Wiltshire Council

The Town and Country Planning Act 1990

Refusal of Full Planning Permission

Application Reference Number: PL/2023/07608

Decision Date: 27 November 2023

Applicant:	Richard G Wiltshire Ltd 31 Roundpond, Melksham, Wiltshire, SN12 8DL
Particulars of Development:	Construction of a dwelling with access drive and changed entrance to road.
At:	Part of rear garden 31 Roundpond, Melksham, SN12 8DL

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): (1)

1 The applicant has failed to complete the necessary procedural requirements for planning applications involving land not within their ownership and control, and the Council is not satisfied that sufficient evidence has been presented to demonstrate that a safe and suitable access can be achieved. Consequently the application conflicts with the Framework pursuant to paragraph 110 (b) as well as Core Policy 64 of the adopted Wiltshire Core Strategy. The proposal is also in conflict with the made Joint Melksham Neighbourhood Plan Policy 6 pursuant to the integration with the surrounding area.

The proposal would have a contrived parking arrangement and given the limitations of the plot size, the development is considered inappropriate site cramming and the future occupiers of the proposed dwelling would have reduced levels of amenity contrary to adopted WCS CP57 criterion vii), and NPPF paragraph 130 f).

The application is not supported by a site-specific assessment or drainage strategy, and as such, the Council cannot support the application as there is substantive

concern pertaining to flood risk and use vulnerability and is therefore in conflict with adopted core policy 67 as there is insufficient evidence to satisfy the Council that the proposal would not lead to site drainage issues and/or off-site flooding. The development is equally contrary to paragraphs 167 and 168 of the Framework, and until the proposal can be proven to be free from such flood risk, the development cannot be considered sustainable.

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)).