



# APPENDIX B



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- Site Boundary
- Residential Area
- Public Open Space
- Ecology Corridors
- Infrastructure
- Ownership Area
- POS in Ownership Area
- Lambrok Stream Ecology Corridor (minimum 30m buffer)
- Attenuation Pond
- Wildlife Wetland Areas
- View Corridors
- Potential Foot/Cycle Links
- Existing Trees to be Retained
- Proposed Public Rights of Way (subject to DMMO)

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Client	Parry	
Project	Land at Church Lane, Trowbridge	
Title	Parameter Plan	
Status	Drawn By	PM/Checked by
Draft	JS/JL	JS
Job Ref	Scale @ A3	Date Created
JPW1108	1:2000	Jan 22
Drawing Number		Rev
JPW1108-003		K

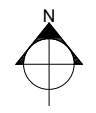
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# APPENDIX C



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- Site Boundary
- Residential Development Area
- Public Open Space
- Attenuation Basin
- Wildlife Wetland Area
- Primary Vehicular Route
- Secondary Vehicular Route
- Landscape Vegetation
- Proposed Public Rights of Way (subject to DMMO)
- Ownership Area
- POS in Ownership Area
- Lambrok Stream Ecology Corridor (minimum 30m buffer)



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Client **Parry**  
 Project **Land at Church Lane, Trowbridge**  
 Title **Concept Masterplan**

Status	Drawn By	PM/Checked by
Draft	JS	JS
Job Ref	Scale @ A3	Date Created
JPW1108	1:2000	March 22
Drawing Number		Rev
JPW1108-004		C

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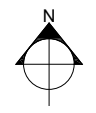


# APPENDIX E



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- On-site Boundary
- Off-site Boundary
- Public Open Space  
(Semi-natural, natural meadow grassland)
- Ecology Corridor, min. 15m buffer  
(Native tree & scrub planting)
- Lambrok Stream Ecology Corridor, min. 30m buffer  
(Floodplain wetland mosaic)
- Attenuation Basin  
(Wetland)
- Pond
- Residential Area
- Infrastructure
- Lambrok Stream
- Existing Trees to be Retained
- Proposed Public Rights of Way  
(subject to DMMO)



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Client **Parry**  
 Project **Land at Church Lane, Trowbridge**  
 Title **Habitat Creation and Management**

Status	Drawn By	PM/Checked by
For Planning	JL	NW
Job Ref	Scale @ A3	Date Created
JPW1108	1:2000	Jan 22
Drawing Number		Rev
JPW1108-005		-

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## Wiltshire Council Planning Consultation Response

### ECOLOGY

<b>Officer name:</b>	Elizabeth Burrows
<b>Date:</b>	19/10/2022. 04/11/2022 (red text)
<b>Application number:</b>	18/10035/OUT
<b>Proposal:</b>	Outline application for residential development (up to 55 dwellings) with the creation of new vehicular access off Frome Road and removal/ demolition of all existing buildings (all matters aside from the formation of the new vehicular access are reserved).
<b>Site address:</b>	Land to the south of Church Lane, Upper Studley, Trowbridge, Wilts
<b>Case officer:</b>	Martin Broderick

#### Recommendations:

<input type="checkbox"/>	No Comment
<input type="checkbox"/>	Support
<input type="checkbox"/>	No objection
<input checked="" type="checkbox"/>	Condition (no objection subject to conditions)
<input type="checkbox"/>	Objection - further information required
<input type="checkbox"/>	Objection in principle
<input checked="" type="checkbox"/>	HRA required

The local authority has completed an Appropriate Assessment (AA) (refer to HRA section within these comments) that has been concluded favourably. The AA has been sent to NE (04/11/2022). NE have 21 days to respond, the application must not be determined until NE have endorsed this AA.

#### Further Information Required:

	Issue	Policy/Legislative Compliance	Date information requested & Further information required	Satisfactorily addressed (Document & Date)
1	HRA Mitigation and BNG	CP50, TBMS, NPPF	Submission of the Habitat Creation and Management Plan Drawing JPW1108-005. (RPS Group, Jan 2022) currently embedded in the Habitat Creation and Management Plan as a separate standalone plan. (18/10/2022)	Yes 19/10/2022
2	HRA Mitigation BNG	CP50, TBMS, NPPF	Contribution for deficit in hedgerow units needs to be agreed with the applicant unless an alternative scheme is brought forward. (18/10/2022)	Yes Email from Darren Parker RPS Group dated 04/11/2022 confirms contribution is acceptable.

