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/2023/06651

Decision Date: 01 November 2023

Applicant:	Mr Lewis Wykes
Particulars of Development:	Permission in Principle for proposed demolition of existing buildings and structures and construction of up to 2 residential dwellings
At:	Avan, Odstock Road, Salisbury, Wilts, SP2 8BH

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 reason(s):

Refusal Reason(s): (2)

1 The site is located outside recognised Limits of Development where the development of new housing would be contrary to the Spatial Vision for the sustainable development of Wiltshire as set out in Core Policy 1 and Core Policy 2 of the Wiltshire Core Strategy.
Due to the distance to local services, facilities and amenities, occupants of an additional dwelling on the plot would likely be reliant on the use of private motor transport for the majority of day to day activities, contrary to the principles of sustainable development and the aims of reducing the need to travel, contrary to Wiltshire Core Strategy Core Policy 60 and Core Policy 61.

2 The site is situated within the River Avon catchment area that is a European site. Advice from Natural England indicates that every permission that results in a net increase in foul water entering the catchment could result in increased nutrients entering this European site causing further deterioration to it. The application does not include detailed proposals to mitigate the impact of these increased nutrients and consequently, without such detailed proposals, the Council as a competent authority cannot conclude that there would be no adverse effect on the integrity of this European Site as a result of the development. The proposal would therefore conflict with Wiltshire Core Strategy policies CP50 (Biodiversity and Geodiversity) and CP69

(Protection of the River Avon SAC); and paragraphs 180 and 182 of the National Planning Policy Framework.

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.