

As the immediate neighbour to the illegal development my property has been, and continues to be directly affected by the illegal development. I strongly object to this retrospective planning application. I hold a Bachelor of Science Degree, with Honours, in Environmental Management, which has helped qualify my understanding of the development and its impact. This qualification focused on several, relevant topics which help inform my objection, including fluvial dynamics, ecology, conservation and land management. My objection is based on the topics listed below and is supported by evidence submitted via email to [Helena.Carney@wiltshire.gov.uk](mailto:Helena.Carney@wiltshire.gov.uk) and [developmentmanagement@wiltshire.gov.uk](mailto:developmentmanagement@wiltshire.gov.uk). The planning portal appears unable to support the uploading of files. Due to the volume and file sizes of these photos, these will be submitted in several emails to the addresses above as there is no other available ability.

The objection is based on the following issues:

1. The application is invalid due to mandatory missing information, is factual inaccurate and misleading
2. Illegal construction
3. Proven increased Flood Risk, within a Flood Zone 3a
4. Detrimental impact on right to enjoy one's own property
5. Detrimental ecological impact
6. Not compatible with National and Local Planning policy
7. Insufficient consultation with local residents and relevant agencies
8. The applicant already has a Pond
9. The Pond does not need to include the river Gog
10. A new Pond could be situated elsewhere

Taking these points in the order above:

**1. The application is invalid & factually inaccurate**

The application should be immediately rejected due to missing mandatory information which the application form requires. See section "Biodiversity and Geological Conservation". This states, "Is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, or **on land adjacent to or near the application site?**" The application form then records the following:

"b) Designated sites, important habitats or other biodiversity features

- Yes, on the development site
- Yes, on land adjacent to or near the proposed development
- @No."

The application here states "No" to this question which is factually incorrect.

The development site is less than 2 kilometres from, and falls within the Impact Risk Zone for the Pewsey Downs SSSI, which is a designated and protected site.

The development site is also within the Pewsey Downs Area of Outstanding Natural Beauty, a National Landscape, and designated site.

The development site is also within the River Avon Special Area of Conservation, again a designated site.

The development is clearly within or adjacent to 3 designated sites and the application fails to acknowledge this. The application forms clearly states "Where a development proposal is likely to affect features of biodiversity or geological conservation interest, you will need to submit, with the application, sufficient information and assessments to allow the local planning authority to determine the proposal. **Failure to submit all information required will result in your application being deemed invalid.** It will not be considered valid until all information required by the local planning authority has been submitted."

The applicant has failed to provide any supplementary sufficient information, such as an Environmental Impact Assessment, or consult with multiple relevant agencies, including:

Natural England

North Wessex Downs National Landscape (AONB)

Wiltshire Wildlife Trust

Wessex Rivers Trust

This is sufficient grounds to reject the proposal and render it invalid.

Notwithstanding the above point, the application is also misleading and factually inaccurate in other sections, including:

#### a) **Description of the Proposal**

This states "It has been designed as a wildlife feature and will enhance the available habitat for wildlife." I believe this statement to be misleading. The agent working on behalf of the applicant should be aware of multiple published guides on creating a Pond



habitat that is suitable for wildlife. The cross section of the Pond clearly shows that none of these ecologically important features were incorporated into the design of the Pond. It is my understanding from seeing the development being built, that no specific design was followed. Rather the development was accomplished via a JCB style excavator and the spoil removed from site. The watercourse then illegally dammed to fill up the Pond and then left in this state until this year when a manual sluice was installed but only after several local flooding events. An appropriate wildlife pond would include several features which are missing, including different depth zones, shallow access to allow small mammals and invertebrates a way out should they fall in, none of these are present. Rather the Pond's cross section shows a steep sided, uniform depth excavation. To try and present the pond as a wildlife feature is misleading, when to create it has meant interfering with an existing ecologically sensitive chalk stream habitat. Destroying one habitat, to create another, of lower value makes no ecological sense and is at odds with established conservation practices. The principal aim of the Pond appears to be purely aesthetic, to provide the applicant a space to view ducks for his own pleasure. The Pond is surrounded by seating close to the water's edge, ornamental ducks, a boat jetty and rowing boat are also present. A true wildlife feature has no need for these and situating seating so close would cause disturbance to wildlife, which the applicant suggests is the primary reason for the development. It must be noted that Ducks and other waterfowl are suitably served by the Kennet and Avon Canal system, less than 200 metres away.

