Wiltshire Council

The Town and Country Planning Act 1990

Refusal of Full Planning Permission

Application Reference Number: PL/2023/05984

Decision Date: 04 December 2023

Applicant:	Mr KH Rowe 116 Clay Street, Crockerton, Wiltshire, United Kingdom, BA12 8AG
Particulars of Development:	Reducing door openings, changing a window to a door, garden landscaping, borders, kitchen ventilation extract and intake vents and flus, relocation of boiler, gas tank installations, Festoon lighting and a timber frame building for a cold store and bin store required for the kitchen.
At:	Bath Arms, Clay Street, Crockerton, Warminster, Wilts, BA12 8AG

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): (2)

1 The kitchen extraction and ventilation equipment, as installed, results in harm to the amenity of the immediate neighbouring property to the west, No. 121 Clay Street, due to the noise and odour resulting from that equipment, contrary to CP57 of the Wiltshire Core Strategy.

2 The festoon lighting, as installed, results in harm to the AONB as they have no mitigation to lessen the impact of the light pollution on the International Dark Sky Reserve and landscape and this is contrary to CP51 of the Wiltshire Core Strategy and the expectation that such lighting should conform to the Institution of Lighting Professionals Guidance Note 1: The Reduction of Obtrusive Light (2021).

Informatives: (1)

The development hereby refused has been considered with reference to the following submitted plans and documents:

Design and Access Statement, Drawing Nos. SW0037-EX-L-01 EXT, SW0085- EX-SP-01, SW0085- EX-EL-02, SW0085- EX-EL-03, SW0085- EX-GA-04, SW0085- P-SP-07 rev C, SW0085- P-GA-08 rev C, SW0085- P-EL-10 rev C, SW0085- P-EL-11 rev C received on 18th July 2023

Application Form received on 9th October 2023

Plant Noise Assessment received on 11th October 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)).