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**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.**

Following on from comments from Ecology (LK 20/10/2020, 21/01/2022 and 22/03/2022) please find final comments below. The documents listed below have been reviewed:

- Land at Church Lane, Trowbridge, Ecology Preliminary Ecological Appraisal. (RPS Group, November 2017).
- Land at Church Lane, Trowbridge, Bat Activity Survey. (RPS Group, July 2018).
- Land at Church Lane, Trowbridge, Bat Activity Survey. (RPS Group, August 2020).
- Upper Studley, Trowbridge Habitat Creation and Management Plan. (RPS Group, May 2022)
- Biodiversity Metric 3.0 Auditing and accounting for biodiversity calculation tool (6). (RPS Group, October 2022).
- Concept Masterplan. Drawing: JPW1108-004. (RPS Group, March 2022).
- Parameter Plan. Drawing: JPW1108-003. (RPS Group, March 2022).
- Habitat Creation and Management Plan. Drawing JPW1108-005. (RPS Group, Jan 2022).

## **Baseline**

It is reported that the Site predominantly consisted of poor semi improved and improved grassland with hedgerows, trees, scrub and the Lambrok stream. Habitats were found to suitable for ground nesting birds and the hedgerows, trees and scrub were also of value for nesting by common farmland and garden species. Lambrok stream in this location is reported to provide sub-optimal habitat for otter and some suitable habitat for water vole. Given these species are known to be present locally it should be assumed that they are also present here. Survey carried out in 2017 confirmed a low population of slow-worm and grass snake present.

## **Layout**

A masterplan 'Coordinated Strategy Masterplan – H2.4/ H2.5/ H2.6 allocation' prepared by Greenhalgh (21/04/2021) has been prepared. The plan details a strategy that seeks to ensure compliance with the TBMS specifically the location of ecology corridors required to accommodate zones A and B. The current site layout demonstrates compliance with the Coordinated Strategy Masterplan and incorporates habitat buffers along 'core area' as required in the TBMS.

The Concept Masterplan Drawing: JPW1108-004 (RPS Group, March 2022), Parameter Plan Drawing: JPW1108-003 (RPS Group, March 2022) and Habitat Creation and Management Plan Drawing JPW1108-005 (RPS Group, Jan 2022) appear to comply with each other. The Site measures approximately 5.04 hectares is allocated in the WHSAP as H2.4 Land at Church Lane to provide approximately 45 dwellings. This outline application exceeds this dwelling allowance. To ensure biodiversity mitigation agreed at outline can be delivered the developed area must not be increased above what is shown on these plans at reserved matters.

The Habitat Creation and Management Plan Drawing JPW1108-005 (RPS Group, Jan 2022) is the only drawing the adequately details the habitats and features required to achieve an appropriate level of mitigation including the predicted biodiversity units and compliance with the TBMS. **To provide clarity at reserves matters and within the S106 the Habitat Creation and Management Plan Drawing JPW1108-005. (RPS Group, Jan 2022), which is currently embedded in the Habitat Creation and Management Plan, must be submitted as a separate drawing and secured by condition. Now submitted.**

## **Habitat Regulations Assessment**

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## Bath and Bradford on Avon Bats SAC - Appropriate Assessment (AA)

This development is screened into appropriate assessment in relation to the Bath and Bradford on Avon Bats SAC. Following the TBMS guidance it lies within the zones of medium risk for both loss / damage to bat habitat and causing increased recreational pressure at woodlands used by Bechsteins' bats for breeding.

Background information for the appropriate assessment is contained in the TBMS which was adopted as SPD in February 2020. No other European site is screened into the assessment.

