

Council Planning Consultation Response

ECOLOGY

Officer name:	Patrick Olshansky
Date:	21/08/2026
Application No:	PL/2026/03424
Proposal:	Application for the erection of a pool/gym and pool on the area occupied by a tennis court.
Site Address:	Middlehill House, Middlehill, Box, Corsham, SN13 8QS
Case Officer:	Gemma Thorp

Recommendations:

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

Further Information Required:

	Issue	Policy/Legislative Compliance	Date information requested & Further information required	Satisfactorily addressed (Document & Date submitted)
	Confirmation of no additional habitat clearance in the blue line for construction or operational phase access.	CP50, NPPF, BNG	Statement from applicant/agent.	No
	Inbuilt internal lighting mitigation design details to support assessment of impacts. See comments in red below.	CHSR	Details of inbuilt internal lighting design, fitting, fixtures and controls as recommended in applicants submitted Design and Access Statement. Any additional design measures to mitigate internal light spill in line with ILP GN08/23 (Bats and artificial lighting at night).	No

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 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:

- Ecological Impact Assessment (Windrush Ecology, June 2026).
- Proposed Elevations and Floor Plan 26017.108A
- Design & Access and Planning Statement (Context Planning, May 2026)

COMMENTS:

Habitats Regulation Assessment (HRA)

~~The application site is located within a consultation zone for bats associated with the Bath & Bradford on Avon Bats Special Area of Conservation (SAC). 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, 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.~~

Non-Statutory Sites (LWS)

There is an ancient woodland approximately 350m to the west, long established woodland approximately 50m to the south and a county wildlife site (watercourse) 300m to the south. These habitats are unlikely to be directly impacted by the development due to their spatial separation, but are all connected to the site by a woodland and hedgerow network in the local area of Middlehill.

Protected Species and Compliance with CP50 (no net loss etc)

Habitat loss: The Ecological Impact Assessment (Windrush Ecology, June 2026) concludes that onsite biodiversity impacts will be negligible due to limited suitable habitat. **However, it remains unclear whether any vegetation clearance will be required to facilitate construction or operational access, and confirmation of this is required.**

Lighting: The report confirms that no external lighting is proposed, and a condition will be applied to control any future lighting. However, the EclA does not assess internal light spill, despite the building incorporating multiple glazed doors and rooflights. While internal lighting is unlikely to affect designated sites, it may influence local wildlife and the adjacent woodland, which forms part of a connected local habitat network. This potential effect must be assessed.

The Design & Access and Planning Statement (Context Planning, May 2026) states that internal lighting will be:

- Designed to minimise spill (recessed, downward directed luminaires)
- Low lux specification (warm 2700K lamps, low output)
- Dimmable or zoned to maintain minimal illuminance

These inbuilt design measures must be formally confirmed prior to determination to enable informed HRA screening and demonstrate compliance with Core Policy 50 and the NPPF, both of which require protection of ecological networks.

Even with these measures, the extent of fenestration, particularly the rooflights, creates potential for light spill onto adjacent woodland. Depending on the findings of the required screening, **the applicant should demonstrate how the proposed design sufficiently limits spill or provide additional mitigation to ensure the local habitat network is not adversely affected.**

The applicant has indicated willingness to accept a condition restricting the building's use to recreational purposes, which would limit the frequency and duration of internal lighting. Such a condition should be attached to the decision.

All lighting installed onsite must comply with Environmental Zone standards in ILP GN01:2021 and GN08/23 (Bats and artificial lighting at night).

Enhancements: The Ecological Impact Assessment states that a bat box will be installed within the blueline on a suitable tree. Details of physical ecological enhancements will be secured through condition.

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.

It remains unclear whether any vegetation clearance will be required to facilitate construction or operational access. Further information is required to confirm this.

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

DRAFT CONDITIONS:

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

- Ecological Impact Assessment (Windrush Ecology, June 2026).
- Proposed Elevations and Floor Plan 26017.108A
- Design & Access and Planning Statement (Context Planning, May 2026)

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

Prior to the commencement of any works, including vegetation removal and demolition, details of the number, design and locations of ecological enhancement features including (delete as necessary) bat boxes, bird boxes, reptile features and hedgehog hibernacula 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.

No external light fixture or fitting will be installed within the application site unless details of existing and proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.

The plans will be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals (ILP) Guidance Notes on the Avoidance of Obtrusive Light (GN 01/2021) and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

REASON: To avoid illumination of habitat used by wildlife.

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

Ecologist	Date