



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/2026/03415

Decision Date: 29/06/2026

Applicant:	Mr K Bird and Ms H Hyde-Andrews Ashworth House, Bowldown Road, Westonbirt, Gloucestershire, GL8 8QJ
Particulars of Development:	Permission in Principle for Erection of up to 5No. accessible single storey dwellings (Class C3) and associated works
At:	Land at Sopworth Road, Sherston, Malmesbury

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

- The proposed residential development, by reason of being outside of the defined settlement boundary, represents unjustified development within open countryside. The proposal conflicts with the spatial strategy set out in Core Policies CP1, CP2, and CP13 of the Wiltshire Core Strategy which seek to direct new housing development to sustainable locations within defined settlement limits unless supported by exception policies, none of which apply in this case. The site is not allocated for development within the Sherston Neighbourhood Development Plan and the proposal would result in unplanned and piecemeal expansion of the settlement, undermining the coordinated approach to settlement growth. Furthermore, future occupiers would be reliant on the private car to access day-to-day services and facilities, in conflict with the aims of Core Policies CP60 and CP61 of the Wiltshire Core Strategy. The principle of residential development in this location is unacceptable and contrary to the development plan taken as a whole and the overarching objectives of the National Planning Policy Framework.

Refusal Reason

- The site lies within the Cotswolds National Landscape, where great weight must be given to conserving and enhancing landscape and scenic beauty. The

undeveloped and open character of the site contributes to the rural setting of Sherston and forms part of a transitional buffer between the settlement and wider countryside. The proposal would extend built development beyond the planned settlement edge, eroding the transition and encroaching built form into the open countryside which would result in harm to the character and scenic quality of the National Landscape, contrary to Core Policy CP51 of the Wiltshire Core Strategy, the Cotswold National Landscape Management Plan, as well as paragraphs 187 and 189 of the National Planning Policy Framework.

It has not been demonstrated that the development would conserve or enhance, or seek to further, the natural beauty of the National Landscape, as required by Section 85 of the Countryside and Rights of Way Act 2000

Informative

- 1 - For the avoidance of doubt, plans and documents provided by the applicant, which were considered are:

Application Form

Planning statement

Planning statement addendum – response to CNL board objection

Location Plan

Land Classification Report

Ecological Appraisal

Landscape Framework Plan

Landscape and Visual Impact Assessment

LVIA appendix A

LVIA appendix B

LVIA appendix C

LVIA appendix D

- On its website Wiltshire Council has made available statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance. The Council also offer a full suite of pre-application advice services which would allow for guidance to include what information would need to be included in an application to take into account the site location and type of development etc; however, on this occasion, the application was unfortunately submitted without any meaningful pre-application discussions.

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.