CASE OFFICER'S REPORT

Application Reference: PL/2023/09536
Change of use to ground floor from Sui Generis to Offices Class E. Residential use retained to first floor. Alterations to frontage to provide door to offices.
19 Wilton Road, Salisbury, Wilts, SP2 7ED
Date of Inspection: N/A
Date site notice posted: N/A
Publicity Expiry: 19/12/23

POLICIES:

National Planning Policy Framework (NPPF Dec 2023) and NPPG

Salisbury Community Area Framework

Wiltshire Core Strategy (WCS):

- Core Policy 1: Settlement Strategy
- Core Policy 2: Delivery Strategy
- Core Policy 20: Spatial Strategy: Salisbury Community Area
- Core Policy 57: Ensuring high quality design and place shaping
- Core Policy 58: Conserving the Historic Environment

ISSUES:

1. Principle for development
2. Scale, design and impact on heritage assets and neighbouring amenities
3. Highway safety

Site History: See site history in full

S/1998/1347 TO RELIGIOUS MEETING ROOM FROM CLASS A1 (SHOP) ON GROUND FLOOR AC
S/2000/1538 Cof U OF GROUND FLOOR TO MEETING ROOM FOR RELIGIOUS AND EDUCATIONAL PURPOSES AC
S/2003/0362 CONTINUATION OF USE OF GROUND FLOOR AS MEETING ROOM FOR RELIGIOUS AND EDUCATIONAL PURPOSES AC

(1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (A07A)

(2) The use hereby permitted shalll be carried on only by 'The Muslim Association of Salisbury'. When the premises cease to be occupied by 'The Muslim Association of Salisbury' the use shall cease and the premisses shall revert to its former use, unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application on that behalf.

(3) The use hereby permitted shall not generate any noise within the premisses which is audiable outside of the premisses and there shall be no amplified sound, 'calling to prayer', or similar noise.

(1) To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

(2) To enable the Local Planning Authority to retain control over the use of the building in the intrests of amenity and highway safety.

(3) To avoid the risk of disturbance to neighbouring dwellings and the amenities of the locality.

REPRESENTATIONS:

Highways – No objection

City Council – none received

Third Parties – none received

ASSESSMENT:

Site Description and Proposal

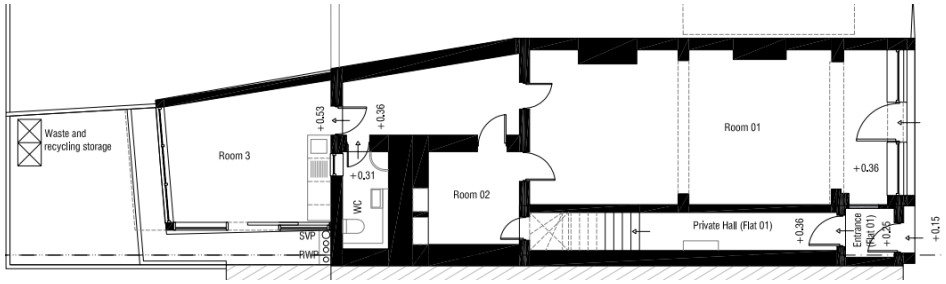
The application site was previously approved as a meeting room for religious and educational purposes in 2003. The site is within the Salisbury settlement boundary. Emmanuel Church to the north west is Grade II listed. The Conservation Area lies to the west. The site is in Flood Zone 1 and Wilton Road is vulnerable to surface water flooding.

The applicant is seeking to change the use of the ground floor from Sui Generis to Offices Class E. The existing residential flat would be retained on the first floor without change. There would be ground floor alterations to the existing frontage to provide a door to the offices. A separate advertisement application has been submitted.









Materials Key:
1 - Existing Painted Brickwork
2 - Existing Render Finish
3 - Existing Timber Framed Window/Door
4 - Existing UPVC Window/Door
5 - Existing Painted Blockwork
6 - Existing Brickwork
7 - Existing Slate Tiles
8 - Proposed UPVC Framed Door with Partial Glazing
9 - Proposed UPVC double glazed units

ASSESSMENT

Planning permission is required for the development. The applications must be determined in accordance with the development plan unless material considerations indicate otherwise. (Section 70(2) of the Town and Country planning Act and Section 38(6) of the Planning and Compensation Act 2004). The NPPF is also a significant material consideration and due weight should be given to the relevant policies in existing plans according to their degree of consistency of the framework.

