Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/07556

Decision Date: 23 February 2024

Applicant:	Charlton Haynes Ltd Harley House, 29 Cambray Place, Cheltenham, GL50 1JN
Particulars of Development: **At:**	Erection of 19 new industrial units (Class E & B8 Uses) Land South of Templars Way Industrial Estate, Royal Wootton Bassett, SN4 7SR

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: (8)

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

Drawing No. KD.TMPL.1.D.002B: Site Plan – Block Layout, dated February 2024 and received 21 February 2024;
Drawing No. KD.TMPL.1.D.003A: Site Plan – Internals, dated November 2023 and received 21 November 2023;
Drawing No. KD.TMPL.1.D.004A: Elevations sheet 1 of 2, dated February 2024 and received 05 February 2024;
Drawing No. KD.TMPL.1.D.005A: Elevations sheet 2 of 2, dated February 2024 and received 05 February 2024;
Drawing No. TMPL.1.D.006B: Landscape Scheme, dated February 2024 and received 21 February 2024;
Drainage Assessment, dated 02nd November 2023 and received 21 November 2023;
Noise Assessment, dated 30/8/23 and received 05 September 2023, as supplemented by letter from Les Jephson of LFA Acoustics Ltd, dated 16 November 2023 and received 21 November 2023;
Preliminary Ecological Appraisal V1, dated August 2023 and received 11 September 2023;
Biodiversity Net Gain Assessment V1, dated August 2023 and received 11 September 2023;
Transport Appraisal – Rev A, dated 30th August 2023 and received 05 September 2023;
Letter dated 21st November 2023 from Jack Chamberlain of Kedd Ltd, received 21 November 2023;
Planning, Design and Access Statement, dated September 2023 and received 05 September 2023; and
Application Form, dated 01/09/2023 and received 05 September 2023.

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

2 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.

3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as specified in the approved plans.

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

4 No development shall commence on site until an updated drainage strategy, in addition to that previously provided, has been submitted to and approved in writing by the local planning authority. The additional material shall include a demonstration through drainage modelling that the drainage network proposed is sufficient to meet the needs of the development in the 1 in 30 year plus climate change and 1 in 100 year rainfall events. The development shall proceed in accordance with the approved details.

REASON: The submitted information is insufficient to demonstrate that the development meets flood risk standards and this is required before development can commence.

5 The development hereby approved shall not first enter use and no external lighting shall be installed until a scheme of external lighting design has been submitted to and approved in writing by the local planning authority. The scheme of external lighting design shall include, as a minimum, details of lighting appliances, heights and positions of fitting, illumination levels and light spillage and shall accord with the guidance of the Institute of Lighting Professionals in their Guidance Note 1: 'The Reduction of Obtrusive Light' (in particular with the Environmental Zone standards) and in their Guidance Note 8 'Bats and Artificial Lighting'. External lighting shall be installed only in accordance with the approved details and shall be maintained as such in perpetuity.

REASON: To minimise unnecessary light spillage above and outside of the development site, in the interests of biodiversity, landscape impact and the amenities of the area.

6 The rating level (LArTR) of the noise emitted from any fixed plant shall not exceed the existing background noise level (LA90T). The rating level shall be determined by measurement or calculation at the boundary of the nearest noise sensitive premises or at another location that

is agreed with the local planning authority. Measurements shall be made in accordance with BS4142:2014 +A1:2019. Where the background levels are to be taken as a LA90 1 hour and the ambient noise levels shall be expressed as an LAeq 1 hour during the daytime [07:00 - 23:00] and shall be expressed as an LA90 and LAeq 5 minutes during the night [23:00 – 07:00] at the boundary of the nearest residential noise-sensitive receptors.

REASON: Ensuring high design and place shaping such that appropriate levels of amenity are achievable in accordance with Core Policy 57 of the Wiltshire Core Strategy

7 No part of the development hereby permitted shall be first brought into use until the access & turning area & parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.

REASON: In the interests of highway safety.

8 All soft landscaping comprised in the approved details of landscaping 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, unless otherwise agreed in writing by the local planning authority.

All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

Informatives: (6)

9 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.

10 The applicant should note that the grant of planning permission does not include any

separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

11 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 landowners 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.

12 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 https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy.

13 There is a residual risk that great crested newts / reptiles could occur on the application site. These species are legally protected and planning permission does not provide a defence against prosecution. In order to minimise the risk of these species occurring on the site, the developer isadvised to clear vegetation during the winter, remove all waste arising from such clearance and maintain vegetation as short as possible. If these species are found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the Council Landscape and Design Team (available at ecologyconsultations@wiltshire.gov.uk)

14 The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding. Please be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits therefore the applicant is advised to seek advice from a suitably qualified ecologist.

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