



The Town and Country Planning Act 1990
Refusal of Outline Planning Permission (Some Matters Reserved)
Application Reference Number: PL/2026/00531
Decision Date: 15/06/2026

Applicant:	Millen Homes Limited Millen House, Old Chorleywood Road, WD3 4EH
Particulars of Development:	Outline planning application for development of 9no self build dwellings. All matters reserved except for Access and Layout.
At:	Land to the East of Yarnbrook Road, West Ashton, Trowbridge, BA14 6AP

In accordance with paragraph 39 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

- The site lies in the open countryside beyond the limits of development of any settlement identified for sustainable development in the settlement strategy of the Wiltshire Core Strategy. The proposal therefore conflicts with policies CP1 and CP2 of the Wiltshire Core Strategy (WCS) and does not meet the criteria for any of the exceptions to these policies set out in paragraph 4.25 of the WCS. Furthermore, the proposed development would be poorly served by local services, facilities and amenities such that the occupants of the dwellings would likely be heavily reliant on the use of private motor vehicles for the majority of routine journeys. The application is considered to be an inappropriate, unsustainable form of development which would significantly and demonstrably outweigh the benefit of providing nine additional dwellings in an open countryside location. As such the proposal, in the absence of an outweighing justification, is not considered to represent sustainable development being contrary to Core Policies 1, 2, 29, 60 and 61 of the Wiltshire Core Strategy and the policies of the National Planning Policy Framework taken as a whole.

- 2** The proposed development seeks to create a new access onto the A350, which forms part of the National Primary Route Network (NPRN), in a location outside of a built-up area. In the absence of any overriding justification, the proposal is contrary to Core Policy 62 of the Wiltshire Core Strategy, which resists new direct accesses onto the NPRN in such locations.

The proposed access arrangements, together with the expected intensification of use by motor vehicles and pedestrian movement interacting with the heavily trafficked PRN, would introduce material hazards and inconvenience to all users of the highway.

The development would result in increased pedestrian activity along a section of highway lacking adequate footways, lighting and safe crossing facilities, thereby exacerbating existing safety deficiencies.

As a result, the proposal would give rise to unacceptable impacts on highway safety and the free flow of traffic, contrary to Core Policy 57 (criteria ix and xiv), Core Policy 61 and Core Policy 62 of the Wiltshire Core Strategy and paragraphs 115, 116 and 117 of the of the National Planning Policy Framework.

- 3** The proposed development would result in the urbanisation of the open countryside with the subsequent erosion and loss of rural character being harmful. The Council is not satisfied the 9-house proposal would result in a scheme that would protect, conserve or enhance landscape character. The proposal is therefore contrary to Core Policies CP51 and CP57 of the Wiltshire Core Strategy and Paragraphs 135 and 187 of the National Planning Policy Framework.

- 4** The site is located within the Bradford on Avon Bat Special Area of Conservation (SAC) and grey and yellow zones of the Trowbridge Westbury Bat Mitigation Strategy 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 population of Bechstein Bats and Greater Horseshoe Bats. Insufficient information has been submitted to enable the Council to conclude a favourable Appropriate Assessment with respect of the Bath & Bradford-on-Avon Bat SAC. The Council is unable to 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

- 5** The applicant has failed to provide an appropriate archaeological trial trench evaluation. In the absence of this information, the Local Planning Authority is unable to properly assess the significance of any heritage assets with archaeological interest that may be present within the site, or to determine the potential impact of the proposed development upon them. As a result, the proposal does not demonstrate that the archaeological implications of the development have been fully understood or that harm can be avoided or mitigated. The development is therefore contrary to Core Policy 58 of the Wiltshire Core Strategy, which requires that heritage assets and their settings are conserved in a manner appropriate to their significance. The proposal also conflicts with the principles of the Framework, paragraph 207, which requires applicants to describe the

significance of heritage assets affected and for local planning authorities to ensure that such information is provided to enable informed decision making.

- 6 In the absence of completed legal obligation at time of determination to secure the delivery and retention of the dwellings as self-build housing and to secure the necessary ecological mitigation measures, the proposed development fails to ensure appropriate mitigation of its impacts and compliance with relevant policy requirements. Without such secured mechanisms, the local planning authority cannot be satisfied that the development would deliver the self-build benefits or adequately mitigate its ecological impacts, resulting in an unacceptable form of development. The proposal is therefore contrary to Core Policies 3 and 50 of the Wiltshire Core Strategy and provisions of the National Planning Policy Framework.

Informative

Pursuant to reason for refusal No.6 cited above, if appealed, the appellant would be required to satisfactorily address the necessary developer obligation through a s106 /Unilateral agreement.

Nic Thomas - Director of Planning, Economy and Regeneration

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 \(www.gov.uk\)](https://www.gov.uk/guidance/appeal-a-planning-decision-overview)).