Wiltshire Council

# The Town and Country Planning Act 1990

## Approval of Variation of Conditions

## Application Reference Number: PL/2023/07202

## Decision Date:

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|---|---|
| **Applicant:** | The Maharajah JAH<br>6 HIGH STREET, PURTON, SWINDON, SN5 4AA |
| **Particulars of Development:** | Removal/Variation 3 relating to application 20/05358/FUL (Change of use from restaurant to staff accommodation, creation of 3 flats to first and second floors and internal alterations) |
| **At:** | 6 High Street, Purton, Swindon, SN5 4AA |

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for variation or non-compliance with a condition or conditions imposed on an earlier permission in accordance with the application and plans submitted by you.

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 compliance with the following conditions:

**Conditions:** (4)

1 *The development hereby permitted shall be begun before the expiration of three years from 30 September 2020 (development already commenced). REASON: To comply with the provisions of Section 91 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: Proposed drawing 20/0504/03E received 17th August 2020 Parking and refuse 20/0504/04 received 13th August 2020 REASON: For the avoidance of doubt and in the interests of proper planning.

3 The studio flat on the first floor is to be rented out on a temporary basis only. It shall not be occupied/rented/leased for a period of time longer than six months to the same tenants/tenants.

REASON: Given the size of the flat permission is only granted on the basis of it being

used for temporary accommodation.

4 No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 0800 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays. REASON: Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

**Informatives:** (2)

7 INFORMATIVE TO APPLICANT: Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

8 INFORMATIVE TO APPLICANT: The applicant is advised that this permission authorises conversion to flats only and the takeaway buisness needs to adhere to the conditions placed on the original permission for the restraunt.

*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