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Planning Department,
Wiltshire Council,
Bythesea Road,
Trowbridge,
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BA14 8JN

15th December 2023

Dear Sir/Madam,

Discharge of Condition 8 of planning permission PL/2022/01628 (as amended by PL/2022/08024) at land southeast of 18 Midford Lane, Limpley Stoke, BA2 7GP.

Introduction

Please find enclosed details to discharge Condition 8 of planning permission PL/2022/01628 (as amended by application PL/2022/08024) on behalf of my client, Avonvale Developments.

This planning covering letter is supported by a drainage covering letter and a 'Proposed Drainage Strategy' drawing, both prepared by Clegg Associates.

Background

Planning permission was originally granted at the above site for the erection of two dwellings with associated access, car parking and landscaping (application reference 18/03006/FUL) on 25 May 2018.

Following the grant of planning permission 18/03006/FUL, and the lawful commencement of development, Avonvale Developments Ltd acquired the site and sought to make some very minor amendments to the design and layout of the approved scheme. Those amendments were approved via a Section 73 minor amendment application, under planning application reference PL/2022/01628 on 17 May 2022.

During the determination period for the above Section 73 application, National Highways (previously Highways England) noted in its consultation response that the site falls directly towards the highway boundary, with highways drainage assets present at the foot of the slope, at the edge of the A36 carriageway. National Highways were therefore concerned that if surface water was not controlled within the development site, it would be directed towards the highway. In addition, it was concerned that the proposed amendments to the scheme would increase the impermeable area with the potential to impact on surface water flows. Nevertheless, it was acknowledged that the principle of development had already been accepted and approved, and it was therefore suggested the concerns could be addressed by a planning condition.

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Condition 8 was therefore included on the decision notice for PL/2022/01628 which required that within 3 months of the grant of that permission a detailed surface water drainage design was to be submitted to and approved in writing by the local planning authority (in consultation with National Highways).

Following the approval of the above minor amendment application PL/2022/01628, the Applicant submitted a non-material amendment application to revise the wording of Condition 8. The revision was requested to allow the submission of drainage details at a later date, before commencing any work related to the dwellings' foundations. That application, with revised wording for Condition 8, was approved on 3rd November 2022.

The full wording of Condition 8 is, therefore, now as follows:

> *"Prior to any works relating to the foundations of the dwellings hereby approved, detailed surface water drainage design shall be submitted to and approved in writing by the local planning authority (in consultation with National Highways). The design should give due regard to the requirements of DfT Circular 02/2013and if any continued connection to a National Highways asset is proposed, the detailed design shall include an options appraisal. The detailed design shall also include a maintenance method statement and schedule. No dwelling hereby approved shall be occupied until surface water drainage measures are implemented in accordance with the agreed design. These measures shall be maintained as such thereafter.*
>
> *REASON: In the interest of the safe and efficient operation of the strategic road network, and to protect the integrity of the trunk road drainage asset."*

Assessment

As above, this application is now submitted to discharge Condition 8 of planning permission PL/2022/01628 (as amended by application PL/2022/08024).

As noted earlier, Condition 8 was originally added PL/2022/01628 due to National Highways concerns which related to the potential increase to the impermeable area compared to the original planning permission 18/03006/FUL. However, the accompanying drainage covering letter and Drainage Strategy shows that the impermeable area has in fact been reduced by 5m2 when compared to the original permission.

In addition to the above, it is confirmed that the proposed drainage strategy does not seek to connect to a National Highways asset. Therefore, an options appraisal for the detailed design is not required and does not accompany this application.

Finally, a maintenance method statement and schedule are included with the accompanying drainage covering letter, as required by Condition 8.

I trust the information provided as part of this application is sufficient to discharge this condition. If you require any further information, please do not hesitate to contact me.

Yours faithfully,

India Yeardley
Graduate Planner
For Ridge and Partners LLP