Wiltshire Council

The Town and Country Planning Act 1990

Refusal of Full Planning Permission

Application Reference Number: PL/2023/09078

Decision Date: 09 May 2024

Applicant:	Mr Thomas Keen West Barn, Coulston Farm, New Road, Coulston, Westbury, Wiltshire, United Kingdom, BA13 4GG
Particulars of Development: **At:**	Reposition unlawful fencing to the property boundary line West Barn, Coulston Farm, New Road, Coulston, Westbury, Wilts, BA13 4GG

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): (1)

1 The application site is part of an attractive, rural landscape, and it occupies a prominent position in public views. The fencing has introduced a highly suburban means of enclosure at the site, with no regard to the open and rural characteristics that define this conspicuous part of the countryside. Its scale, positioning and materials would make it appear stark, oppressive and alien, causing material harm to local character. It is therefore in direct conflict with Core Policies 51 and 57 (with particular regard to parts ii and iii) of the Wiltshire Core Strategy; sections 9.3.1 and 9.3.5 of the Wiltshire Design Guide SPD; and paragraphs 135 (parts a – c) and 139 of the NPPF.

Informatives: (1)

2 The applicant is advised the Land Drainage Consent cannot be obtained

retrospectively. Unless the applicant reinstates the watercourse to its original condition and then reapplies for Land Drainage Consent, the works will be ‘unconsented’ and subject to legal enforcement action. Any flooding impacts or liabilities would remain with the landowner.

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)).