Wiltshire Council

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

Prior notification: Excavation/waste material - Refused

Application Reference Number: PL/2023/06523

Decision Date: 17th August 2023

Applicant:	Mr P Durnford Fonthill Estate Office, The Old Dairy, Fonthill Bishop, SP3 5SH
Particulars of Development:	Construct Digestate Storage Lagoon
At:	Land South Of A303, Berwick Farm, Berwick St. Leonard, Wiltshire

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 the proposals do not satisfy the criteria listed in Class A of Part 6 of Schedule 2 of the Town & Country Planning (General Permitted Development)(England) Order 2015 (as amended) and they do not constitute permitted development. Planning permission is therefore required.

It is also considered that the prior approval of the siting, design and appearance of the proposals are required. The application is therefore **REFUSED** for the following reason(s):

Refusal Reason(s): (2)

1 The proposed development, by virtue of its size, is not considered to satisfy criterion (e) of part A.1 of Class A of Part 6 of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GDPO). Insufficient information has also been submitted to confirm that the proposals satisfy criterion (k) of part A.1 of this Class of the GDPO. The proposals are not therefore considered to benefit from the provisions of this agricultural permitted development right and instead planning permission is required accordingly.

2 The proposed development, by virtue of its siting, design, size and appearance has potential to significantly impact the character, setting and visual amenities of the

area, which is situated in an Area of Outstanding Natural Beauty. The proposed development also has potential to adversely affect the free flow of traffic; and the use and users of the adjacent A303 trunk road. The siting, design and appearance of the proposals therefore need detailed approval in line with Condition A.2, criterion 2 (i) of Class A of Part 6 of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GDPO).

Parvis Khansari - **Corporate Director, Place**

NOTES

If you are aggrieved by the decision of Wiltshire Council to refuse the application, you may appeal to the Secretary of State for the Environment. Details of how to appeal can be obtained from the Planning Inspectorate (website: www.planning-inspectorate.gov.uk), or via the Planning Portal (website: www.planningportal.gov.uk/planning/appeals).

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK