13 March 2025

Development Services
Wiltshire Council

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Dear Mr E. Ledwidge,

Discharge of Conditions

Application No:	PL/2023/08583
Proposal:	Discharge of conditions 6, 7, 9, 10, 11 & 12 relating to 19/05898/OUT ("Outline application for up to 50 residential units, internal road, parking, open space and associated works, with all matters reserved other than access")
Site Address:	Land off Park Road, Malmesbury, SN16 0QW

I write following receipt of your recent letter, regarding the discharging of conditions 6, 7, 9, 10, 11 & 12 relating to 19/05898/OUT

I can confirm that the details submitted satisfy the following conditions of the above planning application and that these have been found to be acceptable to comply with all pre-commencement sections of those conditions. All onward compliance requirements of these conditions are still in effect.

> *6) No development hereby permitted shall commence until full details of the proposed site levels (above ordnance datum), together with the finished floor slab levels of the proposed buildings and structures (including roads and footpaths), in relation to existing ground levels have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details.*
> ***Fully discharged – Documents LHMALMESBURY.10-DOC, version 10***
>
> *7) Prior to the submission of the first reserved matters application a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the local planning authority. The content of the LEMP shall include, but not necessarily be limited to, the following:*
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> > *i. Description and evaluation of features to be managed;*
> > *ii. Landscape and ecological trends and constraints on site that might influence management;*
> > *iii. Aims and objectives of management, including long term objectives to ensure biodiversity net gain and management in perpetuity on land outlined in red and blue on boundary plan 17021(90) 200 Rev B;*

iv. Appropriate management options for achieving aims and objectives as set out in points i.-iii. above;
v. Prescriptions for management actions for the site outlined in red and blue on plan 17021(90) 200 Rev B;
vi. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5 year period);
vii. Details of the body or organisation responsible for implementation of the plan;
viii. Ongoing monitoring and remedial measures which shall include measurable targets;
ix. Details of how the aims and objectives of the LEMP will be communicated to future occupiers of the development;
x. Details of the legal and funding mechanism(s) by which the longterm implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery, and;
xi. In the circumstances where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met, details of how contingencies and/or remedial action will be identified, agreed and implemented.

The development shall thereafter be carried out in accordance with the approved LEMP. A report shall be submitted to the local planning authority annually for a period of 5 years from commencement of the work schedule detailing the works undertaken and performance against the targets set.
Partially Discharged - All onward compliance requirements of these conditions are still in effect. – Document EDP, Land at Park Road, Malmsbury, Wiltshire, Landscape and Ecological Management Plan, September 2023, Report Reference: edp7403_r005b

9) No demolition, site clearance or development hereby permitted shall commence on site until an Arboricultural Method Statement (AMS) prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees has been submitted to, and approved in writing by, the local planning authority. All works shall subsequently be carried out in strict accordance with the approved AMS.

In particular, the AMS must provide the following:

i. A specification for protective fencing to trees during both demolition and construction phases for all development associated with the development hereby approved, including the trees and hedges in Park Road, which complies with British Standard BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) and a plan indicating the alignment of the protective fencing;
ii. A specification for scaffolding and ground protection within tree protection zones in accordance with BS 5837:2012 (or in an equivalent British Standard if replaced);
iii. A schedule of tree works conforming to British Standard BS 3998:2010 Tree work - Recommendations (or an equivalent British Standard if replaced);
iv. Details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires;
v. Plans and particulars showing the siting of the service and piping infrastructure;
vi. A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of any no-dig specification and extent of the areas of any driveways to be constructed using a no-dig specification;

vii. Details of the works requiring arboricultural supervision to be carried out by an arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the local planning authority of the findings of the supervisory visits; and
viii. Details of all other activities, which have implications for trees on or adjacent to the site and works that form part of the development hereby permitted.

