Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2022/06692

Decision Date: 27 April 2023

Applicant:	Trustees of Calne Baptist Church Calne Baptist Church, Castle Street, Calne, SN11 0DX
Particulars of Development:	Demolition of the existing Church, The Manse and associated storage buildings. Construction of a church and community centre with 2no. residential dwellings
At:	Calne Baptist Church, Castle Street, Calne, SN11 0DX

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for the above development to be carried out in accordance with the application and plans submitted (listed below).

In accordance with paragraph 38 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following conditions:

Conditions: (20)

1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

- 8050-17000 Existing Plans and Elevations – The Manse
- 8050-17001 Proposed Site Plan
- 8050/17002 Site Location Plan
- 8050/16842/A Existing Plans and Elevations – Church
- 8050/16983C Proposed Site Plan, Sections and Refuse Storage Details
- 8050/16984F Proposed Church Elevations and Section
- 8050-16985F Proposed Church and Community Centre Plan

- 1486 Landscape Management & Maintenance Plan
- 1488-01 Rev C Soft Landscaping Proposals
- BDS-12-21 Topographic Survey and Existing Site Plan

REASON: For the avoidance of doubt and in the interests of proper planning.

3 The development hereby approved shall not commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include details of the following relevant measures:

i. An introduction consisting of a construction phase environmental management plan, definitions and abbreviations and project description and location;
ii. A description of management responsibilities;
iii. A description of the construction programme;
iv. Site working hours and a named person for residents to contact;
v. Detailed Site logistics arrangements;
vi. Details regarding parking, deliveries, and storage;
vii. Details regarding dust mitigation;
viii. Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network;
ix. Communication procedures with the LPA and local community regarding key construction issues – newsletters, fliers etc;
x. Details of how surface water quantity and quality will be managed throughout construction;
xi. Details of the safeguarding measures to deal with the following pollution risks:

- the use of plant and machinery
- wheel washing and vehicle wash-down and disposal of resultant dirty water
- oils/chemicals and materials
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes

xii. Details of safeguarding measures to highway safety to include:

- A Traffic Management Plan (including signage drawing(s))
- Routing Plan
- Details of temporary/permanent Traffic Regulation Orders
- pre-condition photo survey - Highway dilapidation survey
- Number (daily/weekly) and size of delivery vehicles.
- Number of staff vehicle movements.

There shall be no burning undertaken on site at any time.

Construction hours shall be limited to 0730 to 1800 hrs Monday to Friday, 0730 to 1300 hrs Saturday and no working on Sundays or Bank Holidays.

The development shall subsequently be implemented in accordance with the approved details of the CEMP.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, and detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase and in compliance with Core Strategy Policy 62.

4 No development shall commence within the area indicated by application PL/2022/06692
until:

a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and

b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

5 No works shall commence on site until an appropriate programme of building recording (including architectural/historical analysis) has been carried out in respect of the building concerned. This record shall be carried out by an archaeologist/building recorder or an organisation with acknowledged experience in the recording of standing buildings which is acceptable to the Local Planning Authority. The recording shall be carried out in accordance with a written specification, and presented in a form and to a timetable, which has first been agreed in writing with the Local Planning Authority.

REASON: To secure the proper recording of Calne baptist Church which is considered to be a non-designated heritage asset.

6 No external doors or windows shall be installed on site until joinery details have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include depth of reveal, details of heads, sills and lintels, elevations at a scale of not less than 1:10 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2. The works shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the character and appearance of the Calne Conservation Area and to ensure the replacement church is of high-quality landmark design.

7 No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the character and appearance of the Calne Conservation Area and to ensure the replacement church is of high quality landmark design.

8 No development shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods and canopies have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the character and appearance of the Calne Conservation Area and to ensure the replacement church is of high quality landmark design.

9 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

10 The development will be carried out in strict accordance with the following documents:

- The recommendations in the Ecological Appraisal and Bat Survey of Calne Baptist Church, Reference: B1154.005, Issue Two, Date: 12th August 2022 by Crossman Associates
- Tree Root Protection Plan, Drawing No: MTS/CBC 22/1, Date: April 2022, by Malmesbury Tree Services

- Tree report, Title: Report on a BS 5837:2012 survey of trees at Calne Baptist Church, Castle Street, Calne, Wiltshire, Reference: MTS/CBC 22, Date: 28th January 2022 by Malmesbury Tree Services.
- Addendum to Report on a BS 5837:2012 survey of trees at Calne Baptist Church, Castle Street, Calne, Wiltshire, Reference: MTS/CBC 22, Date: 25th January 2023
- Soft Landscape Proposals, Drawing No: 1488-01, Revision: C, Date: May 2019 by Cambium
- House sparrow nest boxes, Calne Baptist Church, Date 18th January 2023 by Crossman Associates

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

11 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting have been submitted to and approved in writing by the Local Planning Authority. The plans will be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2011, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2011), and Guidance note GN08-18 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals. The plans should also incorporate the recommendations outlined in Section 4.15 and Figure 4b of "Ecological Appraisal and Bat Survey of Calne Baptist Church" submitted with this application. The approved lighting shall be installed and maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: To avoid illumination of habitat used by bats.

