Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/10234

Decision Date: 26 July 2024

Applicant:	Happy Days Nursery Main Chapel Town, Summercourt, Newquay, Cornwall, TR8 5YA
Particulars of Development:	Proposal to change the building use from E(g)(i) to E(f) with internal alterations and landscape development to improve the useability of the space for the function of a nursery, replacement of signage to display nursery branding
At:	Lime Kiln House, Lime Kiln, Royal Wootton Bassett, Swindon, SN4 7HF

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: (6)

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:

Application Form & Certificate

1841/001 Rev * – Location Plan. Received on 24 November 2023
1841/430 Rev B - Door Detail. Received on 24 November 2023
1841/431 Rev B – Door Detail. Received on 24 November 2023
1841/432 Rev * – Door Detail. Received on 24 November 2023
1841/024 Rev * – Existing Elevation A. Received on 24 November 2023
1841/010 Rev A – Existing Ground Floor Plan. Received on 24 November 2023
1841/020 Rev * – Existing East Elevation. Received on 24 November 2023
1841/025 Rev * – Existing Internal Elevations. Received on 24 November 2023
1841/022 Rev * – Existing North Elevation. Received on 24 November 2023
1841/021 Rev * – Existing South Elevation. Received on 24 November 2023
1841/023 Rev * – Existing West Elevation. Received on 24 November 2023
1841/060 Rev B – Ground Demolition Floor Plan. Received on 24 November 2023
1841/003 Rev D – Hard Landscaping Plan. Received on 26 June 2024
1841/004 Rev D – Hard Landscaping Plan. Received on 26 June 2024
1841/040 Rev A – Proposed East Elevation Plan. Received on 24 November 2023
1841/044 Rev A – Proposed Elevation A. Received on 24 November 2023
1841/046 Rev B – Proposed Internal Elevations Plan. Received on 30 April 2024
1841/030 Rev D – Proposed Ground Floor Plan. Received on 30 April 2024
1841/042 Rev A – Proposed North Elevation Plan. Received on 24 November 2024
1841/041 Rev A – Proposed South Elevation Plan. Received on 24 November 2024
1841/043 Rev B – Proposed West Elevation Plan. Received on 24 November 2024

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

3 All new works and works of making good to the retained fabric, whether internal or external, shall be finished to match the adjacent work with regard to the methods used and to colour, material, texture, and profile.

REASON - In order to safeguard the special architectural or historic interest and heritage significance of the building and comply with policy 58 of the Wiltshire Core Strategy Local Plan 2015.

4 No works to fit new timber gates to the boundary wall gate piers shall commence on site until details of the new timber gates joinery including hardware and fixing to the existing gate piers, and details of how the existing metal gates are to fixed open 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: In the interests of preserving the character and appearance of the listed building and its setting.

5 No construction or demolition work shall take place on Sundays or Public Holidays or outside
the hours of 0800 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: To ensure high design and place shaping such that appropriate levels of amenity are achievable and to comply with Core policy 57.

6 There shall be no burning undertaken on site at any time.

REASON: To ensure appropriate levels of amenity and to comply with Core policy 57.

Informatives: (4)

7 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.

8 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.

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 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.

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