

26/2/26

Dear Sir,

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

Application No:	PL/2025/09785
Proposal:	Discharge of details for Conditions 3 (surface water drainage) and 5 (CEMP) of PL/2024/09167 (Creation of agricultural access and track).
Site Address:	Pear Tree Farm, Pitton, SP5 1EG
On Behalf Of:	Mrs L Barlow and Mr N Ludlow

I refer to your application for the discharge of details for conditions attached to the above planning permission dated **4/9/25**.

After careful consideration by officers, the following decision has been made: **Condition 3 and 5 details are agreed.**

CONDITION 3 states

No works to create the new access (or to cover/fill the existing ditch at the entrance to the site with Pitton Road) shall take place on site until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority, to demonstrate that the proposed works will not increase surface water runoff onto:

- i) the public highway,*
- ii) any land immediately adjacent to the north boundary edge of the track and*
- iii) the existing ditch at the west boundary of the site access at Pitton Road.*

The proposed development shall not be first brought into use until the agreed works have been implemented and completed.

REASON: To ensure that the highway, ditch to the west (at Pitton Road) and land adjacent to the site to the north is not inundated with surface water from the new track, which is in an area at high risk from surface water flooding.

CONDITION 5 states

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 the Local Planning Authority and approved in writing. The Plan shall provide details of the

avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

- a. Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing. The area of mitigation planting adjacent to the planning application site, pertaining to permission PL/2021/07202, must be subject of a specific clause within the CEMP that will ensure no harmful or deleterious effects on the mitigation provided within that permission.
- b. Working method statements for protected/priority species, such as nesting birds and reptiles.
- c. Mitigation strategies already agreed with the local planning authority prior to determination, such as for great crested newts, dormice or bats and the Avoidance Strategy; this should comprise the pre-construction/construction related elements of strategies only.
- d. Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.

Development shall be carried out in strict accordance with the approved CEMP.

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

The agreed details are:

- **Surface Water Drainage Strategy Ref AEG9031_SP5_WestWinterslow_06 Issue 1.03 dated 6/2/26 and received 6/2/26**
- **CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN by Phillips Ecology dated 17/11/25**

Please could you ensure that the development is implemented in accordance with the agreed details and 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. Wiltshire Council is the land drainage authority under the Land Drainage Act 1991. Land drainage consent is required if a development proposes to discharge flow into an ordinary watercourse or carry out work within 8m of an ordinary watercourse. An ordinary watercourse is a watercourse that does not form part of a main river. The term watercourse includes all rivers and streams and all ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows. Wiltshire Council's land drainage bylaws can be downloaded here. The land drainage consent application form and guidance notes can be found on our website.
2. **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.

3. 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).

4. 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.