Additionally, DEFRA has issued guidance on when **not** to create ponds:

<https://defrafarming.blog.gov.uk/create-ponds-and-lakes/> This development is not compatible with this advice, please see:

Do not create a wildlife pond or lake for:

- irrigation
- retaining flood water\*
- intercepting drainage water or pollution
- stocking fish
- rearing or feeding game birds or wildfowl
- boating or other water sports\*

Avoid digging ponds or lakes where they'll be:

- contaminated by runoff from roads, yards, tracks, arable fields or manure heaps\*
- connected to drainage ditches or watercourses that could bring in polluted water or silt\*

- regularly disturbed by people walking dogs or feeding ducks

Do not dig ponds or lakes in:

- areas with historic or geodiversity features
- existing important habitats, like natural springs or damp, wet depressions\*
- historic, designed landscapes, such as parkland\*
- riverbanks or flood defences\*

\*This development retains flood water, see Section 3 for more detail

\*The development includes a jetty and rowing boat (see photographic evidence)

\*The development is contaminated by runoff from the road, due to the Gog being the principle means of drainage for the local area. See Section 3 for more detail and photographic evidence. It is also contaminated by arable field runoff and no bund is present to protect the pond from this, which is usual best practice

\*The development is connected to an existing watercourse

\*The pond is within and adjacent to designated landscapes

\*The pond was dug into existing riverbanks

All of the above is against DEFRA guidance on creating ponds

## b) Trees and Hedges

This section asks "Are there trees or hedges **on land adjacent to the proposed development site that could influence the development** or might be important as part of the local landscape character?" The application answers "No", this is factual inaccurate.

There are clearly several trees and hedges adjacent to the proposed site, some of which were removed in the construction process. The remains of the access point to create the pond is still evident on the site and comes from the applicant's field adjacent to the Gog. The application fails to include a required full tree survey, which would be necessary to make a full and considered answer to this question. Further evidence supplied in photos.

## c) Assessment of Flood Risk

"Will the proposal increase the flood risk elsewhere?" The application answers No. This is again factually inaccurate. Since the Pond was created it has raised the water levels

of an otherwise shallow chalk stream on our property, and it has removed the natural flow and fall of the watercourse. With the dam and sluice gate in operation, the Gog backs up onto our property (see photo evidence to support this).

The development is within a recognised Flood Zone 3a: <https://flood-map-for-planning.service.gov.uk/map?cz=406815.4,162870.6,15.719351>. This is the highest risk category. Prior to last year, our property, a 400-year-old Grade II Listed Building, had no history of flooding. Yet we suffered flooding on a number of occasions while the Pond with its dam were in operation. It is clear that a watercourse cannot effectively discharge increased volumes of water, if an unnatural development such as a pond, dam or sluice gate exists within the watercourse. The Pond compromised the carrying capacity of the Gog which raised the water levels by over 5 feet, contributing to localised flooding and erosion on our property. Also see photos from the 2 major flood events last year, showing the height of the Gog. Further detail on this specific point is provided below under objection Section 3

## **2. Illegal construction**

The applicant is a significant landowner and local farmer, who will be well versed in specific farming obligations, rules, conditions and legislation concerning land management. When questioned about the development in late 2020 it was apparent that obtaining the required permits and permissions were disregarded. Had it not been for Planning Enforcement action in 2025 then this retrospective planning application is unlikely to have been sought. The Lead Local Flood Authority confirmed, prior to flooding in 2024, that no Land Drainage consent had been sought nor given for the development and this remains a legal requirement that supersedes any Planning decision. As of mid 2025, no Land Drainage consent had been given.

