

APPLICATION FOR FULL-PLANNING PERMISSION CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/00838
APPLICATION TYPE:	Full planning permission
SITE ADDRESS:	46 Malmesbury Road, Leigh, Swindon, SN6 6RH
DEVELOPMENT DESCRIPTION:	Construction of an Agricultural Building, relocation of an existing building, construction of an additional stable and menage and creation of hardstanding
RECOMMENDATION:	Approve with Conditions

SITE DESCRIPTION/CONTEXT

The application site relates to land adjacent to Cherry Tree House, 46 Malmesbury Road, Leigh (SN6 6RH), positioned to the south of the village of Leigh and accessed directly from the B4040 Malmesbury Road. The wider holding extends to approximately six acres, comprising the residential curtilage and around four acres of established equestrian land. The site is located within open countryside, outside any defined settlement boundary.

The existing property is a detached dwelling set back from the highway and screened from neighbouring properties by established hedgerows and gated access. The land to the west contains an existing equestrian yard with a stable block, a small barn-like structure, areas of hardstanding, and grazing paddocks extending to the north.

The site has a long-standing equestrian history. Planning permission was granted in 2001 for the change of use of land to the keeping of horses and erection of a stable block (ref. N/00/02609/COU). The surrounding area is characterised by a mixture of residential dwellings and rural/agricultural and equestrian landholdings, typical of the Open Clay Vale landscape character area.

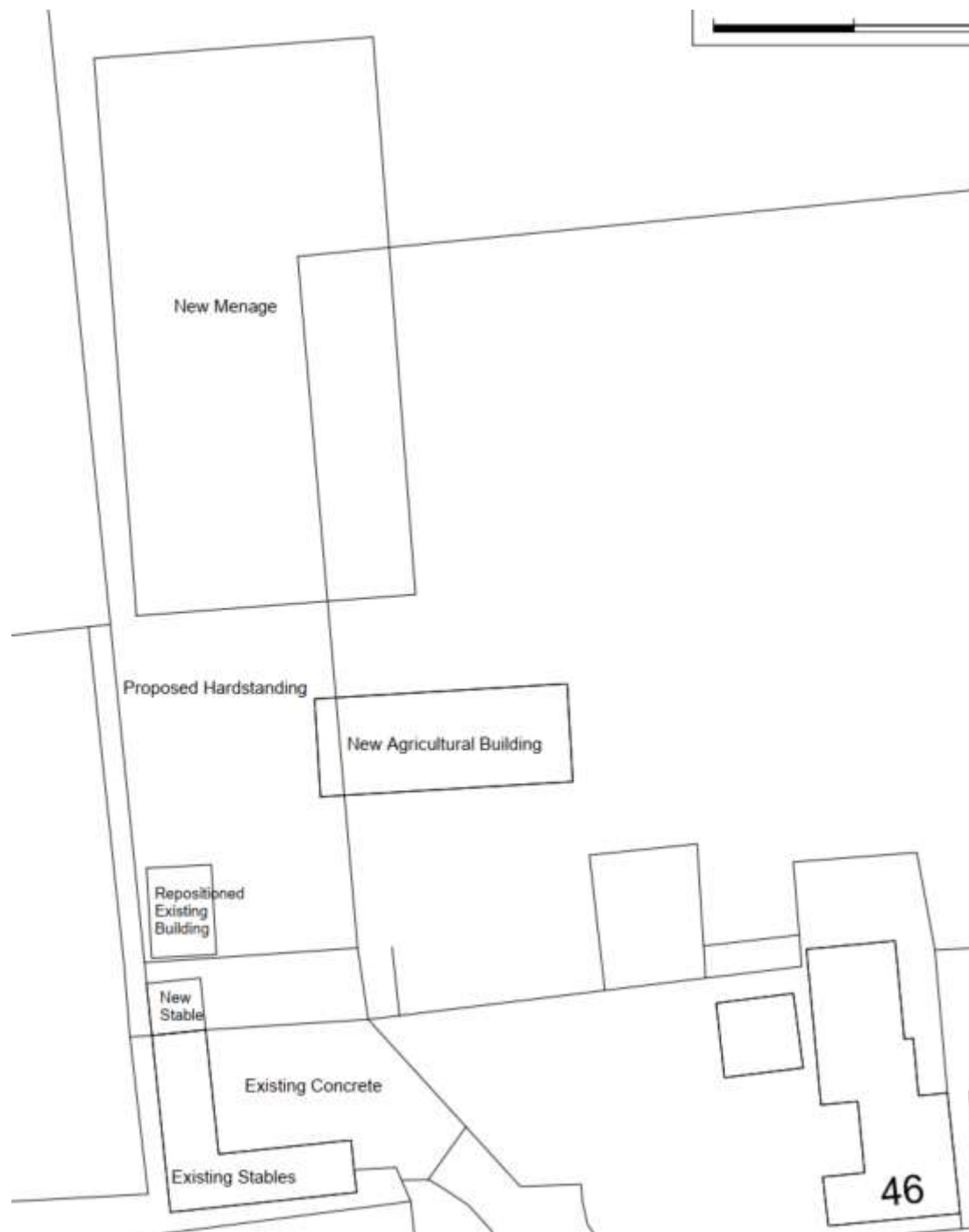
The land is generally level and low-lying, with clay soils leading to seasonal wetness during winter months. The site lies within Flood Zone 1 and outside any SSSI Impact Risk Zones for the Cotswold Water Park or Stone Common Meadows. No designated heritage assets lie within 50m of the site. The site does lay in the North Meadow SAC 9.4km recreational buffer.



