

APPLICATION FOR DISCHARGE OF PLANNING CONDITION CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/02404
APPLICATION TYPE:	Approval of details reserved by condition
SITE ADDRESS:	Bay Tree Barn, Lower Woodrow, Forest, Melksham, SN12 7RB
DEVELOPMENT DESCRIPTION:	Discharge of conditions 9 (Surface water discharge scheme) , 10 (Groundwater flood risk assessment) and 12 (Foul water drainage scheme) relating to application PL/2025/03530
RECOMMENDATION:	Conditions 9, 10 and 12 of PL/2025/03530 be 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.

Conditions 11, and 13 were partially discharged under PL/2026/01136 on 15.04.2026

Condition 7 was partially discharged under PL/2026/02225 on 06.05.2026

This application is requesting discharge of conditions 9, 10 and 12.

CONDITIONS OF PL/2025/03530 REQUESTING DISCHARGE

Condition 9 states:

No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating

sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The scheme must include evidence demonstrating how the surface water disposal hierarchy has been applied and how all other options have been exhausted.

The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

Condition 10 states:

No development shall commence on site until:

a) a site-specific groundwater flood risk assessment has been submitted to the Local Planning Authority. The flood risk assessment must include all available information and data from local sources and, in areas susceptible to groundwater flooding, any potential proposed infiltration SuDS must be demonstrated as appropriate. The groundwater assessment must include, but not necessarily be limited to, consideration of the following:

*i) groundwater level monitoring, taking into account seasonal variations
ii) the interaction between different sources of flooding
iii) how groundwater will impact on the proposed drainage system iv) the interaction between groundwater, groundwater recharge and aquifers*

b) any mitigation measures detailed within the flood risk assessment have been approved in writing by the Local Planning Authority.

The development shall not be first brought into use until the approved scheme has been carried out in full, or in accordance with any approved timetable.

REASON: In the interests of flood prevention.

Condition 12 states:

No development shall commence until a foul water drainage scheme has been submitted to and approved in writing by the local planning authority.

The scheme shall be implemented as approved and completed prior to the development being brought into use.

REASON: To ensure that the proposed non-mains drainage system does not harm groundwater resources in line with Paragraph 187 of the National Planning Policy Framework and the 'The Environment Agency's approach to groundwater protection'.

RELEVANT LEGISLATION, POLICY AND GUIDANCE

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

[Town and Country Planning Act 1990 \(TCPA\)](#)

REPRESENTATIONS

Environment Agency:

Condition 9 – We have no objection to the proposed surface water discharge scheme.

Condition 10 - Having reviewed the Groundwater Flood Risk Assessment dated 13th April 2026 we agree that Condition 10 may be discharged from a controlled waters perspective.

Condition 12 - Having reviewed the Drainage Strategy dated 13th April 2026 we agree that Condition 12 may be discharged from a controlled waters perspective.

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 Conditions 9, 10 and 11 of PL/2025/03530	Signed and dated on 13.04.2026	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	
Location Plan	Showing the extent of the site associated with PL/2025/03530	Undated	
Covering Letter	Prepared by morgan Elliot planning, providing an overview of the submitted details and how they meet the aims of conditions	Dated 13.04.2026	

Groundwater Flood Risk Assessment	Prepared by Tetra Tech, providing details on the following: - Site description - Geology and hydrogeology - Approach to groundwater level evidence - Groundwater flood risk assessment - Mitigation measures	Dated 13.04.2026	Representations from the Environment Agency confirms that the detail meets the pre-commencement aims of conditions 9, 10 and 12.
Drainage Strategy	Prepared by Tetra Tech, providing details on the following: - Site details - Surface water drainage design - Foul drainage design - Maintenance	Dated 13.04.2026	

CONCLUSION

Following receipt of representation from the Environment Agency, 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 9, 10 and 12 of PL/2025/03530.

RECOMMENDATION: Conditions 9, 10, and 12 of PL/2025/03530 be DISCHARGED

INFORMATIVES TO APPLICANT:

- This Local Planning Authority is satisfied that the details submitted under this application (PL/2026/02404) is consistent with the pre-commencement aims of conditions 9, 10 and 12 of PL/2025/03530 to such a degree that development can commence in accordance with the following approved detail:
 Groundwater Flood Risk Assessment; prepared by Tetra Tech, dated 13.04.2026
 Drainage Strategy; prepared by Tetra Tech, dated 13.04.2026
- The requirements of Condition 9 for the development to not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme, remains

- The requirements of Condition 10 for the development not to be first brought into use until the approved scheme has been carried out in full, remains
- The requirements of Condition 12 for the scheme to be implemented as approved and completed prior to the development being brought into use, remains.
- The requirements of further conditions to be separately discharged, remains.
- This decision should be read in conjunction with PL/2025/03530