

Planning Registration Team
Wiltshire Council
Our reference: 17091.cb
28th August 2023

Dear Sir or Madam

S.73 application: Former Westbury Hospital Site, Callaway Gardens, Westbury
Variation of planning conditions 5, 6 and 7 of planning permission 15/11604/OUT to become compliance conditions relating to the installed surface water drainage scheme and its associated maintenance regime.

1.0 Introduction

The purpose of the enclosed s.73 application is to regularise the surface water drainage system that has been installed by Backhouse Housing at the former Westbury Hospital Site now known as Callaway Gardens, Westbury. The installed scheme is different to the scheme that was agreed under conditions 5 and 6 of outline planning permission 15/11604/OUT.

The enclosed application is supported by the following information:

- Section 73 application fee plus Planning Portal administrative fee of £64.00 plus VAT: £298.00
- Site Location Plan: Keep Architecture
- Drainage Plan: AWP
- Drainage Technical Note: AWP
- Planning Cover Letter: PlanningSphere
- Photosheet: PlanningSphere

2.0 Relevant Background Information

Relevant planning history is set out in the table below:

Reference	Description	Decision
15/11604/OUT	DOC application to discharge Conditions 5,6 and 7	Discharged 12.04.2018
17/12513/REM	Reserved matters application for erection of 56 dwellings (layout, scale, landscaping and external appearance only), access already approved under outline.	Approved 01.05.2018 NMA approved 27.05.2020
15/11604/OUT	Erection of up to 58 dwellings, public open space and associated access and drainage works	Permitted 28.02.2017

The detailed wording of the three conditions that are the subject of this application are as follows:

5	No development shall commence on site until a scheme for the collection and disposal of storm water flows (cut-off ditches and ponds) from off the site from reaching the developed area, including further ground investigations to determine ground water levels has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until the scheme for the collection and disposal of storm water flows (cut-off ditches and ponds) from off the site from reaching the developed area has been constructed in accordance with the approved scheme. REASON: To ensure that the development can be adequately protected from flooding from offsite flows currently passing into the site
6	No development shall commence on site until a scheme for the discharge of surface water within the site (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365 together with extended ground water monitoring and deeper ground investigations, 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: To ensure that the development can be adequately drained within the national and council's policies without the need for offsite discharges
7	No development shall commence on site until a scheme for the maintenance and full responsibilities of the drainage systems as required by conditions 5 and 6, including details of a management company, have been submitted to and approved in writing by the Local Planning Authority. REASON: To ensure that the proposed drainage systems are properly maintained to allow the systems to continue to provide the required protection against flooding for the life time of the development and to comply with new land/property searches.

3.0 Summary of Proposals

The surface water drainage system that has been installed on site is different from the scheme that was approved under the condition discharge approval dated 12th April 2018. This followed further testing and design development.

The applicant wishes to regularise the installed scheme. The applicant's engineers have prepared a revised Drainage Technical Note and Plan that is aligned with the scheme that has been implemented on site.

Accordingly, conditions 5, 6 and 7 are proposed as 'compliance' planning conditions with the following wording:

5	The development shall be implemented in accordance with the scheme for the collection and disposal of storm water flows as described in the AWP Technical Note and Drainage Plan (Ref: 0654-PDL-101-H) received by the Local Planning Authority on INSERT DATE . REASON: To ensure that the development can be adequately protected from flooding from offsite flows currently passing into the site
6	The development shall be implemented in accordance with the scheme of surface water within the site as described in the AWP Technical Note and Drainage Plan (Ref: 0654-PDL-101-H) received by the Local Planning Authority on INSERT DATE . REASON: To ensure that the development can be adequately drained within the national and council's policies without the need for offsite discharges
7	The development shall be implemented in accordance with the scheme for the maintenance and full responsibilities of the drainage systems as required by conditions 5 and 6, including details of a management company, in accordance with the Drainage Technical Note received by the Local Planning Authority on INSERT DATE . REASON: To ensure that the proposed drainage systems are properly maintained to allow the systems to continue to provide the required protection against flooding for the lifetime of the development and to comply with new land/property searches.

4.0 Conclusion

The Council is respectfully requested to approved to vary conditions 5, 6 and 7, as set out above, unless otherwise agreed.

Yours faithfully

Chris Beaver
Director
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