

The initial ecology holding objection (08/05/2026) was due to the requirement for further information. This is because 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, and at that time, we were lacking information on protected wildlife including bats and badgers, and the protected site (River Avon SAC). Since that consultation response, the applicant has provided further information in June which effectively resolved many of the outstanding issues, as summarised below:

Further Information Required:

	Issue	Policy/Legislative Compliance	Date information requested & Further information required	Resolved?
1	Ecological Parameters Plan	Wiltshire CP50; NPPF	08/05/2026 Provision of an Ecological Parameters Plan (EPP)	PARTIALLY -An EPP is not strictly required (though is requested for outline applications as standard) but it would be valuable in addressing some of the wider comments relating to, e.g., lighting, and the protection of the badger sett.
2	Phosphorus neutrality	Habitat Regs	08/05/2026 Completed nutrient calculator and mitigation	YES -The applicant's ecologist has confirmed that wastewater will be treated at Potterne WRC, which discharges into a watercourse outside of the SAC. Therefore, the application is screened out of Appropriate Assessment. -No further HRA implications.
3	Bats	Habitat Regs, Wiltshire CP50; NPPF	08/05/2026 -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	PARTIALLY -The emergence survey results were provided, and roosting bats are not likely to be impacted, addressing the first point. -Neither the historical nor current bat activity survey results have been provided. In response, I requested either update survey information OR a lighting plan/general plan showing dark corridors (<0.5 lux), which once provided could be secured via a compliance condition.
4	Badgers	Protection of Badgers Act 1992, Wiltshire CP50; NPPF	08/05/2026 -Survey results and mitigation, as appropriate	PARTIALLY -The badger survey results have now been provided. A badger sett, with four entrances, was identified in the southwest of the site. The sett falls within 20m of the proposed development footprint.

				-It is not made clear whether a licence will be required, as the level of disturbance around the setts is undetermined. This should be addressed in full at the reserved matters stage, should the appeal be allowed. -As above, the avoidance of artificial lighting around this area would ideally be shown on a plan.
5	Nesting birds	Wildlife and Countryside Act 1981, Wiltshire CP50; NPPF	08/05/2026 -Mitigation plan	YES -The applicant's ecologist has agreed that further mitigation and enhancement details would be detailed within a LEMP, which can be secured via a condition.
6	BNG	Environment Act 2021, Town and Country Planning Order 2015, CP50	08/05/2026 -Updated metric and map to include all habitats within redline boundary -Condition assessment sheet/s for trees -Clarification of exclusion of watercourse units -Hedgerow units to be confirmed	PARTIALLY -The redline boundary crosses into a riparian zone, but this remains unaccounted for in the BNG metric.

The issues that remain outstanding today are the original request for an EPP, lack of information relating to foraging/commuting bats, and the baseline BNG calculation. I have addressed each of these below.

Foraging/commuting bats

Activity surveys have not been undertaken since 2012. Given the scale of the proposals, up-to-date data would be expected. This was a reasonable request, because as per CIEEM's (Chartered Institute of Ecology and Environmental Management) [Advice Note](#), if data were collected over 3 years ago, the results are not likely to still be valid. It is worth noting that the 2012 surveys uploaded with the wider application for 14/00309/OUT were undertaken in October 2012, and Lesser Horseshoe were recorded. It is not clear whether further surveys were undertaken – the full historical survey data used by the applicant's ecologist would be helpful.

As per their response in June, the applicant's ecologist's stance is that the habitats on-site remain unchanged, and update surveys are therefore not required.

Whilst we understand their view, in place of survey data (and considering the site's habitats), we would like to have seen a lighting plan/general plan showing dark corridors, with lux levels of said corridors (e.g., labelled as <0.5 lux), so that this could be secured via condition (this would

usually form part of an EPP and does not need to comprise a full lux plot/lighting scheme, as that can be secured via a separate condition). Ideally, such a plan should be provided upfront prior to determination, so that it can be secured at outline, which would ensure that any change in the scheme at reserved matters would not alter the retention of dark corridors.

We would like the appellant to provide a simple plan showing the retention of dark corridors along the features that are likely to be of importance to bat flight paths. Failing that, it may be possible to apply a condition that secures dark corridors, subject to agreement with the Case Officer. A plan showing the retention of dark areas would also address the point about badger sett/s, as noted in the table above.

EPP

The request for an EPP can essentially be satisfied via conditions securing (i) compliance with the indicative masterplan (which shows areas of woodland planting) and post-development BNG map, (ii) ecological enhancements, (iii) LEMP, and (iii) the retention of dark areas.

