Wiltshire Council

The Town and Country Planning Act 1990 The Town and Country Planning (Permission in Principle) (Amendment) Order 2017

Refusal of Permission in Principle

Application Reference Number: PL/2023/08833

Decision Date: 13 November 2023

Applicant:	Mrs Brenda Morelli C/O LPC Trull, Trull, Tetbury, Glos, GL8 85Q
Particulars of Development:	Permission in Principle for Erection of 9No Houses.
At:	Land off Stanton Lane, Kington St Michael, Chippenham, SN14 6JQ

In pursuance of their powers under the above Act, the Council hereby REFUSE Permission in Principle for the development referred to in the above application and plan submitted by you, for the following reasons:

Refusal Reason(s): (2)

1 The application site is located in the countryside, where the development of new homes is strictly controlled. The development of nine market homes is not acceptable in principle, such that the proposal conflicts with Wiltshire Core Strategy Core Policies 1, 2 and 10, as well as saved Policy H4 of the North Wiltshire Local Plan. The harm arising from the proposal is not significantly and demonstrably outweighed by any benefits, including to housing land supply.

2 The site is in a sensitive, transitional position at the gateway to Kington St Michael. This eastern side of Stanton Lane provides a very strong rural character, owing to the mature hedge boundary that robustly defines the edge of the built area, against a very open backdrop of unenclosed countryside beyond. Nine new homes in this location would read as an overdevelopment of the site, out of kilter with the very low-density character of the locality. Development would therefore cause demonstrable harm to local character and the landscape setting of Kington St Michael, in conflict with Wiltshire Core Strategy Core Policies 51 (parts ii and iii) and 57 (general principles and parts i and vi); and paragraph 130c and 174b of the NPPF.

Parvis Khansari - Corporate Director, Place

1. **Appeals**

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, he/she may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act, 1990. Forms can be downloaded from the web site: www.planning-inspectorate.gov.uk or accessed via the Planning Portal: http://www.planningportal.gov.uk/planning/appeals.

Appeals must be made within 6 months of the date of the refusal. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been so granted by the Local Planning Authority, having regard to the Statutory requirements, to the provisions of the Development Order, and to any Directions given under the Order. A copy of the appeal documents should be sent direct to the Council using the following email address: planningappeals@wiltshire.gov.uk.