Wiltshire Council

The Town and Country Planning Act 1990

Refusal of Full Planning Permission

Application Reference Number: PL/2023/11159

Decision Date: 18 July 2024

Applicant:	Mr & Mrs P Andrews 6 Broadstone, Corsham, Wiltshire, SN13 9PB
Particulars of Development:	Construction of 4no dwellings and associated works
At:	Land to the West of Travis Perkins Trading Company, Lanes End, Gastard, Corsham, SN13 9QS

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): (7)

1 The proposal by way of its layout, design and appearance, does not relate well or reflect the prevailing built form and character and as such is considered to be detrimental to the visual amenity of the wider street scene. The proposal is not well designed and has failed to take in account relevant design guidance, with an inappropriate layout in terms of amenity, landscaping, heritage and highways. The application thereby conflicts with the requirements of CP57 (WCS), HE1 (CNP) and paragraph 135 of the NPPF.

2 The combined impacts of the proposal, particularly in terms of design and landscaping, results in a scheme which causes harm the setting of nearby designated and non-designated heritage assets. As such, and without sufficient public benefit to outweigh this harm, the application runs contrary to CP57 and 58 (WCS), HE2 (CNP) and Section 16 of the NPPF.

3 The proposal does not adequately or appropriately address matters of noise, lighting and disturbance / hours of operation from the neighbouring commercial activity and as such the application conflicts with CP57 (WCS) and Section 12 of the NPPF.

4 In the absence of sufficient evidence to demonstrate that a safe and suitable access can be provided, the Local Planning Authority is unable to confirm that the proposal is capable of being served by a safe access to the highway network for all users, contrary to CP61 (WCS) and paragraph 114 and 115 of the NPPF.

5 In the absence of sufficient information in respect of impacts on Protected Species, the Local Planning Authority is unable to confirm that the proposals will be able to satisfactorily accord with the requirements of CP50 (WCS), Policy CNP E1 (CNP) and Saved Policy NE14 (NWLP), as well as Section 15 of the NPPF.

6 The application proposal results in the loss of a number of quality trees, including some trees which are specifically protected by way of Tree Preservation Order. Aside from the impact the loss has on the character and appearance of the area, the loss of these trees conflicts with CP50 (WCS) and Section 12 (paragraph 136) of the NPPF.

7 In the absence of sufficient information in relation to the site's location within a Mineral Safeguarding Areas and the current/future status of Elm Park Mine the Local Planning Authority is unable to confirm whether the proposal may constrain this site's future use for mineral working, which would be contrary to Policy MDC4 of the Wiltshire Minerals Core Strategy and paragraph 218 of the NPPF. The proposed site layout, access and parking arrangement does not adequately and appropriately allow for any re-opening of that facility.

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)).