

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

04 September 2026

Dear Sir/Madam

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

Application No:	PL/2026/02554
Proposal:	Partial discharge of conditions 4 (Ground Investigation) , 5 (Construction Traffic and Environmental Management Plan (CTEMP)) and 6 (Arboricultural Impact Assessment (AIA) and an Arboricultural Method Statement (AMS)) relating to application PL/2024/07035 following appeal (Ref: APP/Y3940/W/24/3357720)
Site Address:	Urchfont Garage, High Street, Devizes, SN10 4QH
On Behalf Of:	Mr Gaiger Kennet House, Northgate Street, Devizes, Wiltshire, SN10 1JT

I refer to your application for the discharge of condition(s) attached to the above planning permission dated 21 April 2026. After careful consideration, the following decision has been made:

Condition(s) submitted for consideration:

Condition 4:

No development (including demolition) shall commence until a ground investigation has been carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants. As a minimum, the ground investigation shall be undertaken in accordance with the recommendations of the submitted Phase 1 Assessment of Land Quality (Author: Ground Investigation Limited, dated 17 July 2024) and shall include assessment of the potential risks to:- human health,- property (existing and proposed),- adjoining land,- groundwater and surface waters, and- ecological systems. This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR11" and other authoritative guidance. Step 2 – Remediation Scheme: If any unacceptable risks are identified as a result of the investigation referred to above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This shall detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural environment and shall be submitted to and approved in writing by the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. Step 3 – Implementation of Approved Remediation Scheme: The approved remediation scheme under step 2 must be carried out in full in accordance with its requirements. The local planning authority must be given at least two weeks written notification of commencement of the remediation

scheme works. Step 4 – Reporting of Unexpected Contamination: In the event that contamination is found at any time when carrying out the approved development (that was not previously identified) it shall be reported in writing immediately to the local planning authority. An investigation and risk assessment shall be undertaken in accordance with the DEFRA and Environment Agency guidance referenced above and where remediation is necessary, a remediation scheme shall be prepared in accordance with the requirements of step (ii) and submitted to and approved in writing by the local planning authority. Step 5 – Verification of remedial works: Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to the local planning authority. The report shall demonstrate the effectiveness of the remedial works. A statement shall also be provided by the developer which is signed by a person who is competent to confirm that the works detailed in the approved scheme have been carried out (the local planning authority can provide a draft Remediation Certificate when the details of the remediation scheme have been approved at step 2 above). The verification report and signed statement should be submitted to and approved in writing of the Local Planning Authority. Step 6 – Long Term Monitoring and Maintenance: If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the local planning authority for approval at the relevant stages in the development process as per the details approved pursuant to step 2 above, until all the remediation objectives in that scheme have been achieved.

Details Submitted for Approval: Exploratory Hole Location Plan – Topographical Site Plan; Urchfont Schedule of Conditions -Condition 4 Ground Investigation -Gainger position update 24.08.26; Phase 2 Geo-Environmental Site Assessment Report and Proposed Remediation Strategy 26 September 2025;

Decision: The details submitted in relation to this condition are considered satisfactory to allow demolition and site clearance works prior to the completion of the proposed supplementary ground investigation works. The findings of the supplementary ground investigation works shall be incorporated into an updated ground investigation report and remediation strategy that shall be submitted to the Local Planning Authority for approval before any further development progresses.

This notice does not constitute approval or discharge of Condition 4.

A formal decision on the condition can only be made once the updated investigation information and any remediation strategy have been submitted and assessed.

Reason for Decision: The Environmental Health officer is satisfied that the information provided in the submitted reports provides sufficient information to allow completion of the asbestos survey and implementation of any recommendations, plus demolition and site clearance works and also provides appropriate scope of post-demolition investigation works to further characterise contamination within the area that could not reasonably be investigated beforehand.

Condition 5:

No development shall commence on site (including demolition and ground works) until a Construction Traffic and Environmental Management Plan (CTEMP) has been submitted to and approved in writing by the local planning authority. As a minimum, the CTEMP shall provide details of the following: i. how surface water runoff will be managed during construction and demolition phases to prevent an increase in flood and pollution risk to the public highway and adjoining land; ii. key personnel, responsibilities and contact details (including Site Manager and Arboricultural Consultant); iii. the movement of construction vehicles and provision for parking of vehicles of site operatives and visitors; iv. the provision for loading and unloading of plant, materials and demolition materials; v. the provision for storage of plant and materials used in constructing the development, as well as demolition materials; vi. the provision for wheel washing and vehicle wash down facilities; vii. measures to control the emission of dust and dirt during construction; viii. the

provision for recycling/disposing of waste resulting from demolition and construction; ix. the location and use of generators and temporary site accommodation; and x. site working hours and a named person for residents to contact. The details to be submitted under this condition shall include all details of timing and phasing of proposed measures to ensure that they are in place and maintained for so long as required. The approved measures shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in full accordance with the Statement without the prior written permission of the Local Planning Authority.

Details Submitted for Approval: Construction Traffic and Environmental Management Plan Issue 2 2026; Site layout and Access Plan;

Decision: The details submitted in relation to this condition are approved

Reason for Decision: The document has been assessed by highways officers and drainage officers and is found to be satisfactory with regard to the requirement set out in the condition with regard to highways impacts and surface water drainage during the construction phase

Condition 6:

The development hereby approved (including demolition) shall not commence until an Arboricultural Impact Assessment (AIA) and an Arboricultural Method Statement (AMS) has been submitted to and approved in writing by the local planning authority. As a minimum, the AIA and AMS shall be appropriate to the development proposals and shall detail the exact locations and specifications of tree protection measures and construction/demolition methods where works are required to be undertaken in proximity to the root protection areas of trees on or adjacent to the development site. The AIA and AMS shall be prepared in accordance with the guidance of BS:5837:2012 (Trees in relation to design, demolition and construction – Recommendations).

Details Submitted for Approval: Arboricultural Method Statement, Tree Protection Plan both supplied by WH Landscape (Rev B April 2026)

Decision: The details submitted in relation to this condition are approved.

Reason for Decision: The Arboricultural Officer is satisfied that the information provided in the Arboricultural Method Statement, and Tree Protection Plan, prepared by WH Landscaping, dated April 2026, demonstrates that sufficient consideration to the retained trees during construction.

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 when appealing against a refusal or failure to discharge a condition, the Planning Inspectorate will only consider whether the submitted details comply with the requirements of the condition and any relevant planning policies. They will not reconsider the original decision to grant planning permission or the reasonableness of imposing the condition itself.