Wiltshire Council

The Town and Country Planning Act 1990

Refusal of Application for Removal/Variation of Conditions

Application Reference Number: PL/2023/10716

Decision Date: 27 February 2024

Applicant:	Mr and Mrs Philip and Annica Bowen 64 At Last Hawkstreet, Bromham, Wiltshire, United Kingdom, SN15 2HU
Particulars of Development:	Variation of condition 2 of PL/2022/07296 - to allow alteration of gates from 5-bar gate to solid wooden gate
At:	At Last, 64 Hawkstreet, Bromham, Chippenham, Wilts, SN15 2HU

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 Core Policy 57 of the Wiltshire Core Strategy requires amongst other things that proposals should enhance local distinctiveness, represent a high standard of design and take into account the characteristics of the site and the local context to deliver an appropriate development that relates effectively to the immediate setting and wider character and appearance of the area. Paragraph 130 of the National Planning Policy Framework also states that good design is a key aspect of sustainable development and paragraph 135(b) states that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

The double-leaf timber gates by virtue of their height, solid design, and visually prominent position fronting the public highway, results in the introduction of a stark, alien intrusion into the landscape and streetscene in general, which would fail to satisfy the above policy requirements. The resultant design will have a detrimental impact on the rural character and appearance of the immediate and wider area and will establish an undesirable precedent where none currently exists.

The proposals would therefore conflict with the requirements of the Wiltshire Core Strategy (WCS) 2015; Core Policy 57 ‘Ensuring High Quality Design’; and with Central Government policy contained within the National Planning Policy Framework (NPPF) 2023; in particular Chapter 12 ‘Achieving Well Designed Places’.

2 Core Policy 60 and 61 of the Wiltshire Core Strategy requires amongst other things that proposals should be capable of being served by safe access to the highway network, that they are fit for purpose, that safe loading/unloading facilities can be provided where these are required as part of the

normal functioning of the development, and encourage safe and efficient movement of people and goods within Wiltshire through assessing and, where necessary, mitigating the impact of development on transport users. Paragraph 115 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.

The location of this access is on a well-used, narrow country lane where insufficient space has been provided to the front of the proposed gates to allow for large agricultural vehicles to sit completely off of the highway whilst said gates are being operated (opened or closed). This means that stationary vehicles will be overhanging the highway in this location causing an obstruction which would be to the detriment of the users of the highway and would create an unacceptable impact on highway safety.

The proposals would therefore conflict with the requirement of the Wiltshire Core Strategy 2015, Core Policies 60 ‘Sustainable Transport’ and 61 ‘Transport and Development’; and with Central Government policy contained within the National Policy Framework 2023; in particular Chapter 9 ‘Promoting Sustainable Transport’.

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)).