

APPLICATION FOR FULL-PLANNING PERMISSION CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/02920
APPLICATION TYPE:	Full planning permission
SITE ADDRESS:	Land south of the B4040, Minety , SN16 9DX
DEVELOPMENT DESCRIPTION:	Revision of grid connection cable route approved under PL/2024/0503 to run through Land South of The B4040 for the approved Milou battery energy storage system (Planning Reference PL/2022/00664 / appeal reference APP/Y3940/W/23/3319392)
RECOMMENDATION:	Approve with Conditions

SITE DESCRIPTION/CONTEXT

The application site lies in the open countryside and the area is generally characterised in agriculture use with small number of farm buildings in the area. Public Rights of Way (PRoW) CHAR13 runs north-south through the path of the development area.

PROPOSAL

The application seeks planning permission for a revised section of the approved grid connection route serving the consented Milou Battery Energy Storage System (BESS). The proposal comprises the installation of five underground electrical cable ducts extending approximately 690 metres from the north-western boundary of the BESS site across agricultural land to the B4040, where the route would connect with the approved Part 1 grid connection route leading to Minety Substation. The cables would be installed primarily within an excavated trench, with horizontal directional drilling used to pass beneath the B4040 and adjacent vegetation. The revised route would replace the previously approved highway-based route and provides a shorter and more direct connection than the extant permission.

PLANNING HISTORY

Proposal / Summary
20/03528/FUL - Full planning permission Decision - Approve with Conditions Date: 7/4/2022 – Installation of a renewable led energy scheme comprising ground mounted photovoltaic solar arrays and battery-based electricity storage containers together with transformer stations; access; internal access track; landscaping; security fencing; security measures; access gate; and ancillary infrastructure.
PL/2022/00664 Proposed Development is for a battery storage facility. The use of the site would change from agricultural to energy infrastructure. 20 February 2024 Appeal Allowed
PL/2023/03501 - Removal/variation of conditions Decision - Approve with Conditions Date: 9/4/2024 – Variation of condition 3, 4, 5, 6, 7, 11 & 20 of 20/03528/FUL -To allow modifications to the approved layout, increase from 12 battery units with 16 localised inverters to 22 battery units and 19 containerised inverters, alterations to location of vehicular access,

PL/2024/03276 - Full planning permission Decision - Approve with Conditions Date: 21/1/2025 – Proposed development of a grid connection cable route for the approved Milou battery energy storage system
PL/2024/05031 - Full planning permission Decision - Approve with Conditions Date: 3/10/2024 – Proposed grid connection cable route on land along B4040 and Pond Lane for the approved Milou Battery Energy Storage System (Planning Reference PL/2022/00664 / Appeal Reference APP/Y3940/W/23/3319392)
PL/2024/05563 - Removal/variation of conditions Decision - Approve with Conditions Date: 14/10/2024 – Variation of condition 21 of PL/2023/03501 to amend this condition to remove the requirement to fit noise reduction kits to all inverters and to simply require compliance with the mitigation measures set out in the Noise Assessment.
PL/2024/07438 - Removal/variation of conditions Decision - Approve with Conditions Date: 5/12/2024 – Variation of Condition 3 ‘Approved Plans’, Condition 6 ‘Transport’, Condition 7 ‘Visibility Splays’, Condition 16 Tree Protection Measures’ and Condition 17 ‘Landscape Masterplan’ of planning permission PL/2023/03501
PL/2025/02033 - Lawful development: Existing use Decision - Approve Date: 14/5/2025 – Commencement of Development (installation of western access) Pursuant to Planning Permission PL/2024/07438
PL/2025/09912 - Removal/variation of conditions – Variation of Conditions 3, 4, 5, 6, 7, 9, 12, 16, 17, 21 and 22 of Planning Permission PL/2024/07438 - (To vary the wording of these conditions)

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Statutory Legislation:

National Planning Policy:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- National Design Guide
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Development Plan:

The development plan for Wiltshire comprises the *Wiltshire Core Strategy (WCS)* (adopted January 2015) and any made neighbourhood plans, which remains the principal statutory planning document guiding development across the county. In line with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.

