

16th December 2025

Our Ref: SWLC.LPC5293

Development Services – North
Wiltshire Council
Monkton Park
Chippenham
Wiltshire
SN15 1ER

Dear Sir/Madam

Town and Country Planning Act 1990
Certificate of Lawfulness regarding the proposed erection of a new industrial
building for the undertaking of OTM at their premises at
Lower Stanton St Quintin, Chippenham, SN14 6AA

Please find enclosed a duly completed Certificate of Lawfulness application in respect of the above proposal and made pursuant to section 192 of the above Act.

As you will be aware this section of the Act allows any person to ascertain whether, inter alia, any operations proposed to be carried out in, on, over or under land, would be lawful.

In this case the enclosed application contends that the works to be carried out do not require planning permission by reason of their accord with the provisions at Part 7, Class H to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The proposed development comprises an associated detached new building with light industrial workshop space/storage and ancillary welfare and office space, and for use as a single planning unit and to be used for the same undertaking as the current tenants; OTM.

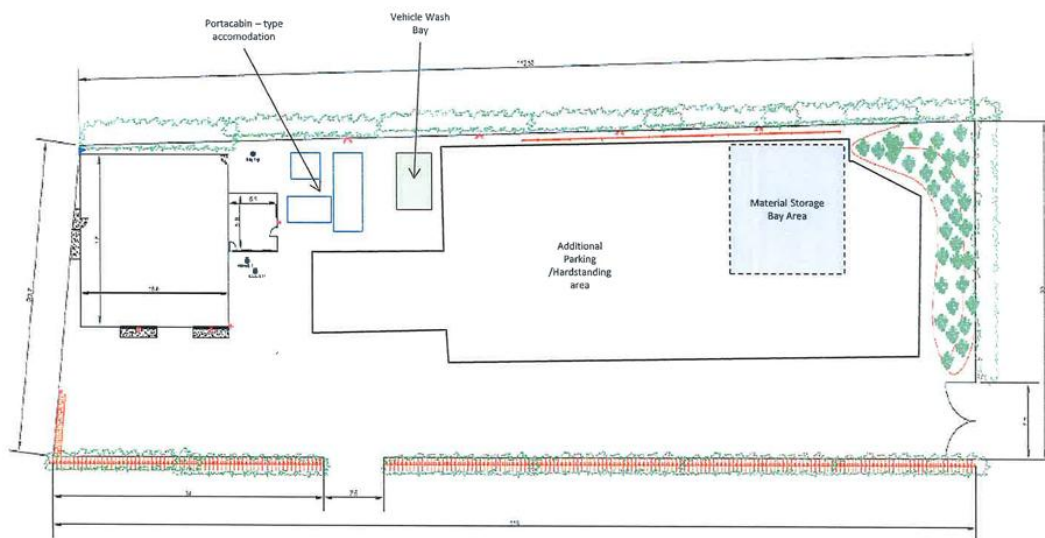
The building itself provides a gross floor area of 200m² and is not located on article 2(3) land. Accordingly, it falls within the size threshold at H.1 (a) and does not exceed 50% of the floor area of the existing built premises either. Similarly, it is positioned 5 metres away from the site boundary and measures 4.4m in height, not (exceeding the 5 metre limit).

The site's planning history confirms that permission was first granted by application N/07/00770/COU for the change of use of an agricultural building for a store and depot relating to civil engineering plant and equipment, together with the formation of a roadway. Thereafter by application N/07/02461/FUL permission was granted for the extension to the building to provide workshop, store, office and mess room and toilet facilities, as well as provision of parking and aggregate storage bins.