PROPOSAL

The proposal seeks full planning permission for

- the construction of an agricultural building, to be located within grazing land north of the existing stables and north of the residential garden of the host dwelling. The building would be 8m x 18m and measure 3,63m to the eaves and 4.8m to the ridge and be finished in green metal sheeting.
- the relocation of an existing storage building, from its current position to be located against the western elevation boundary adjacent to the existing stables.
- the erection of an additional stable, to be tacked onto the end of the existing L-shaped stable block. The proposal would match in scale, design, and material.
- the formation of a 20m x 40m menage, to be located north of the current year and measure 40 m x 20 m with a post and rail perimeter with a sand/carpet mix.
- and the creation of hardstanding connecting to the existing hardstanding to the manage.



PLANNING HISTORY

Proposal / Summary

N/00/02609/COU, CHANGE OF USE OF LAND TO THE KEEPING OF HORSES AND THE ERECTION OF STABLE BLOCK, Approve with Conditions, 19/01/2001

N/05/00680/COU, Erection of Stable Block (4 Stables), Tackroom & Haybarn & Change of Use to Equestrian 24/05/2005 Withdrawn

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Statutory Legislation:

- Town and Country Planning Act 1990 (as amended);
- Planning and Compulsory Purchase Act. 2004 (as amended).

National Planning Policy:

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

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 1 Settlement Strategy;
- Core Policy 2 Delivery Strategy;
- Core Policy 3 Infrastructure Requirements;
- Core Policy 13 Spatial Strategy Malmesbury Community Area
- Core Policy 41 Sustainable Construction and Low-Carbon Energy;
- Core Policy 48 Supporting Rural Life
- Core Policy 50 Biodiversity and Geodiversity;
- Core Policy 51 Landscape
- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 62 Development Impacts on the Transport Network;
- Core Policy 63 Transport Strategies
- Core Policy 64 Demand Management
- Core Policy 67 Flood Risk;

Neighbourhood Plan:

None

Supplementary Planning Documents and other Guidance:

- Wiltshire Design Guide (adopted April 2024)
- A Green & Blue Infrastructure Strategy for Wiltshire: Wiltshire's Natural Environment Plan 2022-2030

Emerging Wiltshire Local Plan

At Full Council on 19th 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.

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 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?

CONSULTATION RESPONSES

WC Ecology: No objection

A BNG small sites metric has been submitted, and there are no other obvious ecology issues on this application. The current process for these applications is for the case officer to review the metric and act accordingly. No ecological consultation is considered required at this stage.:

WC Drainage: Comment

Following the submission of additional information and clarification from the agent, it is acknowledged that the proposed drainage approach remains subject to further technical detail. In particular, it is noted that interception storage requirements will be influenced by the infiltration potential of the site. The Lead Local Flood Authority has confirmed that infiltration testing is necessary to inform the drainage design. Where soakaways are not proposed, it is accepted that proportionate percolation testing undertaken in accordance with Building Regulations would be sufficient to establish ground conditions.

In light of this, while the principle of a surface water drainage strategy is acceptable, further site-specific testing and supporting calculations are required to demonstrate an appropriate drainage solution and to address the current holding objection. These matters can be secured and resolved through the imposition of suitably worded planning conditions.