Though the development plan is considered as a whole, those parts deemed to be particularly relevant to this application are listed below:

The adopted *Wiltshire Core Strategy (WCS)*, with particular regard to:

- Core Policy 2 Delivery Strategy;
- Core Policy 13 Spatial Strategy Malmesbury Community Area
- Core Policy 42 Standalone Renewable Energy Installations
- Core Policy 50 Biodiversity and Geodiversity;
- Core Policy 51 Landscape

- Core Policy 52 Green Infrastructure
- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 58 Ensuring the Conservation of the Historic Environment;
- Core Policy 62 Development Impacts on the Transport Network;
- Core Policy 67 Flood Risk;
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Emerging Draft Wiltshire Local Plan Policies

At Full Council on 19 May 2026, the elected members of Wiltshire Council agreed to withdraw the emerging Wiltshire Local Plan. It will now be subject to a legal process to finalise its withdrawal - which is likely to happen in July or August (2026). The said Plan has no material weight for the purposes of the application.

North Wiltshire Local Plan 2011 (Saved Policies)

- Policy NE12 Woodland (saved North Wiltshire Local Plan policy);
- Policy NE14 Trees and the control of new development (saved North Wiltshire Local Plan policy);
- Policy NE18 Noise and pollution (saved North Wiltshire Local Plan policy).

Supplementary Planning Document

Wiltshire Climate Strategy (adopted February 2022),

ISSUES

The main issues that need to be addressed in this case include:

- Whether the development is acceptable in principle (CP 1 and 2)
- Whether the scheme constitutes high quality design (CP 57)
- Whether the scheme would have an acceptable impact upon the reasonable living conditions of the adjoining occupants (CP 57)
- Whether the scheme would preserve or enhance the historic environment (CP 58)
- Whether the scheme would have an acceptable landscape impact (CP 51)
- Whether the proposal would have a negative effect upon highway safety, including if there is sufficient parking for the proposed development (CP 61 and 64)
- Whether the site can be adequately drained without increasing flood risk elsewhere (CP 67)
- Whether there would be any harmful impacts upon protected species or priority habitats (CP 50)
- Are there any other planning issues raised by the development?
- What planning obligations are required to make the development acceptable in planning terms?

CONSULTATION RESPONSES

WC Highways: No objection subject to conditions

Highway Officer recommends a Construction Management Statement to secure traffic management, construction vehicle routing and highway protection measures. The applicant will also be required to obtain the necessary highway licences and any relevant land drainage consents.

WC Rights of Way: No comment received

WC Archaeology: No objection subject to conditions

No objection in principle; however, further information is required in the form of a geophysical survey to enable a fully informed assessment of the archaeological potential of the site. The survey should cover all land within the applicant's control and be undertaken by a suitably qualified contractor in accordance with ClfA standards. The Archaeologist recommends that any planning permission be subject to a condition requiring a written scheme of archaeological investigation and the completion of archaeological works prior to the commencement of development. The survey will form the first stage of archaeological mitigation, with the potential for further investigation, analysis and reporting depending on the results.

WC Landscape: No comments received

WC Ecology: No comments received

Parish/Town Council: No objection

REPRESENTATIONS

In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), the application was publicised by way of:

- Neighbour notification letters sent to adjoining and nearby properties;
- A site notice displayed near the site;
- An advertisement placed in the local press on the 4/06/2026

These methods were used to inform interested parties and provide a period of 21 days for comments to be submitted.

No public representation were received in response to this application.

Environmental Impact Assessment (EIA)

Under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), the local planning authority has a duty to consider whether a planning application constitutes EIA development. This responsibility arises irrespective of whether an applicant has submitted a formal request for a Screening Opinion.