1. **Principle for the development**

The site is located outside the central area for Salisbury, within the adopted settlement boundary. The site was approved as a meeting room for religious and educational purposes in 2003 upon condition that on cessation of the use, the premises would revert back to its former use as a shop. The shop is not protected by any restrictive policies such as primary or secondary shopping frontage designations. The conversion of a shop within the settlement boundary to provide an office would therefore be acceptable in principle and would continue to provide an employment generating, commercial use with an existing residential flat retained above. No objection is raised under CP1, CP2 and CP20.

2. **Scale, design and impact on heritage assets and neighbouring amenities**

The site is not within the conservation area but is close to a Grade II listed Chapel. S66 of the 1990 of the Planning (Listed Buildings and Conservation Areas) Act states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. CP58 seeks to protect heritage assets and their settings. However, No 19 is not considered to be within the *immediate* setting of the listed building.

CP57 states that:

Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire.

The applicant is seeking to change the style of the existing upvc windows and add a central ground floor door for the office use. No objection is raised to the proposals, which are likely to result in a very slight improvement to the detailing of the building within the streetscene. The active commercial use and refurbishment of the ground floor would be an additional benefit of the proposal in visual terms. The development would slightly enhance the features and appearance of the building, which indirectly benefits the wider setting of the listed building.

Class E is defined as:

Commercial, Business and Service
Use, or part use, for all or any of the following purposes:
a) Shop other than for the sale of hot food
b) Food and drink which is mostly consumed on the premises
c) the following kinds of services principally to visiting members of the public
i. financial services
ii. professional services (other than medical services)
iii. any other services which it is appropriate to provide in a commercial, business or service locality
d) Indoor sport and recreation (not swimming pools, ice rinks or motorised vehicles or firearms)
e) Medical services not attached to the residence of the practitioner
f) Non-residential creche, day centre or nursery
g) i) office ii) the research and development of products or processes or any industrial process, (which can be carried out in any residential area without causing detriment to the amenity of the area)

The applicant has specifically applied for an office use falling within Class E and therefore, a restrictive use condition would be applied to ensure that the use remains appropriate beneath a residential flat and unlikely to

cause undue disturbance. Neighbouring amenities and the amenities of the flat occupiers would not be directly affected by the change of use from a religious / educational building reverting back to a shop use and then being occupied as an office. The recruitment office use is likely to happen during normal working hours, and the music/amplified music condition applied to the religious use is unlikely to be required for the office. An office is likely to result in an improvement to the amenities for the occupiers for the flat. There are no proposed first floor changes to existing windows. Other properties in the vicinity of the site would not be harmed in terms of noise, disturbance, or overlooking from the ground floor development.

The development would therefore comply with CP57, CP58, the NPPF and S66 of the 1990 Act

3. **Highway Safety**

The proposal is not considered likely to materially affect existing highway safety arrangements for Wilton Road. The highways officer commented:

The proposal is for change of use from a meeting place to an office space. The site does not benefit from any off street parking, however the site is located close to the centre of Salisbury near public transport links and public car parks and parking in the vicinity is controlled by double yellow lines. In relation to Wiltshire's current parking standards, the proposed use requires less parking provision than the existing use, I therefore wish to raise no highway objection to the proposal.

No objection is raised under CP60 and CP61.

RECOMMENDATION: Approve with 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:

Location Plan at 1:1250 dated 3/11/23
Proposed Elevations plan ref 10-200 rev P1 dated 4/10/23
Fascia Signage plan ref 10-201 rev P1 dated 4/10/23
Proposed Ground Floor Plan and Front Elevation ref 10-100 rev P2 dated 4/10/23
Proposed Roof Level Plan ref 10-101 rev P1 dated 4/10/23

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

3 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 ground floor of the building (known as 19 Wilton Road, Salisbury, SP2 7ED) shall be used solely for purposes falling within Class E:
(a) shop other than for the sale of hot food
(c) (i) financial services
(c) (ii) professional services (other than medical services) and/or
(g) (i) office to carry out any operational or administrative functions,
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 office or the former shop use or a similar professional

service is acceptable beneath a residential flat, but the Local Planning Authority wish to consider any future proposal for a change of use, other than the specified uses, having regard to the circumstances of the case.

4 The replacement windows and new door hereby approved shall match the colour of those used in the existing building.

Reason: To ensure a harmonious form of development within the streetscene.