12 Bat roosts and bat access points will be incorporated into the development in accordance with "Ecological ppraisal and Bat Survey of Calne Baptist Church" or as otherwise specified in a relevant European Protected Species Licence superseding this permission. The installation of these bat roosts and access features will be supervised by a professional ecologist. These bat roosts and access points will continue to be available for bats for the lifetime of the development.

REASON: To mitigate for impacts to bats arising from the development.

13 The development shall not be occupied until details of secure covered cycle parking have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall accord with dimensions, access, location, design and security principles laid out in Appendix 4 of Wiltshire's LTP3 Cycling Strategy. These facilities

shall thereafter be provided in accordance with the approved details and made available for use prior to the first occupation of the development hereby permitted and shall always be retained for use thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

14 With the exception of church services and the café, the uses hereby permitted shall only take place between the hours of 8am and 11pm from Mondays to Sundays.

REASON: To ensure the retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

15 The café hereby permitted shall only open between the hours of 10am and 4pm from Mondays to Saturdays.

REASON: To ensure the retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

16 Noise emissions from all external plant shall not exceed a Rating Level (BS4142:2014) of 27dB between the hours of 07:00 and 23:00, nor 32dB at any other time, when measured at 1m from the nearest residential window.

REASON: To ensure the retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

17 Any live or recorded music should be played/controlled to such a level, so as not to exceed LeqNR20 in any nearby residential room at any time.

REASON: In the interest of residential amenity.

18 If a kitchen ventilation system is to be installed, it must be provided with the following:-

1. 3 stage filtration system, comprising of the following:-
a) High efficiency Stainless steel baffle filters located within the canopy filter plenum;
b) EU 4 grade prefilters located in a purpose made housing upstream of the Ventilation canopy; and
c) Carbon Filtration located in a purpose made housing upstream of the prefilters.

2. Ozone generator

An Ozone generator will be installed within the extract system

3. Maintenance
The baffle filters within the canopy will require weekly cleaning. The pre-filters and carbon filters will require replacement on a regular basis the frequency of the replacement will be established within the first 3 months of trading as this is dependent on the type of products being cooked and the operating hours of the café. The Ozone Generator will require servicing every 6 months.

REASON: To ensure the retention of an environment free from odour in the interests of the amenity of the area.

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

REASON: To ensure that the development can be adequately drained

21 Birds and the nesting season
The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding. Please be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.

Informatives: (2)

20 Bats
The property is used by bats for roosting. Under the Conservation of Habitats and Species Regulations 2017, it is an offence to harm or disturb bats or damage or destroy their roosts. Planning permission for development does not provide a defence against prosecution under this legislation. The applicant is advised that a European

Protected Species Licence will be required before any work is undertaken to implement this planning permission. Future conversion of the roof space to living accommodation or replacing the roof could also breach this legislation and advice should be obtained from a professional bat ecologist before proceeding with work of this nature.

22 Artificial Lighting

The habitat within the proposed development site and the surrounding area is suitable for roosting, foraging and commuting bats. An increase in artificial lux levels can deter bats which could result in roost abandonment and/or the severance of key foraging areas. This will likely result in a significant negative impact upon the health of bat populations across the region. Artificial light at night can have a substantial adverse effect on biodiversity. Any new lighting should be for the purposes for safe access and security and be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2021), and Guidance note GN08-18 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

Parvis Khansari - **Corporate Director, Place**

NOTES

1 **Other Necessary Consents.** This document only conveys permission for the proposed development under Part III of the Town and Country Planning Act 1990 and the applicant must also comply with all the byelaws, regulations and statutory provisions in force in the area and secure such other approvals and permissions as may be necessary under other parts of the Town and Country Planning Act 1990 or other legislation.

1.1 the need in appropriate cases to obtain approval under Building Regulations. **(The Building Regulations may be applicable to this proposal. Please contact the Council's Building Control team before considering work on site);**

1.2 the need to obtain an appropriate order if the proposal involves the stopping up or diversion of a public right of way or other highway (including highway verge);

1.3 the need to obtain a separate "Listed Building Consent" to the demolition, alteration or extension of any listed building of architectural or historic interest;

1.4 the need to make any appropriate arrangements under the Highways Act 1980, in respect of any works within the limits of a highway. The address of the Highway Authority is County Hall, Trowbridge, BA14 8JD (It is the responsibility of the applicant to ascertain whether the proposed development affects any listed building or public right of way / other highway, including highway verge).

2 **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to grant permission subject to conditions, he 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 six months of the date of this decision. (Information and forms relating to the appeals process can be found at the Planning Portal - http://www.planningportal.gov.uk/planning/appeals).

3 **Climate Change.** Wiltshire Council acknowledges the climate emergency and is seeking to make the county carbon neutral. You are encouraged to include energy efficiency that exceeds building regulations and to meet residual energy demand through renewable energy and low-carbon technologies, including high levels of electric vehicle charging points. The developer is encouraged to contact the climate team to discuss this further. climate@wiltshire.gov.uk