Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/09195

Decision Date: 16 May 2024

Applicant:	Mr & Mrs Rainbow 20 Bargates, Box, Corsham, Wiltshire, SN13 8LT
Particulars of Development:	Redevelopment of existing industrial site to facilitate restoration, renovation and creation of 2no. dwellings and 2no. self-contained holiday units, including airsource heat pumps & in-roof photovoltaic panels, together with external swimming pool, landscaping and associated works.
At:	J Price Bath Ltd, Quarry Hill, Box, Corsham, SN13 8LH

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: (15)

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:

Plans as received by the LPA 23/10/23:
Location Plan 688-PL-000
Existing Block Plan 688-PL-001
Existing Site Plan 688-PL-002

Existing House Lower Ground Floor Plan 688-PL-003
Existing House Ground Floor Plan 688-PL-004
Existing House First Floor Plan 688-PL-005
Existing House Roof Plan 688-PL-006
Existing House Elevations 1 and 2 688-PL-007
Existing House Elevations 3 and 4 688-PL-008
Existing Coach House Ground Floor Plan 688-PL-009
Existing Coach House First Floor Plan 688-PL-010
Existing Coach House Roof Plan 688-PL-011
Existing Coach House Elevations 1 and 2 688-PL-012
Existing Coach House Elevations 3 and 4 688-PL-013
Existing Candle Factory Basement Floor Plan 688-PL-014
Existing Candle Factory Lower Ground Floor Plan 688-PL-015
Existing Candle Factory Ground Floor Plan 688-PL-016
Existing Candle Factory Roof Plan 688-PL-017
Existing Candle Factory Elevation 1 688-PL-018
Existing Candle Factory Elevations 2 and 3 688-PL-019
Existing Site Sections AA and BB 688-PL-020
Existing Site Sections CC and DD 688-PL-021
Existing Building Sections GG and EE 688-PL-022
Existing Sections HH, II, JJ and FF 688-PL-023
Proposed Block Plan 688-PL-101
Proposed Site Plan 688-PL-102
Proposed House Lower Ground Floor Plan 688-PL-103
Proposed House Ground Floor Plan 688-PL-104
Proposed House First Floor Plan 688-PL-105
Proposed House Roof Plan 688-PL-106
Proposed House Elevations 1 and 2 688-PL-107
Proposed House Elevations 3 and 4 688-PL-108
Proposed Coach House Ground Floor Plan 688-PL-109
Proposed Coach House First Floor Plan 688-PL-110
Proposed Coach House Roof Plan 688-PL-111
Proposed Coach House Elevations 1 and 2 688-PL-112
Proposed Coach House Elevations 3 and 4 688-PL-113
Proposed Candle Factory Basement Floor Plan 688-PL-114
Existing Candle Factory Elevations 1 688-PL-018
Arboricultural Assessment

Plans as received by the LPA 08/11/23:
Proposed Candle Factory Lower Ground Floor 688-PL-115
Proposed Candle Factory Roof Plan 688-PL-117
Proposed Candle Factory Elevation 1 688-PL-118
Proposed Candle Factory Elevations 2 and 3 688-PL-119
Proposed Site Sections AA and BB 688-PL-120
Proposed Site Sections CC and DD 688-PL-121

Proposed Building Sections GG and EE 688-PL-122
Proposed Building Sections HH, II and JJ 688-PL-123
Proposed Landscaping Plan 688-PL-126

Plans as received by the LPA 07/03/24:
PR external lighting plan, Ref: 688-PL-125, Rev: A, Date: 06/03/2024
PR bat loft, Ref: 688-PL-127, Date: October 2023
PR ecology plan, Ref: 688-PL-124, Rev: A, Date: 06/03/2024

REASON: For the avoidance of doubt, in the interests of proper planning and for the protection, mitigation and enhancement of biodiversity

3 No development shall commence on site (including any works of demolition), until a Construction Management Statement, together with a site plan, has been submitted to, and approved in writing by, the Local Planning Authority.

The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.
The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include the following:

1. the parking of vehicles of site operatives and visitors;
2. Number and size of delivery vehicles/ construction vehicles
3. loading and unloading of plant and materials;
4. storage of plant and materials used in constructing the development;
5. wheel washing and vehicle washing facilities;
6. measures to control the emission of dust and dirt during construction;
7. the cutting or other processing of building materials on site;
8. a scheme for recycling/disposing of waste resulting from demolition and construction works; and
9. measures for the protection of the natural environment.
10. hours of construction, including deliveries;
11. the location and use of generators and temporary site accommodation
12. pile driving (where within 200m of residential properties)

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of
the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

4

No burning of waste or other materials shall take place on the development site during the demolition or construction phases of the development.

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

5 No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays

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

6 No development shall commence on site (including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works), until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority.

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) Working method statements for protected/priority species, such as nesting birds and bats.
c) Mitigation strategies already agreed with the local planning authority prior to determination, such as for bats; this should comprise the preconstruction/construction related elements of strategies only.
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.
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.