Ordinary Watercourse Consent (OWC) is a legal requirement for anyone planning works that may alter the flow of an ordinary watercourse. The Gog is an OWC. Under the [Land Drainage Act 1991](#), consent must be obtained for works affecting an ordinary watercourse. "It is a criminal offence to make changes to a watercourse without permission. The person responsible may be fined up to £5,000 and £40 per day after conviction if the problem is not fixed."

<https://www.enfield.gov.uk/services/environment/ordinary-watercourse-consent#:~:text=It%20is%20a%20criminal%20offence,the%20problem%20is%20not%20fixed.>

## **3. Proven increased Flood Risk**

The Gog is the principal means for discharging local rain water, surface water from the highway and the local farm complex (also owned by the applicant) and run off from local fields. Several approved planning applications for Manor Farm show that their means of managing surface water, is to funnel this water from the farm complex to the

limited number of gulleys on the Highway, that then discharge into the Gog. A large amount of surface water from the farm complex is actively channelled into the Gog upstream of the development. A Flood Risk Assessment (provided by email to the addresses above) calculated the water generated by the farm complex to be close to 500 litres per second. Following the January 4<sup>th</sup> flooding, the Highways Agency's Area Engineer, Andy Cadwallader provided a report to Wiltshire Council, which was provided to me by Paul Oatway, our local Councillor:

*" Response From highways: The issues that are being experienced at 5 Manor Farm Cottages is far in excess of just a blocked gully. The amount of field runoff and runoff of hard-standing area which is going into the Gogg is extreme."*

As detailed previously, this development retains this flood water and prevents its transportation away from the flood zone, thus compromising the ability of the local flood drainage system. It raises the height of the Gog which adversely affects my property as previously mentioned and poses an unnecessary risk of flooding to my Listed Building, which is protected by law due to its historic importance.

Advice provided by the Environment Agency ([gov.uk/guidance/owning-a-watercourse](https://www.gov.uk/guidance/owning-a-watercourse)), states that **"a riparian owner should obtain consent prior to starting work"**, which the applicant did not. It also states that **"a riparian owner is responsible for not obstructing the flow of a watercourse to the detriment of your neighbours"**, again the applicant has failed in this regard. A riparian owner's actions, **"must not increase flood risk or erosion to other people's property or land, either directly or by impacting other sources of flooding"**. It can be proven that the development has increased the flood risk and caused erosion to my property. Additionally, the advice goes on to say that **"the most appropriate and sustainable option is to allow the natural processes of the river environment to maintain the watercourse"** which again in this instance has not happened. A riparian owner must **"must not cause environmental harm because of your work, including on more modified drainage channels. For example, inhibiting flow downstream"**.

The guidance goes on to state:

"How can I manage my watercourse sustainably?"

Any work on a watercourse needs to be carefully considered to ensure it is effective, sustainable, and beneficial for people and wildlife. Scientific evidence has shown that more natural and sustainable management often affords greater flood resilience to people and property, while also providing significant benefits to wildlife, water quality and the landscape. Rivers also naturally transport sediment and energy as well as water, which if managed well can decrease flooding and maintenance. We call this 'Working with Natural Processes'."

<https://www.gov.uk/flood-and-coastal-erosion-risk-management-research-reports/working-with-natural-processes-to-reduce-flood-risk-2024>

In all these circumstances, the development is not compatible with Environment Agency advice and has increased the Flood Risk and erosion. As I have already established the site is within a recognised Flood Zone 3a: <https://flood-map-for-planning.service.gov.uk/map?cz=406815.4,162870.6,15.719351>. This is the highest risk category and building a Pond within the existing drainage system is nonsensical.

My family and I moved home last month after 18 months living away due to the significant flood damage. We are naturally keen to avoid this happening again. However, we are equally keen to protect the local habitat and avoid the effects we have incurred since the Pond came into existence.

