

Development Services
Wiltshire Council
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08 July 2026

Dear Sir,

TOWN AND COUNTY PLANNING ACT 1990 (as amended)
DISCHARGE OF CONDITION – BIODIVERSITY NET GAIN

Application No:	PL/2026/02712
Proposal:	Biodiversity Gain Plan Discharge of Condition Application relating to application 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, insofar as it relates solely to Biodiversity Net Gain.

Your application has been supported by the following documents submitted for the purposes of discharging the above condition:

Biodiversity Net Gain Metric received 15.04.26
Proposed Habitat Plan received 15.04.26
Biodiversity Net Gain Report received 15.04.26
Biodiversity Gain Plan received 15.04.26
Biodiversity Unit Purchase Certificate received 15.04.26

Decision

The details submitted in relation to this condition are approved.

Reason for decision

This is a very small-scale development and the biodiversity unit values in the submitted gain plan are small fractions of a unit. The council is awaiting further guidance on how to treat off-site gains that were registered prior to the publication of the LNRS and which were calculated using now-superseded documents. Given the low number of units involved, the council considers a proportionate approach appropriate in this instance and is content to discharge the condition on the basis of the current submission pending further advice. The submitted Biodiversity Net Gain information demonstrates compliance with the requirements of the Condition

of planning permission PL/2026/02712, in accordance with Schedule 7A of the Town and Country Planning Act 1990, as inserted by the Environment Act 2021.

The Local Planning Authority is satisfied that the pre commencement of the imposed condition has been fully discharged in respect of Biodiversity Net Gain. Please however note the ongoing requirements of the legislation.

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.

Yours faithfully

Head of Development Management

NOTES:

1. Approved Conditions:

If the condition has been discharged, you may proceed with the development in accordance with the approved Biodiversity Net Gain details. The approved measures must be implemented and maintained in full compliance with the approved documentation and any associated legal agreements or statutory requirements.

Failure to implement the approved Biodiversity Net Gain measures may result in enforcement action.

2. Refused Conditions:

Where the discharge of the condition has been refused, the applicant may submit a further application to discharge the condition supported by revised or additional information that addresses the reason for refusal.

Alternatively, the applicant may exercise the right of appeal as set out below.

Right of Appeal:

If you are aggrieved by the decision to refuse to discharge a condition, you may appeal to the Secretary of State via 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 when appealing against a refusal or failure to discharge a condition, the Planning Inspectorate will only consider whether the submitted details comply with the requirements of the condition and relevant planning legislation and policy. They will not reconsider the original decision to grant planning permission or the reasonableness of imposing the condition itself.