Wiltshire Council

The Town and Country Planning Act 1990

Refusal of Full Planning Permission

Application Reference Number: PL/2023/02892

Decision Date: 29 October 2024

Applicant:	Auto Services 1 Carsons Yard,, East Street, Warminster, BA12 9NA
Particulars of Development:	Demolition of existing industrial building & erection of three town houses - (Re-Application of 14/02782/FUL)
At:	Auto Services, Carsons Yard, East Street, Warminster, BA12 9NA

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 The site is situated within the Hampshire River Avon catchment area that is a protected European site. This proposal comprises new housing development that would result in a net increase in foul water entering the river catchment via the wastewater treatment works and an increased level of phosphorus entering the River Avon SAC. The application does not include any substantive form of mitigation to neutralise the impacts of the development, 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 therefore conflicts with Wiltshire Core Strategy policies CP50 (Biodiversity and Geodiversity) and CP69 (Protection of the River Avon SAC); and paragraphs 180, 185, 186, 187 and 188 of the National Planning Policy Framework.

Informatives:

The decision on this application was made against the following plans:

Proposed Site Plan, Proposed Ground Floor Plan, Proposed North East and North West Elevations received 11/04/2023
Location Plan, Proposed First Floor Plan, Proposed South East and South West Elevations received 24/04/2023

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)).