The SAC's qualifying Features are as follows:

1. Bechstein's bat *Myotis bechsteinii*
2. Greater horseshoe bat *Rhinolophus ferrumequinum*
3. Lesser horseshoe bat *Rhinolophus hipposideros*

The [conservation objectives](#) for the site are: "To ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of the habitats of qualifying species;
- The structure and function of the habitats of qualifying species;
- The supporting processes on which the habitats of qualifying species rely
- The populations of qualifying species; and
- The distribution of qualifying species within the site."

Publication Date: 27<sup>th</sup> November 2018 – version 3. This document updates and replaces an earlier version dated 30 June 2014 to reflect the consolidation of the Habitats Regulations 2017.

[Supplementary advice](#) was published by Natural England last updated on 20 March 2019 and sets out further details of the requirements needed to achieve the conservation objectives. Of particular relevance to the Trowbridge area is the need to "Maintain the presence, structure and quality of any linear landscape features which function as flightlines. These should remain unlit functioning as dark corridors." In the [Site Improvement Plan](#) dated 1 April 2015, the lack of knowledge about the roosting habits of Bechstein's and the foraging / commuting habitats of all three SAC species is judged by Natural England to be a threat to achieving the conservation objectives of the SAC.

The application site lies on the southern side of the Trowbridge settlement boundary adjacent to Lambrok Stream. The TBMS was adopted as SPD in February 2020. No further information has since come to light to indicate compliance with TBMS cannot be relied onto for the purposes of concluding an appropriate assessment for a WHSAP allocation at Trowbridge favourably.

### Compliance against TBMS criteria

	<b>TBMS criteria</b>	<b>Details provided for Application</b>
1	Surveys completed: <ul style="list-style-type: none"> <li>• In accordance with Council pre-application advice if provided</li> <li>• In accordance with BCT Good Practice Guidelines</li> <li>• Could mating sites have been overlooked? (survey</li> </ul>	Refer to comments from WC ecologist Dated 20/10/20 which find the surveys to be broadly compliant with the TBMS. <i>Roosts</i> 3 trees have been identified as currently having potential to support bat roosts, T5, T6 and T8 (trees numbers shown in Bat Activity survey 2020). Other mature trees have potential in the future to support



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	<p>April and October for male roosts)</p>	<p>roosts. All therefore have potential for Bechstein's roosts now and in the future.</p> <p><i>Foraging and commuting</i></p> <p>Transects and statics demonstrate that most if not all of the site will be used by SAC bats to some level. Low numbers of bats were recorded in the centre of the field except for greater horseshoe which were foraging to a significant extent in April 2020.</p> <p>The Lambrok stream is used consistently by bats throughout the year and is likely to be a commuting route for horseshoes and potentially Bechstein's.</p> <p>Vegetation along the east and north boundaries, including hedgerows, bramble scrub and hedgerow trees, is used for foraging by all three SAC species but particularly <i>Myotis</i> sp, including potentially Bechstein's.</p>
2	<p>Masterplan to be provided which covers entire allocation (referenced in WHSAP housing policies) and identifies:</p> <ul style="list-style-type: none"> <li>• Core Bat Habitat features</li> <li>• That sufficient land can be set aside to achieve 100% mitigation for loss of habitat due to development footprint</li> <li>• That retained core bat habitat connects to the wider habitat network</li> <li>• The maximum quantum of residential units for the whole allocation</li> </ul>	<p>A masterplan 'Coordinated Strategy Masterplan – H2.4/ H2.5/ H2.6 allocation' prepared by Greenhalgh (21/04/2021) has been prepared. The plan details a strategy that seeks to ensure compliance with the TBMS specifically the location of ecology corridors required to accommodate zones A and B.</p> <p>The current site layout demonstrates compliance with the Coordinated Strategy Masterplan and incorporates habitat buffers along 'core area' as required in the TBMS. Importantly the Lambrok Stream Ecology Corridor is afforded a 30m buffer and the western and northern boundaries are afforded a Ecology Corridor measuring a minimum of 15m.</p>
3	<p>For outline applications, Parameters Plan (para 142) to address:</p> <ul style="list-style-type: none"> <li>• Specific site design measures/restrictions to deliver the Site Masterplan</li> <li>• Areas to remain undeveloped</li> <li>• Areas to form landscaping</li> </ul>	<p>The following plans have now been submitted and show a proportion of ecological mitigation:</p> <ul style="list-style-type: none"> <li>• The Concept Masterplan Drawing: JPW1108-004 (RPS Group, March 2022)</li> <li>• Parameter Plan Drawing: JPW1108-003 (RPS Group, March 2022).</li> </ul> <p>These plans do not detail, to a satisfactory level, all the measurements and enhancements required (including but not exclusively buffer widths and features to achieve no net loss in biodiversity) to demonstrate compliance with the TBMS.</p> <p>The Habitat Creation and Management Plan Drawing JPW1108-005 (RPS Group, Jan 2022) which is currently embedded in the Habitat Creation and Management Plan does detail mitigation to a satisfactory level. <b><u>As recommended by these comments this plan must be submitted as a separate drawing and secured as an approved plan by condition and S106 to demonstrate compliance</u></b></p>

