

Development Services
Wiltshire Council
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01 April 2026

Dear Sir/Madam

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

Application No:	PL/2025/09921
Proposal:	Discharge of condition 6 (Investigation of the History and Current Condition of the Site) relating to appeal APP/Y3940/W/22/3292118 of planning application 20/03876/OUT.
Site Address:	Land South of Church View, Sutton Lane, Sutton Benger
On Behalf Of:	Mr Alex Marles Bybrook House, Lower Tuffley Lane, Gloucester, Gloucestershire, United Kingdom, GL2 5EE

I refer to your application for the discharge of condition(s) attached to the above planning permission dated 19 December 2025.

Condition 6

No development hereby permitted shall commence until an investigation of the history and current condition of the site to determine the likelihood of contamination arising from previous uses has been carried out and all of the following steps have been complied with:-

- i) a written report has been submitted to and approved in writing by the local planning authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether it is likely that contamination may be present on the site.*
- ii) if the above report indicates that contamination may be present on or under the site, 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. A report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the local planning authority.*
- iii) if the reports submitted pursuant to (i) or (ii) indicates that remedial works are required, full details of remediation shall be submitted to and approved in writing by the local planning authority. The approved remediation shall be implemented prior to the commencement of the development or in accordance with a timetable that has been approved 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.

After careful consideration, the following decision has been made:

Condition 6 can be **partially discharged** with the, following requirements remaining:

- The approved remediation shall be implemented prior to the commencement of the development or in accordance with a timetable that has been approved 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.

Detail(s) approved:

- Human Health Remedial Method Statement & Verification Plan
Report No: 25-10-01A, Rev 01, prepared by Geo-integrity
Dated February 2026
- Supplementary Geoenvironmental Ground Investigative Report
Report No: 25-10-01, prepared by Geo-integrity
Dated December 2025

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.