CASE OFFICER'S REPORT

Application Reference:	PL/2023/06547
Application Type:	Approval of details reserved by a condition
Site Inspection:	
Consultation ends:	25 August 2023
Case officer:	Jonathan James

Site Address:	The French Horn Inn, Marlborough Road, Pewsey, Wilts, SN9 5NT
Proposal:	Discharge of condition 4 of PL/2022/05996
Recommendation:	Approve

POLICIES

Pewsey Neighbourhood Plan

Wiltshire Core Strategy (WCS, 2015)
- Core Policy 57 – Ensuring High Quality Design and Place Shaping
- Core Policy 60 – Sustainable Transport
- Core Policy 61 – Transport and New Development
- Core Policy 64 – Demand management

National Planning Policy Framework (2021) (NPPF)

Planning Practice Guidance (PPG)

CONSULTATION RESPONSES

Town/Parish Council – N/a

REPRESENTATIONS

WC Public Protection – I have checked the submitted documents and have concerns over paragraph (vi) where the applicant claims they are adhering to council guidelines for intended working hours with 08:00 to 18:00 Mon to Fri , 08:00 to 16:00 and no work on Sundays of Bank Holidays without prior approval.

The preferred hours and the condition our team would generally request is:
No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 0800 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

The guidance on our website states:
We would recommend that noisy construction site activities are undertaken Monday to Friday 8am to 6pm and Saturday 8am to 1pm with no working on Sundays and Bank holidays. This does not prevent quiet activities such as painting happening outside of these hours.

We are unable to recommend approval of the condition with the hours of noisy works as stated on the CMS. If you are minded to approve, please advise the applicant that we would be more likely to consider regular noisy works outside of these hours as a potential statutory nuisance and may also refer to provisions under the Control of Pollution Act 1974.

Paragraph (vii) relating to dust is rather short on detail in terms of what measures will be taken to control dust. Our concerns would be that the amenity of nearby receptors is protected and that suitable dust suppression measures are in place.

We regret we are unable to recommend discharge of the condition currently.

WC Highways – No comments received at the time of drafting this report

ASSESSMENT

The application before the Council is for the discharge of conditions 4 of planning application PL/2022/05996.

Condition 4 requires the submission of a construction management statement: -
“No development shall commence on site (including any works of demolition), until a Construction MANAGEMENT Statement, together with a site plan, which shall include the following:
1. the parking of vehicles of site operatives and visitors;
2. Number and size of delivery vehicles/ construction vehicles
3. loading and unloading of plant and materials;
4. storage of plant and materials used in constructing the development;
5. wheel washing facilities;
6. measures to control the emission of dust and dirt during construction;
7. a scheme for recycling/disposing of waste resulting from demolition and construction works; and
8. measures for the protection of the natural environment.
9. hours of construction, including deliveries;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase”.

At the time of drafting this report/decision no comments have been received from the highway officer; it is therefore reasonable to conclude that they have no objections to the submitted details.

With reference to the details submitted for condition 4, concerns were initially expressed by the public protection officer at the hours of work and the suppression of dust. These issues were highlighted to the agent/applicant who has provided further detail on both the hours of operation (to meet EHO requirements) and measures to control dust emission.

The details submitted are considered to meet the requirements of condition 4 and the scheme is now therefore considered acceptable.

CONCLUSION

With reference to the details submitted for condition 4; the submitted Construction Method Statement submitted on the 22nd August 2023 and the “Proposed CMS Site Plan” (Dwg No. ‘The French Horn – 10 – CMS’) are satisfactory to meet the requirements of condition 4 of planning consent PL/2022/05996. The further requirements of condition 4 are that the development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

RECOMMENDATION:
Approve

I can confirm that the details submitted for condition 4; the submitted Construction Method Statement submitted on the 22nd August 2023 and the “Proposed CMS Site Plan” (Dwg No. ‘The French Horn – 10 – CMS’) are satisfactory to meet the requirements of condition 4 of planning consent PL/2022/05996.

The further requirements of condition 4 are that the development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

Please ensure that a copy of this correspondence is kept with the decision notice. If you have any queries, please contact the case officer on their details below.

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