#### **4. Detrimental impact on right to enjoy one's own property**

The outcome of this development has been to slow the river, become stagnant, allow extra sediments to be deposited, accumulate, and increase riverbank erosion, thus widening the banks. An unpleasant smell has often occurred when the river backs up and becomes stagnant. Photographic and video evidence show the difference to water levels within the Gog and Pond, when the sluice gate is in operation and when it is not. This has created a nuisance to us and had a detrimental impact on our enjoyment of the stream and our property. In 2022, a large Ash tree that stood on the bank of the Gog fell down. Upon inspection there were no signs of Ash die back and the remaining standing Ash trees also had, and still have no signs of Ash die back. The hollowing out of the fallen tree can also be caused by a waterlogged root structure which is possibly due the increased height of the Gog and water being almost permanently in contact with the river banks, when previously this would drain away. The development has directly affected my ability to enjoy my own property and created a nuisance due to the issues explained above. As also explained, the development is not aligned with Government guidance on owning a watercourse as it has obstructed the natural flow of a watercourse, causing the detrimental effect to my property.

#### **5. Detrimental ecological impact**

The Gog is designated as a Chalk stream habitat. Chalk stream habitats are severely limited and are internationally recognised for their global ecological importance. This development interferes with the natural landscape and distinct local ecology, which is compounded by its location within an AONB, SAC and proximity to a SSSI (all Designated Landscapes). Any attempt by the applicant to “enhance the available habitat for nature” is negated by altering an existing, ecologically sensitive site. No Environmental Impact Assessment has been offered to support the development nor to balance the effects to flora and fauna upstream or downstream of the Pond due to the resulting increase in water depth and restrictions in water flow.

When the water flowing into the Pond naturally slows, the Pond becomes visibly eutrophic, with large algae blooms being observed, again negating any localised biodiversity gain. As described earlier, the adjacent Dairy Farm complex, also owned by the applicant, relies on The Gog to manage its surface water runoff, which is often seen to be contaminated with manure from the farm (see photo evidence). The additional nutrient load is then not discharged through the river system effectively due the Pond and dam, compounding the eutrophication process. The Pond is also exposed to runoff from adjacent cropped farmland. As previously explained, the Pond is also not compatible with multiple published sources of advice on wildlife feature design, to suggest otherwise has no ecological basis.

## **6. Not compatible with Planning policy**

I believe the development is not compatible with several Planning regulations and guidance and would fail the Sequential test requirement, outlined in the National Planning Policy Framework <https://www.gov.uk/guidance/flood-risk-and-coastal-change#para24>. The Framework provides clear guidance when assessing the suitability of a development in high risk flood areas and suggests steering development to the lowest risk areas: <https://www.gov.uk/guidance/flood-risk-and-coastal-change#para24>

Additionally, <https://www.gov.uk/guidance/national-planning-policy-framework/14-meeting-the-challenge-of-climate-change-flooding-and-coastal-change> states:

### **"Planning and flood risk**

**170.** Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). "

As already outlined, the Gog is the principal local drainage network, with flood water intentionally directed to it. To develop at this site and include the Gog is unnecessary and affords no benefit other than amenity value to the applicant. The increased flood and erosion risk is unacceptable and against Planning Policy.

I also believe Planning Policy indicates, that due to the development's proximity within and to adjacent designated sites, that other agencies e.g. Natural England & ANOBs are to be consulted. This has not occurred.

## **7. Insufficient consultation with local residents and relevant agencies**

The list of Consultees and Neighbours is extremely limited, those consulted are not affected by the Gog or any development affecting it. Other neighbours or residents of Allington or the local Parish have not been sufficiently consulted. No notice has appeared on the village board (see photo) and no notices are present on any telegraph poles to alert residents of the application. The Parish Council is also on Summer recess

and will not meet until after the public consultation period has closed, which does not allow for the application to be debated. This is inherently unfair and does not afford local residents of their right to voice their opinions either for or against the proposal. Residents should be heard when considering a development that effects their local wildlife and drainage system.