WC Highways: No objection, subject to conditions

Parish/Town Council: No objection

Comments advise: Leigh PC has no objection but queries the size of the agricultural building

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;

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

Below is a summary of the representations received during the consultation period. Only material planning considerations have been taken into account in the assessment of this application. Non-material issues, such as property values or private legal disputes, cannot be considered in the determination process.

No public representation was received in response to the application.

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.

Assessment

The site lies outside the defined settlement boundary of Leigh and is therefore within the open countryside for the purposes of Core Policies 1 and 2 of the Wiltshire Core Strategy, where development is strictly controlled unless supported by specific policies or justified by exceptional circumstances. The site benefits from long-established and lawful equestrian use, and the development seeks to enhance and support that existing rural enterprise through the provision of a relocated storage building, an additional stable, a menage, and an agricultural building.

The proposal represents a proportionate and functional enhancement to an established rural land-based use, aligning with the National Planning Policy Framework's support for development that promotes healthy, active lifestyles by enabling safe on-site horse exercise away from the highway. Although located outside a defined settlement boundary, the scheme does not introduce unrelated or inappropriate built form and instead consolidates and improves the efficiency, welfare, and operational needs of an existing equestrian holding. On this basis, the principle of development is considered acceptable.

Conclusion

The proposal complies with Core Policies 1 and 2 and is supported by the NPPF; the principle of development is therefore acceptable subject to technical assessment.

Design and Impact on the 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.

Assessment

The site already accommodates an established equestrian use, and the proposed structures—comprising a relocated storage building, an additional stable, a menage, and an agricultural barn—are of a scale, form, and agricultural/equestrian design that are consistent with the existing built elements on the holding. The materials, including green metal sheeting and timber boarding, reflect those commonly found in rural settings and therefore sit comfortably within the wider landscape. The development is positioned within the existing cluster of equestrian activity and avoids the introduction of visually intrusive or isolated built form. The proposals maintain the open character of the surrounding grazing land and do not affect important landscape features such as hedgerows or trees.

Conclusion

Taken together, the design is functional, proportionate, and sympathetic to its rural context, ensuring no adverse impact on the character or appearance of the area and complying with the objectives of Core Policy 57 and Section 12 of the NPPF.

Amenity

Policy Context

Core Policy 57 (Point vii) of the Wiltshire Core Strategy requires development to respect the amenity of existing occupants and ensure appropriate amenity levels for future residents.

The National Planning Policy Framework (NPPF), particularly Paragraph 135, reinforces the need for development to provide a high standard of amenity for both existing and future users.

The host dwelling is positioned approximately 39 metres from the existing stable block, and would be situated around 40 metres from the proposed menage and 20 metres from the proposed agricultural barn to the northwest. These elements are separated from the house by a substantial residential garden, with the principal living spaces facing over the garden, grazing land and driveway towards Malmesbury Road. Given these generous spatial relationships, the open nature of the intervening land, and the small-scale nature of the proposed structures, there would be no loss of light, overshadowing, or overbearing impact upon the host dwelling, nor would the development give rise to any loss of privacy.

With regard to neighbouring properties, all nearby residential dwellings are located along Malmesbury Road, whereas the proposed development is positioned well set back within the site, away from the road frontage. The property adjacent to the western boundary also operates an equestrian use, and its own stable facilities are located between the development area and that neighbour's dwelling. As such, the proposed works would not alter existing

relationships or introduce any activity that would adversely affect the residential amenity of neighbouring occupiers in terms of noise, privacy, enclosure, or outlook.

Conclusion

Overall, the proposal would not result in any harmful amenity impacts and is therefore acceptable in this regard and in accordance with the principles set out in WCS CP57 and the objectives 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.

Proposals must also ensure safe access for refuse collection vehicles and comply with the Wiltshire Council Waste Storage and Collection SPD (2017).

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 scheme does not propose any alterations to the existing vehicular access onto Malmesbury Road, which will continue to serve the site in its current form. The existing access benefits from good visibility in both directions and has been operating safely in connection with the established equestrian use; the proposed development would not materially alter traffic generation or introduce a new type of vehicle activity that would give rise to highway safety concerns.

Given that all equestrian activity already utilises this access and the uplift in vehicle movements associated with the upgraded facilities is minimal, the proposal would result in no severe impact on the surrounding highway network. The development does not affect pedestrian or cycle routes, does not encroach on any public rights of way, and maintains adequate on-site space for parking, turning and servicing. This is supported by WC Highways, whom advice no objection to the proposal, subject to the proposal being retained and used for domestic purposes only.

