

Mr Spragg
22 Egerton Road,
Bath,

Sent via email

Development Services
Wiltshire Council
Tel: 0300 456 0114
Email: developmentmanagement@wiltshire.gov.uk
www.wiltshire.gov.uk

16 June 2026

Dear Sir

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

Application No:	PL/2026/02647
Proposal:	Discharge of condition 5 (CMS - Construction Method Statement) relating to application PL/2024/00341
Site Address:	6 Duffield Lane, Bradford on Avon, BA15 1FY
On Behalf Of:	Mr & Mrs Gordon and Katie McKenzie and Vander Woerd 6 Duffield Lane, Bradford On Avon, Wiltshire, United Kingdom, BA15 1FY

I refer to your application for the discharge of condition(s) attached to the above planning permission dated 23 April 2026. After careful consideration, the following decision has been made:

Refusal to discharge planning condition 5 imposed on application PL/2024/00341.

The submitted Construction Management Statement is not supported by Wiltshire Council.

Whilst the submitted CMS indicates the timeframes site operatives would arrive at site and begin using plant and machinery, the CMS fails to protect local residential amenity for weekends and/or bank holidays. Allowing construction work 08:00 to 16:30 on any given day is not something the Council can support given the location of the site and proximity to other properties.

Given the purpose of the condition is to ensure a satisfactory standard of amenity for residents during the construction phase, the Council cannot agree to discharge this condition without a more sensitive approach for construction times and days.

It is considered that insufficient information has been submitted to demonstrate that the development would minimise detrimental effects to the neighbouring amenities and the amenities of the area in general as required by condition 5 of PL/2024/00341.

Accordingly, the Council refuses the application to discharge condition 5 of PL/2024/00341.

This letter acts as official confirmation and therefore I suggest that you attach it to the decision notice. A separate DOC will be required.

Yours faithfully

Head of Development Management

NOTES

1. **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to refuse the discharge of the condition, he/she may appeal to the Secretary of State for the Environment in accordance with Section 78(1) of the Town and Country Planning Act 1990 within 12 weeks of the date of this decision.

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.