Wiltshire Council

The Town and Country Planning Act 1990

Refusal of Full Planning Permission

Application Reference Number: PL/2023/11012

Decision Date: 22 March 2024

Applicant:	Manor House Developments Ltd C/O Agent, Atlas Planning Group, Bodenham House Barn, Bodenham, Salisbury, SP5 4EN
Particulars of Development:	Excavation of former railway embankment, erection of 4 x new dwellings, hard and soft landscaping and associated works.
At:	Land Adjacent to Kiln Close, Whaddon, Wiltshire, SP5 3HE

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): (4)

1 The proposed development comprises the erection of four detached dwellinghouses on an elongated, narrow and linear plot that will not respect the layout, plot sizes, density or relationship of the existing development to the respective street scenes. The resultant development will appear cramped and squeezed on to the site and thus represents an over development of the plot and will be out of keeping with the otherwise spacious, verdant character of the area negatively contributing to the setting of the Special Landscape Area. The proposals are therefore considered to be contrary to the provisions of the National Planning Policy Framework, in particular paragraphs 128, 131 and 135; Wiltshire Core Strategy Policies CP1 (Settlement Strategy), CP2 (Delivery Strategy), CP57 (Ensuring High Quality Design & Place Shaping); Saved Salisbury District Local Plan Policy C6; the National Design Guide and; the Creating Places Design Guide SPD.

2 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 within

Southampton Road and Kiln Close with particular regard to the overbearing nature of the proposal, the lack of clarity provided on the visitor and passing spaces required and the effects of parking areas and the introduction of vehicle movements in close proximity to the rear boundaries of rear gardens in Southampton Road giving rise to unacceptable impacts from associated activity, noise and disturbance. The proposed development is, therefore, considered to represent an inappropriate form of overdevelopment which will detrimental to the residential and visual amenity of existing occupiers, contrary to Core Policy CP57 (Ensuring High Quality Design & Place Shaping) of the Wiltshire Core Strategy, 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; the National Design Guide and; the Creating Spaces Design Guide SPD.

3 The application does not provide any suitable habitat mitigation or compensation for the loss of a well-established green corridor along the former railway embankment to facilitate the inclusion of four dwellinghouses within the site. The required habitat mitigation/compensation would need to be within the public domain in order to maintain its function for wildlife and not within private ownership. Such are the parameters of the site layout; it is not possible to provide suitable habitat mitigation/compensation for the loss of vegetation from the embankment as this would be extensive and require a large proportion of the site layout of the development proposal to accommodate this. Therefore the inclusion of four dwellinghouses on this site as shown would not offer sufficient or suitable habitat mitigation against the loss of the vegetation that has occurred. As a result, the proposed development is therefore considered to be contrary to the requirements of Core Policies CP50 (Biodiversity and Geodiversity), CP51 (Landscape) and CP52 (Green Infrastructure) of the Wiltshire Core Strategy and the aims of the National Planning Policy Framework including paragraphs 185, 186 and 188.

4 The site is situated within the River Test catchment area, which feeds into the Solent & Southampton Water 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 these European sites causing further deterioration to them. The site is also within the vicinity of the River Avon SAC and might drain to this catchment in which case it is likely to result in additional phosphate loading. The application includes insufficient information detailing how the potential impact for either catchment or how this impact will be mitigated. Consequently, without such detail, the Council as a competent authority cannot conclude that there would be no adverse effect on the integrity of these European Sites 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); the Conservation of Habitats and Species Regulations 2017 (as amended); and paragraphs 181 and 186 of the National Planning Policy Framework.

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)).