Conclusion

On this basis, the scheme is considered to comply with Core Policies 60–64 and the Wiltshire Local Transport Plan, and is acceptable in highway safety and parking terms.

Ecology and Biodiversity

Policy Context

The ecological impact of development is a key planning consideration, especially for larger schemes. Proposals must assess and address potential effects on:

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

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

- Avoid harm to ecological assets.
- Deliver measurable Biodiversity Net Gain (BNG), in line with the Environment Act 2021.
- Support habitat restoration and connectivity.
- Integrate biodiversity into site design.

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

Unless exempt, National policy requires a minimum of 10% Biodiversity Net Gain (BNG) for major developments, demonstrated via:

- Biodiversity Metric calculations
- Ecological assessments (e.g. PEAs, Phase 1 surveys, protected species surveys)

Assessment

The application is supported by a Small Sites Biodiversity Metric and a Design and Access Statement. The Design and Access Statement confirms that the site is of limited ecological value and forms part of an established equestrian holding, where the proposed development would not result in the loss of any significant ecological features.

The BNG Metric identifies that the site comprises predominantly low-value habitats, including neutral grassland and areas of hardstanding, with no designated sites or priority habitats recorded within or in close proximity to the site. The metric further demonstrates that the development would deliver a net gain in biodiversity, including an uplift in area habitat units of approximately 35%, exceeding the statutory requirement of 10%. Additional gains are also proposed through the introduction of new native hedgerow planting and enhancement of existing grassland condition.

Whilst no detailed protected species surveys have been submitted, the scale and nature of the development, together with the characteristics of the site, indicate that the likelihood of

impacts on protected species is low. Notwithstanding this, opportunities exist to secure proportionate biodiversity enhancements as part of the development, including the provision of bat and bird boxes on new and modified buildings. These can be secured by condition.

In respect of biodiversity net gain, whilst the submitted metric demonstrates that the development is capable of delivering policy-compliant gains on site, the detailed delivery, management and monitoring of those enhancements must be secured through a Biodiversity Gain Plan in accordance with statutory requirements.

Conclusion

The proposal would not result in unacceptable ecological harm and would deliver biodiversity net gain in excess of the statutory requirement.

Subject to conditions securing a Biodiversity Gain Plan and the provision of bat and bird boxes, the development complies with Core Policy 50 and the NPPF and is acceptable in ecological terms.

Flood Risk and Drainage

Policy Context

Core Policy 67 of the Wiltshire Core Strategy and NPPF paragraphs 170–182 require:

- Avoidance of increased flood risk.
- Use of appropriate mitigation measures.
- Application of the sequential and exception tests for developments in Flood Zones 2 or 3.

Sustainable Drainage Systems (SuDS) are required for all major developments and must:

- Manage runoff near its source.
- Improve water quality.
- Support biodiversity and amenity.
- Be integrated into the site layout and green infrastructure.

Assessment

The site is located within Flood Zone 1 and is therefore at low risk of fluvial flooding. However, the proposal introduces an increase in impermeable surfacing associated with the agricultural building, stable extensions, ménage, and hardstanding, and therefore requires appropriate surface water management to ensure no increase in flood risk elsewhere.

The Lead Local Flood Authority (LLFA) has raised a holding objection on the basis that insufficient information has been provided to fully assess the drainage strategy, including uncertainty regarding the proposed outfall, the absence of infiltration testing, and a lack of supporting calculations demonstrating compliance with the SuDS hierarchy and interception requirements.

Following further clarification from the agent, it is acknowledged that the detailed drainage design will be influenced by site infiltration characteristics. The LLFA has advised that infiltration testing should be undertaken to inform the design, and that where soakaways are not proposed, proportionate percolation testing in accordance with Building Regulations would

be acceptable. This is considered a reasonable and proportionate approach given the scale and nature of the development.

Given the relatively small-scale, rural nature of the scheme and the absence of identified flood-risk constraints, it is considered that a suitable drainage solution is achievable. A pre-commencement condition is recommended, requiring submission of a detailed surface-water drainage scheme incorporating rainwater harvesting.

Conclusion

While the LLFA has raised a holding objection due to insufficient information, it is considered that the issues identified relate to the absence of detailed technical evidence rather than any in-principle constraint to development. A suitable drainage strategy is likely to be achievable and can be secured through appropriately worded planning conditions.

