Wiltshire Council

The Town and Country Planning Act 1990

Approval of Variation of Conditions

Application Reference Number: PL/2023/06311

Decision Date: 26 October 2023

Applicant:	Farleigh Masonry Ltd 2C Farleigh Masonry Ltd Newopaul Way, Warminster Business Park, Warminster, Wiltshire, BA12 8RY
Particulars of Development:	Variation of condition 5 (hours of work) on 17/00482/VAR to extend the working hours for 06:00 - 22:00 Monday to Friday and 06:00 to 13:00 Saturdays
At:	Farleigh Masonry Ltd, 2C Newopaul Way, Warminster Business Park, Warminster, BA12 8RY

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:

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

A104E registered on 01 February 2017;
A105F registered on 21 August 2015;
A106F registered on 21 August 2015;
A103E registered on 21 August 2015;
A201B registered on 21 August 2015;
917PA/01A registered on 21 August 2015;
C101A registered on 21 August 2015;
A104G as received on 12 October 2023;
A102G as received on 26 October 2023; and
Noise Impact Assessment, produced by Acoustic Consultants Limited, reference 10240/DO, dated 8 June 2023;

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

2 The schedule of materials shown on approved drawing A201B registered on 21 August 2015 establishes the approved use of materials for the consented development.

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

3 The scheme of acoustic insulation and noise control as detailed in the Environmental Noise Assessment (ref: 6036/DO/pw dated August 2015 sections 6.1 - 6.4) shall be maintained at all times, in full compliance with section 6.3 regarding the provision of enclosures around the noisiest items of plant within the workshop. Any alterations to the internal layout from that shown on drawing reference A102G (Ground Floor Plan Fit Out) including any changes to the location of enclosures for the primary saw, the secondary saws, the water filtration compressor, and the stone masons workshop, shall be submitted to the Local Planning Authority for approval.

Any additional plant or machinery including ventilation/extraction systems would require separate consent to be assessed and approved in writing by the Local Authority prior to their use or installation.

REASON: In the interests of amenity and the avoidance of nuisance to residential properties.

4 No industrial processes shall be carried out, or plant, machinery, or power tools used before 06:00 hours on Mondays to Saturdays, nor after 22:00 hours on Mondays to Fridays and beyond 13:00 hours on Saturdays, nor at any time on Sundays and Bank or Public Holidays.

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

5 No forklift truck movements shall take place within the side yard area of the site, as identified on drawing reference A104G, other than between the hours of 07:00 hours and 22:00 hours Mondays to Fridays and 07:00 hours and 13:00 hours on Saturdays.

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

6 All external windows and doors shall be kept closed when plant and power tool operations are taking place except when being used for access and egress.

REASON: In the interests of amenity and the avoidance of nuisance to residential properties.

7 Forklift trucks used in the compound shall be fitted with 'white noise' reversing alarms.

REASON: In the interests of amenity and the avoidance of nuisance to residential properties.

8 The use is subject to a previously approved extant Construction Environmental Management Plan (CEMP) which was submitted to and approved in writing by the Local Planning under Discharge of Condition application (reference 15/07888/FUL) dated 28 October 2016.

REASON: To ensure adequate protection and mitigation for protected species and priority species, in the interests of biodiversity.

9 The use is subject to a previously approved extant Landscape and Ecological Management Plan (LEMP) which was submitted to and approved in writing by the Local Planning Authority under Discharge of Condition application (reference 15/07888/FUL) dated 28 October 2016.

REASON: To ensure the long-term management of protected and priority habitats and other landscape and ecological features, and to maintain and enhance these habitats.

10 No part of the development hereby permitted shall be first brought into use until the access, parking and turning areas 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: In the interests of highway safety.

11 All external lighting shall be installed in accordance with the External Lighting Scheme Schedule and External Lighting Scheme Sketch as approved under discharge of conditions application reference 18/11591/DOC, dated 31 January 2019. No new external lighting shall be installed on site until an updated scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, has been submitted to and approved in writing by the Local Planning Authority. Any

amended external lighting scheme shall be designed so as to meet the criteria for Environmental Zone E3 as defined by the Institution of Lighting Professionals Guidance Note 1 for the Reduction of Obtrusive Light 2021. The approved scheme shall be implemented in full and shall be maintained in effective working order at all times thereafter.

REASON: To protect the amenity of nearby residential properties.

12 The use is subject to a previously approved extant scheme for the discharge of foul drainage from the site that was submitted to and approved in writing under the discharge of condition application application reference 18/11591/DOC, dated 6 December 2018.

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

13 The use is subject to a previously approved extant scheme for the discharge of surface water from the site that was submitted to and approved in writing under the discharge of condition application application reference 18/11591/DOC, dated 6 December 2018.

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

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