#### **8. The applicant already has a Pond**

I do not deny the applicant the right to enjoy a Pond, I note that the applicant already has a Pond, and has done so for several years. Photographic evidence via Google Earth (see screen shots in email) shows that the applicant has enjoyed a Pond in the same back garden prior to May 2018. Therefore I do not see it as unfair or unjust to deny the application for a second Pond, especially when this Pond unnecessarily includes an OWC. The original Pond could be extended (subject to planning) affording the applicant the same aesthetic improvement to the site, without the associated risks and complications that come with including the OWC.

#### **9. The Pond does not need to include the Gog**

Any new Pond could easily be created without the inclusion of the Gog, which would then allow the applicant to create a Pond that is compatible with all advice given on the subject and avoid the issues outlined. The Gog should be reinstated without delay and returned to its pre-development state.

#### **10. A new Pond could be situated elsewhere**

As the local land owner, the applicant has significant opportunities to situate the Pond elsewhere, where it does not include the Gog and does not present a flood risk my property or compromise the local drainage system

In summary, the application is invalid and any further attempt to seek planning permission that alters or affects the Gog should be rejected based on the multiple justifications provided above.

Thank you for your consideration

Kind regards

Mr Neil Allen



Get a boundary report

 Add

Datasets

- ☒ Flood zones 2 and 3
- ☐ River and sea with defences
- ☐ River and sea without defences
- ☐ Surface water
- ☐ None

Map features

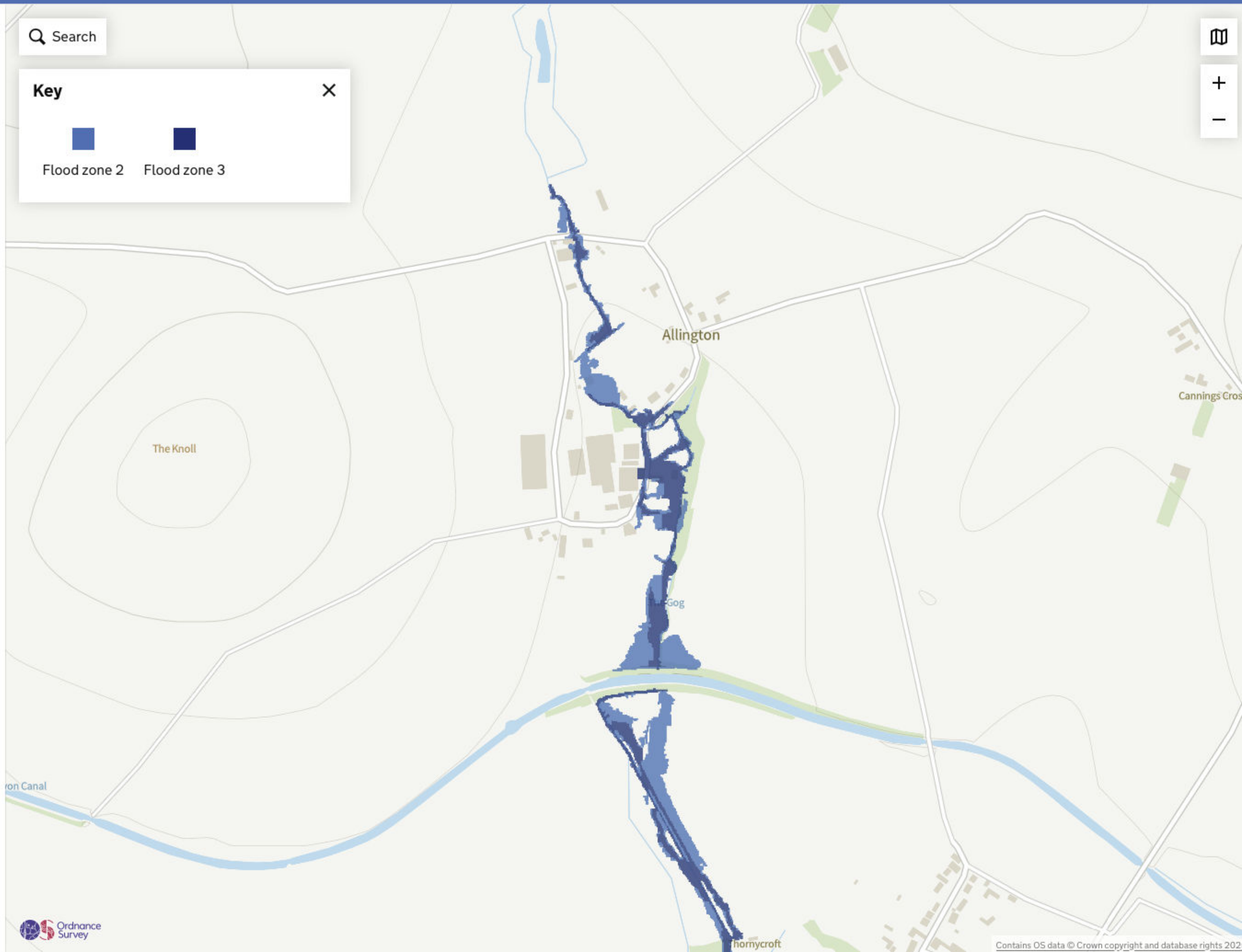
- ☐ Water storage
- ☐ Flood defence
- ☐ Main Rivers