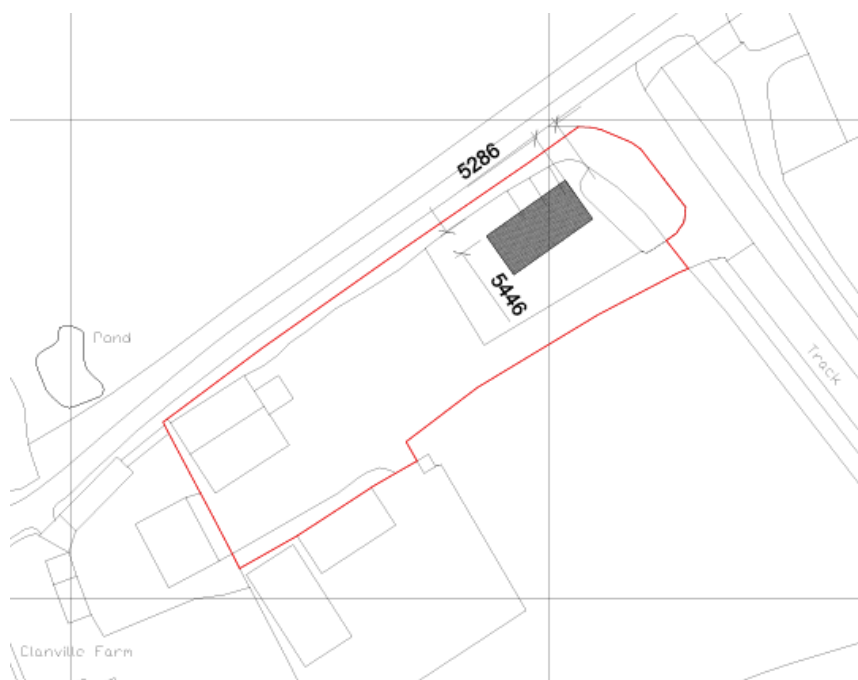
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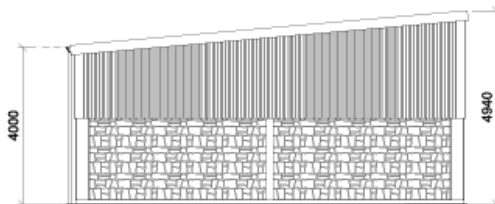
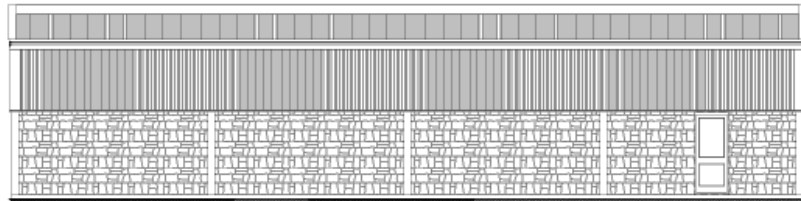
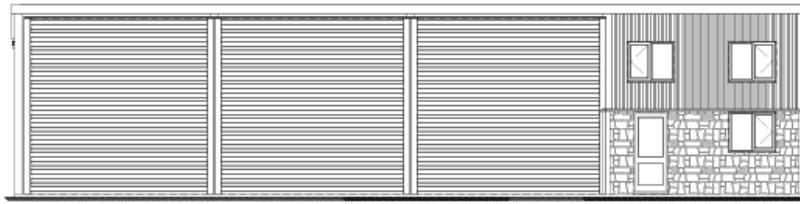
The next recorded approval was made by application N/11/02077/FUL, and which was described as 'Retention of Workshop & Use of Land as Depot/Extension to Workshop to Provide Office, Mess Room & W.C Facilities'.

The above applications related only to the northern part of the current site, and it was only by application 16/06586/FUL, for the 'Proposed siting of 3 portable buildings, additional parking/hardstanding & use of part of site for storage' that the current planning unit was defined. The general layout approved at that time is shown by the site plan extract from the application file below.

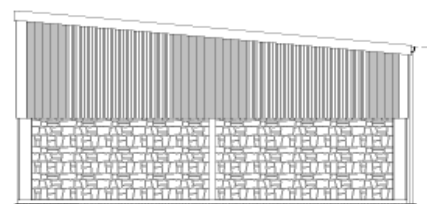


Details of the proposed site layout and new building are shown by the plan extracts below.





