Wiltshire Council

The Town and Country Planning Act 1990

Approval of Variation of Conditions

Application Reference Number: PL/2023/07292

Decision Date: 20 October 2023

Applicant:	Investacc Pension Administration Ltd Minerva House, Port Road Business Park, Carlisle, Cumbria, CA2 7AF
Particulars of Development:	Variation of condition 2 (approved plans) on PL/2021/05433 to allow for change in position of proposed ATM
At:	Former Packway Garage, The Packway, Larkhill, Salisbury, SP4 8PZ

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: (15)

1 The development hereby permitted shall be begun before the expiration of three years from the date of the permission granted under PL/2021/05433 on 13 August 2021.

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:

Location and Site Plan (Existing) 9680 100 dated May 2021
Proposed Site Plan 9680 102 Revision C dated May 2021 (revised 21.03.2022)
Proposed Floor Plan and Elevations 9680 103 Revision C (revised 07.12.2021)
Proposed Floor Plan and Elevations (to show revisions to Unit 1 associated with proposed ATM only) CS-B230045-B201 Revision C dated 05.06.2023 (revised

30.08.2023)
Proposed Drainage Plan SL07213-HBPW-00-ZZ-DR-C-0500 P2 dated 15.05.2021
External Works Details SL07213-HBPW-00-ZZ-DR-C-0400 dated 15.05.2021

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

3 The development shall be undertaken in accordance with the details of the access, including the re-instated footway/cycleway with a full height 125mm kerb (as shown on drawing ref. Proposed Kerb Details 5432 001 B dated 28 04 23) previously submitted to and approved in writing by the local planning authority under reference PL/2023/03414. The junction shall be completed in accordance with the approved details prior to the occupation of the development.

REASON: To ensure the access is laid out and constructed in a satisfactory manner, in the interests of highway safety.

4 No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: To protect the amenity of nearby residents.

5 The external materials of the development hereby permitted shall be as follows: -

Walls: Microrib Cladding - Merlin Grey and White
Roof: Trapezoidal Cladding - Goosewing Grey
Windows: Aluminium - Merlin Grey
Doors: Aluminium and Steel - Merlin Grey

REASON: In the interests of visual amenity and the character and appearance of the area.

6 The proposed development shall not be occupied until adequate means/works have been implemented to avoid private water from entering the highway in accordance with the approved surface water drainage system shown on drawing numbers SL07213-HBPW-00-ZZ-DR-C-0500 P2 dated 15.05.2021 and SL07213-HBPW-00-ZZ-DR-C-0400 dated 15.05.2021.

REASON: To ensure that the highway is not inundated with private water.

7 Unit 2 of the permission hereby granted shall not be brought into use until full details of all building services plant (including air conditioning units and any air handling plant) have been submitted to and approved in writing by the Local Planning Authority, and the approved equipment has been fully installed in accordance with the approved details. The approved building services plant shall thereafter be maintained in a

serviceable condition in accordance with the approved details. No additional external plant/equipment in respect of Unit 2 shall be erected at the site other than those approved.

Unit 1 of the permission hereby granted shall not be brought into use until the building services plant has been installed in full accordance with details approved on 18/10/2023 under reference PL/2023/06754, namely Report entitled 'Assessment of External Plant Noise' reference ARR/C/2217.102 dated 2 August 2023 by ADC Acoustics and Proposed Ground Floor Plan & Elevations Drawing B201 Rev A dated 25/07/2023. The approved building services plant shall thereafter be maintained in a serviceable condition in accordance with the approved details. No additional external plant/equipment in respect of Unit 1 shall be erected at the site other than those approved.

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

8 The development hereby permitted shall not be brought into use until the approved scheme of soft landscaping (as shown on Site Plan 9680 102 Revision C) submitted to and approved in writing by the Local Planning Authority under application reference PL/2022/02448, has been carried out.

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

9 The development shall be carried out in accordance with the approved hard landscaping scheme as shown on drawing SL07213-HBPW-00-ZZ-DR-C-0400 dated 15.05.2021 prior to the development being brought into use. All soft landscaping (as specified by condition 8), 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/

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

10 No part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

11 The development hereby permitted shall not be first brought into use, until the cycle parking facilities shown on the approved plans have been provided in full and made available for use. The cycle parking facilities shall be retained for use in accordance with the approved details at all times 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.

12 No part of the development shall be brought into use until the scheme for the storage of refuse (as shown on Site Plan 9680 102 Revision C) submitted to and approved in writing by the Local Planning Authority under application reference PL/2022/02448, has been completed and made available for use in accordance with the approved details. The approved refuge storage shall thereafter be maintained in accordance with the approved details.

REASON: In the interests of public health and safety.

13 No external lighting shall be installed until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Professionals in their publication "Guidance Notes for the Reduction of Obtrusive Light GN01:2020", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the development hereby approved shall be used solely for purposes falling within Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) and shall not be used for any other purpose.

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use, having regard to the circumstances of the site..

15 No deliveries shall be made to or collections made from the development hereby approved except between the hours of 07.00 and 18.00 Monday to Saturday and 08.00 to 17.00 on Sundays and Public Holidays.

REASON: To protect the amenity of nearby residents.

Informatives:

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.

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.

Building services plant details (condition 8): The developer is advised that all building services plant (including air conditioning units and any air handling plant etc) should be so sited and designed in order to achieve a Rating Level (BS4142:2014) of at least 5dB below the background noise level (LA90T) determined at the nearest noise sensitive receptor, when the plant is intended to operate.

The proposal includes alteration to the public highway and the consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire’s Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact the vehicle access team on telephone 01225 713352 or email vehicleaccess@wiltshire.gov.uk for further details.

The applicant should note that under the terms of 'The New Roads and Street Works Act 1991', any person other than a Statutory Undertaker must obtain a licence to carry out excavation works within a street. Licences may be obtained by application from the relevant Area Co-ordinating Engineer at Wiltshire's Highway Authority; highwaysandstreetscene@wiltshire.gov.uk.

This permission does not permit the display of any advertisements which require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations,

2007 or under any Regulation revoking and re-enacting or amending those Regulations, including any such advertisements shown on the submitted plans.

The applicant should be aware that Councils must investigate complaints about issues that could be a 'statutory nuisance' (a nuisance covered by the Environmental Protection Act 1990). If a complaint of statutory nuisance is justified an Abatement Notice can be served upon the person responsible, occupier or owner of the premises requiring that the nuisance be abated. In light of this legislation, the Public Protection team recommend the following: - No burning of waste or other materials shall take place on the development site during the demolition/construction phase of the development.

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