

Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Abi Gazzard
Date:	07/08/2026
Application number:	PL/2026/03055
Proposal:	Permission in Principle for 1 single storey dwelling
Site address:	Land along Potters Hill, Crockerton, Warminster, BA12 8AB
Case officer:	Julie Mitchell

Recommendations:

☒	HRA required – further information needed <i>The application must not be approved until NE have endorsed the conclusion of the AA.</i>
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Further Information Required:

	Issue	Policy/Legislative Compliance	Date information requested & Further information required	Satisfactorily addressed (Document & Date)
a)	River Avon SAC	Habitat Regulations, NPPF, Wiltshire CP50, CP69	07/08/2026 -Revised nutrient budget -Details of PTP -Mitigation	

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.

The site comprises an area of grassland with trees and hedges, connected to a wider field to the north and west, and neighboured by dwellings to the east. This application seeks permission in principle to erect one single-storey dwelling.

COMMENTS:

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 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.

Paragraph 1A of regulation 70 of the Conservation of Habitats and Species Regulations 2017 states that the assessment provisions apply to “*granting permission in principle under section 59A of the TCPA 1990 (Development orders: permission in principle)*”. This makes it clear that the LPA must make an Appropriate Assessment (AA) of the implications of the proposal before any Permission in Principle is authorised. Further information can be found within the Government’s [guidance for applications for permission in principle](#).

A positive conclusion to the Habitats Regulations Assessment requires certainty that the development proposals will not have an adverse effect on the integrity of the European site.

The submitted nutrient budget (Natural England Nutrient Neutrality budget calculator for the River Avon SAC, uploaded 11/05/2026) calculates a total phosphorus budget of 0.66 kg TP/year. However, the following issues must be addressed:

- PTP:
 - The location and PIA certificate of this PTP have not been provided.
 - When considering the feasibility of a PTP, we also need to know whether the PTP will discharge into a watercourse or drainage field, and, if the latter, whether a suitable drainage field can be installed. This is because there can be no built structure on top of a drainage field, and the drainage field must be located a certain distance from the proposed dwelling and any neighbouring dwellings.
 - The PTP itself must also be a set distance away from the dwellings. These requirements are set out in the Building Regulations 2010 'Drainage and waste disposal'. Demonstration that it will be possible to achieve this is needed, and it is advised that the LPA also consults Drainage on this matter.
- Land use:
 - The current land use is entered as "lowland". As per the government's guidance page for nutrient calculators ([Using the nutrient neutrality calculators - GOV.UK](#)), the "lowland" land type comprises "*Agricultural areas on which cattle, sheep and other grazing livestock are farmed. A holding is classified as lowland if 50% or more of its area is classified as a lowland grazing area*". It is unclear whether the site is used for farming livestock. Clarification is required.

Irrespective of the above, the nutrient calculator indicates that mitigation will be required to achieve nutrient neutrality (as there is a surplus currently calculated as 0.66 kg TP/year), alongside the installation of a PTP. It is unclear whether the applicant wishes to use the council-led scheme for phosphorus credits, or if they intend to implement further bespoke mitigation.

Overall, the application does not demonstrate how the impacts of an increase in phosphorus will be mitigated, and, therefore, Appropriate Assessment cannot be finalised with a positive conclusion.

Protected species and habitats

The site and surrounding area may be suitable for use by bats, badgers, nesting birds, amphibians and reptiles.

Core Policy 50 of the Wiltshire Core Strategy requires all development to demonstrate:

- i. No net loss of local biodiversity resource and
- ii. Secure the integrity of local ecological networks

The scope of permission in principle is generally limited to location, land use and amount of development. At the technical details consent stage, evidence to demonstrate that there will be no net loss of local biodiversity resource, and that the integrity of ecological networks will be maintained, must be submitted for review by the LPA's ecology team. Information submitted at that stage should include a preliminary ecological assessment and, ideally, a biodiversity enhancement plan.

Biodiversity Net Gain

The grant of permission in principle is not a grant of planning permission, and so the mandatory biodiversity gain requirement does not apply at this stage. The subsequent technical details consent may be subject to the biodiversity gain condition. Please note that applications subject to the biodiversity gain condition must be accompanied by minimum information set out in [Article 7 of The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#), which includes:

- [the completed metric calculation tool](#) showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including the publication date of the biodiversity metric used to calculate that value;
- a description of any [irreplaceable habitat](#) (as set out in [column 1 of the Schedule to the Biodiversity Gain Requirements \(Irreplaceable Habitat\) Regulations 2024](#)) on the land to which the application relates, that exists on the date of application, (or an earlier date); and
- plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).

Note: this is a summary, please refer to Paragraph: 011 [Biodiversity net gain - GOV.UK](#) for full details.

If the applicant considers that the development would not be subject to the biodiversity gain condition, Schedule 7A of the Town and Country Planning Act 1990 the applicant must provide a statement as part of the planning application setting out the reasons why they believe this is the case. Submission of a completed metric calculation tool may be necessary to evidence the statement.

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 sites. 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.

Please note that conditions to ensure no adverse impacts on European sites cannot be imposed for this type of application (Permission in Principle). Legal advice should be sought.

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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