PEFULZ

West Wiltshire District Council

Town and Country Planning Act 1990

PERMISSION FOR DEVELOPMENT

Application No: 08/00931/FUL

Description: Expansion of commercial grain store

Location: Keysley Farm Hindon Road Monkton Deverill Wiltshire BA12 7EY

18 JUL 2008

Applicant:

Keysley Ltd
Keysley Farm
Hindon Road
Monkton Deverill
Wiltshire
BA12 7EY

Agent:

Savills
FAO Mr C Lane
Wessex House
Priors Walk
East Borough
Wimborne
Dorset
BH21 1PB

JUSTIFICATION FOR DECISION:

The proposed development would not result in any detrimental impact on the AONB or countryside setting and would not significantly harm any interests of acknowledged importance.

The Council hereby grants **PERMISSION** for the above development to be carried out in accordance with the application and accompanying plans subject to the following condition(s):

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

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

2 No development shall take place until samples of the materials to be used for the roofing of the development hereby permitted 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: To ensure that the development harmonises with its setting in the AONB.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C2 and C31A.

3 The development hereby permitted shall not become operational until the existing weighbridge within the application site has been closed to public use.

REASON: To limit the impact of heavy goods vehicles on the A303.

4 The B8 floorspace hereby permitted shall be used for agricultural storage purposes only, with any variation to the use to be approved in writing by the Local Planning authority in consultation with the Secretary of State for Transport.

POSITIVE ABOUT DISABLED PEOPLE

REASON: To limit the impact of heavy goods vehicles on the A303.

5 The formal diversion of the affected public right of way shall be completed prior to the commencement of works on site.

REASON: In the interests of highway safety and amenity.

6 No development shall take place until full details of both hard and soft landscape works, which shall include heavy standard trees, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. This shall reflect details of all earthworks including the proposed bunding, proposals for the provision of topsoil to the bunded areas and indications of all existing trees and hedgerows on the land, and details of any to be retained.

REASON: To provide a satisfactory landscaped setting for the development.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

7 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

REASON: To provide a satisfactory landscaped setting for the development.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

8 No development, hereby permitted, shall take place until the applicants, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

REASON: To protect the archaeological heritage of the area.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C14 & C15.

9 The development hereby permitted shall not be commenced until surface water drainage works have been carried out and completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy U2.

10 The development hereby permitted shall not be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures has been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

REASON: To prevent pollution of the water environment.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy U4.

11 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity

West Wiltshire District Council

of the largest tank, or the combined capacity of interconnected tanks, plus 10%; or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund. Full details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The scheme shall only be carried out in accordance with the approved details.

REASON: To minimise the risk of pollution of the water environment.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy U4.

12 No food or food ingredients shall be allowed to enter any watercourse or surface water drains.

REASON: To minimise the risk of pollution of the water environment.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy U4.

13 Details of lighting to the site (including measures to minimise sky glow, glare and light trespass) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The scheme shall only be carried out in accordance with the approved details.

REASON: In the interests of pollution prevention.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C35.

14 Prior to the development hereby approved being first brought into use a Travel Plan shall be submitted to and approved by the Local Planning Authority. The plan shall include details of the catchment area; times when traffic is likely to be heavier than others; hours of operation; how traffic will gain access to the site; the number, size and weight of the vehicles entering the site; how they will be directed to the site; details of signage; and how traffic will be managed within the site and on the access road to prevent queuing together with a timetable and details of how the Traffic Management Plan will be implemented and monitored.

REASON: In the interest of highway safety and amenity of local residents in the area.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 – Policies E6 & C38.

Note(s) to Applicant:

1 The applicant is advised to contact the Environment Agency with regard to the preparation of the Construction Environment Management Plan referred to in Condition 10.

2 The applicant's attention is invited to the Legislative requirements of the Wildlife and Countryside Act 1981 (as amended) and the European Conservation Regulations, 1994 regarding the protection of bats, nesting birds and reptiles. The precautionary recommendations on page 7 of the "Protected Species Search and Assessment" report submitted with the application must carefully be adhered to during site clearing and development.

