Wiltshire Council

The Town and Country Planning Act 1990

Refusal of Full Planning Permission

Application Reference Number: PL/2023/10079

Decision Date: 29 February 2024

Applicant:	FAIRBEECH DEVELOPMENTS LIMITED 21a Market Place, Warminster, Wiltshire, BA12 9AY
Particulars of Development:	Conversion of existing garage building to 4 No. two bedroom dwelling houses.
At:	Warminster Motor Company, Fairfield Road, Warminster, BA12 9DA

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 site is situated within the River Avon (Hampshire) Special Area of Conservation (SAC). Advice from Natural England indicates that every permission that results in a net increase in foul water entering the catchment results in increased nutrients entering this European Site causing further deterioration to it. The application does not include any proposals to mitigate the impact of these increased nutrients and consequently, without such detailed proposals, the Council as a competent authority cannot conclude that there would be no adverse effect on the integrity of this European Site as a result of the development. The proposal would therefore conflict with CP50 and CP69 of the adopted Wiltshire Core Strategy; and Section 15 of the NPPF.

Informative:

The development hereby refused has been considered with reference to the following submitted plans and documents:

Application Forms, Drawing No. 1355-01 received on 21st November 2023
Drawing Nos. 1355-02 Rev C, 1355-03 Rev C received on 30th November 2023

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)).