Subsequently, and until the completion of all site works, site visits should be carried out on a monthly basis by an arboricultural consultant. A report detailing the results of site supervision and any necessary remedial works undertaken or required should then be submitted to, and approved in writing by, the local planning authority on a monthly basis. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant in accordance with the approved details.

10) No development hereby permitted shall commence on site until a Scheme for the discharge of surface water from the site including Sustainable Drainage Systems (SuDS) has been submitted to, and approved in writing by, the local planning authority. The Scheme details shall include any required off-site capacity improvements needed to allow the site to be served, and to include a programme allowing sufficient time for the delivery of any required improvements. The drainage strategy must include the following information:

i. A clearly labelled drainage layout plan showing the pipe networks and any SuDS features. The plan should show any pipe node numbers referred to within drainage calculations;
ii. A plan showing the cross sections and design of any SuDS features and its components;
iii. Justification for exemption from drainage hierarchy;
iv. CCTV survey of proposed connection point to the outfall point of that system;
v. Hydraulic Modelling of the system, and evidence that the proposed limited connection rate would not cause surcharge or capacity issues downstream;
vi. A schedule of works for repairs to downstream system to ensure capacity, and/or upsizing of existing system to accept flows if surcharging occurs in model (and evidence that the upsizing will cure the issue);
vii. Evidence that the surface water drainage system is designed in accordance with national and local policy and guidance, specifically CIRIA C753 (The SuDS Manual), the Non-statutory Technical Standards for SuDS and Wiltshire Council's Surface Water Soakaway Guidance;
viii. Pre and post development surface water discharge rates;
ix. Measures to prevent pollution of the receiving groundwater and/or surface waters;
x. Details of how any surface water from outside the site and likely to flow across it will be taken into account;
xi. Calculations and drawings for the drainage system design showing designated holding areas and conveyance routes based on no flooding on site for a 1 in 30 year rainfall event;
xii. Calculations and drawings for the drainage system design showing designated holding areas and conveyance routes based on no flooding on site for a 1 in 100 year plus climate change rainfall event in respect to a building (including basement) or utility plant susceptible to water within the development;
xiii. Drawings showing conveyance routes for flows exceeding the 1 in 100 year plus climate change rainfall event that minimise the risk to people and property;
xiv. The proposed ownership details of the drainage infrastructure;
xv. A Management and Maintenance Plan specifying the maintenance programme and ongoing maintenance responsibilities of the drainage infrastructure and any other arrangements to secure the operation of the scheme throughout its lifetime;
xvi. Detailed landscaping proposals of the Scheme;
xvii. Any third party agreements for discharge to their system (temporary and permanent);
xviii. The construction phasing plan, and;

xix. Geotechnical factual and interpretive reports, including infiltration tests in accordance with British Research Establishment Digest 365 – Soakaway Design.

The development shall be carried out strictly in accordance with the approved Scheme. No dwelling hereby permitted shall be occupied until the approved SuDS and the approved Surface Water Drainage Strategy to serve that dwelling has been completed in accordance with the approved details. The SuDS shall thereafter be managed and maintained in accordance with the approved details. ***Partially Discharged - All onward compliance requirements of these conditions are still in effect. – Document Land at Park Road, Malmesbury, Wiltshire Arboricultural Method Statement (Incorporating Arboricultural Impact Assessment and Tree Protection, July 2024, Report Reference: edp7403_r007f;***

10) No development hereby permitted shall commence on site until a Scheme for the discharge of surface water from the site including Sustainable Drainage Systems (SuDS) has been submitted to, and approved in writing by, the local planning authority. The Scheme details shall include any required off-site capacity improvements needed to allow the site to be served, and to include a programme allowing sufficient time for the delivery of any required improvements. The drainage strategy must include the following information:

