



The Town and Country Planning Act 1990
Refusal of Full Planning Permission
Application Reference Number: PL/2023/03359
Decision Date: 16/07/2026

Applicant:	Mr Charlie Lywood First Floor , 5 Fleet Place , London , United Kingdom , EC4M 7RD
Particulars of Development:	Construction and operation of anaerobic digestion facility, ancillary infrastructure and construction of new access from Ashton Road
At:	Land West of Ashton Road, Ashton Keynes, Wilts, SN6 6QT

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

- 1** The proposed anaerobic digestion facility, by virtue of its industrial scale, massing, height, engineered landform alterations, extensive hardstanding, lagoons, tanks, buildings and associated infrastructure, would result in significant adverse landscape and visual effects within the locally valued Cotswold Water Park landscape. The development would introduce an incongruous industrial form of development into a prominent rural location, erode the character, openness and tranquillity of the area, adversely affect important views including those experienced from Public Right of Way AKEY4, and fail to conserve the distinctive landscape character of Ashton Down and the wider Cotswold Water Park. The harm would not be adequately mitigated by the proposed landscaping and would conflict with Core Policies 51, 54 and 57 of the Wiltshire Core Strategy, Policy ENP3 of the Ashton Keynes Neighbourhood Plan, Policy WDC7 of the Wiltshire and Swindon Waste

Development Control Policies DPD and the objectives of the National Planning Policy Framework relating to protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside.

Refusal Reason

- 2** The applicant has failed to provide a sufficiently robust Transport Assessment to enable the Local Planning Authority to properly assess and monitor the likely transport impacts of the development. In particular, insufficient information has been provided regarding the distribution and routing of development-related traffic, the cumulative effects of seasonal and peak-period vehicle movements, the effectiveness and enforceability of proposed traffic management and routing measures, and impacts on the wider highway network, including cross-boundary and cumulative impacts.

In the absence of adequate information, the proposal fails to satisfy the requirements of Paragraph 118 of the National Planning Policy Framework, which requires development generating significant amounts of movement to be supported by a Transport Assessment sufficient to assess and monitor its likely impacts. Consequently, the Local Planning Authority cannot be satisfied that the proposal would not result in an unacceptable impact on highway safety, or that the residual cumulative impacts on the road network, following mitigation, would not be severe, having regard to Paragraph 116 of the National Planning Policy Framework.

The proposal therefore conflicts with Core Policies 61 and 62 of the Wiltshire Core Strategy and Policies WDC1, WDC2 and WDC11 of the Wiltshire and Swindon Waste Development Control Policies Development Plan Document.

Refusal Reason

- 3** In the absence of a completed planning obligation securing the delivery, implementation, monitoring and long-term management of off-site skylark mitigation, the Local Planning Authority cannot be satisfied that the impacts of the development upon skylark and other farmland bird species have been adequately mitigated. The proposed development would therefore result in unacceptable harm to biodiversity and fails to provide the necessary ecological mitigation required to make the development acceptable in planning terms. The proposal is therefore contrary to paragraphs 187 and 193 of the National Planning Policy Framework, Core Policy 50 of the Wiltshire Core Strategy, Policy ENP1 of the Ashton Keynes Neighbourhood Plan and Policy WDC8 of the Wiltshire and Swindon Waste Development Control Policies DPD.

Informative

The Local Planning Authority notes that the reason for refusal relating to biodiversity mitigation could be overcome through the completion of a satisfactory planning obligation (Unilateral Undertaking or Section 106 Agreement) securing the delivery, implementation, monitoring and long-term management of the off-site skylark mitigation identified within the application submissions. In the event that such an agreement is completed, the Local Planning Authority would be able to reconsider this matter in the determination of any future application or appeal.

Nic Thomas - Director of Planning, Economy and Climate

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)).