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		<b>with the TBMS can be achieved. Now submitted.</b>
4	<p>Biodiversity Net Gain Calculations demonstrate 100 % mitigation has been provided for all habitat lost where the yellow zone and the application boundary overlap.</p>	<p>The recently submitted BNG calculation (RPS Group, October 2022) predicts a net gain in habitat units of 1.13 and a short fall in hedgerow units of -1.01. The current site layout is therefore unable to achieve no net loss in biodiversity and therefore not compliant with CP50 or the TBMS. If the developer is unable to mitigate this shortfall in hedgerow units the deficit must be made up through contributions to a council led scheme.</p> <p><b><u>The contribution needs to be agreed with the developer.</u></b></p> <p>The contribution for the council to make up the deficit in hedgerow units, based on the TBMS funding (planting, fencing (at CS rates), contractor + maintenance for 10 years) is £3,237.20 (Email from Darren Parker RPS Group dated 04/11/2022).</p> <p><b><u>S106 required to fix the rate to be paid.</u></b></p>
5	<p>For reserved matters and full applications, an Ecological Mitigation (para 143 TBMS):</p> <p>(i) Scaled drawing(s) to show</p> <ul style="list-style-type: none"> <li>• Details of replacement roosts.</li> <li>• Commuting routes and foraging habitat to be retained, created and enhanced.</li> <li>• Location/extent and full landscape specifications for tree and shrub planting, wildflower grassland etc.</li> <li>• Location of temporary work areas</li> </ul> <p>(ii) Schedule of works covering removal, enhancement and creation of habitat features in relation to construction works.</p> <p>(iii) Detailed and scaled cross sections to accurately locate development and ecological mitigation features e.g. hedgerows, SuDs etc</p>	<p>Not required for the current application. The following conditions will be needed for a favourable AA outcome:</p> <p>A <u>detailed landscape planting plan</u> based on the Habitat Creation and Management Plan Drawing JPW1108-005 (RPS Group, Jan 2022).</p> <p>A detailed <u>Construction Environment Management Plan</u> (CEMP) containing details of temporary works, protective fencing etc;</p> <p>A detailed <u>Landscape and Ecology Management Plan</u> (LEMP) providing details of how habitats created will be managed for the duration of the development;</p> <p>A <u>phasing plan</u> demonstrating the timing of habitat creation works in relation to construction works in order to demonstrate that mitigation will follow quickly behind vegetation stripping for development.</p>
6	Application to demonstrate core bat habitat is adequately buffered and enhanced.	Yes refer to criterion 3.
7	Application to demonstrate	Yes, refer to criterion 2.

