Wiltshire Council

The Town and Country Planning Act 1990

Refusal of Full Planning Permission

Application Reference Number: PL/2023/09400

Decision Date: 22 January 2024

Applicant:	Square One Developments Ltd c/o Agent Atlas Planning Group, Bodenham House Barn, Bodenham, Salisbury SP5 4EN
Particulars of Development:	Subdivision of plot, erection of 1 new dwelling, together with hard and soft landscaping. (resubmission of PL/2023/02913)
At:	Land to the rear of 64 & 66, Queen Alexandra Road, Salisbury, SP2 9LA

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 proposed development comprises the erection of a detached single storey dwelling within the established residential gardens to the rear of two existing residential properties, served by a new driveway alongside the side wall of No. 66 Queen Alexandra Road, with no road frontage and little relationship with the public domain. The proposal would result in an increase in the density of development, which is considered to be confined, overlooked and a wholly uncharacteristic and discordant feature in the context of the prevailing character of the area. The layout of the proposed development would be materially harmful to the amenities and living conditions currently enjoyed by the occupants of existing residential properties with particular regard to the effects of introducing vehicle movements in close proximity to the side and rear boundaries of rear gardens giving rise to unacceptable impacts from associated activity, noise and disturbance. The proposed development is, therefore, considered to represent an inappropriate form of development of the site in

which the combined impacts of the proposed development would fail to have due regard to the compatibility of the development with the existing built form, to the detriment of residential and visual amenity of existing occupiers and the character and quality of the surroundings, contrary to Policy CP57 of the Wiltshire Core Strategy and the aims of the National Planning Policy Framework, in particular paragraphs 123, 128, 131, 135 and 139, which collectively require a high level of design for new development.

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, 185, 186, 187 and 188 of the National Planning Policy Framework.

Informatives:

With regards to reason 2, it is confirmed that the strategic mitigation scheme is under review and it is anticipated that a report will be taken to the Council's Cabinet in February 2024. Therefore, the Council would be willing to remove this reason for refusal if either a strategic scheme is adopted or a bespoke scheme is accepted by Natural England over the course of an appeal.

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)).