i. A clearly labelled drainage layout plan showing the pipe networks and any SuDS features. The plan should show any pipe node numbers referred to within drainage calculations;
ii. A plan showing the cross sections and design of any SuDS features and its components;
iii. Justification for exemption from drainage hierarchy;
iv. CCTV survey of proposed connection point to the outfall point of that system;
v. Hydraulic Modelling of the system, and evidence that the proposed limited connection rate would not cause surcharge or capacity issues downstream;
vi. A schedule of works for repairs to downstream system to ensure capacity, and/or upsizing of existing system to accept flows if surcharging occurs in model (and evidence that the upsizing will cure the issue);
vii. Evidence that the surface water drainage system is designed in accordance with national and local policy and guidance, specifically CIRIA C753 (The SuDS Manual), the Non-statutory Technical Standards for SuDS and Wiltshire Council's Surface Water Soakaway Guidance;
viii. Pre and post development surface water discharge rates;
ix. Measures to prevent pollution of the receiving groundwater and/or surface waters;
x. Details of how any surface water from outside the site and likely to flow across it will be taken into account;
xi. Calculations and drawings for the drainage system design showing designated holding areas and conveyance routes based on no flooding on site for a 1 in 30 year rainfall event;
xii. Calculations and drawings for the drainage system design showing designated holding areas and conveyance routes based on no flooding on site for a 1 in 100 year plus climate change rainfall event in respect to a building (including basement) or utility plant susceptible to water within the development;
xiii. Drawings showing conveyance routes for flows exceeding the 1 in 100 year plus climate change rainfall event that minimise the risk to people and property;
xiv. The proposed ownership details of the drainage infrastructure;
xv. A Management and Maintenance Plan specifying the maintenance programme and ongoing maintenance responsibilities of the drainage infrastructure and any other arrangements to secure the operation of the scheme throughout its lifetime;
xvi. Detailed landscaping proposals of the Scheme;
xvii. Any third party agreements for discharge to their system (temporary and permanent);
xviii. The construction phasing plan, and;

xix. Geotechnical factual and interpretive reports, including infiltration tests in accordance with British Research Establishment Digest 365 – Soakaway Design.

The development shall be carried out strictly in accordance with the approved Scheme. No dwelling hereby permitted shall be occupied until the approved SuDS and the approved Surface Water Drainage Strategy to serve that dwelling has been completed in accordance with the approved details. The SuDS shall thereafter be managed and maintained in accordance with the approved details.
Partially Discharged - All onward compliance requirements of these conditions are still in effect. Documents Construction Phase Plan ref: LAG/PLM/CPP/01, LHMALMESBURY.10-DOC, version 10; Site Layout Plan DWG: MALMW-MCB-ZZ-ZZ-DR-A-0230-D5-P7; Planting Plans DWG: edp7403_d007i-1.21

11) No development hereby permitted shall commence until a Scheme to ensure the following has been submitted to, and approved in writing by, the local planning authority.

i. There is no raising of ground levels within the current or future flood zones 2 and 3, or that any raising is suitably compensated for a level for level basis, and;
ii. Finished floor levels are set no lower than 600mm above the 1 in 100 year design flood level, plus and appropriate allowance for climate change.

The development shall thereafter be carried out in accordance with the approved Scheme which shall be fully implemented and subsequently maintained in accordance with the Scheme's timing and phasing arrangements.
Partially Discharged - All onward compliance requirements of these conditions are still in effect. Documents LHMALMESBURY.10-DOC, version 10

12) No development hereby permitted shall commence on site until an Flooding Emergency Access and Egress Management Plan (the Management Plan), taking account of guidance in the Planning Practice Guidance on how to ensure safe access and egress to and from the development and including details of any gates or similar between the development and the access/egress point on Park Lane and the arrangements for their access by the emergency services, has been submitted to, and approved in writing by, the local planning authority. The access and egress provisions from the approved Management Plan shall be implemented prior to the first occupation of any dwelling on the site and emergency access and egress shall be maintained in accordance with the approved Management Plan thereafter.
Partially Discharged - All onward compliance requirements of these conditions are still in effect. Document FLOODING EMERGENCY ACCESS AND EGRESS MANAGEMENT PLAN December 2024 Mayer Brown

Yours faithfully

Head of Development Management

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