The proposed development has been considered in the context of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). The development does not fall within Schedule 1 of the Regulations. BESS and associated

infrastructure are not referenced specifically within Schedule 2 table however they are typically considered to fall under category 3(a) as an installation for the production of electricity. The proposal has been assessed against the relevant Schedule 2 criteria, and when having regard to its nature, scale and location, it is not considered likely to give rise to significant environmental effects such that an Environmental Impact Assessment. Accordingly, the proposal is not considered to constitute EIA development and the submission of an Environmental Statement is not necessary.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans. Consideration has also been given to the policies of the National Planning Policy Framework (NPPF) as a material consideration in the assessment.

Principle of Development

Policy Context

Core Policy 1: Settlement Strategy of the WCS establishes a hierarchy of settlements to guide where development should be focused. The policy prioritises growth in:

- Principal Settlements (e.g., Salisbury, Chippenham, Trowbridge) – main focus for strategic growth.
- Market Towns – support local services and employment; suitable for sustainable development.
- Local Service Centres – smaller towns and villages with a range of services; limited development supported.
- Large and Small Villages – development should be limited and respond to local needs.
- Outside the defined settlements – development is strictly controlled and generally not supported unless exceptional circumstances apply.

Core Policy 2: Delivery Strategy of the WCS sets out how development will be distributed and delivered across Wiltshire. The policy emphasises:

- Sustainable patterns of growth, reducing the need to travel and supporting local services.
- Development should be plan-led, aligning with the settlement strategy and supported by infrastructure.
- Windfall development (not allocated in plans) must still comply with the principles of sustainable development.
- Development outside settlement boundaries is generally not permitted, unless it meets specific policy exceptions (as set out in paragraph 4.25 of the WCS).

Together, CP1 and CP2 ensure that new development is strategically located, sustainable, and supports the character and function of Wiltshire's communities.

Core Policy 42 (Standalone Renewable Energy Installations) supports proposals for standalone renewable energy developments where they contribute to renewable energy generation and climate change objectives, provided any impacts on the landscape, biodiversity, heritage assets, highway network, residential amenity and other environmental interests can be satisfactorily addressed.

Assessment

The proposed development comprises a revised section of the approved grid connection route required to connect the consented Milou Battery Energy Storage System (BESS) to the National Grid Minety Substation. The proposal forms an essential part of the infrastructure necessary for the operation of the approved BESS facility. The revised route would comprise approximately 690 metres of underground cabling across agricultural land, replacing the previously approved 1,373 metre route within the B4040 and Pond Lane highway corridor.

The proposal is not conventional built development but infrastructure associated with an existing consented energy scheme. Given the operational requirement to connect the approved BESS facility to the Minety Substation, the development is necessarily located within the countryside. The principle of a grid connection has already been established through planning permissions PL/2024/03276 and PL/2024/05031, with the current proposal simply providing a more direct alternative route.

Core Policy 42 supports renewable energy infrastructure where impacts on environmental and amenity interests can be satisfactorily addressed. The proposed cable route is essential to the operation of the approved BESS facility and supports the delivery of renewable energy storage infrastructure.

Furthermore, the proposal aligns with the Wiltshire Climate Strategy (2022), which supports renewable energy generation, storage and distribution as part of the transition to a low-carbon economy. The revised route reduces the overall cable length, minimises works within the public highway, reduces potential disruption to local residents and road users, and represents a more efficient means of delivering the approved grid connection.

Accordingly, subject to the detailed considerations set out below, the principle of development is considered acceptable.

Conclusion

The principle of the grid connection has already been established through previous permissions. The revised route provides a shorter, more direct and less disruptive means of connecting the consented Milou Battery Energy Storage System to the National Grid Substation. The proposal supports renewable energy infrastructure in accordance with Core Policy 42 of the Wiltshire Core Strategy and, subject to conditions, is considered acceptable and recommended for approval

Design and Impact on the Landscape and Character and Appearance of the Area

Policy Context

Core Policy 57 of the WCS requires high-quality design that:

- Enhances local character.
- Responds to the natural, historic, and built environment.
- Retains important features (e.g., trees, hedges).
- Supports sustainable construction and compatibility with surrounding uses.
- Creates safe, legible, and accessible spaces.