Dated: 10 July 2008 Signed:

Development Control Manager

The applicant's attention is drawn to the attached set of Guidance Notes, which form part of this decision.

PEFULZ

PLEASE NOTE:

This decision relates to the following plan(s):

- *Drawing : SETOUT PLAN - received on 26.03.2008*
- *Drawing : ELEVATIONS - received on 26.03.2008*
- *Drawing : 839/PL3 REV A - received on 19.05.2008*
- *Drawing : 839/PL1 REV A - received on 19.05.2008*
- *Drawing : 839/PL2 REV A - received on 19.05.2008*
- *Drawing : 839/PL5 REV A - received on 26.03.2008*
- *Drawing : 839/PL4 REV A - received on 19.05.2008*

You are advised that the development should be carried out in accordance with these plans and any attached conditions. Failure to do so may result in the Council considering whether to take appropriate enforcement action in respect of the development.

NOTES FOR GUIDANCE OF APPLICANTS
(AS FROM 24 AUGUST 2005)

West Wiltshire
DISTRICT COUNCIL

These notes form an integral part of the decision on your application as described on the attached decision notice. If you wish to have an explanation of the reasons for the decision, please ask for one, a meeting can be arranged if necessary.

TIME LIMITS ON PLANNING AND LISTED BUILDING CONSENTS If a condition imposing a time limit has been expressly included as part of the permission or consent, then that condition must be observed. In all other cases the planning legislation provides that the following time limits (as appropriate) will apply:-

◊ Where planning permission is given in outline subject to a condition reserving certain matters for subsequent approval, application for approval of such matters reserved must be made not later than the expiration of 3 years beginning with the date of the outline planning permission. In addition, the development to which the permission relates must be begun either within 3 years from the date of the grant of the outline permission or within 2 years from the final approval of all the matters reserved.

◊ Where the planning permission is complete and is not in outline then the development must be begun not later than the expiration of 3 years from the date on which permission was granted.

◊ Where listed building consent or conservation area consent is granted the work to which it relates must be begun not later than the expiration of 3 years from the date of consent.

OTHER NECESSARY CONSENTS You are reminded of the need to comply with all by-laws, regulations and statutory provisions in force in the district. You should secure any other approvals and permissions as may be necessary including that of the landowner or former owner, eg ex-Council houses. The following matters are of particular importance:-

◊ The need in appropriate cases to obtain approval under Building Regulations.

◊ The need to obtain an Order if the proposal involves the stopping up or diversion of a public footpath.

◊ The need to obtain consent for the demolition, alteration or extension of any listed building, or to the demolition of a building within a conservation area.

◊ Drainage in Combination: West Wiltshire District Council has resolved that, other than in exceptional circumstances, no more than 4 dwellings shall be connected to a length of private pipeline conveying foul or surface water and that the distance from the lowest drain connection to the public sewer shall not exceed 30 metres. In circumstances where any part of your proposed drainage layout does not comply with the Council's resolution, a plan with the non-compliant areas highlighted, shall be submitted to the Property & Estates Manager for consideration prior to commencement of works on site.

◊ The need to make appropriate arrangements under the Highways Act 1971 in respect of any works within the limits of a public highway, and to obtain a licence under the New Roads & Street Act 1991 for excavations for service connections.

◊ The need in appropriate cases to provide access for the disabled in accordance with the Chronically Sick & Disabled Persons Act 1970 and the British Standard Code of Practice (BS5810;1979).

◊ The need to gain the consent of Wessex Water in respect of any development over a public sewer, or any adjacent development which may give rise to increased loading requiring protection of a public sewer. Wessex Water would be pleased to advise on any requirements it may have in relation to new development if a copy of the site plan is forwarded to Holdenhurst, WWTW, Riverside Avenue, Castle Lane East, Bournemouth, BH7 7ES.

◊ The need to gain the consent of owners where a connection is made to a private sewer.

◊ The need, where appropriate, to obtain Advertisement Consent for signs and flags.

◊ The need to consult with the Highway Authority where trees overhang the public highway.

◊ The protection of certain species under the Wildlife & Countryside Act 1981 and the Protection of Badgers Act 1992.

