

Mr Roger Smith
Ashley Design
(Sent via email)

Development Services
Wiltshire Council
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23 February 2026

Dear Sir

TOWN AND COUNTY PLANNING ACT 1990 (as amended)
APPROVAL OF DETAILS RESERVED BY CONDITION

Application No:	PL/2025/08783
Proposal:	Discharge of conditions 3 (Arboricultural), 4 (Biodiversity) and 8 (Storm Drainage) relating to PL/2021/03253 - Erection of two detached dwellings, garages and associated works
Site Address:	Land to the south of Lion and Fiddle, Trowbridge Road, Hilperton, Trowbridge, BA14 7QQ
On Behalf Of:	Mrs Joy Singer ELBURY, LEIGH ROAD, BRADFORD ON AVON, BA15 2RD

I refer to your application for the discharge of conditions attached to the above planning permission. After careful consideration, the following decision has been made:

Condition(s) submitted for consideration:

Condition 3:

No site clearance or development shall commence on site until an Arboricultural Method Statement (AMS) prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees has been submitted to, and approved in writing by, the Local Planning Authority.

All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following:

- A specification for protective fencing to trees during both site clearance and construction phases which complies with BS5837:2013 and a plan indicating the alignment of the protective fencing;
- A specification for scaffolding and ground protection within tree protection zones in accordance with British Standard 5837:2013;
- A schedule of tree works conforming to British Standard 3998:2010;
- Details of general arboricultural matters such as the area for storage of materials and concrete mixing
- Plans and particulars showing the siting of the service and piping infrastructure;

- A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works;
- Method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification;
- Details of the porous surface for the no-dig driveway
- Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and
- Details of all other activities, which have implications for trees on or adjacent to the site.

REASON: In order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990.

Details Submitted for Approval: Arboricultural Method Statement dated October 2025 by WH Landscape Consultancy Ltd

Decision: The details submitted in relation to this condition are approved.

Reason for Decision: The Tree Officer is satisfied that the information provided in the Arboricultural Method Statement which includes a tree protection plan is sufficient to discharge the condition.

Condition 4:

No site clearance or development shall commence on site until a Biodiversity Mitigation and Enhancement Plan (BMEP) has been submitted to and approved in writing by the Local Planning Authority.

The BMEP shall cover the off-site area of (1) flower-rich grassland to be created and, (2) the existing woodland copse. It shall include a marked-up plan showing the area, and cover long-term objectives and targets, management responsibilities, and maintenance schedules for each of the ecological features, together with a mechanism for monitoring the success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets.

The BMEP shall also include details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured. The BMEP 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 lifetime of the scheme.

Details Submitted for Approval: Biodiversity Mitigation and Enhancement Plan dated October 2025 by Johns Associates Limited

Decision: The details submitted in relation to this condition are approved.

Reason for Decision: The submitted Biodiversity Mitigation and Enhancement Plan detail the ecology constraints of the site including a post development plan and provides management objectives for years 1 to 5 and longer-term management objectives (years 5-20). The monitoring strategy includes details of a long-term monitoring methodology and aims. Details of remediation measures are also provided. It is therefore considered sufficient information has been provided to discharge the above condition.

Condition 8:

No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access and driveway for the dwellings), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority.

The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

Details Submitted for Approval: Storm Water Drainage Strategy dated October 2025, Block Plan – Services scale 1:500 drg no. 2745-01 rev D

Decision: The details submitted in relation to this condition are approved.

Reason for Decision: The applicant advises the access and driveways within the site are to be surfaced with gravel and constructed as permeable areas not requiring storm drains while rainwater is to be drained from the dwellings via soakaway (details to be dealt with by building regulations). The drainage strategy and submitted service plan are considered acceptable and contain sufficient information to discharge the planning condition for this 2-house scheme in an area not within flood zones 2 or 3 or subject to high levels of surface water flooding.

Please note that in accordance with national planning guidance, discharge of condition applications are procedural in nature and do not require public consultation. While third-party representations may occasionally be received, they are not formally invited and do not form part of the statutory decision-making process. The assessment of this application has been based solely on whether the submitted details satisfy the requirements of the relevant planning condition(s).

This letter acts as official confirmation and therefore I suggest that you attach it to the decision notice as evidence that you have complied with the requirements of the relevant condition(s).

Yours faithfully
Head of Development Management

NOTES:

1. **Approved Conditions:**

If the condition(s) have been discharged, you may proceed with the development in accordance with the approved details. Please ensure that the approved documents or plans are implemented on-site and adhered to as part of the development. It is important to comply with all conditions of the planning permission to ensure the development remains lawful.

2. **Refused Conditions:**

If the discharge of the condition(s) has been refused, you may submit revised details or further information to address the issues raised as part of a further discharge of the condition's application. Please ensure that any resubmission adequately addresses the reasons for refusal. Alternatively, you can appeal the Council's decision (see below for details).

3. **Partially Discharged Conditions:**

If the condition(s) have been partially discharged, the remaining details that are required must be submitted for further consideration. You should provide the necessary documents in accordance with any timeframe or trigger specified in the condition to allow for the full discharge of the condition(s).

Right of Appeal:

If you are aggrieved by the decision to refuse to discharge a condition or if the condition has only been partially discharged, you have the right to **appeal** the decision to the **Planning Inspectorate**.

The appeal must be made within **6 months** from the date of this decision notice. If the appeal is submitted after this 6 month period, the Planning Inspectorate will only consider it if there are exceptional circumstances.

The procedure for making an appeal is set out under **Section 78 of the Town and Country Planning Act 1990** (as amended), along with the relevant provisions in the **Planning and Compulsory Purchase Act 2004**. For detailed guidance on how to submit your appeal, please visit the Planning Inspectorate's website:

<https://www.gov.uk/appeal-planning-decision>

Please be aware that the appeal process will focus on whether the submitted details meet the requirements set out in the original planning condition(s) and relevant planning policies.