The Town and Country Planning Act 1990

Approval of non-material change to a planning permission

Application Reference Number: PL/2023/05128

Decision Date:

Applicant:	C/o Agent C/o Agent C/o Agent C/o Agent , C/o Agent , C/o Agent , C/o Agent , C/o Agent , BS32 4QL
Particulars of Development:	Non-Material Amendment to PL/2021/07203 - amendments to the wording of conditions 9, 12, 13, 14 and 15 to allow for a S.278 approval to be obtained and work on the access to be undertaken before they are discharged
At:	Land at Marshall Road, Devizes, Wiltshire

I can confirm that having had regard to the effect of the proposed change, the Council is satisfied that the amendment is not material and accordingly has **APPROVED** the request for a non-material change to the planning permission. Any alterations to the conditions attached to the original planning permission as a result of this change are set out below.

This letter acts as official confirmation and therefore I suggest you attach it to the Decision Notice already in your possession.

Please note that this decision relates solely to the change described above. Any other change, regardless of whether or not it is shown on the Non-Material Amendment drawings, is not covered by this decision.

Conditions: (1)

1 Condition 9
No development shall commence on site, except the development approved as per Concept Site Access Plan number 41342/5501/SK01, until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

NOTE: The Lead Local Flood Authority advises that in order to discharge this condition the detail as highlighted within the 'Land drainage Informative' below should be submitted.

Condition 12
Prior to the start of construction, except for construction related to the approved Concept Site Access Plan number 41342/5501/SK01, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets.

The LEMP shall also include details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured. The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

Condition 13
No development shall commence on site, except the development approved as per Concept Site Access Plan number 41342/5501/SK01, until an Air Quality Assessment (AQA) has been submitted to and approved in writing by the Local Planning Authority. The AQA must quantify the effect of the development on existing local authority air quality monitoring locations and sensitive receptors as well as the proposed development. It must also identify and make adjustments for all core strategy based development in the developments locality, including impact on residents of the proposed site from the nearby waste transfer station / composting facility from dust and odour. Use of CURED data in the AQA is expected along with any other currently accepted approaches to AQA. Any mitigation identified from the results of the assessment shall be incorporated into the final design of the proposed development. Development shall be carried out in accordance with the approved details.

REASON: In order to assess the impact of new development within an area subject to an air quality management area restriction, in the interests of the amenity of the area and the site itself and in the interests of protected species and their habitats.

Condition 14
No development above DPC level shall take place until a scheme of Ultra Low Energy Vehicle infrastructure has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and thereafter be permanently retained.

REASON: Core Policy 55; Development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

Condition 15
No development above DPC level shall take place until a Full Travel Plan has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied prior to the implementation of the Travel Plan, (or implementation of those parts capable of being implemented prior to occupation). Those parts identified for implementation after occupation shall be implemented in accordance with the timetable contained therein, and shall continue to be implemented as long as any part of the development is occupied.

REASON: In the interests of reducing the amount of private car movements to and from the development site.

Parvis Khansari - **Corporate Director, Place**