BNG

The lack of condition assessment sheets and disagreement around the baseline calculation (regarding the watercourse units) would not hold enough weight to be grounds for refusal. Condition assessments, whilst essential vital for assessing baseline conditions and habitat units, do not form part of the minimum information that should be provided as part of the application, as set out in Article 7 of The Town and Country Planning (Development Management Procedure) (England) Order 2015. The issue surrounding watercourse units can either be addressed via altering the redline boundary to exclude the area close to the watercourse, or by calculating the watercourse units. BNG is largely a post-determination matter, and it is likely that the Inspector will agree that the BNG issue can be addressed at a later point (either REM or DoC).

SUMMARY

There are no ecology objections to this proposal *in principle*. The concerns above could be addressed through a plan showing the retention of dark areas and the amendment of BNG details, which can hopefully be addressed during the appeal, via condition, or, with regard to the BNG, post-determination. The missing information would not fundamentally affect the site's capacity to accommodate up to 175 dwellings. The conditions noted at the end of this document would be needed.

Additionally, it should be noted that the proposed BNG is considered 'significant' due to:

- (i) the scale and nature of the application (major);
- (ii) units required (23.1 units, as calculated currently, requiring a net increase of 2.1 units), and
- (iii) the BNG proposed (including medium distinctiveness habitats of woodland and hedgerow).

In order for the council to fulfil its BNG monitoring responsibilities, a Biodiversity Net Gain On-site 30 year Monitoring Fee must be secured. The BNG monitoring fee for major applications is £12,000 to cover the 30-year monitoring period, plus legal fees. This contribution could be secured at the REM stage. A Habitat Management and Monitoring Plan (HMMP) will be required.

CONDITIONS:

Compliance with submitted plans

At Reserved Matters, the design and layout of the site will be in accordance with the Indicative Masterplan (Robert Hitchins, September 2025, Revision K), Plan 6968/BNG2 Post-Development Habitat Mapping (page 19 of Biodiversity Net Gain Assessment, Aspect Ecology, February 2026) and **plan showing dark corridors, once received**. These documents set out the areas of the site that will be retained, protected and enhanced. It will not be altered at Reserved Matters without detailed justification based on additional habitat and wildlife species surveys.

REASON: To protect the ecologically sensitive features of the site.

Construction Environmental Management Plan (CEMP)

Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

- i) Identification of ecological protection areas/buffer zones (including the Kennet & Avon Canal Country Wildlife Site) and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.
- ii) Working method statements for protected/priority species, including nesting birds, bats, badgers, dormice and herpetofauna.
- iii) Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.
- iv) Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).

Development shall be carried out in strict accordance with the approved CEMP.

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

Landscape and Ecology Management Plan (LEMP)

Prior to the start of construction, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature (including nesting birds, bats, badgers, dormice and herpetofauna) within the development, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets. The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

Habitat Management and Monitoring Plan (HMMP)

No development shall commence on site until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the statutory Biodiversity Gain Plan and including:

- i. a non-technical summary;
- ii. the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- iii. the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the statutory Biodiversity Gain Plan and schedule for implementation;
- iv. the management measures to maintain habitat in accordance with the statutory Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- v. the monitoring methodology and specification of a Monitoring Pack (to include but not exclusively up to date Management Actions Logs, Habitat Condition Assessment Reports, metric calculation; and corresponding post intervention Habitat Map) which shall be submitted to the Local Planning Authority in years 2 (two) 5 (five) 10 (ten) 15 (fifteen) 20 (twenty) and 30 (thirty) of the Maintenance Period,

has been submitted to, and approved in writing by, the local planning authority. The created and/or enhanced habitat shall be managed and maintained in accordance with the statutory HMMP at all times thereafter.

REASON: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

Ecological enhancements

Prior to the commencement of any works, including vegetation removal and demolition, details of the number, design and locations of ecological enhancement features including invertebrate bricks, bat boxes, bird boxes, habitat piles and refugia, 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.

Lighting

Prior to commencement of development, a lighting plan that includes a Lux Plot and identification of dark corridors to be retained along boundary and hedgerow features, shall be submitted to the LPA for approval. The plan will demonstrate that bat habitat (trees, scrub and hedgerows) on the perimeter and within the site will remain below 0.5 lux. All lighting provided on site shall be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2021), and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

REASON: In the interests of the amenities of the area and to minimize impacts on biodiversity caused by light spillage to areas above and outside the development site.