Wiltshire Council

The Town and Country Planning Act 1990

Refusal of Outline Planning Permission (All Matters Reserved)

Application Reference Number: PL/2023/05883

Decision Date: 09/05/2025

Applicant:	Ian Taylor and John Lee C/o JPPC Chartered Town Planners, Bagley Croft, Hinksey Hill, Oxford, Oxfordshire, UK, OX1 5BD
Particulars of Development:	Erection of three dwellings, with access, parking, and associated works including landscaping (Outline application with all matters reserved - Resubmission of PL/2022/06389)
At:	Land to the rear of 52e, Chapel Lane, Beanacre, Melksham, Wilts, SN12 7PX

In accordance with paragraph 39 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 submitted groundwater monitoring results demonstrate that 100% of the application site lies within Flood Risk Category 2 (high risk of groundwater emergence) as defined by the Wiltshire Council Strategic Flood Risk Assessment (SFRA) 2019. As such, the site cannot be considered to be at a ‘low risk’ of flooding.

In accordance with paragraphs 173–175 of the National Planning Policy Framework (NPPF), where development is proposed in areas at risk of flooding, the sequential test must be applied to steer new development to areas with a lower probability of flooding. No sequential test has been submitted to demonstrate that there are no reasonably available sites with a lower risk of flooding within Wiltshire to accommodate the development.

In addition, the proposed drainage strategy is based solely on infiltration, despite monitoring showing groundwater levels within 1 metre of ground level and within 1 metre of the proposed base of infiltration features. This is contrary to best practice guidance, which indicates that infiltration should not be relied upon where the water table is within 1 metre of the base of SuDS features, and therefore the development fails to demonstrate that a viable or sustainable drainage strategy can be achieved.

As such, the proposal fails to demonstrate that the development is appropriately located in flood risk terms and fails to provide a credible drainage solution. The application is therefore contrary to Core Policy 67 of the Wiltshire Core Strategy (Flood Risk), saved Policy U1a of the West Wiltshire District Local Plan (1st Alteration) 2004 (Foul Water Disposal), and paragraphs 173, 174 and 175 of the National Planning Policy Framework (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)).