

Mrs Katie Peters
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Sent via email

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9 February 2026

Dear Katie

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

Application No:	PL/2025/09681
Proposal:	Discharge of Condition 11 of PL/2025/01523
Site Address:	Bugley Barton Farm, Land South of Victoria Road, Warminster
On Behalf Of:	Mrs Katie Peters 140A Aztec West Business Park, Almondsbury, Bristol, BS32 4TU

I refer to your application for the discharge of condition(s) attached to the above planning permission dated 10 December 2025. After careful consideration, the following decision has been made:

Condition(s) submitted for consideration:

Condition 11

No construction works with respect to plots 2-17, 121-123 and 126-128 (inclusive) shall commence until a further contamination remediation strategy (steps ii, iii and iv below) and a verification report along with any necessary long term monitoring in relation to the land in question have been submitted to and approved in writing by the Local Planning Authority for these areas.

Step (ii) Submission of Remediation Scheme: If any unacceptable risks are identified as a result of the investigation and assessment referred to in step (i) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.

Step (iii) Implementation of Approved Remediation Scheme: The approved remediation scheme under step (ii) must be carried out in accordance with its requirements. The Local Planning Authority must be given at least two weeks written notification of commencement of the remediation scheme works.

Step (iv) Reporting of Unexpected Contamination: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment should be undertaken in

accordance with the requirements of step (i) above and where remediation is necessary, a remediation scheme should be prepared in accordance with the requirements of step (ii) and submitted to and approved in writing by the Local Planning Authority.

Step (v) Verification of remedial works: Following completion of measures identified in the approved remediation scheme a verification report (referred to in the former PPS23 as a validation report) must be produced. The report should demonstrate the effectiveness of the remedial works. A statement should also be provided by the developer which is signed by a person who is competent to confirm that the works detailed in the approved scheme have been carried out. The Local Planning Authority can provide a draft Remediation Certificate when the details of the remediation scheme have been approved at stage (ii) above. The verification report and signed statement should be submitted to and approved in writing of the Local Planning Authority.

Step (vi) Long Term Monitoring and Maintenance: If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval at the relevant stages in the development process as approved by the Local Planning Authority in the scheme approved pursuant to step (ii) above, until all the remediation objectives in that scheme have been achieved. All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

REASON: To ensure that the development does not pose unacceptable pollution risks to controlled waters or future users of the land and residents, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

NOTE: The previous site use as a working farm may have caused contamination of soils/subsoils/groundwater, which should be fully assessed. In addition, the site is within a Source Protection Zone 3.

Details Submitted for Approval:

- Supplementary Foundation Assessment, ref: ESP.8917.4133 (dated July 2024)
- Geo-Environmental & Geotechnical Assessment, ref: ESP.6271t.02.3602 (dated February 2022)

Decision: The details submitted satisfy part (ii) of this condition and further information is required to fully satisfy the condition. **This condition is therefore partially discharged.**

Reason for Decision: The Council's Public Protection Team has reviewed the submitted information and advises that:

"I have reviewed the Geo-Environmental & Geotechnical Assessment and can confirm that it meets the requirements of Step ii of condition 11. Remediation steps are now required to deal with the recommended as outlined in section 9 of the report to deal with the asbestos in soils, biological and chemical contaminants within the former slurry pit and localised PAH contamination. These elements will be required under steps iii and v (and possibly step vi) and we will not be able to completely discharge the condition until further documentation is provided".

The Council's Ecologist and Drainage Teams raise no concerns.

Having regard to the above, the proposal is considered to satisfy the relevant development plan policies.

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.