 Search

**Key** 

 Flood zone 2

 Flood zone 3





ALL CANNINGS  
PARISH COUNCIL NOTICEBOARD  
USED FOR LEGALLY REQUIRED NOTICES  
AND CERTAIN ITEMS OF COMMUNITY INTEREST  
SORRY NO ADVERTISING

Wiltshire Link Schemes



Link Schemes are community-based, volunteer run charities based predominantly in Wiltshire which aim to improve the quality of life for disadvantaged, elderly or infirm people by providing transport and 'good neighbour' services. Link schemes help to keep local communities connected to vital services, by connecting volunteer drivers (using their own cars), with passengers who have limited access to transport. Depending on volunteer availability, this can involve taking someone to a medical appointment, taking them shopping or providing 'good neighbour' services like prescription collection. A donation is requested from passengers using Link volunteer cars to support the cost of running the services. Each Link scheme is run by a group of local volunteers managed by a local Link Co-ordinator. People wishing to use the service, simply call their local co-ordinator who will endeavour to arrange for a volunteer to carry out the task.

Devizes & District Link Scheme 01380 721775

ALL CANNINGS PARISH COUNCILLORS

|                        |                                                                    |
|------------------------|--------------------------------------------------------------------|
| Cllr Amy Gray          | ACPC Chair - Trails, Broadband & Media                             |
| Cllr Kevin Gay         | Allington                                                          |
| Vice chair             | Village Green & Footpaths                                          |
| Cllr Kevin Gay         | Village Green & Footpaths                                          |
| Cllr Charlie Payne     | School & Village Shop                                              |
| Cllr Julia Deakin      | Glebe field & allotments, ACCT, ACIB                               |
| Cllr Allstair Bowditch | Cemetery, churchyard & volunteer co-ordinator                      |
| Vacancies x 2          |                                                                    |
| Mrs S-J Bullock        | Clerk to Council and RFO<br>acpc@allcannings.org.uk ~ 07437 857501 |

MY WILTS REPORTING APP

Wiltshire Council provides this facility for  
All residents of Wiltshire

<https://www.wiltshire.gov.uk/mywiltsonline-reporting>

This can be used to report many issues including:

Potholes, broken streetlights, fly tipping,  
abandoned cars, graffiti, etc.

All Cannings Parish Council

acpc@allcannings.org.uk



Notice of a meeting of the Parish Council

Chair Cllr A Gray, Vice-chair Cllr K Gay, Cllr C Payne, Cllr J Deakin, Cllr A Bowditch,  
Paul Oatway

are hereby summoned to attend the following meeting:

Meeting of:  
**All Cannings Parish Council**  
7.30pm  
Wednesday 30<sup>th</sup> July 2025  
All Cannings Village Hall

Councillors will be discussing all items on the agenda.

