

Development Services
Wiltshire Council
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www.wiltshire.gov.uk

23 June 2026

Dear Sir,

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

Application No:	PL/2026/02452
Proposal:	Discharge of condition 4 (Bat & Bird Boxes) of PL/2025/06076 - Erection of an agricultural fertiliser storage tank
Site Address:	Land east of Summer Lane, Upper Combe Farm, Upper Castle Combe, Chippenham
On Behalf Of:	Mr Lee Rushe

I refer to your application for the discharge of condition attached to the above planning permission dated 28 April 2026. After careful consideration, the following decision has been made:

Condition submitted for consideration:

Condition 4 of the above planning permission requires the following:

Prior to the removal of any vegetation required in association with the construction phase of the development hereby permitted, details of the number, design and locations of bat roosts and nesting opportunities for birds (e.g. bat and bird boxes) shall be submitted to the local authority for approval. The approved details shall be implemented before the first use of the development permitted.

REASON: To provide mitigation / enhancement for biodiversity.

Details submitted for approval:

- Biodiversity Net Gain Metric received 15.04.26
- Proposed Habitats Plan received 15.04.26
- Biodiversity Unit Purchase Certificate received 15.04.26
- Biodiversity Gain Plan received 15.04.26
- Covering Letter including Bat and Bird Box Details received 15.04.26
- Biodiversity Net Gain Report received 15.04.26
- Title Plan received 11.06.26

Assessment and decision:

Upon initial inspection, Wiltshire Council Ecologists expressed concerns regarding the location of the chosen tree for the erection of the bat and bird boxes. Initially, the plans alluded that the chosen tree was not located within the approved red-line location site when the scheme was permitted under PL/2025/06076. The submission of a Title Plan has confirmed the extent of the land ownership/lease and demonstrates that the identified tree is indeed located within the area leased to the Applicant, however it is acknowledged that this is officially outside of the approved red line application site. However, a pragmatic approach has been taken, given the localised red line to the application site and the tree not originally included within the identified application site.

The chosen tree is mature and located within the hedgerow that is in very close proximity to the west of the application site, and the details provided confirm that both the bat and bird boxes will be erected at a height of 3m on the nominated tree. One Schwegler 1B close-fronted nest box with a 32mm opening is proposed for birds, to be fixed facing between the north and east. Additionally, one Schwegler 1FF bat box is proposed, facing either south, SW or SE.

The submitted details are sufficient to confirm the acceptability of the chosen tree for the installation of the boxes, as well as the types of chosen bat and bird boxes. Whilst the tree is outside of the approved red line, it is considered to be a suitable tree that remains in close proximity to the application site, and would therefore comply with the initial requirements of condition 4, with no further submission necessary. However, please note that condition 04 may only be regarded as being discharged once the development has been carried out in accordance with the details agreed..

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.