SOUTH WEST ELEVATION



NORTH EAST ELEVATION

The relevant Class H permitted criteria are summarised below, together with a brief comment to confirm the enclosed application's compliance.

Class H specifically relates to new industrial and warehousing development. It permits the erection, construction or alteration of an industrial building or warehouse.

H.1 Development is not permitted by Class H if—

- (a) the gross floor space of any new building erected would exceed—
 - (i) for a building on article 2(3) land or on a site of special scientific interest, 100 square metres;
 - (ii) in any other case, would exceed 200 square metres;

The application site does not fall within article 2(3) land and does not exceed the 200m² floor space limitation as marked clearly on the submitted plans.

- (b) the gross floor space of the original building would be exceeded by more than—
 - (i) in respect of an original building or a development on article 2(3) land, 10% or 500 square metres (whichever is lesser);
 - (ii) in respect of an original building or a development on a site of special scientific interest, 25% or 1,000 square metres (whichever is the lesser);

(iii) in any other case, 50% or 1,000 square metres (whichever is the lesser);

N/A as the proposal is not an extension to the original building.

- (c) the height of any part of the new building erected would exceed—
 (i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres;
 (ii) in all other cases, the height of the highest building within the curtilage of the premises or 15 metres, whichever is lower;

As indicated earlier the application building does not exceed 5m in height.

- (d) the height of the building as extended or altered would exceed—
 (i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres;
 (ii) in all other cases, the height of the building being extended or altered;

N/A as above at (b)

(e) any part of the development would be within 5 metres of any boundary of the curtilage of the premises;

The proposed building is sited more than 5m from all boundaries

(f) the development would lead to a reduction in the space available for the parking or turning of vehicles; or

N/A

(g) the development would be within the curtilage of a listed building.

N/A

The exercise of the permitted tolerances as satisfied above is also subject to those conditions at H.2 and listed below.

- (a) the development is within the curtilage of an existing industrial building or warehouse;
 (b) any building as erected, extended or altered is only to be used—
 (i) in the case of an industrial building, for the carrying out of an industrial process for the purposes of the undertaking, for research and development of products or processes, or the provision of employee facilities ancillary to the undertaking;
 (ii) in the case of a warehouse, for storage or distribution for the purposes of the undertaking or the provision of employee facilities ancillary to the undertaking;
 (c) no building as erected, extended or altered is used to provide employee facilities—
 (i) between 7.00pm and 6.30am, for employees other than those present at the premises of the undertaking for the purpose of their employment; or
 (ii) at all, if a quantity of a dangerous substance is present at the premises of the undertaking in a quantity equal to or exceeding the quantity listed in the entry for

that substance in Parts 2 or 3 of Schedule 1 to the Control of Major Accident Hazards Regulations 1999 M18;

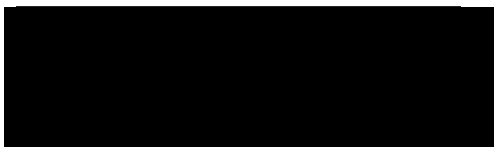
(d) any new building erected is, in the case of article 2(3) land, constructed using materials which have a similar external appearance to those used for the existing industrial building or warehouse; and

(e) any extension or alteration is, in the case of article 2(3) land, constructed using materials which have a similar external appearance to those used for the building being extended or altered.

The proposed new building as shown above is located within the established commercial planning unit and will be used for the purposes of the undertaking of TM based in the existing building and utilising the yard as a whole. The hours of operation will be satisfied and in all other regards the conditional matters listed above do not apply.

Accordingly, I trust you will agree that you have sufficient information to confirm that the new building constitutes permitted development, and the Local Planning Authority is respectfully invited to grant a Certificate of Lawfulness confirming that the development would be lawful at the date of the application. If you have any questions to ensure your support please do not hesitate to contact me.

Yours faithfully



Simon Chambers
Director

Enc.

Cc Mr R Watkins