the Kennet and Avon Canal to the north, as well as further connecting hedgerows, woodland and allotments to the south). The ecology report states that the arable field is considered unlikely to support notable foraging activity.

No bat activity surveys have been undertaken. Justification for this has not been provided. Particularly, in the absence of any survey effort, it should be assumed that the linear features and semi-natural habitats are providing good quality commuting and foraging habitat, and as such, wildlife-sensitive lighting will be appropriate. As above, a layout plan/EPP is required to include dark corridors.

Bats – roosting

Bats and their roosts are afforded stringent protection under the Conservation of Habitats and Species Regulations 2017 (as amended) and as such are a material consideration within the planning consultation process. Sufficient and appropriate mitigation measures to ensure that bats are not adversely affected as a result of the proposed development must be submitted as part of the proposal, and shown on development drawings, where bats are present, or likely to be present.

There are no buildings on site. The trees were assessed for their bat roosting potential. One tree – a mature ash – was found to have multiple rot and knot holes that could be suitable for use by roosting bats (individuals and multiples). Whilst the ecology report states that this tree will be retained, the tree report suggests that it will be removed as it is labelled as “*unsuitable for retention*”. Clarification is therefore needed regarding the proposals for the mature ash. If it is to be removed, as per the Bat Conservation Trust's Bat Survey Guidelines, trees categorised as PRF-M (potential to support multiple roosting individuals) should be subject to three emergence surveys.

Therefore, further information should include:

- The results of presence/absence surveys (and/or roost characterisation surveys, as appropriate) of the tree (if it is to be removed), and mitigation

- The results of bat activity surveys, or strong justification as to why these are not considered necessary
- Demonstration of no direct illumination of bat commuting and foraging features

Badgers

A badger survey has been undertaken, with the ecology report stating results are provided in an Appendix. This has not been submitted – please can this be provided? The mitigation plan must consider the presence of the badger sett that falls in the adjacent site boundary (PL/2026/01963).

Dormice

Whilst dormice surveys were not undertaken for the current application, there is a 2012 record of dormice in the eastern boundary hedgerow of Field 2 and, in the absence of more recent surveys, it is assumed that dormice remain present on-site. A small section of scrub (~0.02ha) will be removed, however, all hedgerow will be retained. A woodland area is proposed at the southeast corner of the site that will help to compensate for this habitat loss and degradation for dormice. 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 may need to be obtained for the lawful construction of this development.

Breeding birds

Breeding bird surveys were undertaken in April, May and June 2025, recording a total of 24 species. Five of the observed species – skylark, dunnock, starling, house sparrow and linnet – are listed as a species of principal importance under Section 41 of the Natural Environment and Rural Communities Act 2006 (they are considered a Priority Species) and must be considered within the planning process. These species, and a further four that were recorded, are Red- or Amber-listed birds of conservation concern. 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. Several species were noted to be “probable breeder[s]”, including skylark.

The ecology report’s recommended mitigation for breeding birds consists of the avoidance of vegetation clearance during nesting season. Although the report recommends integrated nest boxes in the new buildings, the specifics of this have not been provided, and no consideration is given for the provision of skylark plot/s off-site. The site is neighboured by a large application to the north (where skylark were also recorded), as well as another large development (approved) at the northern boundary of the former, resulting in significant cumulative pressure on open farmland habitats that are critical for ground-nesting species. The current development must provide a clearly defined mitigation strategy; it would be appropriate to include suitable habitat provision for species such as skylark.

Other species

There are nearby records of otter and water vole. However, the site itself provides limited opportunities for these species. Precautionary measures must be implemented to ensure

that the risk posed to these taxa and the habitats they use remains minimal; such measures should be detailed within a CEMP.

The arable land within the site is of negligible suitability for use by reptiles and amphibians. The field margins, scrub and hedgerow may be of some value, but it is stated that these will largely be retained. Appropriate protective measures (e.g., sensitive site clearance) must be detailed within the CEMP.

The Kennet & Avon Canal, a local wildlife site, is 190m north of the site and is bordered by lowland mixed deciduous woodland Priority Habitat. Measures to reduce the risk of pollution events – and other disturbances – must be detailed within the CEMP.

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 (Statutory Biodiversity Metric, Aspect Ecology, February 2026; Biodiversity Net Gain Assessment, Aspect Ecology, February 2026) estimating the baseline and predicted post-development biodiversity units of the site have been submitted.

NB. It is noted that the condition assessment for the individual trees state that the trees are not mature, which is contrary to that reported in the tree assessment. Further, all trees appear to be categorised as “urban”, whereas some of them – such as the mature ash – are further from areas of hardstanding and arguably in the open countryside landscape. Nonetheless, these matters would not alter the overall baseline units calculated.

The pre-development (baseline) situation is summarised below.

On-site pre-development (baseline) biodiversity value	5.57 Habitat units
	3.75 Hedgerow units
	0.00 Watercourse units
Are there any irreplaceable habitats on-site?	No
Has any habitat degradation 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. It is proposed to achieved BNG on-site largely via the creation of hedgerow, SuDS, trees, scrub, woodland and grassland.

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: 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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