Section 12 of the NPPF emphasises design that is:

- Visually attractive.
- Functionally effective.
- Contributes to the quality of the built environment.

The Wiltshire Design Guide encourages sensitivity to local character, materials, and architectural styles and supports modern living standards while maintaining aesthetic and functional quality.

Core Policy 51 of the Wiltshire Core Strategy requires development to:

- Protect, conserve, and enhance landscape character and quality.
- Respect local distinctiveness, key views, and visual receptors.
- Give particular weight to impacts on National Landscapes (formerly AONBs) and locally valued landscapes.

The Wiltshire Design Guide SPD (2024) promotes a context-led approach, encouraging integration with natural features and settlement patterns while avoiding visual intrusion. The Green & Blue Infrastructure Strategy (2022–2030) supports landscape protection through green infrastructure, habitat connectivity, and nature-based solutions.

Assessment

The proposal comprises the installation of an underground cable route associated with the approved Milou Battery Energy Storage System. The route would cross agricultural land before connecting to the National Grid Minety Substation. As the cable would be installed below ground, there would be no permanent above-ground infrastructure and the land would be reinstated following construction. The application site is not located within a National Landscape, Green Belt or other nationally designated landscape. Whilst the construction works would result in temporary disturbance to the rural landscape, these effects would be short-term and confined to the construction phase. Following completion of the works, the land would be restored and the cable infrastructure would not be visible.

The revised route is materially shorter than the previously approved route and avoids extensive excavation within the B4040 and Pond Lane highway corridor. As such, the proposal reduces the extent of physical works, construction activity and visual disruption when compared to the extant permission. Furthermore, the underground nature of the development ensures that there would be no lasting impact on key views, landscape character or the wider visual amenity of the area.

The proposal has also been designed to minimise impacts on existing landscape features, with tree protection and ecological mitigation measures secured through planning conditions.

Subject to these safeguards, the development would conserve the character and appearance of the countryside and would not result in unacceptable visual intrusion or harm to local landscape character. No comments have been received from Landscaping during the consultation process, and the local Parish Council have no objection.

Conclusion

By virtue of its underground nature and the restoration of affected land following construction, the proposal would not result in significant or permanent harm to landscape character or visual amenity. The development is therefore considered to accord with Core Policy 51 of the Wiltshire Core Strategy, the Wiltshire Design Guide SPD, the Green and Blue Infrastructure Strategy, and the relevant provisions of the NPPF.

Highways Impacts and Parking

Policy Context

Transport implications are a key factor in assessing planning applications, especially for larger developments. Proposals must demonstrate:

- Safe and suitable access for all users, including pedestrians, cyclists, and those with mobility impairments.
- No severe residual impacts on the surrounding highway network.
- Promotion of sustainable travel, reducing reliance on private vehicles.
- Adequate parking and cycle provision, in line with adopted standards.
- Protection and enhancement of public rights of way and active travel routes.

Relevant policies include Core Policies 60–64 of the Wiltshire Core Strategy, supported by the Wiltshire Local Transport Plan, Car Parking Strategy, and Cycling Strategy. The Local Cycling and Walking Infrastructure Plan (LCWIP) and LTN 1/20 (DfT) provide further design guidance for active travel infrastructure.

Where necessary, Transport Assessments or Statements should be submitted to evaluate impacts and identify mitigation. Planning conditions or legal agreements may be used to secure off-site improvements, travel plans, or contributions to sustainable transport infrastructure.

Assessment

The proposal relates to an underground cable route serving the approved Milou Battery Energy Storage System and would not generate significant traffic or require parking provision. The Highway Officer raises no objection, subject to a Construction Management Statement to secure traffic management, construction vehicle routing and highway protection measures, with no comment submitted from Public Rights of Way. Given the location of PRoW CHAR13, an informative will be required advising the PRoW will need to remain clear unless permission has been granted for a temporary closure from the local authority.

