

20/1/26

Dear Sir,

TOWN AND COUNTY PLANNING ACT 1990 (as amended)
PARTIAL APPROVAL OF DETAILS RESERVED BY CONDITIONS

Application No:	PL/2025/09492
Proposal:	Discharge of details for conditions 8 parking spaces, 9 cycle parking, 11 surface water, 12 lighting, 13 surface water drainage & 22 soft landscaping of planning application PL/2023/00624 (Variation of condition 2 (approved plans) on 20/11079/FUL (70 bed care home with associated access, parking, sprinkler tank, bin store and landscaping) to allow for internal alterations, minor external revisions, alterations to sprinkler tank, VRM enclosure and PV panels to the flat roof).
Site Address:	Castle Lodge Care Home Warminster BA12 6LA
On Behalf Of:	Country Court Care Ltd

I refer to your application for the discharge of details for conditions attached to the above planning permission dated **8/11/23**.

After careful consideration by officers, the following decision has been made: **Condition 12 details are agreed.**

The conditions state:

8. No part of the development hereby permitted shall be first brought into use until the access, turning area and 38 parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter.

REASON: In the interests of highway safety.

9. The development hereby permitted shall not be first brought into use until the cycle parking facilities shown on the approved plans have been provided in full and made available for use. The cycle parking facilities shall be retained for use in accordance with the approved details at all times thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

11. Notwithstanding the submitted details, the proposed development shall not be occupied until means/works have been implemented to avoid private surface water from entering the highway from the site.

Reason: To ensure that the highway is not inundated with private surface water from the site.

Officer note – Conditions 8, 9 and 11 do not require the prior written approval of the LPA. The onus is on the developer to ensure compliance with the terms of the conditions.

12. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2011, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2011), have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities and ecology of the area and to minimise unnecessary light spillage above and outside the development site.

The agreed details are:

- C12 - External Lighting Details by Aurora Lighting
- Proposed Car Park Setting Out Plan ref 0379 009 Rev 5C dated 1/8/25

As set out in Condition 12, please ensure that the lighting complies with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2011, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2011)

Please could you ensure that the development is implemented in accordance with the agreed details and the terms of the condition.

13. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme for the site.

REASON: To comply with Core Policy 67: Flood Risk within the Wiltshire Core Strategy (adopted January 2015) and to ensure that the development can be adequately drained without increasing flood risk to others.

Officer note – Condition 13 does not require the prior written approval of the LPA. The onus is on the developer to ensure compliance with the terms of the conditions.

22. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

Officer note – Condition 22 does not require the prior written approval of the LPA. The onus is on the developer to ensure compliance with the terms of the conditions.

Please note that in accordance with national planning guidance, discharge of condition applications are procedural in nature and do not require public consultation. While third-party representations may occasionally be received, they are not formally invited and do not form part of the statutory decision-making process. The assessment of this application has been based solely on whether the submitted details satisfy the requirements of the relevant planning condition(s).

This letter acts as official confirmation and therefore I suggest that you attach it to the decision notice as evidence that you have complied with the requirements of the relevant condition(s).

Yours faithfully

Head of Development Management

NOTES:

1. Approved Conditions:

If the condition(s) have been discharged, you may proceed with the development in accordance with the approved details. Please ensure that the approved documents or plans are implemented on-site and adhered to as part of the development. It is important to comply with all conditions of the planning permission to ensure the development remains lawful.

2. Refused Conditions:

If the discharge of the condition(s) has been refused, you may submit revised details or further information to address the issues raised as part of a further discharge of the condition's application. Please ensure that any resubmission adequately addresses the reasons for refusal. Alternatively, you can appeal the Council's decision (see below for details).

3. Partially Discharged Conditions:

If the condition(s) have been partially discharged, the remaining details that are required must be submitted for further consideration. You should provide the necessary documents in accordance with any timeframe or trigger specified in the condition to allow for the full discharge of the condition(s).

Right of Appeal:

If you are aggrieved by the decision to refuse to discharge a condition or if the condition has only been partially discharged, you have the right to **appeal** the decision to the **Planning Inspectorate**.

The appeal must be made within **6 months** from the date of this decision notice. If the appeal is submitted after this 6 month period, the Planning Inspectorate will only consider it if there are exceptional circumstances. The procedure for making an appeal is set out under **Section 78 of the Town and Country Planning Act 1990** (as amended), along with the relevant provisions in the **Planning and Compulsory Purchase Act 2004**. For detailed guidance on how to submit your appeal, please visit the Planning Inspectorate's website: <https://www.gov.uk/appeal-planning-decision>

Please be aware that the appeal process will focus on whether the submitted details meet the requirements set out in the original planning condition(s) and relevant planning policies.