

Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Jenna Buss
Date:	24/09/2026
Application number:	PL/2026/04692
Proposal:	Variation of Condition 2, 3, 16, 18 and 19 and remove condition 14 (Approved Plans) on PL/2024/04928 - to replace the approved two storey dwellings with three single storey bungalows and update those conditions directly affected by the revised plans
Site address:	Mistle Bourne, The Avenue, Porton, Salisbury, SP4 0NT
Case officer:	Hayley Clark

Recommendations:

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

Further Information Required:

	Issue	Policy/Legislative Compliance	Date Information Requested & Further Information Required	Satisfactorily Addressed (Document & Date)
1.	Protected Species	WCA 1981, Hab. Regs.	Updated ecological assessment of the baseline habitats including photographs	
2	BNG	Environment Act	Update the baseline assessment and resubmit the metric where required	

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.

I have reviewed the application and supporting documents against OS Maps and aerial photography of the site and surrounding area, together with GIS layers of statutory and non-statutory sites and existing records of protected species.

The following submitted documentation was reviewed to inform this response:

- Preliminary Ecological Appraisal. July 2026. Pro Vision
- Proposed Landscape Plan. July 2026/ Birch Architects
- Decision notice PL/2024/04928. Wiltshire Council

Protected Species/Habitats

An Ecological Assessment (Ecological Assessment. September 2024. Pro Vision) was submitted in support of the original application and included bat surveys of the existing building. No evidence of bats emerging from the building was recorded during the surveys; however, bats were observed foraging and commuting through the site. The ground-level tree assessment identified a number of potential roost features within the mature trees on site. As these trees were proposed to be retained, no further surveys were undertaken.

Additional surveys were undertaken during the 2026 bat active season. These surveys did not identify any evidence of bats emerging from the existing property. Updated ground-level tree assessments were also completed, identifying suitable potential roost features within the beech tree located in the south-eastern corner of the site. The proposed variations continue to retain the mature beech trees, which is welcomed. Should the retention of these trees no longer form part of the proposals, further consultation with the Ecology Team is recommended.

The site was assessed as having potential to support reptiles, with sensitive clearance measures set out in Sections 5.8 to 5.10 of the September 2024 Ecological Assessment. These measures remain pertinent.

A number of on-site biodiversity enhancement measures are detailed within Sections 5.11 to 5.13 of the September 2024 Ecological Assessment. These measures are welcomed in support of Core Policy 50 and remain relevant to the proposed variation of condition.

No evidence of additional protected species was identified during the update surveys. It is noted that a further site visit was undertaken in June 2026; however, the submitted documentation does not include a statement confirming that the habitats and ecological features present on site remain comparable to those recorded during the original survey period, nor does it confirm that no significant ecological changes have occurred in the intervening period. Whilst it may be inferred that site conditions remain broadly unchanged, the information provided is insufficient to verify this.

Furthermore, several of the photographs included within the updated report appear similar to those presented in the Ecological Assessment (September 2024). The report does not clarify whether these photographs have been reused or newly obtained during the 2026 site visit, nor does it provide commentary on the current condition of habitats and ecological features relative to those previously recorded. Additional information should therefore be provided to confirm that site conditions have not changed materially since the original surveys were undertaken and that the ecological baseline remains representative of the current condition of the site.

This will also be required to establish the current BNG baseline as explained below.

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 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.

The development proposal is to create residential accommodation on site. A phosphorus budget has been completed for the proposal. The phosphorous nutrient calculation submitted in support

of the application calculated a total phosphorus budget of 0.23kg TP/year. The budget has been approved by Wiltshire Council.

Condition 9 of the decision notice remains valid. This variation of condition includes the creation of 3 additional overnight dwelling units as previously approved and therefore the calculation remains valid and condition 9 will be required to be discharged prior to commencement.

As mitigation was not secured at determination and the applicant will not be securing council credits at this variation of condition stage, the planning obligation included with the permission will still be required to be implemented.

