



Planning Department
Wiltshire Council

The Hayloft | Manor Farm | Chilcompton
BA3 4HP
enquiries@bengroveconsult.co.uk
01225 234946

20 August 2026

Re: Biodiversity Net Gain — Land at Garsdon

Planning Applications: Application 1 (Gateway) | Application 2 (Track and Agricultural Barn) | Application 3 (Equine Barn) | Application 4 (Change of Use)

Dear Sir or Madam,

1. Introduction

We write on behalf of Ms Stephanie Parsons in connection with the above-listed planning applications at Land at Garsdon. Bengrove Ltd has been appointed to advise on Biodiversity Net Gain (BNG) matters. A Preliminary Ecological Assessment (PEA) of the wider landholding was prepared by a separate consultant and provides the ecological baseline from which this BNG assessment has been developed.

Four separate planning applications will be submitted in connection with the site. This letter sets out the BNG position for each application, including which applications are exempt from the mandatory BNG requirement and the reasons for that exemption, which application is subject to the mandatory requirement and why, and how the applicant proposes to meet that obligation.

2. Legislative Background

Mandatory BNG was introduced by Schedule 7A of the Town and Country Planning Act 1990, as inserted by Schedule 14 of the Environment Act 2021. The requirement applies to all relevant

planning permissions in England granted from 12 February 2024 (large sites) and 2 April 2024 (small sites), and requires that development delivers at least a 10% net gain in biodiversity value relative to the on-site pre-development baseline, measured using the Statutory Biodiversity Metric.

Exemptions from mandatory BNG are set out in The Biodiversity Gain Requirements (Exemptions) Regulations 2023, as amended. Two separate exemptions are relevant to the present applications.

The first is the small-site area threshold exemption introduced by The Biodiversity Gain Requirements (Exemptions) (Amendment) Regulations 2026 (SI 2026/790), which provides that development is exempt from mandatory BNG where:

- the red line boundary of the application site is less than 0.2 hectares; and
- the development does not affect any habitat of principal importance (priority habitat) as listed under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006.

Both conditions must be met for this exemption to apply. The presence of a Section 41 priority habitat within the application site disqualifies a proposal from the SI 2026/790 exemption regardless of the site area. SI 2026/790 came into force on 6 August 2026 and applies to all planning applications submitted on or after that date; accordingly, all four applications the subject of this letter fall within its scope.

The second is the de minimis exemption set out in the 2023 Regulations, which provides that development is exempt from mandatory BNG where:

- The development affects less than 25 m² of on-site habitat; and
- No linear habitat feature exceeding 5 m in length is affected; and
- No habitat of principal importance (priority habitat) as listed under Section 41 of the NERC Act 2006 is present within the red line boundary.

All three conditions must be satisfied for the de minimis exemption to apply. The presence of a Section 41 priority habitat within the development area disqualifies a proposal regardless of the scale of the works.

3. Application 1 (Gateway) — Formation of Field Access Gate — Subject to Mandatory BNG

Application 1 proposes the formation of a new field access gate through the existing boundary hedgerow, together with associated hard-standing and visibility splays. The gate is to be set

back 12 m from the carriageway edge, with 45-degree splay lines, and is accessed via a 5.5 m-wide track.

Although the red line boundary of Application 1 falls below the 0.2 ha area threshold, the application cannot benefit from the exemption. The boundary hedgerow intersected by the proposed gate has been assessed as a species-rich native hedgerow with trees, associated with a bank and ditch feature. Native hedgerows are listed as a habitat of principal importance for the purpose of conserving biodiversity in England under Section 41 of the NERC Act 2006, and are therefore a priority habitat.

The formation of the gate requires the physical removal of a section of this priority hedgerow. Because the exemption is only available where no priority habitat is affected, it cannot apply here regardless of the site area. Application 1 therefore attracts the mandatory 10% BNG requirement.

4. Applications 2 and 3 — Exempt from Mandatory BNG (SI 2026/790)

Applications 2 (Track and Agricultural Barn) and 3 (Equine Barn) have each been assessed against the SI 2026/790 small-site area threshold exemption criteria.

In each case:

- The red line boundary of the application site is less than 0.2 ha; and
- No habitat of principal importance (priority habitat) as defined under Section 41 of the NERC Act 2006 is present within the red line boundary.

Accordingly, both conditions of the SI 2026/790 exemption are satisfied for Applications 2 and 3. No Biodiversity Gain Plan is required for either application, and neither is subject to the mandatory 10% BNG requirement.

5. Application 4 (Change of Use) — Exempt from Mandatory BNG (De Minimis)

Application 4 relates to a change of use of the site. The application site has a total red line area of approximately 2.23 ha, which exceeds the 0.2 ha threshold under SI 2026/790; accordingly, that exemption is not available to this application.

However, Application 4 has been assessed against the de minimis exemption criteria under the 2023 Regulations. The proposed change of use does not involve significant physical works to the land, and the area of on-site habitat adversely affected is negligible. In particular:

- The total area of on-site habitat adversely affected within the red line boundary is less than 25 m²;

- No linear habitat feature exceeding 5 m in length is adversely affected; and
- No habitat of principal importance (priority habitat) under Section 41 of the NERC Act 2006 is present within or adversely affected by the application.

