Wiltshire Council

The Town and Country Planning Act 1990

Refusal of Full Planning Permission

Application Reference Number: PL/2023/06801

Decision Date: 15 December 2023

Applicant:	Breckenwood Ltd c/o Allen Planning Ltd, The Old Fire Station EC, Salt Lane, Salisbury, SP1 1DU
Particulars of Development:	Change of use from office/medical use (Class E) to a dwelling (Class C3)
At:	Second Floor, 31 Brown Street, Salisbury, SP1 2AS

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), this planning application has been processed in a proactive way. However, due to technical objections or the proposal's failure to comply with the development plan and/or the NPPF as a matter of principle, the local planning authority has had no alternative other than to refuse planning permission.

In pursuance of their powers under the above Act, the Council hereby REFUSE TO GRANT PERMISSION for the development referred to in the above application and plans submitted by you, for the following reason(s):

Refusal Reason(s): (1)

1 The layout of the proposed residential unit would have a bedroom with a large window on the rear elevation of the building, positioned immediately above the noise reducing barrier to the adjacent outdoor hospitality venue and facing the existing licenced premises at 29 Brown Street which includes an external staircase and the proximity and relationship of the proposed residential use is considered incompatible with the nature of established commercial uses in the immediate vicinity of habitable rooms. The proposal has failed to satisfactorily demonstrate that future occupiers of the proposed residential accommodation would not be adversely affected by noise and disturbance from activity at established commercial premises and therefore fails to demonstrate a satisfactory standard of amenity, contrary to Policy CP57 of the Wiltshire Core Strategy and the aims of the National Planning Policy Framework, in particular paragraphs 119, 124, 126 and 130, which collectively require a high standard of amenity for existing and future occupiers.

Parvis Khansari - Corporate Director, Place

NOTES

1. **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to refuse permission, they 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 - Appeal a planning decision: Overview - GOV.UK (www.gov.uk)).