

16 April 2026

Dear Sir/Madam

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

Application No:	PL/2026/00717
Proposal:	Discharge of conditions 4 (Enhancement Plan) & 5 (CEMP) relating to application PL/2025/02151.
Site Address:	Barton Hill, Bath Road, Marlborough, SN8 1NN
On Behalf Of:	Marlborough College Bath Road, Marlborough, United Kingdom, SN81PA

I refer to your application for the discharge of condition(s) attached to the above planning permission dated 12 February 2026. After careful consideration, the following decision has been made:

Condition(s) submitted for consideration:

Condition 4:

Prior to the commencement of any works, including vegetation removal, an enhancement plan including details of new tree and shrub species to be planted (including but not limited to enhancements to the retained hedge) shall be submitted to the local authority for approval. The approved details shall be implemented before occupation of the final works.

REASON: To provide mitigation /enhancement for biodiversity.

Details Submitted for Approval: Hedge Enhancement Plan – MC/BHM/HEP/01 (Dated: 23rd January 2026).

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

Reason for Decision:

Ecology advise that the evidence provided is sufficient to discharge the Ecological Enhancement condition.

Informative Note:

A hedge enhancement plan has been submitted. Supporting evidence indicates that these hedge works are separate from the proposed Biodiversity Net Gain (BNG) measures, which comprise creation of a new hedgerow, an area of neutral grassland and urban trees.

In the event the BNG proposals require amendment, and the northern hedgerow is subsequently brought into the BNG calculations, this may necessitate a review of both the metric and the associated plans in order to discharge the statutory Biodiversity Gain Plan condition (imposed by para. 13 of Schedule 7A of the Town and Country Planning Act.).

Condition 5:

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 and reptiles.*
- c) Mitigation strategies already agreed with the local planning authority prior to determination, such as for great crested newts, dormice or bats; this should comprise the pre-construction/construction related elements of strategies only.*
- 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 shall be present on site.*

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.

Details Submitted for Approval: Construction Management Statement (Author: Marlborough College, Received by the LPA on 2nd February 2026).

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

Reason for Decision:

WC Ecology offer no objection to the approval of the submitted Construction Management Statement.

The development must be implemented in accordance with the approved details.

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.