CASE OFFICER'S REPORT

Application Reference:	PL/2023/06303
Application Type:	Approval of details reserved by a condition
Site Inspection:	
Consultation ends:	01 November 2023
Case officer:	Jonathan James

Site Address:	Land at Marshall Road, Devizes, Wiltshire
Proposal:	Discharge of Condition No 7,8,10,11,16 on PL/2021/07203 (Development of up to 170 homes, means of pedestrian and vehicular access, landscaping, public open space, drainage and associated infrastructure works.)
Recommendation:	Approve

POLICIES

Wiltshire Core Strategy 2015 (WCS)

- CP50 – Biodiversity and Geodiversity
- CP51 - Landscape
- CP52 – Green Infrastructure
- CP55 – Air Quality
- CP56 – Land Contamination
- CP57 – Ensuring High Quality Design and Place Shaping
- CP58 – Ensuring the Conservation of the Historic Environment
- CP60 – Sustainable Transport
- CP61 – Transport and New Development
- CP62 – Development Impacts on the Transport Network

Devizes Area Neighbourhood Plan (2015)
- Policy H2 – Built Environment and Sustainability;
- Policy T1 – Getting Around;
- Policy ESD1 – Environment and Sustainability.

National Planning Policy Framework (NPPF) (2023)

Planning Practice Guidance (PPG)

CONSULTATION RESPONSES

Town/Parish Council – N/a

REPRESENTATIONS

WC Ecology – Further detail relating to the CMS now acceptable.

Initial comments identify - CEMP details are accepted; the CMS needs to include detail of the Site Strategy Plan

WC Highways – Previous comments in relation to Travel Plan and Construction Management Plan have been addressed. No further comments. The associated conditions can be discharged.

WC Landscape – No comment

WC Archaeology – Thank you for your consultation and for sending me a copy of the Written Scheme of Investigation (WSI) for the proposed archaeological evaluation on land to the south-east of Marshall Road, Devizes. I would commend this WSI to you as satisfying part (a) of Condition 7 that has been attached to planning permission PL/2021/07203 and I would therefore have no archaeological objection to the partial discharge of Condition 7 at this time.

A full discharge of Condition 7 will of course require the completion of all required archaeological investigations (which may include further investigation of archaeological activity identified by the evaluation prior to the commencement of any construction phase) and the submission of a report or reports on this work to Wiltshire Council Planning that have also been reviewed and approved by Wiltshire Council Archaeology Service (WCAS).

WC Public Protection - I've reviewed the Ground Investigation Report and am happy to agree the discharge of C8 of PL/2021/07203. We would support the recommendations made in c15.2 of the GI report.

Thanks for consulting Public Protection in respect of the discharge of C's 13 & 14. I can confirm that I have read the relevant submissions and have no objections to the discharging of these conditions which were requested by our team.

ASSESSMENT

The application before the Council is for discharge of conditions 7, 8, 10, 11 and 16 of planning application PL/2021/07203.

The Councils Archaeologist, Public Protection Officer, Landscape Officer, Ecologist and Highway Officer were all consulted on the above scheme and the consultation period has now expired.

Con 7 - No development shall commence within the area indicated within the red outline until a written programme of archaeological investigation has been submitted to and approved by the Local Planning Authority.

A Written Scheme of Investigation (WSI) has been submitted and assessed by the Archaeologist. The WSI is considered to satisfy part (a) of Condition 7 and no archaeological objection to the partial discharge of Condition 7 at this time is raised.

A full discharge of Condition 7 will of course require the completion of all required archaeological investigations (which may include further investigation of archaeological activity identified by the evaluation prior to the commencement of any construction phase) and the submission of a report or reports on this work to Wiltshire Council Planning that have also been reviewed and approved

by Wiltshire Council Archaeology Service (WCAS). However, sufficient detail has been supplied in order to allow for the commencement of development in relation to this condition.

Con 8 - No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the necessary steps have been complied with to the satisfaction of the Local Planning Authority.

The submitted Ground Investigation Report has been reviewed by the Public Protection Officer who has confirmed that the detail is acceptable to discharge the requirements of condition 8 of PL/2021/07203; they would support the recommendations made in c15.2 of the GI report.

Con 10 - No development shall commence on site until a Construction Method Statement (CMS) has been submitted to and approved in writing by the local planning authority.

Comments received from the highway officer support the content of the submitted Construction Method Statement and consider that the requirements of this condition have been met and can therefore be discharged.

However, further detail was required from the Councils ecologist on this matter as they identified that the document made reference to a ‘Site Strategy Pla’ but that detail had not been submitted. This has now been rectified through the submission of further detail and the requirements of this condition are now considered to have been met.

Con 11 - Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the local planning authority.

Comments received form the ecologist clarify that the submitted Ecology Construction Environmental Management Plan. Report ref: 230616_P1281_CEMP_Final01. June 2023. EAD Ecology is acceptable to meet the requirements of condition 11.

Con 16 - Prior to commencement of the development a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

Comments received from the highway officer support the content of the submitted Construction Traffic Management Plan and consider that the requirements of this condition have been met and can therefore be discharged.

CONCLUSION

In conclusion it is considered that the submitted details are considered acceptable and meet the requirements of conditions 7, 8, 10, 11 and 16 of planning application PL/2021/07203 (Development of up to 170 homes, means of pedestrian and vehicular access, landscaping, public open space, drainage and associated infrastructure works.). The development shall be carried out in accordance with the approved details.

RECOMMENDATION:
Approve

I can confirm that the details submitted, namely:
• Written Scheme of Investigation for an Archaeological Evaluation
• Ground Investigation Report T&P Regen
• Construction Method Statement
• Construction Environmental Management Plan
• Construction Traffic Management Plan
as submitted under application PL/2023/06303, are considered acceptable to meet the requirements of conditions 7, 8, 10, 11 and 16 of planning application PL/2021/07203.

Please note that development must be carried out in accordance with the approved details.

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.

Jonathan James MA MRTPI
Senior Conservation/Planning Officer
Tel No: +44 (0)1225 718512
Email: jonathan.james@wiltshire.gov.uk