Wiltshire Council

The Town and Country Planning Act 1990

Refusal of Outline Planning Permission (Some Matters Reserved)

Application Reference Number: PL/2023/07590

Decision Date: 31 October 2023

Applicant:	Mr. F. Tieman c/o agent
Particulars of Development:	Outline application with some matters reserved for the erection of a dwelling in the garden (access only)
At:	Woodlands, 20 Smallbrook Lane, Warminster, BA12 9HP

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): (2)

1 The proposed development because of its location and being served by a lane which by virtue of its inadequate width, alignment and junctions would result in a development which would have little or no vehicular passing places and which furthermore provides no opportunity for such passing places would not provide safe access to the highway network. The public right of way (WARM93) leads into Smallbrook Lane which is utilised by pedestrians, where there are no pedestrian footways and which is unlit at night time, the increase in vehicular traffic would result in a significant detriment in highway safety to the users of the lane, amounting to a severe and unacceptable impact on highway safety, which would be contrary to Core Policies 60 & 61 of the Council's Core Strategy and Paragraph 111 of the NPPF.

2 Insufficient information has been supplied to demonstrate that the proposed development would not cause adverse effects through the discharge of phosphates and nitrates via the development's wastewater within the Hampshire River Avon Catchment Area contrary to Core Policy 50 of the Council's Core Strategy and

Section 15 of the NPPF.

Informatives: (1)

3 The applicant is advised that in the event of a resubmission full details would need to be supplied in regard to the second reason for refusal.

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)).