Development Services
Wiltshire Council
Tel: 0300 456 0114
Email:developmentmanagement@wiltshire.gov.uk
www.wiltshire.gov.uk

Enquiries to: Lucy Minting Direct Line: 01722 434377

19 January 2024

Application reference no. PL/2024/00063

Town and Country Planning (General Permitted Development) (England) Order 2015

Proposal: Prior Notification requirement under Part MA of the GPDO for the change of use of Class E space to form 4 apartments

At: 35 ROLLESTONE STREET, SALISBURY, SP1 1ED

The Council as local planning authority has received the above application which is for a determination as to whether the prior approval of the authority will be required.

The local planning authority has 56 days in which to process the application and issue a decision which can be either 'prior approval is not required' or 'prior approval is required [and is either approved or refused]'. If the authority fails to give a determination within the timeframe the development may commence in any event.
Public protection
The reason for consulting you is in relation to the noise impacts / contamination risks matters.

In relation to contamination the legislation states the following:

The local planning authority shall, when determining an application.... —

(i) determine whether, as a result of the proposed change of use, taking into account any proposed mitigation, the site will be contaminated land as described in Part 2A of the Environmental Protection Act 1990(a), and in doing so have regard to the Contaminated Land Statutory Guidance issued by Secretary of State for the Environment, Food and Rural Affairs in April 2012, and

(ii) if they determine that the site will be contaminated land, refuse to give prior approval.

In relation to contamination risks you are specifically requested to advise the planning case officer if the site is contaminated. In relation to both noise impacts and contamination risks you are requested to advise what 'reasonable' information will be required in order to determine the application, if any, and/or what conditions you require, if any.
In more general terms the legislation also states that the local planning authority may require the applicant to submit "such information as the authority may reasonably require in order to determine the application, which may include – (a) assessments of impacts or risks; (b) statements setting out how impacts or risks are to be mitigated; or (c) details of proposed operational development"

It further states that "The local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the subject matter of the prior approval".

So, you are requested to consider this application in these terms. Specifically, you are requested to advise what 'reasonable' information will be required in order to determine the application, if any; and/or what conditions you require, if any.

Plans and application particulars are available to view on the website www.wiltshire.gov.uk..

In view of the short processing period you are requested to respond within 21 days of the date of this consultation. If you do not respond within this timeframe then it will be assumed that there are no objections in respect of these matters.

Please submit your comments to the following email address using the reference number at the head of this letter - developmentmanagement@wiltshire.gov.uk

Yours faithfully

Head of Development Management