All three conditions of the de minimis exemption are therefore satisfied. No Biodiversity Gain Plan is required for Application 4, and it is not subject to the mandatory 10% BNG requirement.

6. Statutory Biodiversity Metric Assessment

A Statutory Biodiversity Metric assessment has been carried out for Application 1 (Gateway) using Version 4.0 of the Statutory Biodiversity Metric tool (v1.0.4), in accordance with Natural England's guidance. The metric assesses the biodiversity value of on-site habitats before and after the proposed development to quantify the net unit change and determine the BNG requirement. The ecological baseline for the metric was established by Bengrove Ltd through a UKHab habitat survey of the application site carried out on 11 August 2026.

6.1 On-Site Baseline

The following habitats were recorded within the red line boundary of Application 1 during the Bengrove UKHab survey (11 August 2026):

- Temporary grass and clover leys — 0.0036 ha (Low distinctiveness) — 0.0072 area habitat units
- Modified grassland (Good condition) — 0.0017 ha (Low distinctiveness) — 0.0102 area habitat units
- Modified grassland (Poor condition) — 0.0030 ha (Low distinctiveness) — 0.006 area habitat units
- Species-rich native hedgerow with trees (associated with bank or ditch) — 6 m length (Very High distinctiveness, Good condition) — 0.144 hedgerow units [Section 41 priority habitat]

The total on-site baseline amounts to 0.023 area habitat units and 0.144 hedgerow units.

6.2 Proposed Post-Development Condition

The proposed development results in the loss of the 6 m section of priority hedgerow and replaces the on-site habitat area with developed land (sealed surface, 0.0083 ha, Very Low distinctiveness). No on-site habitat creation or enhancement is proposed within the red line boundary. The on-site post-development biodiversity value is therefore nil.

6.3 Net Unit Deficit

The development results in a net on-site unit deficit of 0.023 area habitat units (-100%) and 0.144 hedgerow units (-100%). To achieve the mandatory 10% net gain target, off-site provision must deliver the following units (being the on-site baseline multiplied by 110%), as derived from the Headline Results tab of the Statutory Biodiversity Metric:

- Area habitats (Tier A1, low distinctiveness): 0.026 biodiversity units
- Hedgerow (like-for-like): 0.158 hedgerow units

These figures represent the unit requirement where biodiversity units are sourced from a registered habitat gain site within the local planning authority area (Spatial Risk Multiplier = 1.0). Were statutory biodiversity credits from Natural England used instead, greater volumes would be required (0.052 Tier A1 area credits and 0.317 Tier H hedgerow credits), reflecting the statutory credit pricing uplift applied to that pathway.

7. BNG Delivery — Off-Site Unit Purchase

Given the small scale of the application site, it is not feasible to deliver the required biodiversity uplift on-site within the red line boundary of Application 1. The applicant therefore proposes to meet the BNG obligation through the purchase of biodiversity units from an off-site source, in accordance with the BNG mitigation hierarchy set out in Schedule 7A of the Town and Country Planning Act 1990.

The BNG hierarchy requires applicants to first seek to deliver net gain on-site, then through off-site biodiversity gain sites registered on the national Biodiversity Gain Sites Register, and finally through the purchase of statutory biodiversity credits from Natural England. In this instance, given the very small unit requirement, the applicant proposes to purchase the required biodiversity units — the mechanism to be confirmed at Biodiversity Gain Plan stage, either by way of:

- Allocation of units from a registered biodiversity gain site on the national Biodiversity Gain Sites Register; or, if a suitable gain site is not available,
- Purchase of statutory biodiversity credits from Natural England (0.052 Tier A1 area credits and 0.317 Tier H hedgerow credits).

A Biodiversity Gain Plan confirming the allocated units and the registered gain site or statutory credit purchase will be submitted to and approved by the Local Planning Authority prior to commencement of development, as required by the standard BNG planning condition.

8. Summary

For ease of reference, the BNG position for each of the four applications is summarised below:

- Application 1 (Gateway) — NOT exempt; site area below 0.2 ha but Section 41 priority hedgerow affected; BNG obligation to be met by off-site unit purchase prior to commencement
- Application 2 (Track and Agricultural Barn) — Exempt: site area below 0.2 ha; no Section 41 priority habitat present
- Application 3 (Equine Barn) — Exempt: site area below 0.2 ha; no Section 41 priority habitat present
- Application 4 (Change of Use) — Exempt: de minimis exemption — no Section 41 priority habitat; habitat impact below 25 m² threshold

We trust this letter clearly sets out the BNG position for each of the four planning applications at Heath Farm Cottage, Garsdon, SN16 9NT. Please do not hesitate to contact us should you require any further information.

Yours faithfully,



Matt Davies BSc, MSc, MCIEEM

e: enquiries@bengroveconsult.co.uk

t: 01225 234946

m: 07966 038530