

APPLICATION FOR DISCHARGE OF PLANNING CONDITION CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/02343
APPLICATION TYPE:	Approval of details reserved by condition
SITE ADDRESS:	Ivy Farm, West Yatton, Yatton Keynell, Chippenham, SN14 7EW
DEVELOPMENT DESCRIPTION:	Discharge of condition 3 (Wildlife Enhancement Plan) and BNG informative 2 relating to application PL/2025/09455
RECOMMENDATION:	Condition 3 and deemed BNG condition of PL/2025/09455 CANNOT BE DISCHARGED

REASON FOR APPLICATION

Application PL/2025/09455, *formation of new outdoor equestrian arena with associated fencing for private use*, was granted permission on 19.03.2026 subject to 6no conditions.

This application is requesting discharge of condition 3 and approval of biodiversity gain plan.

CONDITIONS OF PL/2025/09455 REQUESTING DISCHARGE

Condition 3 states:

Prior to the commencement of any works, including vegetation removal and demolition, details of the number, design and locations of opportunities for bats and birds (e.g. bat and bird boxes) shall be submitted to the local authority for approval. The approved details shall be implemented before occupation of the final works.

REASON: To provide mitigation /enhancement for biodiversity.

The deemed BNG condition states:

[...] the development may not be begun unless—

(a) a biodiversity gain plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan

RELEVANT LEGISLATION, POLICY AND GUIDANCE

[Planning Policy Guidance \(PPG\)](#)

[Town and Country Planning Act 1990 \(TCPA\)](#)

- [Schedule 7A](#)

REPRESENTATIONS

Councils Ecology Team: further information required

[...] The initial Ecology consultation response (16/03/2026) to Full Application PL/2025/09455 stated the following:

The Biodiversity Gain Plan must be accompanied by a completed Biodiversity Metric with the following issues addressed:

“As identified in the Statutory Biodiversity Metric (07 November 2025) and Figure 5: Proposed habitats plan – Additional site (13. November 2025. Noctua Ecology) of the Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (20 November 2025. Noctua Ecology. Report Ref. P138-1r. Version. 1.3), the proposed habitat type is recorded as ‘other neutral grassland’ is unlikely to achieve ‘moderate condition’ underneath the densely planted proposed ‘rural trees’. The overlapping of tree, and grassland habitats may prevent each individual habitat from achieving its respective target. The proposed number and types of trees and grassland type and condition should be revised to a more appropriate type and target condition and will be reviewed as part of the gain plan.”

In my previous response to this discharge of application submission, I reiterated these concerns and noted that the habitat described may even qualify as a different habitat type than described (see Traditional orchards (UK BAP Priority Habitat description)).

Noctua Ecology have since responded, stating they consider moderate condition other neutral grassland achievable around the trees. A practical way forward may be to retain neutral grassland as proposed, but map areas immediately around the trees as modified grassland to reflect realistic condition outcomes and address the concerns raised. The northern field totals 4,450 m², and with the minimum mappable unit of 4 m², this approach appears feasible while still maintaining a 10% net gain.

The applicant has also offered to provide a more detailed management plan. This is welcomed but to clarify, the initial ecology response did not require a HMMP (or a monitoring contribution) for this development.

INFORMATION PROVIDED WITH THE APPLICATION

The following summarised information has been provided to/assessed by the Local Planning Authority (LPA):

Application form	Indicating that the requested conditions for discharge is Condition 3 and the deemed BNG condition for PL/2025/09455	Signed and dated on 10.04.2026	Sufficient to clarify the reason for application and to provide additional supporting information.
Copy of Decision Notice	Confirming condition wording associated with PL/2025/09455	Dated 19.03.2026	
Copy of Location Plan	Drawing 218 EX00 Showing the extent of the site associated with PL/2025.09455	Dated November 2025	
Biodiversity Gain Plan	Providing detail including: - pre-development value as 2.75 habitat units - post-development value as 3.15 habitat units – 14.58% BNG	Dated 27.03.2026	Representation from the Councils Ecology team concludes that detail is not sufficient to discharge condition 3 or the deemed BNG condition.
Biodiversity Metric		Received 10.04.2026	
Condition Assessments		Received 10.04.2026	
Wildlife Enhancement Plan	Providing detail including: Plan of proposed planting Plan of proposed bird/bat boxes	Prepared by Noctua Ecology Dated 24.03.2026	

CONCLUSION

Representation from the Councils Ecology team concludes that detail is not sufficient to discharge condition 3 or the deemed BNG condition.

RECOMMENDATION: Condition 3 of PL/2025/09455 and the deemed BNG condition be CANNOT BE DISCHARGED

INFORMATIVES TO APPLICANT:

- The requirements of condition 3 have not been met by the detail submitted under this application.
- The requirements of the deemed BNG condition have not been met by the detail submitted under this application.
- This decision should be read in conjunction with PL/2025/09455