Subject to the imposition of these conditions, the proposal is considered acceptable in flood risk and drainage terms and accords with Core Policy 67 of the Wiltshire Core Strategy and the National Planning Policy Framework.

Pre-commencement Condition

This recommendation includes pre-commencement planning conditions relating to surface water drainage and external lighting. In accordance with Section 100ZA of the Town and Country Planning Act 1990 and the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the Agent formally notified the LPA of the proposed conditions requested and sought their agreement. Written confirmation of agreement was received from the applicant's agent on 22nd June 2026 and LPA on the 26th June 2026

The proposed development is considered acceptable in planning terms. The benefits of the scheme, including the enhancement of an established rural enterprise through improved equestrian facilities, associated local economic benefits, and the provision of improved site drainage and land management, are judged to outweigh any identified harms, which can be appropriately mitigated through planning conditions.

The proposal is in accordance with the Wiltshire Core Strategy, 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 received 6th February 2026
- Proposed Block Plan received 6th February 2026
- Proposed Menage - Elevations received 6th February 2026
- Proposed Menage - Floor Plan received 6th February 2026
- Proposed Stables - Elevations and Floor Plans received 6th February 2026
- Drainage Strategy ref 90854R1 received 10th April 2026
- Menage Cross Section 27.04.26 received 27th April 2026
- Drainage Plan ref 90854R1 received 27th April 2026

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

- 3** No development shall commence until details of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority.
The scheme shall include:

Results of infiltration testing undertaken in accordance with BRE Digest 365, or (where infiltration drainage is not proposed) percolation testing in accordance with Building Regulations, to inform the drainage design;

Confirmation of the proposed means of discharge, including evidence of a suitable outfall;

Details demonstrating application of the surface water drainage hierarchy, including the incorporation of rainwater harvesting/reuse measures for the proposed agricultural building, relocated building, and additional stable, unless otherwise agreed in writing;

Details of on-site storage and flow control to ensure no increased risk of flooding elsewhere;

Basic design details of the drainage system, including layout;

A scheme for the future management and maintenance of the drainage system.

The drainage scheme shall be implemented as approved prior to the first use of the development and thereafter maintained in accordance with the approved details.

REASON: To ensure satisfactory and sustainable drainage, including the use of water reuse measures in accordance with the SuDS hierarchy, and to avoid increased flood risk in accordance with Core Policy 67 of the Wiltshire Core Strategy and the National Planning Policy Framework.

- 4** The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing buildings and those set out in the approved plans and documents.

REASON: In the interests of visual amenity and the character and appearance of the area.

- 5 Prior to the first use of the development hereby approved, details of biodiversity enhancement measures in the form of bat and bird boxes to be installed on the agricultural building, relocated building, and additional stable shall be submitted to and approved in writing by the Local Planning Authority.
The details shall include the number, type, and location of boxes to be installed. The approved measures shall be implemented in full prior to first use of the development and thereafter retained and maintained for the lifetime of the development.

REASON: To provide biodiversity enhancements in accordance with Core Policy 50 of the Wiltshire Core Strategy and the National Planning Policy Framework.

- 6 No external Floodlighting shall be installed on the ménage hereby approved unless and until a detailed lighting scheme has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include:

- The number, type, position, height, and orientation of all lighting fixtures;
- Details of luminance levels and hours of operation;
- Measures to minimise light spill, glare, and sky glow, including shielding and directional fittings.

The approved lighting scheme shall be implemented in full prior to the first use of the lighting and shall thereafter be retained and operated in accordance with the approved details.

REASON: To protect the character of the rural area, residential amenity, and biodiversity from light pollution in accordance with Core Policies 50 and 57 of the Wiltshire Core Strategy and the National Planning Policy Framework.

- 7 No additional external lighting shall be installed on the site other than that approved under the ménage lighting scheme condition unless details of such lighting have first been submitted to and approved in writing by the Local Planning Authority.

Any approved lighting shall be installed and thereafter operated in accordance with the approved details.

REASON: To protect the character of the rural area, residential amenity, and biodiversity from light pollution in accordance with Core Policies 50 and 57 of the Wiltshire Core Strategy and the National Planning Policy Framework..

Informative

- 1 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.
- 2 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.

Nic Thomas - Director of Planning, Economy and Regeneration