Wiltshire Council

The Town and Country Planning Act 1990

Refusal of Full Planning Permission

Application Reference Number: PL/2023/08238

Decision Date: 14 March 2024

Applicant:	Ms Patsy Day Ludlows Farm Bradley Road, Warminster, Wiltshire, BA12 7JY
Particulars of Development:	Change of use of former clinic building to separate residential unit (retrospective)
At:	LUDLOWS FARM, BRADLEY ROAD, WARMINSTER, BA12 7JY

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): (3)

1 The building lies in the open countryside where development is strictly controlled. The proposed use has not come forward through a sites allocation development plan document or a neighbourhood plan and as such is inappropriate. Insufficient information and evidence has been submitted to demonstrate that other uses such as tourism are not practical propositions and as such the proposal fails to represent sustainable development and is contrary to Core Policies 1, 2, 31 and 48, of the Wiltshire Core Strategy and the policies of the National Planning Policy Framework taken as a whole.

2 The applicant has failed to provide sufficient information to determine ecological impacts, including the extent to which the proposed development would impact upon the Hampshire River Avon Special Area of Conservation (SAC) and priority habitat types, which are reasonably likely to be present and affected by the development

and, as a consequence, the application is not considered to be environmentally sustainable. The Council cannot conclude beyond reasonable scientific doubt that the proposal would not adversely impact the features of the Hampshire River Avon SAC both alone and in-combination with other plans and projects. Accordingly, the Appropriate Assessment cannot be concluded favourably. As such the development is contrary to Core Policy 50 of the Wiltshire Core Strategy, paragraphs 180 and 186 of the NPPF, and has failed the Appropriate Assessment required by the Habitats Regulations.

3 The applicant has failed to provide sufficient information in the form of a flood risk assessment to enable drainage impacts of the development to be fully assessed and whether the scheme would result in flooding elsewhere. The development is therefore contrary to Core Policy 67 of the Wiltshire Core Strategy and paragraph 167 of the NPPF.

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)).