Development Management, Economic Development and Planning,
County Hall, Bythesea Road, Trowbridge, BA14 8JN
Tel: 0300 456 0114 Email: developmentmanagement@wiltshire.gov.uk

Wiltshire Council

Application for Removal or Variation of a Condition following Grant of Planning Permission or Listed Building Consent

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number: 37

Suffix:

Property Name:

Address Line 1: High Street

Address Line 2:

Address Line 3: Wiltshire

Town/city: Westbury

Postcode: BA13 3BN

Description of site location must be completed if postcode is not known:

Easting (x): 387184

Northing (y): 151261

Description

Applicant Details

Name/Company

Title

Mr

First name

Ihsan

Surname

Katiksiz

Company Name

Best Kebab Westbury

Address

Address line 1

37

Address line 2

Hight Street

Address line 3

Town/City

Westbury

County

Wiltshire

Country

United Kingdom

Postcode

BA13 3BN

Are you an agent acting on behalf of the applicant?

- [x] Yes
- [ ] No

Contact Details

Primary number

[redacted]

Secondary number

Fax number

Email address

[redacted]

Agent Details

Name/Company

Title

Mr

First name

Kemal

Surname

Gundogdu

Company Name

KSD Architecture Ltd

Address

Address line 1

12 Cathedral Rd, Pontcanna

Address line 2

Address line 3

Town/City

Cardiff

County

Country

United Kingdom

Postcode

CF11 9LJ

Contact Details

Primary number

[redacted]

Secondary number

Fax number

Email address

[redacted]

Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

Change of use of A1 pet supplies to A5 takeaway kebab shop

Reference number

Application Reference Number: 17/10966/FUL

Date of decision (date must be pre-application submission)

12/02/2018

Please state the condition number(s) to which this application relates

Condition number(s)

Condition 2 and 3

Has the development already started?

◯ Yes
⊘ No

If Yes, please state when the development was started (date must be pre-application submission)

Has the development been completed?

◯ Yes
⊘ No

If Yes, please state when the development was completed (date must be pre-application submission)

Condition(s) - Variation/Removal

Please state why you wish the condition(s) to be removed or changed

Please review our planning statement which justifies a need to reassess Planning Condition 3 in order to align it with the current economic conditions of the town. Additionally, please refer to the accompanying drawings and ventilation documents, as well as the confirmation email from the acoustician, which propose improvements to the ventilation design outlined in Condition 2. These changes effectively address the concerns regarding noise and odor that were previously limiting the implementation of Condition 3.

If you wish the existing condition to be changed, please state how you wish the condition to be varied

No changes will be made to the current opening hours; however, we would like to request permission to operate the shop from 2:00 pm to 10:00 pm on Sundays and on Bank Holidays.

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ⊘ Yes
- ◯ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ⊘ The agent
- ◯ The applicant
- ◯ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ◯ Yes
- ⊘ No

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

- ◯ Yes
- ⊘ No

Can you give appropriate notice to all the other owners/agricultural tenants? (Select 'Yes' if there are no other owners/agricultural tenants)

- ⊘ Yes
- ◯ No

Certificate Of Ownership - Certificate B

I certify/ The applicant certifies that:

- ⊘ **I have/The applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner* and/or agricultural tenant** of any part of the land or building to which this application relates; or**
- ◯ **The applicant is the sole owner of all the land or buildings to which this application relates and there are no other owners* and/or agricultural tenants**.**

*** "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.**

**** "agricultural tenant" has the meaning given in section 65(8) of the Town and Country Planning Act 1990**

Owner/Agricultural Tenant

Name of Owner/Agricultural Tenant:
SILVER COMMERCIAL INVESTMENTS LTD

House name:

Number:
105

Suffix:

Address line 1:
London Street

Address Line 2:

Town/City:
Reading

Postcode:
RG1 4QD

Date notice served (DD/MM/YYYY):
24/07/2023

Person Family Name:

Person Role

- [x] The Applicant
- [ ] The Agent

Title

Mr

First Name

Akif

Surname

Dolu

Declaration Date

07/08/2023

- [x] Declaration made

Declaration

I/We hereby apply for Removal/Variation of a condition as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.
I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☑ I / We agree to the outlined declaration

Signed

[redacted]

Date

07/08/2023