CASE OFFICER'S REPORT

Application Reference:	**PL/2023/09982** **59 Catherine Street, Salisbury, Wilts, SP1 2DH** **Retention of No.2 air conditioning units**
Date of Inspection:	**15/12/23**
Date site notice posted:	**15/12/23** **Publicity Expiry 12/1/24**

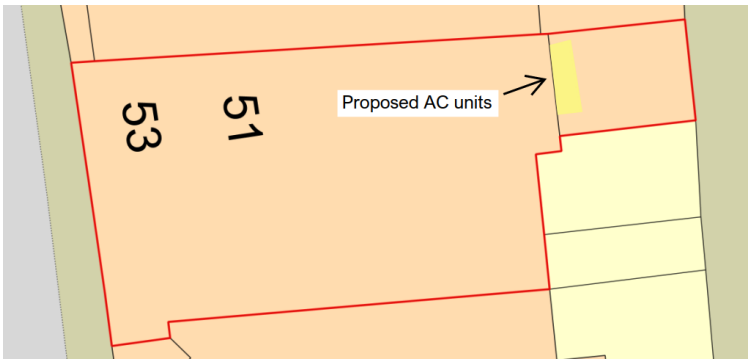
POLICIES

National Planning Policy Framework (NPPF 2023) and NPPG:
Section 12: Conserving and enhancing the historic environment

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: Ensuring the conservation of the historic environment
Saved Policy S2: Secondary Shopping Areas
These are saved policies of the adopted Wiltshire Core Strategy in Annex D

Planning (Listed Building and Conservation Areas) Act 1990
Section 66: Special considerations affecting planning functions
Section 72: General duties of planning authorities





ISSUES

1. Impact on settings of listed buildings and Conservation Area
2. Neighbouring amenity

REPRESENTATIONS :

Conservation – no objection
Public Protection – no objection

City Council – none received
Third parties - none received

SITE HISTORY: None relevant

ASSESSMENT:

The application 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.

The site lies within the secondary shopping frontage (Saved Policy S1 and S2) in the Salisbury Conservation Area. There are listed buildings in the vicinity of the site including Gared II No 47 and Grade II* Old Bell and Crown. The applicant is seeking retrospective consent for the retention of two air conditioning units.

1. Impact on settings of listed buildings and Conservation Area

The site is an unlisted building within the Conservation Area.

The Planning (Listed Buildings and Conservation Areas) Act 1990 requires the LPA to have special regarding to the desirability of preserving the setting of any listed building and preserving or enhancing the character or appearance of a conservation area.

Core Policy 57 states sets out the criteria for good design and Core Policy 58 aims to ensure that Wiltshire's important monuments, sites and landscapes and areas of historic and built heritage significance are protected and enhanced in order that they continue to make an important contribution to Wiltshire's environment and quality of life. Heritage assets include Listed Buildings and Conservation Areas. The Conservation policies of the local plan and the NPPF seek to ensure that the settings of nearby listed buildings would not be harmed and the existing character of the Conservation Area would be preserved or enhanced.

The Conservation officer considers that:

Without getting into the merits of the aircon units on other buildings in the vicinity, most or all of which have not been approved, the units in this particular proposal are relatively modest and in a less prominent corner of the car park, such that I'm satisfied they have no adverse impact on the character of the CA nor the setting of the adjacent listed buildings (The Bell & Crown in particular).

Therefore, the development would not cause any harm to the significance of the settings of listed buildings or harm the character of the Conservation Area. The proposal would comply with Policy CP58 and the NPPF.

2. Neighbouring amenity

CP57 also states: *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 through:*

vii. Having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing; vibration; and pollution (such as light intrusion, noise, smoke, fumes, effluent, waste or litter)

The Public Protection officer has considered the amenities of neighbouring occupiers and stated:

This department would expect an assessment of noise in accordance with BS4142 to be submitted with any application to demonstrate that adverse impact will not be caused at the nearest noise sensitive residential properties.

However, I am mindful this is a retrospective application for plant which was installed in March 2023 - some 10 months ago. The plant is located in close proximity to, and facing, the busy Brown Street Car Park where road traffic noise will be dominant. The habitable windows relating to the residential properties on the upper floors of the development site do not have direct line of sight of the plant

and this department has not received noise complaints relating to the installed plant.

Therefore, on this occasion, we have no objection to this application.



In conclusion, appropriate levels of amenity are therefore achievable within the development and the proposal would comply with CP57.

RECOMMENDATION: APPROVE

Subject to the following conditions:

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

Site Plan and Block Plan ref TQRQM23335102935518 dated 1 Dec 2023
Planning Statement received 1/12/23

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