

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

Refusal of Prior Approval Part 3, Class MA: Commercial, business and service uses to dwellinghouses

Application Reference Number: PL/2026/03807

Decision Date: 19/08/2026

Applicant:	Mrs Alison Whalley RAW Planning Ltd Unit 4 Woodleys Yard, West Street, Albourne Marlborough, SN8 2BL
Applicant:	Pelleas GL C/o Agent
Particulars of Development:	Prior Approval under Part MA of the GPDO for change of use from commercial (Class E) to residential (Class C3) to 8no. flats. (3no. flats at ground floor level, 3no. flats at first floor level and 2no. flats at second floor level, providing a mix of 5no. one bedroom and 3no. two-bedroom units).
At:	16 Guilder Lane, Salisbury, SP1 1HW

I refer to your application for a determination as to whether the prior approval of the local planning authority will be required for this development. The local planning authority has determined in this case that prior approval is **REFUSED** for the following reason(s):

Refusal Reason

- 1 The application site for the change of use, as shown on the submitted location plan, includes three buildings (No 16, No 18 and an outbuilding) and a car park within the red line. It is unclear where or if No 16 Guilder Lane has a curtilage. The application description and floor plans are for the change of use of No 16 only. Therefore, the submission is inconsistent and is not considered to comply with the description of Class MA set out in the GPDO which allows for the change of use of a building and any land within its curtilage to a use falling within Class C3 (dwellinghouses). The proposal as submitted would not benefit from the permitted development right.

Furthermore, as submitted in its current form, the prior approval of the LPA is required for the application in respect of MA.2. (2)

- (a) transport impacts of the development, particularly to ensure safe site access;

and

(d) impacts of noise from commercial premises on the intended occupiers of the development;

In the absence of the necessary details to inform and support the application on these matters, prior approval would be refused for the application in its current form.

Informatives

Operational Development

Class MA does not permit or authorise operational development. The applicant will need to secure any separate planning permission/s for any operational development required in association with the change of use including external plant, flood resilience measures and covered cycle parking/storage.

Habitat Regulations Reg 77

The Applicant is reminded that the site is situated within the catchment of the River Avon Special Area for Conservation and New Forest Protected Sites and has potential to have an adverse effect upon the integrity of these European sites. This means that the development hereby assessed as being permitted development cannot be lawfully commenced until the local planning authority, along with the appropriate nature conservation body, has made an Appropriate Assessment of the implications for the European site(s) under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (Habitat Regulations) and has confirmed that the proposals will not adversely affect the integrity of the site(s). It is therefore advised that the Applicant should consult with Natural England about the scheme and following their agreement, submit an application under Regulation 77 of the Habitat Regulations to the local planning authority for consideration and approval.

Nic Thomas - Director of Planning, Economy and Climate