The revised route replaces the previously approved 1,373m highway-based route with a shorter 690m route across agricultural land, reducing the extent of works within the public highway and associated disruption to road users. Accordingly, the proposal would not have an unacceptable impact on highway safety or the operation of the local highway network.

Conclusion

Subject to conditions, the proposal is acceptable in highway terms and accords with Core Policy 62 of the Wiltshire Core Strategy.

Ecology and Biodiversity

Policy Context

Core Policy 50 of the Wiltshire Core Strategy requires development to:

- Avoid harm to ecological assets.
- Support habitat restoration and connectivity.
- Integrate biodiversity into site design.

Unless exempt, National policy requires a minimum of 10% Biodiversity Net Gain (BNG) for major developments, baseline habitat must be demonstrated via Biodiversity Metric and appropriate habitat surveys.

The Green & Blue Infrastructure Strategy (2022–2030) promotes nature recovery, ecosystem services, and habitat connectivity through development.

Proposals must assess and address potential effects on:

- Protected species
- Priority habitats
- Ecological networks
- Green and blue infrastructure

Assessment

A Preliminary Ecological Appraisal and Biodiversity Net Gain (BNG) Assessment have been submitted in support of the application. The majority of habitats affected by the development would be subject to temporary disturbance only and reinstated following completion of the works. The proposal includes the retention of existing woodland and the majority of hedgerows, together with replacement hedgerow planting and reinstatement of grassland and agricultural land following construction. The ecological assessment concludes that, subject to standard mitigation and precautionary working methods, the proposal would not result in significant adverse effects on protected species or designated ecological sites. No comments have been received from the Council's Ecologist.

The submitted BNG information identifies no loss of area habitat units but a deficit in hedgerow units. As the proposal does not achieve the required 10% Biodiversity Net Gain on site, off-site biodiversity units will be required and can be secured through a Biodiversity Gain Plan and the appropriate legal mechanism.

Conclusion

Subject to conditions securing ecological mitigation and statutory Biodiversity Net Gain, the proposal is considered to accord with Core Policy 50 of the Wiltshire Core Strategy.

Loss of Best and Most Versatile Agricultural Land (BMV)

Policy Context

BMV land includes Grades **1, 2, and 3a** under the Agricultural Land Classification system. It is considered the most productive and sustainable for food production.

Paragraph 187(b) of the NPPF emphasises the need to protect BMV land from unnecessary development and recognises the economic and environmental value of BMV land.

Natural England Guidance recommends consultation for developments involving 20 hectares or more of agricultural land but that smaller developments still require assessment if BMV land is involved.

Assessment

The application site is located on agricultural land classified as Grade 3. Whilst this may include Best and Most Versatile (BMV) land, the proposal relates to the installation of an underground cable and would not result in the permanent loss of agricultural land. The cable would be installed below ground and the affected land reinstated following completion of the works, allowing the land to remain in agricultural use. The submitted plans confirm the reinstatement of grass and clover leys and agricultural land following construction. Given the limited scale of the works and their temporary nature, the proposal would not have a significant adverse impact on the productivity or long-term use of the agricultural land.

Conclusion

Whilst the site comprises Grade 3 agricultural land, the proposal would not result in its permanent loss and the land would remain available for agricultural use following construction. The proposal is therefore considered to accord with the aims of the NPPF in safeguarding agricultural land.

Other Issues

The County Archaeologist has reviewed the proposal and advises that the site may contain archaeological remains which could be affected by the development. In order to better understand the archaeological potential of the site and the likely impact of the proposal, a geophysical survey is required. This should be undertaken across all land within the applicant's control by a suitably qualified contractor and in accordance with the Chartered Institute for Archaeologists (CIfA) standards and guidance.

The Archaeologist advises that the geophysical survey represents the first stage of archaeological investigation and that the results may identify the need for further archaeological mitigation, either before or during construction works. Any subsequent investigation, analysis and reporting would be secured and undertaken at the applicant's expense.

Given that the archaeological concerns can be satisfactorily addressed through the submission and implementation of a written programme of archaeological investigation, it is considered that the matter can be appropriately dealt with by planning condition. Subject to the imposition of such a condition, no archaeological objections are raised to the proposed development.

