

The Town and Country Planning Act 1990 The Town and Country Planning (Permission in Principle) (Amendment) Order 2017

Refusal of Permission in Principle

Application Reference Number: PL/2026/01056

Decision Date: 18/05/2026

Applicant:	Mr & Mrs Simon and Julia Beale Hillview Farm Byre, 2C Bradford Road, Winsley, Bradford on Avon, BA15 2HL
Particulars of Development:	Permission in Principle for the erection of one self-build dwelling
At:	Hillview Farm Byre, 2C Bradford Road, Winsley, Bradford on Avon, BA15 2HL

In pursuance of their powers under the above Act, the Council hereby REFUSE Permission in Principle for the development referred to in the above application and plan submitted by you, for the following reason(s):

Refusal Reason

- 1** The site lies outside the defined settlement boundary and is located within open countryside. It is not allocated for residential development in the development plan, and the proposal does not meet any of the exception criteria set out in Core Policy 2 of the Wiltshire Core Strategy. As such, the proposal represents an unjustified form of residential development in an unsustainable location, contrary to Core Policies CP1, CP2, and CP7 of the Wiltshire Core Strategy and Paragraphs 2, 8, 11, and 12 of the National Planning Policy Framework.
- 2** The proposed development would result in the urbanisation and erosion of the open countryside that would cause demonstrable harm to local rural character and landscape setting. The proposed development would neither conserve nor enhance the natural beauty of the National Landscape and is therefore contrary to Core Policies CP51 and CP57 of the Wiltshire Core Strategy and Paragraphs 135, 187 and 189 of the National Planning Policy Framework.
- 3** The National Planning Policy Framework sets out that very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations. In this case, the other considerations in favour of the proposal would not clearly outweigh the harm identified. Therefore, the very special circumstances necessary to justify the proposal do not exist. Therefore, the development is contrary to the development

plan and the Framework in particular paragraphs 142, 143, 153, 154 and 155 of the National Planning Policy Framework.

- 4 The site is located within the Bradford on Avon Bat Special Area of Conservation (SAC) and must, therefore, be considered under the Habitat Regulations. The SAC is recognised for its national and international importance for nature conservation. Its qualifying features are its protected priority habitats and species including important populations of Bechstein's Bats, Greater Horseshoe Bats. In this case, insufficient information has been submitted by the applicant to enable the Council to complete an Appropriate Assessment as required pursuant to the Bath & Bradford-on-Avon Bat SAC. In the absence of a favourable HRA, the application cannot be approved, since the Council cannot conclude that there would be no adverse effects on the integrity of the Bath & Bradford-on-Avon Bat SAC. The proposed development is therefore contrary to Core Policy CP50 of the Wiltshire Core Strategy and paragraphs 187, 193, 194 and 195 of the National Planning Policy Framework.

Nic Thomas - Director of Planning, Economy and Regeneration

1. Appeals

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, he/she may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act, 1990. Forms can be downloaded from the web site: www.planning-inspectorate.gov.uk or accessed via the Planning Portal: <http://www.planningportal.gov.uk/planning/appeals>.

Appeals must be made within 6 months of the date of the refusal. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been so granted by the Local Planning Authority, having regard to the Statutory requirements, to the provisions of the Development Order, and to any Directions given under the Order. A copy of the appeal documents should be sent direct to the Council using the following email address: planningappeals@wiltshire.gov.uk.