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	retained core bat habitat connects to the wider habitat network.	
8	Application to demonstrate core bat habitat will remain relatively undisturbed by the effects of urbanisation.	LEMP to demonstrate the Ecology Corridor, Lambrok Stream Ecology Corridor and Public Open Space off-site and adjacent to the Lambrok Stream Ecology Corridor will remain as informal open space and function as bat commuting and foraging habitat.
9	The potential impacts of lighting are adequately modelled and assessed with appropriate mitigation included to minimise the effects of artificial lighting across the site.	A lighting assessment, modelling and monitoring regime will be required by condition.
10	An appropriate lighting monitoring regime has been provided.	This will be covered by the lighting condition.
11	Appropriate mechanisms for maintenance, monitoring and mitigation have been submitted covering relevant phases of development including the post construction period.	Not required for the current application. This will be covered by CEMP and LEMP to be conditioned.
12	A financial contribution towards the Council led scheme for mitigating residual in-combination effects from loss / degradation of bat habitat will be secured by S106.	<b><u>Criterion will be met if a contribution of £777.62 per dwelling is secured through S106. Include in Heads of Terms for S106</u></b>
13	Is it likely that the CIL funded, Council led scheme, to offset residual effects from recreational pressure at woodlands used by breeding bats will be able to cover impacts arising from the application under consideration?	This development is covered by the costs identified in Appendix 2 of the TBMS. The Council will contribute £641.48 per dwelling from CIL towards delivery of projects in Appendix 2. <b><u>Include in Heads of Terms for S106</u></b>

The above table demonstrates that the local authority has carried out the AA which has reached with a favourable conclusion.

## **Biodiversity net gain**

The recently submitted BNG calculation (RPS Group, October 2022) predicts a net gain in habitat units of 1.13 and a short fall in hedgerow units of -1.01. The current site layout is therefore unable to achieve no net loss in biodiversity and therefore not compliant with CP50 or the TBMS. If the developer is unable to mitigate this shortfall in hedgerow units the deficit must be made up through contributions to a council led scheme.

**The Contribution required for the loss of 1.01 hedgerow units, payable to the council prior to construction, must be agreed with the applicant. This must be secured under a S106.**

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In response to previous comments from WC ecologists, relating to the feasibility of creating Floodplain Wetland Mosaic along the Lambrok Stream, a Habitat Creation and Management Plan. (RPS Group, May 2022) has now been submitted. Delivery of such a potentially valuable habitat is welcomed and whilst the Habitat Creation and Management Plan outlines how it could be achieved it is extremely ambitious and its successful delivery will require great investment and technical expertise.

It is also notable that the enhancement of off-site habitat along the Lambrok Stream Ecology Corridor to provide 1.25 hectares of Floodplain Wetland Mosaic of 'fairly good' condition and neutral grassland also of 'fairly good' is critical to achieve no net loss in habitat units. If either is delivered at a lower condition the scheme will result in net loss which is contrary to CP50 and the TBMS. Provision of all off-site mitigation as described in the Upper Studley, Trowbridge Habitat Creation and Management Plan (RPS Group, May 2022) and shown on the embedded Habitat Creation and Management Plan Drawing JPW1108-005 must be secured via S106. **The S106 must specifically secure provision of 1.25 hectares of Floodplain Wetland Mosaic of 'fairly good' condition as required by the BNG calculation, described in the afore mentioned Habitat Creation and Management Plan and shown on the Habitat Creation and Management Plan Drawing JPW1108-005. (RPS Group, Jan 2022). Now submitted.**

**Onsite mitigation can be secured by a condition requesting a LEMP to be provided in accordance with the Habitat Creation and Management Plan, BNG calculations and impact assessment.**

## **S106 Requirements:**

1. £777.62 per dwelling (index linked) before development commences to offset residual / in-combination losses
2. Contribution of ££3,237.20 (index linked) before development commences to account for loss of 1.01 hedgerow units which the planning permission will not be able to deliver on site.
3. Off-site Biodiversity Provision of Floodplain wetland mosaic (1.25 hectares) fairly good condition as described in the Upper Studley, Trowbridge Habitat Creation and Management Plan (RPS Group, May 2022) and as shown on the Habitat Creation and Management Plan Drawing JPW1108-005 (RPS Group, Jan 2022). The timing of habitat creation works in relation to the Ecology Corridor, Lambrok Stream Ecology Corridor and Public Open Space off-site and adjacent to the Lambrok Stream Ecology Corridor will be completed in advance of or alongside vegetation stripping.
4. Where a Management Company is being required through the S106 agreement to manage open space across an application site and a LEMP has either been submitted or will be submitted by condition, the S106 should make clear that the Management Company is obliged to manage open space in accordance with the LEMP as approved by the LPA.

