

APPLICATION FOR DISCHARGE OF PLANNING CONDITION CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/01136
APPLICATION TYPE:	Approval of details reserved by condition
SITE ADDRESS:	Kingsway Business Park, Corston, Malmesbury, SN16 0HW
DEVELOPMENT DESCRIPTION:	Discharge of conditions 11 (Pollution control and drainage water treatment calculations) and 13 (Construction Management Statement) relating to application PL/2025/03530.
RECOMMENDATION:	Condition 11 and 13 of PL/2025/03530 be PARTIALLY DISCHARGED

REASON FOR APPLICATION

Application PL/2025/03530, *Demolition of the remaining horticultural nurseries and erection of employment facilities comprising office and product development premises (Class E) and warehouse and light industrial facilities (Class B2 and B8). Ancillary uses include a mobility hub, café, and accommodation, together with landscaping, drainage, and other associated works*, was granted full planning permission on 15.01.2026 subject to 30 conditions.

Conditions 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 require submission and approval of further detail prior to commencement of certain works. Conditions 4, 16, 17, 18 and 21 require submission and approval of further detail at other trigger points.

Condition 7 is requesting partial discharge under PL/2026/02225 which, at the time of writing, is pending determination.

This application is requesting discharge of conditions 11 and 13; at the time of writing no application has been made to discharge any other condition associated with PL/2025/03530.

CONDITIONS OF PL/2025/03530 REQUESTING DISCHARGE

Condition 11 states:

No development, including demolition works, shall commence on site until:

a) details of measures to control pollution to existing watercourses and groundwater, during demolition and construction phases have been submitted to and approved in writing by the Local Planning Authority.

b) details of calculations which demonstrate that the drainage design provides a sufficient level of water treatment to prevent pollution to the receiving watercourse have been submitted to and approved in writing by the Local Planning Authority. The works must be carried out in accordance with approved details.

REASON: To prevent pollution of the water environment

Condition 13 states:

No development shall commence on site (including any works of demolition), until:

a site plan and Construction Management Statement has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Statement must include:

- i) the parking of vehicles of site operatives and visitors*
- ii) Number and size of delivery vehicles/ construction vehicles*
- iii) loading and unloading of plant and materials*
- iv) storage of plant and materials used in constructing the development;*
- v) wheel washing facilities*
- vi) measures to control the emission of dust and dirt during construction*
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works; and*
- viii) measures for the protection of the natural environment.*
- ix) hours of construction, including deliveries;*
- x) pre-condition photo survey*

The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

RELEVANT LEGISLATION, POLICY AND GUIDANCE

[Planning Policy Guidance \(PPG\)](#)

Town and Country Planning Act 1990 (TCPA)

REPRESENTATIONS

Councils Drainage Team: No Objection

Following a review of the information provided, Condition 11 can now be discharged. The LLFA are happy that Condition 13 can be discharged from a drainage perspective, but discharge of this condition will be dependent on comments from other parties.

Councils Highways Team: No Objection

[...] A CMS has been submitted which appropriately addresses the points above. It is therefore considered that this condition can be discharged in relation to highways.

The Environment Agency (EA): No Comment

INFORMATION PROVIDED WITH THE APPLICATION

The following summarised information has been provided to/assessed by the Local Planning Authority (LPA):

Application form	Indicating that the requested conditions for discharge are Condition 11 and 13 of PL/2025/03530	Signed and dated on 17.02.2026	Sufficient to clarify the reason for application and to provide additional supporting information.
Copy of Decision Notice	Confirming condition wording associated with PL/2025/03530	Dated 15.01.2026	
Covering Letter	Reference: 2487 Prepared by Morgan Elliot Planning confirming submitted detail and expressing how the detail satisfies the aims of the condition	Dated 16.02.2026	
Location Plan	Showing the extent of the site associated with PL/2025/03530	Undated	

Pollution Prevention Statement	2238 – Kingsway Phase 2 Prepared by Condon Drew Associates providing detail including: - Site context and receiving environment - Pollution prevention during demolition and construction - Operational Water Quality and Treatment Calculations	Dated 13.02.2026	Representation from the Councils drainage and highways teams confirms that detail is sufficient to discharge the pre-commencement parts of conditions 11 and 13
Construction Management Statement (CMS)	‘General Construction site rules and method of working’ prepared by Corston Ltd providing detail including: - responsibilities - hazards - work procedure & control measures - Management arrangements Embedding: - undated, annotated photographs - Construction plan, A105 (dated 08.11.2023)	Dated 02.03.2026	

ASSESSMENT AND CONCLUSION

Sufficient information has been provided to allow for the Local Planning Authority to make an informed decision on whether the provided detail is consistent with the pre-commencement aims of conditions 11 and 13 of PL/2025/03530.

RECOMMENDATION: Conditions 11 and 13 of PL/2025/03530 be PARTIALLY DISCHARGED

INFORMATIVES TO APPLICANT:

- This Local Planning Authority is satisfied that the details submitted under this application (PL/206/01136) is consistent with the pre-commencement aims of conditions 11 and 13 of PL/2025/03530 to such a degree that development can commence in accordance with the following approved detail:

Pollution Prevention Statement, prepared by CDA, dated 13.02.2026

Construction Management Statement, prepared by Corston Ltd

- The requirements of Condition 11 for the development to be carried out in accordance with the approved details, remains.
- The requirements of Condition 13 for the approved Statement shall be adhered to throughout the construction period, remains.
- The requirements of further conditions to be separately discharged, remains.
- This decision should be read in conjunction with PL/2025/03530