◊ With a hedgerow removal notice consent you may also need to obtain a felling licence from the Forestry Authority before a hedgerow containing trees may legally be removed.

Please turn over

APPEALS Where an application is refused, or granted subject to conditions, an applicant may appeal to the Secretary of State for the Environment, Transport and the Regions within 6 months of receipt of the decision (8 weeks for a decision relating to advertisement consent, 28 days for a decision relating to works to trees covered by a preservation order or hedgerow retention notice, and 1 month for a certificate of appropriate alternative development). Most appeals must be made on a form which is obtainable from the Planning Inspectorate, The Department of the Environment, Transport and the Regions, Room 301, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0117 3728000). Tree Preservation Order appeals are dealt with by the Government Office for the South West at The Pithay, Bristol, BS1 2PB. Exceptionally, the Secretary of State may allow a longer period for giving notice of an appeal and under certain circumstances is not required to entertain an appeal. The Planning Inspectorate web site is www.planning-inspectorate.gov.uk

NEW DWELLINGS When new dwellings are constructed, you are advised to make provision for access to, and off-street storage for, wheeled refuse containers.

POSTAL ADDRESSES AND STREET NAMES It is a statutory function of this council to allocate house numbers and road names to new residential/ commercial developments and property conversions. Individuals and developers should not allocate their own house numbers, building or street names. The Council contacts the Royal Mail to obtain postcodes for new addresses.

Please contact Property and Commercial Services at an early stage for details and a list of charges. (Also available on the West Wiltshire District Council website).

PURCHASE ORDERS Where an application is refused, or granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the council a purchase notice requiring that council to purchase his interest in the land.

COMPENSATION In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

STANDARD CONDITIONS RELATING TO ADVERTISEMENT CONSENTS The Town and Country Planning (Control of Advertisements) Regulations 1992 subjects any advertisement consent to the following conditions:-

- ◊ Unless a condition imposing a time limit has been expressly included as part of the consent, the consent is granted for a period of 3 years. However, unless expressly stated to the contrary in the condition, advertisements may continue to be displayed after the expiry of the permitted period, subject to the power of the local planning authority to serve notice under Regulation 8, requiring the discontinuance of the display.
- ◊ Any advertisements displayed and any land used for the display of the advertisements shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.
- ◊ Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
- ◊ Where an advertisement is required under these regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.
- ◊ No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- ◊ No advertisement shall be sited or displayed so as to obscure or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).
- ◊ Insofar as the consent relates to the display of an illuminated sign, in the interests of highway safety, no direct light from external illumination should be visible from the adjacent carriageway and internally illuminated signs should be a maximum luminance not exceeding that indicated in the IPLE Technical Report No 5.

Important Information

Discharging Planning Conditions

Please note that you are advised that the responsibility rests with you, the developer/owner, to ensure that all conditions have been complied with. Failure to do so can result in a Breach of Condition Notice being served.

Some conditions may require information to be submitted and approved in writing before any work starts on site. You should be aware that failure to have these conditions discharged in writing prior to work commencing on site may render your entire planning permission invalid and you could experience difficulties in selling the property in the future. It is therefore in your own, or any subsequent developer/owner's, interest to make sure that all conditions are complied with and discharged.

The regulations allow for the discharge of conditions to take up to eight weeks, although we endeavour to deal with the discharge of conditions in a shorter timescale. Please therefore allow sufficient time for the conditions to be discharged before starting work on site.

Any work undertaken prior to the formal discharge of conditions is done entirely at your own risk.

Should you wish to discuss your conditions please contact your Case Officer or one of our Compliance Officers on 01225 776655.

You should also be aware that any alterations required by Building Regulations are not automatically covered by your planning permission. Clarification should be sought from the Planning Department prior to carrying out the works.

In order for us to assist you in meeting your planning conditions please complete the slip below when you want to start work on site and return marked for the attention of the Compliance Officer to the address below.

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Development Control, West Wiltshire District Council, Bradley Road, Trowbridge, Wilts, BA14 0RD

Planning Application Number: _____

Site Address: _____

_____

Name: _____

Contact Address: _____

_____

Contact Telephone Number: _____

Work is due to commence on site on (Day/Month/Year): _____

Signature: _____