## **Conditions:**

The following, or similarly worded, conditions are recommended:

## **Compliance with submitted documents**

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

- Parameter Plan. Drawing: JPW1108-003. (RPS Group, March 2022).
- Upper Studley, Trowbridge Habitat Creation and Management Plan (RPS Group, May 2022).
- Habitat Creation and Management Plan Drawing JPW1108-005 (RPS Group, Jan 2022).

## **REASON:**

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

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## **Construction Environment 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:

- a. Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.
- b. Working method statements for protected/priority species, such as nesting birds, reptiles, bats, otter, water vole, badger and dormice.
- c. Reptile mitigation strategy in accordance with Section 4 of the submitted Reptile Survey Report prepared by RPS (January, 2018).
- d. 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.
- e. Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).
- f. Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence.

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 Ecological 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 detail long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development as described in the Upper Studley, Trowbridge Habitat Creation and Management Plan (RPS Group, May 2022) and required by the BNG assessment including, but not exclusively: Wildlife ponds and wetland for SUDS, Floodplain Wetland Mosaic (wet grassland, scrapes, reedbed), Native tree and scrub planting, Semi-natural neutral meadow grassland and retained hedge, scrub and trees.

The LEMP will include:

- A phasing plan demonstrating the timing of habitat creation works in relation to the Ecology Corridor, Lambrok Stream Ecology Corridor and Public Open Space off-site and adjacent to the Lambrok Stream Ecology Corridor will be completed in advance of or alongside vegetation stripping.
- A plan specifying the location and type of 10 integral bird nesting features (including for swift) and 10 bat roosting features to be provided.
- A mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets.
- Details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured.

The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

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**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.

**Detailed landscape planting plan**

Prior to the start of construction, a Detailed Landscape Planting Plan shall be submitted to and approved in writing by the Local Planning Authority. It will be based on the agreed Habitat Creation and Management Plan Drawing JPW1108-005 (RPS Group, Jan 2022).

**REASON:**

To ensure the provision of landscape and ecological features, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

**Lighting**

No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The plans will be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2011, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2011), and Guidance note GN08-18 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

Where light spill has the potential to impact bat habitat, a lighting impact assessment must be submitted with the reserved matter application(s) to demonstrate the requirements of section 8.3 of the Trowbridge Bat Mitigation Strategy February 2020 are met.

The approved lighting shall be installed and maintained in accordance with the approved details and no additional external lighting shall be installed.

This condition will be discharged when a post-development lighting survey conducted in accordance with section 8.3.4 of the Trowbridge Bat Mitigation Strategy has been submitted to the Local Planning Authority demonstrating compliance with the approved lighting plans, having implemented and retested any necessary remedial measures.

**REASON:**

In the interests of the amenities of the area, to minimise unnecessary light spillage above and outside the development site and to ensure lighting meets the requirements of the Trowbridge Bat Mitigation Strategy.

**Final sign off – all matters addressed:**

Ecologist Elizabeth Burrows	Date 19/10/2022
--------------------------------	--------------------

# APPENDIX G

**From:** Broderick, Martin <martin.broderick@wiltshire.gov.uk>  
**Sent:** 09 December 2022 13:00  
**To:** Developmentmanagement <Developmentmanagement@wiltshire.gov.uk>  
**Subject:** FW: Appropriate Assessment 18/10035/OUT

Please publish this email thread on the public planning portal.

**From:** Conroy, Kyle  
**Sent:** 09 December 2022 11:59  
**To:** Burrows, Elizabeth <[elizabeth.burrows@wiltshire.gov.uk](mailto:elizabeth.burrows@wiltshire.gov.uk)>  
**Cc:** Broderick, Martin <[martin.broderick@wiltshire.gov.uk](mailto:martin.broderick@wiltshire.gov.uk)>  
**Subject:** RE: Appropriate Assessment 18/10035/OUT

Lizzie,

Thank you for providing clarification on the hedgerow contribution and for consulting Natural England on the AA for the aforementioned application. Please accept our apologies for the delay in responding, due to resourcing issues and high workloads.

## **No objection**

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has undertaken an Appropriate Assessment of the proposal, in accordance with Regulation 63 of the Regulations. Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of the site in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England is satisfied that the measures comply with the TBMS and thus we have no objection to the proposals, providing that all mitigation measures are appropriately secured in any permission given.

