Wiltshire Council

The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions
Application Reference Number: PL/2024/00281
Decision Date: 17 July 2024

Applicant:	Andell Developments Ltd, 23 HIGH STREET, DOWNTON, SALISBURY, SP5 3PG
Particulars of Development:	Alterations to shopfront, demolition of building to rear and erection of replacement building for commercial use.
At:	23, High Street, Downton, Salisbury, SP5 3PG

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for the above development to be carried out in accordance with the application and plans submitted (listed below).

In accordance with paragraph 38 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following conditions:

Conditions: (9)

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 listed in schedule:

Location Plan ref 0833/EX/01 Rev A dated 10/5/24
Revised Site Plan ref ADS/14-SP1 rev C.1 dated 4/6/24
Salon Front Sections/Elevations ref ADS/14-SC1 dated 10/5/24
Salon Shop Front Elevations ref ADS/14-EL1 dated 15/2/24
Salon Shop Front and Layout ref ADS/14-SH1 dated 4/10/23

Salon Rear Building Floorplan ref ADS/14-FP1 rev C.1 dated 4/6/24
Salon Rear Building Elevations with Dimensions ref ADS/14-EL1 rev C.1 received 16/7/24
Rev C Statement, received 6 June 2024
Frontage Amendments Statement June 2024 , received 6 June 2024
Preliminary Ecological Appraisal by Pro Vision ref 8467 Version 01 dated April 2024

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

3 The materials for the development of the new rear commercial outbuilding and the shop front works hereby approved shall be in accordance with the details on the application form and plans, namely a red/orange coloured brick for the walls and slate for the roof of the outbuilding, zinc sheeting and timber for the shopfront.

Reason: To ensure a harmonious form of development and to ensure that the materials are similar to those used in the adjacent buildings.

4 The existing shop and the new commercial outbuilding hereby approved shall be used for purposes falling within Use Class E (a) and/or (c) as a shop and/or professional services including a salon, in accordance with the floorplans hereby approved and for no other purpose (including any other purpose in Class E 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 salon use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

5 There shall be no residential occupation of the new commercial outbuilding hereby approved. The new commercial outbuilding shall not be occupied, sold or let separately from the main building and there shall be no sub division of the planning unit known as 23 High Street, Downton.

Reasons: A new unit of residential or overnight accommodation would not be permitted without appropriate mitigation being provided for the New Forest and River Avon catchment protected sites. The Local Planning Authority may not permit a wholly separate dwelling in this location in the interests of highway safety, parking provision and amenity.

6 The Class E (a) and (c) use hereby permitted, including deliveries to the site, shall only take place between the hours of 08:00 and 18:00 from Mondays to Saturdays and shall not take place at any time on Sundays and Bank or Public Holidays.

Reason: In the interests of neighbouring amenity

7 Any building services and machinery shall be so sited, installed and maintained so that the noise levels produced do not exceed 5dB (LAeq) below the existing background (LA90) noise level as measured at the nearest noise sensitive property in accordance with BS4142:2014 +A1:2019.

Reason: In the interests of neighbouring amenity

8 Construction hours shall be limited to between the hours of 0800 to 1800hrs Monday to Friday, 0800 to 1300 hrs Saturday and no working on Sundays or Bank Holidays.

Reason: In the interests of neighbouring amenity

9 The development shall be implemented in accordance with the timings and the recommendations set out in the mitigation and enhancements Section 5 in the Preliminary Ecological Appraisal by Pro Vision ref 8467 Version 01 dated April 2024. The bat boxes shall be installed in accordance with plan ref Salon Rear Building Elevations ref ADS/14-EL1 rev C.1 dated 4/6/24 and shall be available for use before the new commercial outbuilding is occupied and maintained for the lifetime of the development.

Reason: To secure biodiversity enhancements and mitigation for the scheme and in the interests of protected species.

Informative:

Demolition - The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

Shopfront – the applicant should note that separate advert consent would be required for the new advert

Signed:

Parvis Khansari - **Corporate Director, Place**

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.

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 - http://www.planningportal.gov.uk/planning/appeals).

3 **Climate Change.** Wiltshire Council acknowledges the climate emergency and is seeking to make the county carbon neutral. You are encouraged to include energy efficiency that exceeds building regulations and to meet residual energy demand through renewable energy and low-carbon technologies, including high levels of electric vehicle charging points. The developer is encouraged to contact the climate team to discuss this further. climate@wiltshire.gov.uk

4 **CIL.** The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy