

Town & Country Planning Act 1990

Notice of Approval of Reserved Matters

Application Reference Number: 16/06752/REM

<p>Agent PlanningSphere Ltd Coworking The Guild High Street Bath BA1 5EB</p>	<p>Applicant HPH Limited 6 Kingsmead Square Bath BA1 2AB</p>
<p>Particulars of Development: - Application for approval of reserved matters relating to appearance, landscaping, layout and scale (15/04092/VAR Erection of 4 No. Warehouse Units -Use Class B8- and associated works)</p>	
<p>At: Hawke Ridge Business Park Mill Lane Westbury Hawkeridge Wiltshire BA13 4LD</p>	

In pursuance of their powers under the above Act, the Council hereby PERMIT the above development to be carried out in accordance with the details of the RESERVED MATTERS submitted by you, and subject to compliance with the conditions specified hereunder;-

- 1 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), the site shall be used solely for purposes within Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended)(or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use, other than a use within the same class(es), having regard to the circumstances of the case and neighbouring amenity.

- 2 No development shall commence on site until a drainage strategy for the construction period has been provided and approved by the local planning authority.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that

the development is undertaken in an acceptable manner and to ensure the site can be adequately drained.

- 3 The buildings hereby approved shall not be occupied until an operational statement has been submitted to and approved in writing by the Local Planning Authority. This statement shall include details of deliveries and vehicle movements associated with the development and the time these will operate.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner and in the interests of neighbouring amenity.

- 4 No building hereby approved shall be occupied until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 900mm above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

Reason: In the interests of highway safety

- 5 No building hereby approved shall be occupied until the parking spaces, cycle spaces together with the access thereto, have been provided in accordance with the approved plans.

REASON: In the interests of highway safety and the amenity of future occupants.

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

Received 12th July 2016

S001C (Site Plan)

Site Plan

Received 8th July 2016

WXY101A, WXY102A, WXY103A, WXY104A, WXY105A, Z101A, Z102A, Z103A, Z104A, Z105A

Received 12th July 2016

Z100C

Received 22nd August 2016

S100F

Received 19th September 2016

Z106B, WXY106D, S101

Received 3rd October 2016

IMA-16-100-002A, IMA-16-123-004

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

1 INFORMATIVE TO APPLICANT:

Your attention is also drawn to the conditions and Section 106 Legal Agreement imposed on the outline planning permission reference 15/04092/VAR

- 2 INFORMATIVE TO APPLICANT: No work should be carried out on the development site that may endanger the safe operation of the railway or the stability of Network Rail's structures and adjoining land. In particular, the demolition of buildings or other structures must be carried out in accordance with an agreed method statement. Care must be taken to ensure that no debris or other materials can fall onto Network Rail land. In view of the close proximity of these proposed works to the railway boundary the developer should contact Richard Selwood at Network Rail on AssetProtectionWestern@networkrail.co.uk before works begin.

Signed



Director for Economic Development & Planning
2016

Dated: 10 November

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.

In particular the applicant is reminded of the following matters:-

- 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 – www.planningportal.gov.uk/planning/appeals). The Secretary of State has the power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission of the proposed development could not have been so granted otherwise than subject to the conditions imposed by the local planning authority, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him.

If the applicant wishes to have any further explanation of the reasons for the conditions imposed on this permission it will be given on request and a meeting arranged if necessary.

3. **Purchase Notices.** If permission to develop land is granted subject to conditions, whether by the local planning authority or by the Secretary of State for Communities and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the District Council a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
4. **Compensation.** In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
5. **Discharge of Conditions.** The Government introduced new fees for the discharge of planning conditions from 6th April 2008. The fee is payable per request and not per condition. The fee chargeable is £25 per request for householder development and £85 per request for all other types of development. The fee must be paid when the request is made, and cannot be received retrospectively. It does not matter when the permission was granted as long as it remains extant. The request, identifying the permission (with reference number) and the conditions concerned, should be made by using the 1 APP forms which are available on the Councils Website or the Planning Portal.

You are advised that the as local planning authority has up to 12 weeks to consider the request, that you apply well in advance of when you intend to start work

6. If this permission relates to the creation of new dwellings/commercial units or conversion of buildings into dwellings/commercial units, you are required to apply for street naming and numbering to ensure that the new buildings are allocated accurate addresses and registered with the Royal Mail. Relevant application forms, guidance notes and fee sheets are available to download at <http://www.wiltshire.gov.uk/planninganddevelopment/streetnaming> or you can contact the Address Information Team on 01225 770508 or by email at streetnaming@wiltshire.gov.uk