

APPLICATION FOR THE DISCHARGE OF DETAILS FOR BNG CONDITION - CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2025/08355
APPLICATION TYPE:	DISCHARGE OF Details for BNG CONDITION
SITE ADDRESS:	Manor Farm, Winterbourne Earls, Salisbury, SP4 6HD
PROPOSAL:	Biodiversity Gain Plan condition following PL/2024/05302.

PROPOSAL

This report has been prepared to support the application for the discharge of details relating to the national BNG condition. The planning permission was granted on **17/07/2025** under reference number **PL/2024/05302**.

The National Condition is set out as an Informative to the planning permission which states:

Biodiversity Net Gain - 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. 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.

In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan)

The applicant has submitted:

- Biodiversity_gain_plan Manor Farm PL_2024_05302_SH.
- Biodiversity Enhancement Strategy Manor Farm_22.07.2025_Final (003)
- Statutory Biodiversity Metric Calculator updated 18.11.2025
- BNG Gain Plan PL.2025.08355

This report outlines how the condition details have not been satisfied and the application does not include the necessary documentation to evidence compliance.

CONSULTATION

Ecology – objection

28/9/26 comments:

Ecology comments (uploaded 13/05/2026) regarding the need to secure off-site gains do

not appear to have been addressed. Further information is required before the LPA can approve the biodiversity gain plan.

13/5/2026 comments:

In my previous response I requested an updated gain plan and metric and advised that off site gains would need to be secured. These have not been addressed.

The applicant is proposing to meet the 10% statutory biodiversity gain objective with gains outside of the redline (conversion of cropland to woodland and additional hedgerow). For this to count towards the 10% gain and allow us to approve the gain plan it would need to be secured through legal agreement (either with us or a responsible body) and registered on the national gains register. The gain plan cannot be approved before this is achieved.

In this case I think that it would have to be a 106 with us to secure off site habitat creation, long term management, monitoring contributions. Otherwise, the gains will need to be secured through conservation covenant with a responsible body, and this would need to be verified by us. The applicant will have to prepare a Habitat Maintenance and Monitoring Plan either way to support any legal agreement.

Register a biodiversity gain site - [GOV.UK](https://www.gov.uk)

Creating a habitat management and monitoring plan for BNG - [GOV.UK](https://www.gov.uk)

The off-site registration numbers of the offsite parcels will need to be included in the metric and gain plan.

7/11/25 comments:

Biodiversity Gain Plan:

Sections 4.9 – 4.11, 7.4 – 7.6, 9 are not filled in correctly (based on metric) and/or contain blanks. This document will need minor amendment before approval.

Biodiversity Metric:

Off-site reference in off-site tabs is not correct and is causing a metric error. This document will need minor amendment before approval.

Significance of On-site Enhancement:

This is a major application, and the statutory metric has been used to complete BNG calculations. Mycelia have flagged the creation of rural trees on-site as being significant due to habitat distinctiveness, however, this represents 0.11 BU / 402 m2. In this case, the council does not consider on-site enhancements to be significant.

Off-site Enhancement:

Most of the habitat creation required to meet the 10% BNG objective is located off-site and is considered to be significant enhancement (woodland and hedgerow making 7.87 BU / 24,400m2). Off-site gains must be secured via a legal agreement for at least 30 years. A HMMP must also be provided demonstrating how the gains will be delivered over the 30-year period. For information on what this should include see: Creating a habitat management and monitoring plan for BNG - GOV.UK.

BNG Monitoring Fee/Legal Agreement:

Off-site gains must be secured via a legal agreement for at least 30 years. This must be a planning obligation (Section 106 agreement) or conservation covenant. Wiltshire Council will

not enter into a Section 106 agreement for off-site gains unless the off-site gain site has been verified. Contact ecologychargeableservice@wiltshire.gov.uk to request further information on site verification.

Conclusion:

I am unable to agree discharge of the gain plan condition as the supporting information is insufficient to meet the requirements set out in Schedule 7A Town and Country Planning Act 1990 and/or Articles 37C(2) and 37C(4) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (See Biodiversity net gain - GOV.UK for further information). Please address the issues listed in the above table.

ASSESSMENT

Case Officer Response:

The submitted details have been considered by the ecology officer and are deficient for the reasons set out above. The case officer has no reasonable grounds to come to a different conclusion and the details as submitted are refused.

RECOMMENDATION:

Refuse to discharge the submitted details for the national BNG condition.