Wiltshire Council

# The Town and Country Planning Act 1990

## Approval of Full Planning Permission with Conditions

## Application Reference Number: PL/2023/07171

## Decision Date: 05 October 2023

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| **Applicant:** | WES No1 Ltd<br>C/o Waypoint Asset Management , 4th Floor \| 17 19 Maddox Street , London , W1S 2QH |
| **Particulars of Development:** | Change of Use from Class E to Restaurant and Takeaway (Sui Generis). |
| **At:** | Unit 2, Castlemore Retail Park, Warminster, BA12 9FE |

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:** (3)

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
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 plan ref. 8473-SA-2176-AL01B.
- Block plan ref. 8473-SA-2176-P002A.
- Existing and proposed floorplan ref. 8473-SA-2176-P006D.

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

3 The site shall be used only for a mixed use sui generis restaurant and takeaway only and for no other purpose.
REASON: The proposed use is acceptable, but the Local Planning Authority wishes to consider any future proposal for a change of use having regard to the circumstances of the

case.

**Informatives:** (3)

4 The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required, it will be necessary for the applicant to obtain the landowner's consent before such works commence.
If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

5 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.

6 This permission does not permit the display of any advertisements that 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.

*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