



**The Town and Country Planning Act 1990**  
**Approval of Full Planning Permission with Conditions**  
**Application Reference Number: PL/2023/07209**  
**Decision Date: 07/09/2026**

|                                    |                                                                                                                                                                                                          |
|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Applicant:</b>                  | Mr Oguz Han Kartal<br>Flat Above<br>Green Tree Cafe<br>The Packway<br>Larkhill<br>Wiltshire<br>SP4 8PY                                                                                                   |
| <b>Particulars of Development:</b> | Change of Use from mixed use A1/A3 Cafe to Sui Generis Hot Food Takeaway (for the sale of hot food where consumption of that food is mostly undertaken off the premises) and addition of extract chimney |
| <b>At:</b>                         | 2 The Packway, Larkhill, Salisbury, SP4 8PY                                                                                                                                                              |

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 policy DM3 (1)(a) 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:

- 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 and block plan – (ref: LCTP04BP) – date received: 16/10/2023

Proposed elevations – (ref: LCTP07EE) – date received: 16/10/2023

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

- 3 The use hereby permitted shall not operate until 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).

The works detailed in the approved scheme shall be installed in their entirety before the operation of the use hereby permitted. The equipment shall thereafter be maintained in accordance with the manufacturer's instructions for the lifetime of the development and operated at all times when cooking is being carried out.

REASON: In the interests of safeguarding the amenities of neighbouring occupiers in accordance with Core Policy 57 of the Wiltshire Core Strategy

- 4 The extraction equipment shall be so sited, installed and maintained so that the noise levels produced remain at least 5dB (LAeq) below the existing background (LA90) noise level as measured at the nearest noise sensitive property 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.

- 5 The use hereby permitted, including deliveries to and from the premises, shall only take place between 09:00hrs and 21:30hrs

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

***Nic Thomas*** - Director of Planning, Economy and Climate

## 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](mailto: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 [Community Infrastructure Levy \(CIL\) - Wiltshire Council](#)