

13 March 2026

Dear Sir/Madam

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

Application No:	PL/2026/01276
Proposal:	Discharge of condition 5 (History/ Current condition of Contamination) relating to application PL/2025/02383.
Site Address:	Stonlea, Mill Lane, Corston, Malmesbury, SN16 0HH
On Behalf Of:	Anthony Dolman Elm Villa, Corston , Malmesbury, United Kingdom, SN16 0HB

I refer to your application for the discharge of condition(s) attached to the above planning permission dated 24 February 2026. After careful consideration, the following decision has been made:

Condition(s) submitted for consideration: 5- Contamination

No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses (including asbestos) has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site and any adjacent sites for at least the last 100 years and a description of the current condition of the sites with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site and the potential impact of any adjacent sites.

Step (ii) If the above report indicates that contamination may be present on, under or potentially affecting the proposed development site from adjacent land, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details must be submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON: Core policy 56, To reduce the risks associated with land contamination

Details Submitted:

- Forge ML Phase 1 Desk Study: Report No: MIL570:D/DA/001 Dated February 2026 Authored by Ms L Dolman on behalf of Forge Environmental Ltd received 24th February 2026
- PL/2025/02383 - Site Location Plan received 24th February 2026
- Revised Site Plan 556/50B received 24th February 2026

Decision: Partial Discharge of Condition Granted

Reason:

Public protection following review of the submitted details advises “The conclusions of the phase 1 desk study regarding potential land contamination are supported, and section 1 of condition 5 can be discharged.”

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.