Should you require further information please do not hesitate to contact me.

Regards

Kyle Conroy

Lead Advisor – Wiltshire  
Wessex Team  
Natural England  
Horizon House, Deanery Road, Bristol, BS1 5AH

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**From:** Burrows, Elizabeth <[elizabeth.burrows@wiltshire.gov.uk](mailto:elizabeth.burrows@wiltshire.gov.uk)>  
**Sent:** 09 December 2022 11:21

# APPENDIX G

**To:** Conroy, Kyle <[REDACTED]>  
**Subject:** RE: Appropriate Assessment 18/10035/OUT

Thank you for getting back to me. Yes there is a typo. The hedgerow contribution is £3,237.20 and has been worked out by Sam Davies our TBMS project officer using the following information.

0.1km (100m) will provide 1.02 hedgerow units.

The cost based on the TBMS funding (planting, fencing (at CS rates), contractor + maintenance for 10 years) is £3,237.20.

The amount is correctly stated in Item 4 of the TBMS compliance table which is part of the AA.

I hope this addresses your comment however please don't hesitate to contact me if you would like further information.

Kind regards,

Lizzie

**From:** Conroy, Kyle  
**Sent:** 09 December 2022 09:34  
**To:** Burrows, Elizabeth <[elizabeth.burrows@wiltshire.gov.uk](mailto:elizabeth.burrows@wiltshire.gov.uk)>  
**Subject:** RE: Appropriate Assessment 18/10035/OUT

Morning Lizzie,

We have been reviewing the AA and I just had a query before providing our formal response.

I would like to query with you the financial contribution for the loss of hedgerow. For our information could you please confirm whether the sum is current and how it has been calculated? Also, there appears to be a typo in the AA text (two £ symbols). I just want to be sure that the correct financial contribution value is included in the AA. I have attached the AA and a screenshot of the text in question for reference.

Kind regards,  
Kyle Conroy

Lead Advisor – Wiltshire  
Wessex Team  
Natural England  
Horizon House, Deanery Road, Bristol, BS1 5AH

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# APPENDIX H

## 18/10035/OUT – Upper Studley HEADS OF TERMS (for up to 55 Dwellings)

SUBJECT	REQUEST	AMOUNT	AGREED
Housing	On site delivery of 30% Affordable Housing	17 Units	
Public Open Space	Upgrade of Lambrok Recreation Field and Studley Green Community Centre changing rooms, storage and utilities, and/or sports/playing pitch provision within the vicinity of the land.	£12,980	
	TBC @ REM stage on the basis of 34.93m <sup>2</sup> public open space and 1.77m <sup>2</sup> equipped play per dwelling.	N/A	
Ecology	To address in-combination and residual effects of additional housing on bat habitats through new woodland and hedgerow planting.	£42,769.10	
	Off-site contribution to compensate for the loss of 1.01 hedgerow units on site	£3,237.20	
Waste & Recycling	Provision of waste and recycling containers	£5,005	
Education	Early years provision	£122,654	
	Primary school provision	£300,128	
	Secondary school provision	£252,340	
Public Art	Public art scheme to be delivered on site @ £300 per dwelling	£16,500	
Highways	Pedestrian and cycle improvements	£7,377	
	Church Lane works – ped/cycle enhancements	£10,000	
	Bus stop improvement – Whiterow Park	£12,571	
	Transport strategy works to facilitate improved pedestrian and cycle access to Church Lane, with enhancements to Frome Road to improve the pedestrian environment and generate increased levels of driver awareness.	£6,000	
	Transport strategy works to facilitate improved pedestrian and cycle access to Church Lane, with enhancements to Frome Road to improve the pedestrian environment and generate increased levels of driver awareness.	£5,000	
<b>TOTAL SUM OF MONEY</b>		<b>£796,560.30</b>	

NB. Agreement is to the contributions specified in column two as the amounts may change dependent on the scheme approved at Reserved Matters stage.

Signed:



Dated:

10<sup>th</sup> February 2023

on behalf of the applicant

Print:

Darren Parker  
RPS.