Wiltshire Council

The Town and Country Planning Act 1990

Refusal of Full Planning Permission

Application Reference Number: PL/2023/05681

Decision Date: 26 April 2024

Applicant:	Mr. Rupert Godfrey, Garstons, Park Lane, Heytesbury, WARMINSTER, United Kingdom, BA12 0HE.
Particulars of Development:	Creation of 2 ponds
At:	Garstons, Park Lane, Heytesbury, WARMINSTER, BA12 0HE.

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 Insufficient information has been submitted to enable the Environment Agency, and therefore the local planning authority, to fully assess the impact of the existing development in terms of the requirements in regard for a Site Specific Flood Risk Assessment, as set out in paragraphs 20 to 21 of the Flood Risk and Coastal Change planning practice guidance and its site-specific flood risk assessment checklist. This deficiency of information means the application is also contrary to Core Policy 67 of the adopted Wiltshire Council Core Strategy and The Framework.

Informatives: (1)

2 The development hereby refused has been considered based on the following submitted details, photographs and plans:

Flood Risk Assessment by Floodplan Ltd – Title 00316 Level 3 FRA Dated 03.10.2023, Flood Risk Assessment, associated plan/s and photographs received on 04.03.2024, Drawing number 230822b 2D Orthomosaic Aerial Photograph of the two ponds.
Drawing number 230822c Topographic Survey Dated 22.03.2023, Drawing number 230822d Pond 2 – Cross Sections Dated 22.03.2023, Drawing number 230822c Pond 1 Cross Sections Dated 22.03.2023, WSBRC Species List Sept 2021, WSBRC Species Records, Ecological Statement – Peach Ecology, Various photographs relating to Teal Scrapes, the ponds, floods in January.
Planning Application Form, Site Location Plan. Covering Letter.
Environment Agency Consultation Responses dated: 14.11.2023 & 04.04.2024

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)).