Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/05619

Decision Date: 18 November 2024

Applicant:	Inova Developments Ltd 13 Washington Road, West Wilts Trading Estate, Westbury, Wiltshire, BA13 4JP
Particulars of Development:	Change of use and conversion to 9 residential units
At:	Lotz Abbott Works, Alfred Street, Westbury, BA13 3DY

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: (21)

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 and documents:

Location Plan A17 23 09 P01
Proposed Block Plan A17 23 09 P02 Rev A
Proposed Ground Floor Plan A17 23 09 P03 Rev A
Proposed First Floor Plan A17 23 09 P04 Rev A
Proposed Elevations A17 23 09 P05 Rev B
Proposed Elevations 07 08 and 09 A17 23 09 P06 Rev B
Proposed Landscape Plan A17 23 09 P07
Design, Access and Heritage Statement July 2023 - Atelier 17
Flood Risk Assessment, Surface Water Drainage Strategy for Planning March 2024 -

Unda Consulting Limited Reference 93568-Campbell-LtzAbbttWrks
Preliminary Bat Roost Assessment January 2024 - Abbas Ecology Reference 5750

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

3 The development will be carried out in strict accordance with the following documents:

• Bat Preliminary Roost Assessment. Ref: 5750. January 2024. Abbas Ecology.

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

4 Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. 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, to include methodology for the soft strip of potential bat roost features.
c) 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.
d) 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.

5 No demolition or construction works shall commence on site until a Demolition Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The method statement shall include the following:

a) identification of building(s) to be demolished and building(s) to be retained
b) method of demolition;
c) measures to control the emission of dust and dirt during demolition;
d) a scheme for recycling/disposing of waste resulting from demolition works;

The approved Statement shall be complied with in full throughout the demolition

phase. No other development shall commence on site until the demolition of the building permitted by this consent has been carried out in accordance with the approved Demolition Method Statement and all of the demolition materials and debris resulting there from has been removed from the site.

REASON: To minimise detrimental effects to the neighbouring amenities and detriment to the natural environment through the risks of pollution during the demolition phase.

6 No development shall commence on site (including any works of demolition), until a Construction Management Plan, has been submitted to, and approved in writing by, the Local Planning Authority. The CMP shall include the following:

a) the parking of vehicles of site operatives and visitors;
b) loading and unloading of plant and materials;
c) storage of plant and materials used in constructing the development;
d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
e) wheel washing facilities;
f) measures to control the emission of dust and dirt during construction;
g) a scheme for recycling/disposing of waste resulting from construction works;
h) measures for the protection of the natural environment.
i) hours of construction, including deliveries;
j) details of drainage arrangements during the construction phase

The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: To minimise detrimental effects to neighbouring amenities and highway safety and to ensure that surface water quality and quantity is managed so as not to increase flood risk or pollution of water course during the construction phase.

7 Prior to the commencement of any works, including vegetation removal and demolition, details of the number, design and locations of features for wildlife and new native species planting shall be submitted to the local authority for approval. These details should be clearly shown on an enforceable plan (e.g., site plan/technical elevations drawing). The approved details shall be implemented before first occupation of the development. These features will continue to be available for the target species for the lifetime of the development.

REASON: To provide enhancement for biodiversity.

8 No external light fixture or fitting will be installed within the application site unless details of existing and proposed 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: In the interests of conserving biodiversity.

9 No development shall take place until the applicant has provided a detailed drainage strategy for the site including the following additional information:

• A clearly labelled drainage layout plan showing the pipe networks and any designated holding areas. The plan should show any pipe node numbers referred to within the drainage calculations.
• A manhole / inspection chamber schedule to include cover and invert levels.
• Calculations should include an allowance for increased surface water runoff, as a result of urban creep, in accordance with LASOO guidance.
• Hydraulic Models should set the MADD factor / additional storage volume factor to 0m3 /ha in order to prevent an overestimation of storage capacity in the proposed drainage network.
• For brownfield sites, the peak runoff rate from the development to any drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event must be as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, and achieve a minimum 30% betterment compared to the current condition.

REASON: To ensure that the site is adequately drained.

10 No works other than the approved demolition works shall be undertaken until detailed measures for obscured glazing to openings or other measures to restrict views into and out of the window opening on the east and south elevations forming the external facing walls have been submitted to the Local Planning Authority and approved in writing. Development shall be carried out in accordance with the approved details prior to the first occupation of any dwelling hereby approved and thereafter shall be maintained in accordance with the approved details for the lifetime of the development.

REASON: In the interests of residential amenity and privacy.

11 No works other than the approved demolition works shall be undertaken until detailed elevations of all external walls facing the internal courtyard at a scale of not less than 1:50 illustrating the use of external materials have been submitted to the Local Planning Authority and approved in writing. Development shall be carried out in

accordance with the approved details.

REASON: In the interests of the character and appearance of the retained buildings and the setting of the Grade II listed building and Conservation Area.

12 No alterations to the exterior of the existing buildings or construction above slab level of new buildings shall be undertaken on site until details of all external materials, including walls, roofs, brick bond and mortar and cladding, to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the Conservation Area and setting of Listed Buildings.

13 No works to the windows and doors shall be undertaken until details of all new external window and door joinery have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include depth of reveal, details of heads, sills and lintels, elevations at a scale of not less than 1:10 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2. The works shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the Conservation Area and setting of Listed Buildings.

14 No works to the rainwater goods shall be undertaken until details of all new or replacement rainwater goods (which shall be of cast metal construction and finished in black) and their means of fixing to the building 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 visual amenity and the character and appearance of the Conservation Area and setting of Listed Buildings.

15 No works to provide new or replacement boundary treatments shall be undertaken on site until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

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

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

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

17 In the event that contamination is encountered at any time when carrying out the approved development, the Local Planning Authority must be advised of the steps that will be taken by an appropriate contractor; to deal with contamination and provide a written remedial statement to be followed be a written verification report that confirms what works that have been undertaken to render the development suitable for use.

REASON: To reduce the risks associated with land contamination.

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

REASON: In the interests of amenity of neighbouring occupiers.

19 No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-H shall take place on the dwellinghouse(s) hereby permitted or within their curtilage.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

21 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the roof slope(s) of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

Informatives: (5)

1 There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species 2017 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the applicant is advised to follow the advice of a professional ecologist or to contact Natural England's Batline through the internet.

2 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.

3 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.

4 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.

5 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.

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