Conclusion

The proposed development is considered acceptable in planning terms. The benefits of the scheme include facilitating the connection of the consented Milou Battery Energy Storage System to the National Grid, supporting renewable energy storage infrastructure and contributing towards Wiltshire Council's climate change objectives. The revised route also provides a shorter and more direct connection, reducing the extent of works within the public highway and associated construction impacts. Subject to the recommended conditions, any impacts arising from the development can be appropriately mitigated. The proposal is therefore considered to accord with the Wiltshire Core Strategy, including Core Policy 42, the National Planning Policy Framework, and all other relevant material considerations.

RECOMMENDATION:

That Planning Permission be GRANTED, subject to conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Location Plan ref 3076-02-19 RECEIVED 6 May 2026

General Arrangement Plan ref 3076-02-18 - Rev. B RECEIVED 6 May 2026

Revised Grid 2 Cable Cross Section Plan REF 3076-02-16 RECEIVED 6 May 2026

Landscape Plan ref 3076-02-20 RECEIVED 6 May 2026

Application Form RECEIVED 6 May 2026

Planning Statement ref 3076-01 RECEIVED 6 May 2026

Appendix B - BNG Assessment RECEIVED 6 May 2026

Statutory Plan ref 3076-02-15 RECEIVED 6 May 2026

Appendix A - Preliminary Ecological App RECEIVED 6 May 2026

REASON: For the avoidance of doubt and in the interests of proper planning.

3. No development shall commence on site including any works of demolition/excavation, until a Construction Management Statement, together with a site plan, which shall include the following:

1. Phases plan and detail of anticipated programme of works;
2. the parking of vehicles of site operatives and visitors;
3. Number and size of delivery vehicles/ construction vehicles, number of staff vehicle movements;
4. loading and unloading of plant and materials;
5. storage of plant and materials used in constructing the development;
6. wheel washing facilities;
7. measures to control the emission of dust and dirt during construction;
8. a scheme for recycling/disposing of waste resulting from demolition and construction works;

9. measures for the protection of the natural environment;
10. hours of construction, including deliveries;
11. pre-condition photo survey for the entirety of the public highway verges and carriageway affected on Pond Lane and the B4040 as detailed on General Arrangement 3076-02-18 - Rev. B;
12. Routing plan;
13. Traffic Management Plan (including signage drawing(s))

A post condition photographic survey must be submitted to the Local Planning Authority within 1 month of the completion of the development. Any damage related to the development must be rectified to the satisfaction of the Local Highway Authority within 6 months of the development completion. The Highway Authority will pursue rectification of any defects identified by the highway condition survey which can be attributed to the site construction traffic under the provision of S59 of the Highways Act.

The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction management statement without the prior written permission of the Local Planning Authority.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

4. No development shall commence on site until;

a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and

b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

5. The development hereby permitted shall be carried out in full accordance with the mitigation, compensation and enhancement measures set out within the Preliminary Ecological Appraisal (Arbtech Consulting Ltd, November 2025), Biodiversity Net Gain Assessment (Arbtech Consulting Ltd, April 2026), Biodiversity Metric and Landscape Plan (Drawing No. 3076-02-20), unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of protecting and enhancing biodiversity, ecological networks and landscape character, and to ensure compliance with Core Policy 50 of the Wiltshire Core Strategy and the Environment Act 2021.

INFORMATIVE

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

INFORMATIVE

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Wiltshire Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. For further information on exempt developments please refer to:

<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

INFORMATIVE

Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses the site. You are advised to contact the PROW officer.

INFORMATIVE

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

INFORMATIVE

The application involves alterations to the Public Highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Requests for further information on the permit scheme or related processes, can be sent to streetworks@wiltshire.gov.uk or by phoning 01225 713 497.

INFORMATIVE

The applicant is advised that, the proposed development would be located within 8 metres of the watercourse / ditches. a Land Drainage Consent from the Council and a separate permit or license from the Environment Agency is required.