Wiltshire Council

The Town and Country Planning Act 1990

Refusal of Outline Planning Permission (All Matters Reserved)

Application Reference Number: PL/2023/07310

Decision Date: 20 June 2024

Applicant:	Mr B Shelton c/o agent
Particulars of Development:	Outline application for demolition of 62 Newtown and detached garage, and construction of up to 4no dwellings (all matters reserved). (amended information)
At:	62 Newtown, Westbury, BA13 3EF

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 The erection of plot 1, 2 and 3 to the rear of Number 62 by reason of their siting and location would create a development that fails to respect the existing pattern of development that currently exists along Newtown Road which consists of a strong linear development with long rear gardens. The proposal fails to demonstrate how the development would make a positive contribution to the character of Wiltshire in terms of responding positively to the existing townscape, effectively relating to or being sympathetic to its immediate setting and thus would result in inappropriate backland development. The proposal therefore fails to comply with Core Policy 57 of the Wiltshire Core Strategy, The Wiltshire Design Guide, the National Design Guide and the advice contained in the National Planning Policy Framework.

2 The erection of plot 1, 2 and 3 by reason of their siting and location close to the boundaries of Number 60 and 64 Newtown would result in an adverse impact to their amenity in the form of unacceptable levels of overshadowing and being overbearing.

Given the topography of the site the proposal would also result in unacceptable levels of overlooking resulting in a loss of privacy. The proposed access road from Newtown to the rear of the site by reason of its location and gradient would adversely impact the amenity of the existing occupiers of Number 60 and 64 and the future occupiers of Number 62 through an increase in noise resulting from the movement of vehicles including refuse trucks. In the dark this disturbance would further be exacerbated by car headlights shining onto the rear of the houses. The proposal therefore fails to comply with Core Policy 57 of the Wiltshire Core Strategy and advice contained in 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)).