

The Town and Country Planning Act 1990
Approval of Variation of Conditions
Application Reference Number: PL/2024/10158
Decision Date: 10 February 2025

Applicant: C/O Agent

Particulars of Development: Variation of condition 1 (Approved Plans) relating to application PL/2021/06414 (Reserved Matters approval for all matters reserved by Condition 2 attached to 17/03417/OUT including appearance, landscaping, layout and scale for Units 3 and 5.)

At: Unit 3 Indurent Park, Chippenham , Land South of Junction 17 of M4 Motorway, Kington Langley, Chippenham

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for variation or non-compliance with a condition or conditions imposed on an earlier permission in accordance with the application and plans submitted by you.

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 compliance with the following conditions:

Conditions: (9)

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan - 21270 P0001 D
Overall Site Layout - 21270 P0002 L
Units 3 & 5 Site Layout Plan - 21270 P0003 F
Units 3 & 5 External Surfacing Plan - 21270 P0004 E
Units 3 & 5 Cycle Shelter Details - 21270 P0006 E
Units 3 & 5 Ancillary Buildings Details - 21270 P0007 G
Units 3 & 5 Fencing Details - 21270 P0009 D
Unit 3 Warehouse Layout - 21270 P3001 C
Unit 3 Office Layout - 21270 P3002 B
Unit 3 Roof Layout - 21270 P3003 B
Unit 3 Elevations - 21270 P3005 C

*Unit 5 Warehouse Layout - 21270 P5001 A

*Unit 5 Office Layout - 21270 P5002 A

*Unit 5 Roof Layout - 21270 P5003 A
 *Unit 5 Section - 21270 P500 4A
 *Unit 5 Elevations - 21270 P5005 A
 *Unit 5 Transport Office Layout - 21270 P5006 A
 *Gatehouse Details - 21270 P5007 A

Landscape Overview Plan - 2157-21-04 F
 Landscape Concept Plan - 2157-21-01 I
 *Landscape Strategy Note - 2157-21-RP01A
 Landscape Concept Sections 1 of 2 - 2157-21-02 E
 Landscape Concept Sections 2 of 2 - 2157-21-03 E
 *Cycleway Detail Inset Plan A2 - 2157-21-05
 *'Technical Note: Hoggin/Self Bound gravel Path' specification (no. 2157-21-RP02A)

*Existing Ground Levels - 5150100-ATK-CHI-ZZ-DR-C-0105 P2
 Unit 3 & 5 Finished Levels - 09138-HYD-XX-XX-DR-S-0206 P2
 Unit 3 and 5 Finished Levels 09138-HYD-XX-DR-S-0206 P2
 Unit 3 Drainage - 09138-HYD-XX-XX-M2-S-3210 P1 3220 P1
 *Unit 5 Drainage - 09138-HYD-XX-XX-M2-S-5210 P1

Highway General Arrangement - 37813/5540/100 B
 Highway Long Sections - 37813/5540/110 A
 Highway Contours - 37813/5540/120 A
 Highway Lighting Column Arrangement - 37813_5540-130 A
 Vehicle Tracking Manoeuvres Sheet 1 of 2 - 27813/5540/140 B
 Vehicle Tracking Manoeuvres Sheet 2 of 2 - 37813/5540/141 B
 *Industrial Development Layout & Report (highway lighting) - OP105808LD13523
 *Units 3 & 5 Parking Statement (Unit 5 only)
 Unit 3 Parking Statement 08410-TN-01-C
 Drainage Layout - 37813/5540/500 A
 Drainage Management Strategy - 09138-HYD-24-U3-RP-D-0001 P2
 Pavement Construction - 37813/5540/700 A
 *Pavement Construction Details - 37813/5517/710C
 Kerbing Layout - 37813/5540/1100 A
 Lining Plan - 37813/5540/1200 A
 *Units 3 & 5 External Utility Services Layout - 201517 00001 (Unit 5 only)
 Unit 3 External Services Layout - 240379-CPW-03-EXT-DR-N-007001
 *Units 3 & 5 External Lighting Layout - 201517 00002 (Unit 5 only)
 Unit 3 External Lighting Layout – 240379-CPW-03-EXT-DR-E-221001 P02

(*no revisions to these previously approved drawings / details)
 (received 11/11/2024 unless otherwise specified)

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

2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no mezzanine or other form of internal floor to create a

first or higher floor level shall be constructed in the development hereby permitted.

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

- 3 No part of the development of Unit 3 hereby permitted shall be first brought into use until the access, turning area and parking spaces (including EV 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.

- 4 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 free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, 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. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 5 No part of the development of Unit 3 hereby permitted shall be brought into use until the cycle parking facilities shown on the approved plans have been provided in full and made available for use. The cycle parking facilities shall be retained for use in accordance with the approved details at all times thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

- 6 No part of the development of Unit 3 hereby permitted shall be brought into use until the cycle route approved as part of the strategic landscaping scheme for the wider site has been provided in its entirety in accordance with the approved plan (no. 2157-21-04 F) 'Landscape Overview Plan') and surfaced in accordance with the 'Technical Note: Hoggin/Self Bound gravel Path' specification (no. 2157-21-RP02A dated 10/02/2022), and it shall be made available for cyclists and maintained as an open cycle route at all times thereafter.

REASON: To accord with the terms of the application and to encourage safe and sustainable access to the site for cyclists, in accordance with Core Policy 61 of the Wiltshire Core Strategy.

- 7 Prior to the first use or occupation of Unit 3 hereby permitted, a delivery and servicing plan for the development shall be submitted to and approved in writing by the Local Planning Authority including:
- Staff Parking
 - the location of loading and unloading, the hours of loading and unloading, the frequency and size of vehicles, waste management.
 - Site deliveries and servicing shall thereafter be carried out in accordance with the approved plan.

Reason: In the interest of safety of users

- 8 There shall be no areas of open storage unless otherwise first approved in writing by the local planning authority. No materials, goods, plants, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored on the site outside of any approved open storage area, or above any height agreed as part of this condition.

REASON: In the interests of the appearance of the site and the amenities of the areas.

- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions / extensions / external alterations to any building forming part of the development hereby permitted and no external plant or machinery, other than water storage tanks if they are required to facilitate a sprinkler system to serve the building. The position and design of any water storage tanks shall be submitted to and approved in writing by the Local Planning Authority, and thereafter maintained in accordance with the approved plans.

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 external alterations, or the installation of any outdoor plant/machinery.

Informatives: (1)

- 10 The applicant's attention is drawn to the conditions imposed on planning permission reference 17/03417/OUT. A number of conditions attached to 17/03417/OUT require additional information to be provided.

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