Consequently, there remains a risk that adequate mitigation may not be available, which could prevent the development from lawfully commencing.

As council credits are not confirmed, a bespoke AA must be prepared and sent to NE, this Variation of Condition **application must not be determined until NE have endorsed the updated AA.**

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 remains valid.

A completed statutory metric calculation (Statutory Metric. May 2024.Alex Hannam) confirming the pre- and predicted post- intervention biodiversity value of the site was submitted for application PL/2024/04928.

The biodiversity metric baseline is based on habitat survey information collected in 2024. The submitted documentation does not provide confirmation that habitats and condition assessments remain representative of the site at the time of determination. Given the elapsed period since the original survey work was undertaken, further justification should be provided to demonstrate that the baseline remains valid, or updated habitat survey information and metric calculations should be submitted.

Once the baseline has been established. The Biodiversity Gain Plan condition will require the submission of a Biodiversity Gain Plan demonstrating how the biodiversity objective (10% biodiversity net gain) will be met. The development can only legally commence once the Biodiversity Gain Plan condition has been discharged.

The Biodiversity Gain Plan must be accompanied by a completed Biodiversity Metric with the following issues addressed:

- the submitted information does not currently demonstrate that the Biodiversity Gain Hierarchy has been followed. The Biodiversity Gain Hierarchy must be followed in hierarchical order for an application to achieve 10% net gain.

It is noted that a number of metric errors currently occur within the submitted metric and that the net gain for area habitats and hedgerows has not been achieved. However, we note that the applicant is seeking to purchase off site biodiversity units.

All land located outside the redline application boundary of the development site is considered off-site (refer to information here Make off-site biodiversity gains as a developer - GOV.UK (www.gov.uk)).

All off-site biodiversity gains sites must be registered on the national biodiversity gains site register. Guidance on how to register a biodiversity gains site including a list of items required to apply can be found here - Register a biodiversity gain site - GOV.UK (www.gov.uk). In order for the Biodiversity Gain Plan condition to be discharged all off-site gains must be shown on the Biodiversity Gain Plan as allocated to this development on the national biodiversity gains site register.

The DM officer should confirm if the applicant would prefer to complete a legal agreement prior to determination (via 106 planning obligation) or at a later date in accordance with Government guidance

Salisbury Plain Special Protection Area (SPA) 6.4km 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 July 2024 Natural England (NE) confirmed that the 2024 strategic AA for Salisbury Plain SPA continues to be supported by NE.

Summary:

In summary insufficient information has been submitted to enable the ecology team to make an informed assessment of the current ecological baseline of the site and whether significant ecological changes have occurred since the previous surveys were undertaken. Additional information to support the updated surveys is required prior to ecology supporting the variation of conditions proposed.

INFORMATIVES:

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 (Amendment) (EU Exit) Regulations 2019 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.

Lighting

The habitat within the proposed development site and the surrounding area is suitable for roosting, foraging and commuting bats. An increase in artificial lux levels can deter bats which could result in roost abandonment and/or the severance of key foraging areas. This will likely result in a significant negative impact upon the health of bat populations across the region. Artificial light at night can have a substantial adverse effect on biodiversity. Any new lighting should be for the purposes for safe access and security and 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.

Nesting 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.

Hampshire River Avon

Evidence of compliance to the Wiltshire Council River Avon Special Area of Conservation Mitigation Scheme means the certificate of allocation of credits and confirmation of financial contribution to the scheme.

An alternative mitigation package must be approved by the local planning authority and Natural England with evidence of allocation to the scheme.

Off-site Biodiversity Gain Site

All off-site biodiversity gains sites must be registered on the national biodiversity gains site register. Guidance on how to register a biodiversity gains site including a list of items required to apply can be found here - Register a biodiversity gain site - GOV.UK (www.gov.uk). In order for the Biodiversity Gain Plan condition to be discharged all off-site gains must be shown on the Biodiversity Gain Plan as allocated to this development on the national biodiversity gains site register.

Final sign off – all matters addressed:

Ecologist Jenna Buss	Date
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