CASE OFFICER'S REPORT

Application Reference:	PL/2023/08430
Application Type:	Approval of details reserved by a condition
Site Inspection:	
Consultation ends:	30 October 2023
Case officer:	Meredith Baker

Site Address:	UNIT 5C, HOPTON ROAD, DEVIZES, SN10 2EU
Proposal:	Discharge of Conditions 3 & 6 relating to application PL/2022/01517 (Use of part of yard for the siting of tanks and skid pump for the storage and distribution of heating oil and parking of associated oil tankers)
Recommendation:	Approve

Planning Policy

National Planning Policy Framework (2023) (NPPF)
Wiltshire Core Strategy (WCS, 2015)
Planning Practice Guidance (PPG)

Consultation Response

Environmental Agency: No objection to discharge the conditions.

Proposal

The discharge of conditions 3 and 6 pursuant to planning reference PL/2022/01517:

Condition 3:

No development shall commence on site until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, have been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

• A preliminary risk assessment which has identified:
• all previous uses;
• potential contaminants associated with those uses;
• a conceptual model of the site indicating sources, pathways and receptors; and
• potentially unacceptable risks arising from contamination at the site.
• If the preliminary risk assessment identified any potentially significant risks, then a site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;
• The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken; and

• A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall be carried out in accordance with the approved details and information submitted.

REASON: To protect the water environment and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

Condition 6:

No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water drainage from impermeable parking areas and hardstandings for vehicles) incorporating sustainable drainage details, supported by an assessment of the risks to controlled waters, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting of planning permission and 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 drainage, and to protected the water environment, to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

Assessment

The following information has been submitted to discharge the above conditions:

· Phase II A Contaminated Land Investigation Hopton Road, Devizes by Wesson Environmental – April 2023 Project No. 001VAOIP2
· Phase II Geo-Environmental Investigation Unit 5C, Vale Oil, Devizes, Wiltshire – by Wesson Environmental – May 2023 Project No. 001VAOIP2
· Appendix D – Groundsure Insights - Plans
· Appendix E – Groundsure Location Intelligence Enviro+Geo Insight report – ref: WES-EX9-WTW-RGF-S9I
· Wessex Water YTL Group letter dated 20/09/2023 Ref: SC0026024
· SW Drainage Layout – By Sanderson Associates Drawing No. 154914-500 Rev B

The conditions above were requested by the Environmental Agency as part of the planning application process to ensure that the water environment was protected from the development. The submitted details provided adequate information regarding contamination and a strategy to discharge surface water from the site. The Environmental Agency has reviewed the submitted documents and raised no objection to the discharge of conditions. In particular stating that having reviewed the contaminated land investigations it is agreed that the risk posed to controlled water is negligible. These views are agreed and therefore the details are acceptable.

Conclusion

It is confirmed that the details submitted are acceptable to discharge conditions 3 and 6 of PL/2022/01517. As such the application for the discharge of this condition is approved.

RECOMMENDATION:

Approve