

Council Planning Consultation Response

ECOLOGY

Officer name:	Patrick Olshansky
Date:	19/08/2026
Application No:	PL/2026/04261
Proposal:	Demolition of existing commercial unit and construction of 4no. 2 bedroom houses and associated works
Site Address:	51 Haynes Road, Westbury, BA13 3HD
Case Officer:	Steven Sims

Recommendations:

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

Thank you for your consultation on the above application. I have reviewed the submitted documents against OS maps, aerial photographs 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:

- Design, Access and Heritage Statement (Atelier 17 Ltd, uploaded 8 July 2026)

COMMENTS:

Habitats Regulation Assessment (HRA)

Salisbury Plain SPA - 6400m Buffer

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. 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.

In January 2026 Natural England (NE) confirmed that the strategic AA for Salisbury Plain SPA continues to be supported by NE until end of December 2026.

GHS 4km Core Roost Buffer

Based on site photos and aerial imagery there appear to be no entry points suitable for any Annex II species and the site has poor habitat connectivity for commuting bats. Therefore, it is unlikely to support any roosting, commuting or foraging Annex II species. A test of likely significance has been carried out by the relevant

Competent Authority (Wiltshire Council) as required by Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). This concluded that given the scale and nature of the development combined with the separation there is no mechanism for adverse effect. The HRA has concluded that the application is not likely to have significant impacts on the SAC and subsequently the application is screened out of Appropriate Assessment

Grey Hatched Zone: Grey Hatched Zone

The application site is located within the 'grey hatched' recreational zone of the Trowbridge & Westbury Bat Mitigation Strategy (TWBMS) and therefore has potential to result in significant adverse impact on the special features of the Bath & Bradford on Avon Bats Special Area of Conservation (SAC). 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.

In order to conclude the AA favorably, new residential development proposals for 49 dwellings or less within the grey hatched medium recreational risk zone will be expected to provide a financial contribution of £925 per dwelling towards the council's strategic recreational pressure mitigation scheme. This is to be secured via section 106 agreement (s106), a section 111 (s111) agreement or unilateral undertaking (UU) (legal fees will apply).

The cost of mitigation via the Council's strategic Trowbridge and Westbury Bat Mitigation Strategy (Grey hatched recreation pressure zone) would be £3,700 (£925 per dwelling). The mitigation is required prior to the commencement of development and must be secured by planning obligations.

The total financial contribution to mitigate the burden would be £ £3,700 plus legal fees.

Developer contributions 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.

Compliance with CP50 (no net loss etc)

Core Policy 50 of the Wiltshire Core Strategy requires all development to demonstrate no net loss of biodiversity and to seek opportunities to enhance biodiversity. The NPPF also encourages applications to deliver measurable net gains. Enhancements will be secured by condition.

Protected Species

Bats

There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species 2017 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the applicant is advised to follow the advice of a professional ecologist or to contact Natural England's Batline through the internet.

Birds

All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive

areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.

Biodiversity Net Gain (BNG)

From 12 February 2024 Biodiversity Net Gain (BNG) became mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Based on the information available the biodiversity gain planning condition is not considered to apply to this application as the development meets the following criteria and is therefore below the de minimis threshold, meaning the development:

- does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

Note to case officer: you should be satisfied that the proposals meet the above criteria and act accordingly. Further information will be required from the applicant prior to determination in the event the application is considered to be subject to mandatory biodiversity net gain.

CONDITIONS:

Prior to the commencement of any works, including vegetation removal and demolition, details of the number, design and locations of ecological enhancement features including bat boxes and bird boxes shall be submitted to the Local Authority for approval. The approved details shall be implemented for the lifetime of the development and before completion of the final works.

REASON: To provide mitigation /enhancement for biodiversity.

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

Ecologist	Date
Patrick Olshansky	19/08/2026