Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/07555

Decision Date: 15 February 2024

Applicant:	Mr Laurence Ovens Woolley Green Farm, Woolley Green, Bradford on Avon, BA15 1TY
Particulars of Development:	Erection of B2 General Purpose Industrial Building and associated works to include acoustic barrier and new landscape planting
At:	Woolley Green Farm, Bradford On Avon, BA15 1TY

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:

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 and documents:

Location Plan (2783-20); Proposed floor Plan (2783-14B); Topographical Survey; Contamination Report; Arboricultural Report; Ecology Statement,; Heritage Statement; Design and Access Statement and Noise Impact Assessment - all received 5 September 2023

Illustrative sections (1128.03), Site as Existing (1128.01C); Transport Statement and Landscape Report (3 parts) - all received 7 September 2023

Proposed Elevations and Section (2783-16B) - received 11 September 2023

Site as Existing (1128.01C); and Transport Statement; and Landscape Report - all received 7 September 2023

Planning Statement - received 5 October 2023

CTM Wildlife Ecological Assessment and BNG calculation - received 9 October 2023

Site as Proposed (1128.02D -(LanDesign) - Received 13 November 2023

Site Layout Plan (2783-15H) - received 15 November 2023

Noise Management Plan – received 8 February 2024

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

3 The B2 industrial building hereby approved shall be designed, constructed, and maintained fully in accordance with the details within section 6.2 of the Acoustics Consultants Ltd Noise Impact Assessment Reference 10271/SL Dated 5th June 2023 (pages 21-27).

A post installation noise assessment shall be carried out and submitted to the local planning authority for approval within 1 month of the building being substantially completed to confirm compliance with the noise criteria and additional steps required to achieve compliance shall be taken, as necessary. The details as approved thereafter shall remain in perpetuity.

REASON: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable

NOTE: Condition 18 may also require to be discharged for a second time if working practices need to change should 'additional steps' be required to achieve compliance with the noise report

4 The staffroom, office and reception doors that lead into the steel fabrication room and outside shall fully accord with section 6.2.4 of the the Acoustics Consultants Ltd Noise Impact Assessment Reference 10271/SL Dated 5th June 2023 ("*all internal doors achieve, at a minimum, 30 dB Rw to help reduce sound transmission*"). Additionally the same doors shall be fitted with door closers which ensure the doors will remain closed except for access and egress.

REASON: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable
NOTE: This condition will allow people working in the office to be able to open windows.

5 The rooflights forming part of the development hereby approved shall be permanently fixed shut.

REASON: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

6 The use hereby approved shall only take place between the hours of 0700 and 1800 hours Mondays to Fridays and between 0900 and 1200 on Saturdays. The use shall not take place at any time on Sundays and Bank or Public Holidays.

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.

7 No externally mounted plant including the paint shop extract or air conditioning units shall be installed until an assessment of the acoustic impact arising from their operation is undertaken in accordance with BS4142:2014 +A1:2019. Background levels (LA90) to be used in the assessment are taken from section 5.4.1 of the Acoustics Consultants Ltd Noise Impact Assessment Reference 10271/SL Dated 5th June 2023 which are 38dB LA90,1hour at the boundary of dwellings to the east (existing and proposed) and 41dB LA90, 1hour at the boundary of dwellings to the west.

The assessment shall be submitted to the Local PlanningAuthority together with a scheme of attenuation measures to demonstrate the rated level of noise be 10dB below the background sound level at the assessment position. The details as approved shall be implemented prior to use of the plant and thereafter be permanently retained.

REASON: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

8 The 'goods out' door forming part of this development hereby approved (adjacent to the paint shop) shall be closed whenever paint spraying is taking place.

REASON: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable, and neighbours are protected from adverse levels of odour emissions.

9 No external light fixture or fitting will be installed within the application site unless details of existing and proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.

REASON: To avoid illumination of habitat used by bats

10 The development hereby approved shall be carried out in strict accordance with the following documents:

• Site As Proposed. Drawing no: 1128.02D. June 2023. Landesign Associates.

• Preliminary Ecological Assessment & Net Gain Calculation. V2.0. 10th October 2023. CTM Wildlife

• Small Sites Metric 4.0 completed by CTM Wildlife on 8th October 2023.

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

11 Prior to the commencement of works on site, including ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

a) Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g., exclusion fencing.
b) Measures to be implemented to protect habitat features e.g., dry ditch and pond.
c) Working method statements for protected/priority species, such as nesting birds and bats.
d) Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site, if required.
e) Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).

Development shall be carried out in strict accordance with the approved CEMP.

REASON: To ensure adequate protection and Mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

12 The B2 use hereby approved shall not be first brought into use until full details and elevation plans of the 3m high acoustic fence and security fence has been submitted to and approved in writing by the local planning authority.

REASON: In the interests of visual amenity

13 The B2 use shall not be first brought into use until the acoustic fence and bund have both been erected in full compliance with the approved details and thereafter, both shall be maintained and retained for the lifetime of this development.

REASON: In the interest of visual and neighbouring amenity.

14 The development hereby approved shall not be first brought into use until the visibility splays shown on the approved plans (2783-15 Rev H) have been provided with no obstruction to visibility at or above a height of 900mm above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety

15 The development hereby approved shall not be first brought into use until the former access is formally closed off with a stone wall built to a maximum of 900mm as shown on plan 2783-15 rev H.

REASON: In the interests of highway safety and visual amenity

16 The reconfigured and smaller access shall be fully completed with all details as shown on plans (LanDesign) Site as Proposed (1128.02D) and Site Layout Plan (2783-15H) by the first planting and seeding season following the first occupation of the (B2) building, to coincide with the implementation of condition 19 (soft and hard landscaping).

REASON: In the interests of highway safety and the visual amenity of the area

17 The development hereby approved shall not be first brought into use until a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP will include:

a) Long term objectives and targets in accordance with the Small Sites Metric 4.0 (completed by CTM Wildlife on 8th October 2023).
b) Management responsibilities and maintenance schedules for each ecological feature within the development as identified in Site As Proposed (Drawing no: 1128.02D)
c) The mechanism for monitoring success of the management prescriptions with reference to the appropriate Biodiversity Metric target Condition Assessment Sheet(s).
d) A procedure for review and necessary adaptive management in order to attain targets.

The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

18 The development hereby approved shall be managed in accordance with the approved Noise Management Plan for the lifetime of the permission. The noise management plan shall not be altered without agreement in writing from the Local Planning Authority.

REASON: In the interests of ensuring noise and disturbance to adjoining occupiers is minimised

19 All soft landscaping comprised in the approved details of landscaping (AREA B) shall be carried out in the first planting and seeding season following the first occupation of the building; 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, 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, unless otherwise agreed in writing by the local planning authority. The security fence shall also be erected in full accordance with the approved details (as discharged under condition 12) and completed at the same time as the soft landscaping in AREA B has been planted or installed.

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

Informatives:

The LanDesign existing site plan (1128.01C) identifies 'foundation pads' that have been installed on site (as seen by the case officer). These foundations are not linked to any planning permission. The applicant is respectfully encouraged to remove them or through the wider site landscaping plans, remove them from sight.

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

4 **CIL.** 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. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy