



The Town and Country Planning Act 1990
Approval of Variation of Conditions
Application Reference Number: PL/2025/06694
Decision Date: 23/04/2026

Applicant:	Wadworth and Co Ltd C/O Agent, C/O Agent, C/O Agent, C/O Agent, C/O Agent, C/O Agent
Particulars of Development:	Variation of condition 7 relating to application PL/2024/03901 to operate on Saturdays and Bank Holidays.
At:	Folly Road Brewhouse, Folly Road, Devizes, SN10 2HT

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:

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

Dwg Ref: SL_P21021_DWG_0_EX00_Rev_P12 Site Location Plan

Dwg Ref: 3879-27 Rev E Proposed Site Layout (incl. White Lining)

Dwg Ref: SL_P21021_DWG_0_PR09 Rev P12 Proposed Basement Floor Plan

Dwg Ref: SL_P21021_DWG_0_PR10 Rev P15 Proposed Ground Floor Plan

Dwg Ref: SL_P21021_DWG_0_PR11 Rev P14 Proposed Mezzanine Floor Plan

Dwg Ref: SL_P21021_DWG_0_PR12 Rev P13 Proposed Roof Plan
Dwg Ref: SL_P21021_DWG_0_PR30 Rev P15 Proposed Elevations Sheet 1

Dwg Ref: SL_P21021_DWG_0_PR31 Rev P16 Proposed Elevations Sheet 2

Dwg Ref: 3879-28 Rev B Proposed Bicycle Shelter and Associated Ground Words

Dwg Ref: P21-1149_02 Rev B Landscape Masterplan

Dwg Ref: C7996-TLP-00-XX-DR-E-801 Rev P5 External Lighting Layout

Pegasus Group Covering letter dated 7 August 2025, Transport Statement letter dated 7 August 2025 and Acoustic Assessment for Variation of operating hours of a brewery - ACA Acoustics (211021-R002D - dated 22 December 2025)

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

- 2 Prior to any deliveries or collections taking place during the approved extended operating hours, a Quiet Delivery Policy (QDP) shall be submitted to and approved in writing by the Local Planning Authority (LPA).

The QDP shall be informed by and broadly accord with the principles and noise-reduction measures set out in the Department for Transport's Quiet Deliveries: Good Practice Guidance and shall include:

- a) driver behaviour protocols, including engine switch-off when stationary, controls on reversing alarms, and avoidance of unnecessary door slamming;
- b) quiet loading and unloading procedures, including measures to reduce metal-on-metal contact;
- c) on-site measures, including signage promoting quiet operations; and
- d) management measures, including staff training, monitoring arrangements, and a procedure for responding to complaints.

Thereafter, all deliveries and collections during the extended operating hours shall be carried out in full accordance with the approved QDP for the lifetime of the development.

REASON: In the interests of neighbouring amenity and uses

- 3 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.

- 4 No part of the development hereby permitted shall be first brought into use until the turning areas 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.

NOTE: The Council notes that at least three car parking spaces (two adjacent to the delivery yard and one adjacent to the outside seating area) have been used for storage. It is imperative that these spaces are left as car parking spaces. Should the spaces not be returned or are used for storage in the future, the applicants are respectfully advised that this condition can be subject to enforcement investigation.

- 5 All external mechanical plant, excluding the malt delivery blower, shall be so sited, designed and maintained so that the sound level does not exceed 5dB below the existing background level as measured and assessed in accordance with BS4142:2014+A1:2019.

Existing background levels are taken to be 35 LA90 (15 minutes) between the hours of 23:00 and 07:00 and 51 LA90(15 minutes) between the hours of 07:00hrs and 23:00hrs as measured at the boundary of the nearest residential noise-sensitive receptors

REASON: In the interests of the amenities of the area.

- 6 The malt delivery blower shall only be used between the hours of 09:00 and 17:00hrs Monday to Friday.

REASON: In the interests of the amenities of the area.

- 7** The use hereby permitted, including deliveries to and from the site, with the exception of the glycol condensers which may run continuously, shall only take place between the hours of;

07:00 and 19:00hrs from Mondays to Fridays;

08:00 and 18:30 Saturdays; and

08:00 and 16:00 of Easter Friday and Easter Monday and the May and August Bank Holidays. The loading of vehicles shall only occur between 12:00 and 16:00 on these Bank Holidays.

The use shall not take place at any time on Sundays or the Bank Holidays of Christmas Day, Boxing Day or New Years Day or Sundays

REASON: In the interests of the amenities of the area.

NOTE: Condition 6 remains as approved in PL/2024/03901 and is not subject to this variation of condition application. Condition 7 has changed the hours of operation including deliveries but not the hours of use of the Malt Blower.

- 8** Any forklift trucks must be electric and these shall be fitted with white noise reversing alarms, as recommended in the applicant's acoustic report (ref 211021-R001D, ACA Acoustics 3rd April 2022).

REASON: In the interests of the amenities of the area.

- 9** The Odour Management Plan (produced by Phlorum and dated March 2022) shall be implemented in full before the development is first brought into use and shall thereafter be permanently retained. Any amendments shall first be agreed upon in writing by the Local Planning Authority.

REASON: In the interests of the amenities of the area.

- 10** The electrical vehicle (EV) charging points shown on dwg no. 3879-27 Rev E Proposed Site Layout (incl. White Lining) shall be installed in accordance with the scheme of Ultra Low Energy Vehicle infrastructure agreed as part of the discharge of condition 10 of PL/2021/11727 under application reference PL/2021/11727 and

dated 28th February 2023. They shall be permanently maintained thereafter for the lifetime of the development.

REASON: In order to satisfy requirements in Core Policy 55 which states that development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification) and the Town and Country Planning (Use Classes) (Amendment)(England) Order 2005 (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification), the site shall be used solely as a B2 brewery use and no other use, including any other use under B2.

REASON: The proposed use is acceptable but the Local Planning Authority wishes to consider any future proposal for a change of use having regard to the circumstances of the case.

- 12 The external seating area located adjacent to car parking space no. 38, as shown on approved plan ref. 3879-27-Rev E, shall be used solely for ancillary staff rest and welfare purposes and shall not be used by customers, visitors, or for any public, promotional or tour-related activities at any time.

REASON: In the interests of neighbouring amenity

Nic Thomas - Director of Planning, Economy and Regeneration

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