Wiltshire Council

The Town and Country Planning Act 1990

Refusal of Full Planning Permission

Application Reference Number: PL/2023/07727

Decision Date: 30 May 2024

Applicant:	1215 Heritage Homes Ltd Tansy, Kiln Lane, Redlynch, Salisbury, SP5 2HT
Particulars of Development:	Erection of a new dwelling, landscaping and associated works
At:	Beehive Cottage, Portway, Old Sarum, Salisbury, SP4 6BL

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 Notwithstanding the comments of the previous appeal Inspector in relation to the proposed development of the site, the LPA consider that there has been a material change in circumstances since that decision to warrant the refusal of planning permission as follows. Beehive Cottage is a Grade II Listed Building. Despite the substantial development to the north, the dwelling is isolated from this development by the substantial tree cover to the north sufficiently that it continues to enjoy its rural setting. The proposed siting of a dwelling within the curtilage of the listed building, of a contemporary design, would introduce a discordant feature within the garden of the building and would impact on its setting. The proposed development would intrude into and be wholly discordant with the rural nature of the cottage's location, especially when viewed from the adjacent Old Sarum Scheduled Monument, and would fail to preserve that setting to such a degree that it is contrary to the provisions of Policy 58 of the Wiltshire Core Strategy, and would cause less than substantial harm to the heritage asset as assessed under paragraphs 205 to 208 of the National Planning Framework 2023. No public benefit for the proposal has been demonstrated that

would overcome that harm. The site lies outside of any settlement boundary in the open countryside (Wiltshire Core Strategy CP1 and CP2) and there is no overriding public benefit in permitting an inappropriate dwelling in this location. The application also fails to preserve the setting of the listed building, in accordance with the provisions of section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 The development would result in poor living conditions for the occupants of the proposed dwelling, which will have little amenity area free of the influence of the substantial tree on the north west boundary, and with no amenity area to serve the main living rooms due to the presence of the access to the adjoining property passing immediately adjacent to the main windows of the dwelling, contrary to the provisions of Policy CP57 of the Wiltshire Core Strategy and part 12 of the National Planning Policy Framework, in particular paragraph 135 with reference to the setting of the dwellings and the need for a high standard of amenity for users.

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)).