



Planning and Infrastructure
Wiltshire Council
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Spruce Town Planning Ltd
Office 9 Fleming Court
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Date: 21st July 2026
Our Reference: 1733

Tel: 07949500904

Dear Sir\Madam

RE: CASTLE VIEW CARE CENTRE, 8 OLD CASTLE ROAD, SALISBURY, SP1 3SF

I write regarding the above site and hereby enclose an application for the variation of condition nos.2 and 15 and removal of condition no. 14 of planning application no.PL/2022/06171. The application is a resubmission of application your reference: PL/2025/02964

Background

The application site has contained a care home for a number of years. Planning application no.19/08150/FUL, granted in April 2020, gave planning permission for the '*Demolition of the Existing Care Home and Construction of a Replacement 28 Bedspace Care Home with Facilities Specifically Designed for People Living with Dementia, with Associated Landscaping and Car Parking.*' The permission has subsequently been implemented.

Planning permission ref.19/08150/FUL was later varied by planning permission ref.PL/2022/06171 to permit amended plans for the addition/removal of splay bays to the north elevation of the building. Planning permission ref. PL/2022/06171 was subject to number of conditions, of which condition nos.2, 14 and 15 are relevant to this application;

- Condition 2 was a standard condition requiring the development to be undertaken in accordance with the approved plans. The condition lists the full set of plans that were approved, and
- Condition 14 states that '*the additional window openings at first and second floor level of the North elevation, identified as "General Store" on the approved floor plans, shall be installed within non opening/fixed shut windows prior to the first occupation of the development hereby permitted and*

shall be permanently maintained in perpetuity as non-openable windows' The reason given for the condition is 'in the interests of residential amenity'.

- Condition 15 states that *'No part of the development hereby permitted shall be occupied until obscure glazing has been installed in accordance with the details as approved by the Local Planning Authority on 8 August 2022 under reference PL/2022/04604 in respect of the submission of details to satisfy condition 15 of 19/08150/FUL*

The proposals

Having completed the development the applicants wish to revert the two store rooms (at first and second floor respectively) to bedrooms as they were indicated on the original planning application (and later removed). With the building having been constructed and the two rooms being in situ it is possible to look out of the two windows and see that adverse views of the adjacent property are not possible. On that basis the Applicants consider that there is no reason why the two rooms should not be permitted to be used as bedrooms as was originally intended, and for them to have clear glazed windows.

The application is a resubmission of application ref.PL/2025/02964 which also proposed to amend/remove conditions 2, 14 and 15. The LPA refused that application for two reasons. The first reason for refusal stated that the use of the two rooms as bedrooms and alteration of the windows would result in overlooking and noise disturbance to the adjacent property. The second reason for refusal related to nutrient neutrality matters.

The Applicants submitted an appeal against the refusal of application no.PL/2025/02964. In determining that appeal (planning inspectorate reference no.6002635) the Inspector agreed with the Applicant's contention that the first reason for refusal was unfounded, concluding that;

- *'I observed that the bays are orientated predominantly towards an amenity area associated with the care home and part of the side gable of no.9. The resulting outlook from the windows is directed principally towards the care home's amenity area and away from the private rear garden of No.9'*
- *'From the first floor room, the opportunity for overlooking of No.9 and its private amenity space is very limited'*
- *'The second floor room affords a wider outlook by virtue of its elevated position....However, the increase is modest and remains oblique rather than direct'*
- *'I am not persuaded that the resulting relationship would give rise to a material loss of privacy or an unacceptable degree of overlooking'.*

- *‘Whilst the restricted opening of the windows would not eliminate the transmission of sound between buildings and amenity areas, I have been provided with no compelling evidence to indicate that occupation of the two additional bedrooms would give rise to noise and disturbance materially greater than that reasonably associated with the approved operation of the care home’.*

Therefore, the Inspector did not uphold the first reason for refusal of the planning application. However, the Inspector did uphold the second reason for refusal (nutrient neutrality) and conclude that adverse impacts on the River Avon SAC could not be ruled out.

It should be noted that the Appellants had endeavoured to agree the nutrient neutrality mechanisms with the LPA during the course of the appeal but that the LPA refused to engage with that process at the appeal stage. Nevertheless, that the appeal decision confirms the proposals to be acceptable in all other respects it is anticipated that the nutrient neutrality provisions can now be addressed through this revised application and the planning permission granted.

Conclusions

It is concluded that there are no residential amenity implications to allowing the two store rooms to be utilised as bedrooms. Doing so will provide for additional care accommodation in a manner that will not result in the extension of the building beyond what has already been approved, and will preserve the amenities of the adjacent property. This conclusion has already been reached in the appeal decision on application ref.PL/2025/02964.

The LPA is therefore requested to permit the variation of condition nos. 2 of planning permission ref. PL/2022/06171. The variation of condition 2 will supersede the original approved plans with those enclosed with this application and which show the two store rooms redesignated as bedrooms.

It is further requested that condition 15 be varied and condition 14 of planning permission ref. PL/2022/06171 be removed altogether in order to permit the windows to the two new bedrooms to be clear glazed and openable in associated with their use.

The Applicants remain agreeable to securing the necessary nutrient neutrality via the LPA’s standard approach through credits purchase and it is anticipated that a legal agreement to that affect can be agreed with the LPA during the course of this application. The requisite ‘nutrient budget’ spreadsheet accompanies the application.



I trust that this letter and the enclosed form will enable you to vary/remove the conditions as applied for but if you have any queries or would like to discuss then please do not hesitate to contact me.

Yours faithfully

A handwritten signature in black ink, appearing to read "M. Holmes", with a stylized flourish at the end.

Matthew Holmes BA (Hons) MA MRTPI, Director