7 The installation of the biodiversity mitigation and enhancement measures will be

supervised by a professional ecologist and will continue to be available for wildlife for the lifetime of the development.

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

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 in accordance with drawing PR landscaping plan, Ref: 688-PL-126, Date: October 2023 by Artel 31 for the duration of the development from the commencement of the scheme 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.

REASON: To ensure a satisfactory implementation and maintenance of the Soft Landscaping strategy

9 No additional external light fixture or fitting will be installed within the application site other than those shown on drawing PR external lighting plan, Ref: 688-PL-125, Rev: A, Date: 06/03/2024 by Artel31 unless details of the additional 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.

The plans will be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals (ILP) Guidance Notes on the Avoidance of Obtrusive Light (GN 01/2021) and Guidance note GN08/23 “Bats and artificial lighting at night”, issued by the Bat Conservation Trust and Institution of Lighting Professionals.

REASON: To avoid illumination of habitat used by bats.

10 The development hereby permitted shall not be first brought into use/occupied until the first 5m of the access, measured from the edge of the carriageway and/or whole of the parking area, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety

11 Prior to the use or occupation of the new development hereby approved a Microgeneration Certification Scheme (MCS) accredited installer has demonstrated the Air Source Heat Pump (ASHP) installation will meet the requirements of the MCS Planning Standard; and the ASHP will produce a noise level of no more than 42dB LAeq (5mins) at the nearest bedroom/lounge window when operating; through source noise level data, distance attenuation and screening calculations. MCS compliance certification must be submitted to the LPA within 3 months of installation.

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

12 No part of the development shall be brought into use/occupied until a scheme of Ultra Low Energy Vehicle infrastructure has been implemented, the details of which shall have been submitted to and approved by the Local Planning Authority. The scheme must be completed in accordance with the approved details and thereafter be permanently retained.

REASON: Core Policy 55; Development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

13 No development shall commence on site (other than that required to be carried out as part of a scheme of remediation approved by the Local Planning Authority under this condition), until steps (i) to (iii) below have been fully complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until step (iv) has been complied with in full in relation to that contamination.

Step (i) Site Characterisation:

An investigation and risk assessment must be completed to assess the nature and extent of any contamination (including asbestos) on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

- A survey of the extent, nature and scale of contamination on site;
- The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant linkages;

- If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants;
- An assessment of the potential risks to
• human health,
• property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
• adjoining land,
• groundwater and surface waters,
• ecological systems,
• archaeological sites and ancient monuments;

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

Step (ii) Submission of Remediation Scheme:
If any unacceptable risks are identified as a result of the investigation and assessment referred to in step (i) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.

Step (iii) Implementation of Approved Remediation Scheme:
The approved remediation scheme under step (ii) must be carried out in accordance with its requirements. The Local Planning Authority must be given at least two weeks written
notification of commencement of the remediation scheme works.

Step (iv) Reporting of Unexpected Contamination:
In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment should be undertaken in accordance with the requirements of step (i) above and where remediation is necessary, a remediation scheme should be prepared in accordance with the requirements of step (ii) and submitted to and approved in writing by the Local Planning Authority.

Step (v) Verification of remedial works:
Following completion of measures identified in the approved remediation scheme a verification report must be produced. The report should demonstrate the effectiveness

of the remedial works.

A statement should also be provided by the developer which is signed by a person who is competent to confirm that the works detailed in the approved scheme have been carried out (The Local Planning Authority can provide a draft Remediation Certificate when the details of the remediation scheme have been approved at stage (ii) above).

The verification report and signed statement should be submitted to and approved in writing of the Local Planning Authority.

Step (vi) Long Term Monitoring and Maintenance:
If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval at the relevant stages in the development process as approved by the Local Planning Authority in the scheme approved pursuant to step (ii) above, until all the remediation objectives in that scheme have been achieved.

All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

14 Notwithstanding the approved drawings, no new construction works shall commence on each respective building until full details and samples of all new external materials including roofing, fenestration, walling and any means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

REASON: The matter is required to be agreed with the Local Planning Authority before the relevant parts of the development commences in order that the development is undertaken in an acceptable manner, in the interests of preserving the character and appearance of the conservation area and setting of listed building

15 Notwithstanding Class C3 of the Schedule to the Town and Country (Use Classes) Order 1987 (as amended) (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification), the 2 no, self-contained holiday units hereby permitted shall be used to provide holiday accommodation only, which shall not be occupied as permanent, unrestricted accommodation or as a primary place of residence. An up to date register of names and main home addresses of all occupiers shall be maintained and shall be made available at all reasonable times to the Local Planning Authority.

REASON: This site is in a position where the Local Planning Authority, having regard

to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation.

Informatives: (5)

16 The proposal includes alteration to the public highway, consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
Please contact the vehicle access team on telephone 01225 713352 or email vehicleaccess@wiltshire.gov.uk for further details.

17 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.

18 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.

19 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.

20 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.

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