Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/08638

Decision Date: 14 August 2024

Applicant:	Tanner The Bear Hotel, Market Place, Chippenham, Wiltshire, SN15 3HJ
Particulars of Development:	Conversion of upper floors of former hotel to 5 no. apartments and 1no. maisonette together with conversion and extension of garage to office accommodation.
At:	THE BEAR HOTEL, MARKET PLACE, CHIPPENHAM, SN15 3HJ

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 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 24/07/24:
Location Plan, Proposed Basement & Ground Floor Plans AA/22/09/04 Rev: A
Proposed First & Second Floor Plans AA/22/09/05 Rev: A
Proposed Front & Rear Elevations AA/22/09/06 Rev: B
Proposed Side and Courtyard Elevations AA/22/09/07 Rev: B

Plans as received by the LPA 23/11/23:
Existing Elevations AA/22/09/03
Existing First & Second Floor Plans AA/22/09/02
Location Plan, Existing Basement & Ground Floor Plans AA/22/09/01

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

3 The glazing specification shall meet the requirements of table 5 of the Nova Acoustics Residential Noise Assessment dated 24/04/24 Revision 002, unless an alternative glazing scheme is otherwise agreed in writing by the Local Planning Authority. The approved glazing strategy must be implemented in full and retained for the lifetime of the development.

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

4 Prior to development commencing, full details of a mechanical ventilation and heat recovery s scheme providing 'Whole Dwelling Ventilation' shall be submitted to and approved in writing by the local planning authority. The scheme must meet the requirements of section 4 of the Nova Acoustics Residential Noise Assessment dated 24/04/24 Revision 002 and current Building Regulations. The approved scheme must be implemented in full and retained for the lifetime of the development.

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

5 The detailed sound insulation scheme to protect future occupiers on the first floor from noise transfer from the ground floor commercial Class E(b) premises shall meet the performance requirements of section 6 of the Nova Acoustics Residential Noise Assessment dated 24/04/24 Revision 002. The sound insulation scheme must achieve 53 dB DnT,w + Ctr and shall adequately suppress flanking routes for sound. The sound insulation scheme shall be implemented in full and retained for the lifetime of the development.

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

6 A post installation scheme report shall be submitted to the local planning authority with 3 months of occupation of any dwelling. The report shall include details of sound monitoring tests undertaken along with schematic drawings showing that the

requirements of condition 5 have been met.

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

7 Prior to first residential occupation of the development a scheme containing full details of arrangements for internal air extraction, odour control and discharge to atmosphere from cooking operations, including the location and appearance of any external ducting and flues, has been submitted to and approved in writing by the Local Planning Authority. The scheme must include full technical details and a risk assessment in accordance with Appendix 2 and 3 respectively of the EMAQ “Control of odour and noise from commercial kitchen exhaust systems” Guidance (Gibson, 2018).

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

8 Prior to first residential occupation of the development, an noise assessment confirming that the rating level of noise from the commercial kitchen extraction equipment is at least 5dB below the measured background sound level of 35dB LA90,15min shall be submitted to an approved in writing by the local planning authority. The noise assessment shall be carried out in accordance with BS4142:2014 +A1:2019

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

Informatives: (6)

9 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 may 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.

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 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.

13 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 www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.

14 In accordance with the government’s nationally described space standards, it is anticipated Flats 2, 3 and 5 will be for single occupancy.

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