The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/10628

Decision Date: 01 May 2024

Applicant:	Co-op 1 Angel Square, Manchester, M60 0AG
Particulars of Development:	Proposed new refrigeration plant.
At:	The Cooperative Food, Boscombe Road, Amesbury, Salisbury, Wilts, SP4 7JH

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:
Document Reference: 91857 Rev 01, Plant Noise Impact Assessment (NSL Noise Solutions Ltd), dated 18/03/2024, received by this office 22/03/2024
Document Reference: Soundshell for Copeland Compressors, received by this office 22/03/2024
Plan Reference: 300200031123-R5 Rev A, CR3 Plant Layout, dated 19/03/2024, received by this office 22/03/2024
Plan Reference: 7961.122-BOW-ZZ-ZZ-DR-A-0002, Proposed Plans & Elevations (Rev P2 - Boundary fence to be re-constructed and lined with 18mm plywood to provide additional acoustic barrier as per NIA) dated 22/03/2024, received by this office 22/03/2024
REASON: For the avoidance of doubt and in the interests of proper planning.

3 The plant hereby approved shall not be first used until the 1.6m high fence of the specific thickness along the eastern boundary of the plant area as shown in Drawing Number 300200031123-R5 CR3 Plant Layout and Drawing number 961.122-BOW-ZZ-ZZ-DR-A-0002 Rev P2 Proposed Plans and Elevations has been installed in accordance with the agreed details. The fencing shall be retained and maintained in accordance with the agreed details at all times thereafter for the lifetime of the development.
REASON: To ensure an environment free from intrusive levels of noise in order to safeguard the amenities of the area in which the development is located.

Informatives: (1)

In addition to the planning conditions, Section 79 of the Environmental Protection Act 1990 (legislation that operates outside of the planning system identifies noise as a statutory nuisance). If a complaint of statutory nuisance is justified an Abatement Notice can be served upon the person responsible, occupier or owner of the premises requiring that the nuisance be abated. Failure to comply with an Abatement Notice is an offence and legal proceedings may result.

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