Wiltshire Council

The Town and Country Planning Act 1990

Refusal of Outline Planning Permission (Some Matters Reserved)

Application Reference Number: PL/2023/04815

Decision Date: 21 September 2023

Applicant:	Mr and Mrs Bailey c/o agent, SN7 7PN
Particulars of Development:	The construction of 12 dwellings, including 5 affordable housing units, and associated infrastructure.
At:	Land at Kington Lane, Stanton St Quintin, Chippenham, Wiltshire, SN14 6DF

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), this planning application has been processed in a proactive way. However, due to technical objections or the proposal's failure to comply with the development plan and/or the NPPF as a matter of principle, the local planning authority has had no alternative other than to refuse planning permission.

In pursuance of their powers under the above Act, the Council hereby REFUSE TO GRANT PERMISSION for the development referred to in the above application and plans submitted by you, for the following reason(s):

Refusal Reason(s): (4)

1 The proposed development, by reason of its location outside of any defined settlement boundary within the open countryside, would be contrary to the settlement, delivery and community area strategies of the Wiltshire Core Strategy. The proposed development is deemed to be unsustainable as it would conflict with the Council's plan-led approach to sustainable development and is unacceptable in principle.

The presumption in favour of sustainable development has been applied to the assessment of the proposal; however, it is considered that the adverse impacts of granting outline planning permission would significantly and demonstrably outweigh the benefits, when assessed against the National Planning Policy Framework and policies in the local development plan as a whole. Therefore, the proposal would not constitute sustainable development and would conflict with the principle aim of the National Planning Policy Framework which is to be genuinely plan-led.

The proposal fails to accord with Core Policies 1 'Settlement Strategy', 2 'Delivery Strategy', 10 'Spatial Strategy for the Chippenham Community Area' of the adopted Wiltshire Core Strategy (Jan 2015); Saved Policy H4 of the NWLP (June 2006); and Sections 2 'Achieving sustainable development', 4 'Decision-making', 5 'Delivering a sufficient supply of homes', and 9 'Promoting sustainable transport' of the National Planning Policy Framework (Sept 2023).

2 The proposed development, by reason of its location in the open countryside, will result in a permanent change in the character and use of the site and immediate area that fails to integrate effectively into its surroundings. The development would harm the visual appearance and prevailing rural character in this edge of settlement context. It is not considered that the massing of the proposal would integrate effectively into the immediate setting and would have a harmful impact upon local landscape character. The proposal fails to comply with Core Policies 51 (ii and iii) and 57 (i, ii, iii & vi) of the Wiltshire Core Strategy (Jan 2015) and paragraph 130 of the National Planning Policy Framework (Sept 2023).

3 It has not been demonstrated that the proposed development would deliver a high-quality design which would respect the character and size of the site, reinforce local distinctiveness and deliver an appropriate development which relates effectively to the immediate setting and wider area. It has not been demonstrated that the proposed maximum quantum of development would deliver a well-designed development, contrary to Core Policy 57 of the Wiltshire Core Strategy (Jan 2015), paragraphs 92, 126, 130, 131, 132 and 134 of the National Planning Policy Framework (Sept 2023)
and National Design Guide (2019).

4 Insufficient information has been provided to demonstrate how the development proposals will sufficiently protect, enhance and deliver net gains for biodiversity features in accordance with Core Policy 50 and paragraph 174 of the National Planning Policy Framework (Sept 2023).

Informatives: (1)

1 It is considered that insufficient information has been provided within the application to demonstrate that the proposal has been informed by an appropriate acoustic assessment. In the event of an appeal or future submission, it will likely be the case that the Council would adopt a position that no development should take place until

such an assessment has demonstrated that suitable noise levels can be achieved in accordance with the requirements of Core Policy 57 (vii) of the WCS and paragraphs 174, 185 of the National Planning Policy Framework (Sept 2023).

Parvis Khansari **- Corporate Director, Place**

NOTES

1. **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to refuse permission, they 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 - Appeal a planning decision: Overview - GOV.UK (www.gov.uk)).