S-J Bullock  
to All Cannings Parish Council

Members of the public and press are invited to attend all council meetings.  
(Bodies (Admission to meetings) Act 1960)  
The Council cannot lawfully decide items of business which are not specified in the summons/agenda  
(1972 Sch 12, paras 10(2)(b))

Minutes are recorded for administration purposes; these recordings are not retained.

30<sup>th</sup> July 2025

AGENDA

1. Welcome to the public
2. Declaration of interests
3. Apologies
4. Minutes of the previous meetings to be adopted and signed by the presiding chair
5. Report by Wiltshire Councillor Paul Oatway
6. Public: 20 minutes set aside for public and external reports, at 3 minutes per person
7. Action sheet report
8. Reports
  - a) Village Community Store - Cllr C Payne
  - b) PCC Churchyard - Cllr A Bowditch
  - c) Cemetery - Cllr A Bowditch
  - d) Village Green - Cllr K Gay
  - e) Village Hall/ACCT - Cllr J Deakin
  - f) Glebe Field and Allotments - Cllr J Deakin
  - g) School - Cllr C Payne
  - h) Footpaths - Cllr K Gay
  - i) Allington - Cllr A Gray
  - j) AC in bloom - Cllr J Deakin
  - k) Volunteer co-ordinator - Cllr A Bowditch
  - l) Coronation Bank - Cllr C Payne
9. Parish Steward requests
10. Planning applications: PL/2025/
11. Governance:
  - 11.1 Discuss & approve IT Policy, as required for next year's audit
  - 11.2 Discuss using Gov UK domain name and email addresses
12. Updates and current projects
  - 12.1 Discuss allotment fencing
  - 12.2 First Aid training course
  - 12.3 Update emergency plan
  - 12.4 Budget for play equipment for repairs to damaged posts
  - 12.5 Discuss road safety concerns raised by resident, suggestion of additional streetlight and mirrors at sharp corners
  - 12.6 Discuss booking form and fees for the hire of the footpath pitch
  - 12.7 Discuss the community floral bank, consider employing a part-time gardener
  - 12.8 Discuss overgrown footpath 18, adjacent to school playing field
  - 12.9 Discuss PEAS requirements: salt and flood equipment
13. Correspondence and administration
14. Finance update:
  - 14.1 Bank reconciliation & reports have been distributed to councillors at month end
  - 14.2 Balance sheet supplied to councillors with agenda
  - 14.3 Donation of £344.00 received from Kings Arms quiz night

14.4 Completion of limited assurance received from PKF Littlejohn, external auditor.  
Finance officer, S-J Bullock is pleased to confirm the report contains no issues.

15. Payments to be ratified:

15.1 PKF Littlejohn LLP, invoice: W10003, £255.00

16. Payments for approval:

- 1) Mark Goddard, invoice: 3138, £756.00
- 2) THD Limited Invoice: £210.00
- 3) David Owen accountants, invoice: 38862, £114.00
- 4) Cllr A Bowditch (paint & brushes) £66.00
- 5) Cllr J Deakin (paint) £48.99
- 6) Administration (HWA & office supplies) £38.99
- 7) Staff wage

17. Topics for the next agenda.

ALL CANNINGS IN BLOOM 2025

Enter the ACIB competition and be part of the community spirit - it's FREE to enter and will help brighten up All Cannings in readiness for the prestigious Best Kept Village award. Closing date for entries is 13th June, judging will take place in July and prize giving will be in the village hall on 26th September.

Entry forms can be posted in the village shop or email your completed forms to: [allcanningspc@gmail.com](mailto:allcanningspc@gmail.com)

For more information visit ACPC website [allcannings.org.uk](http://allcannings.org.uk)



























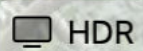








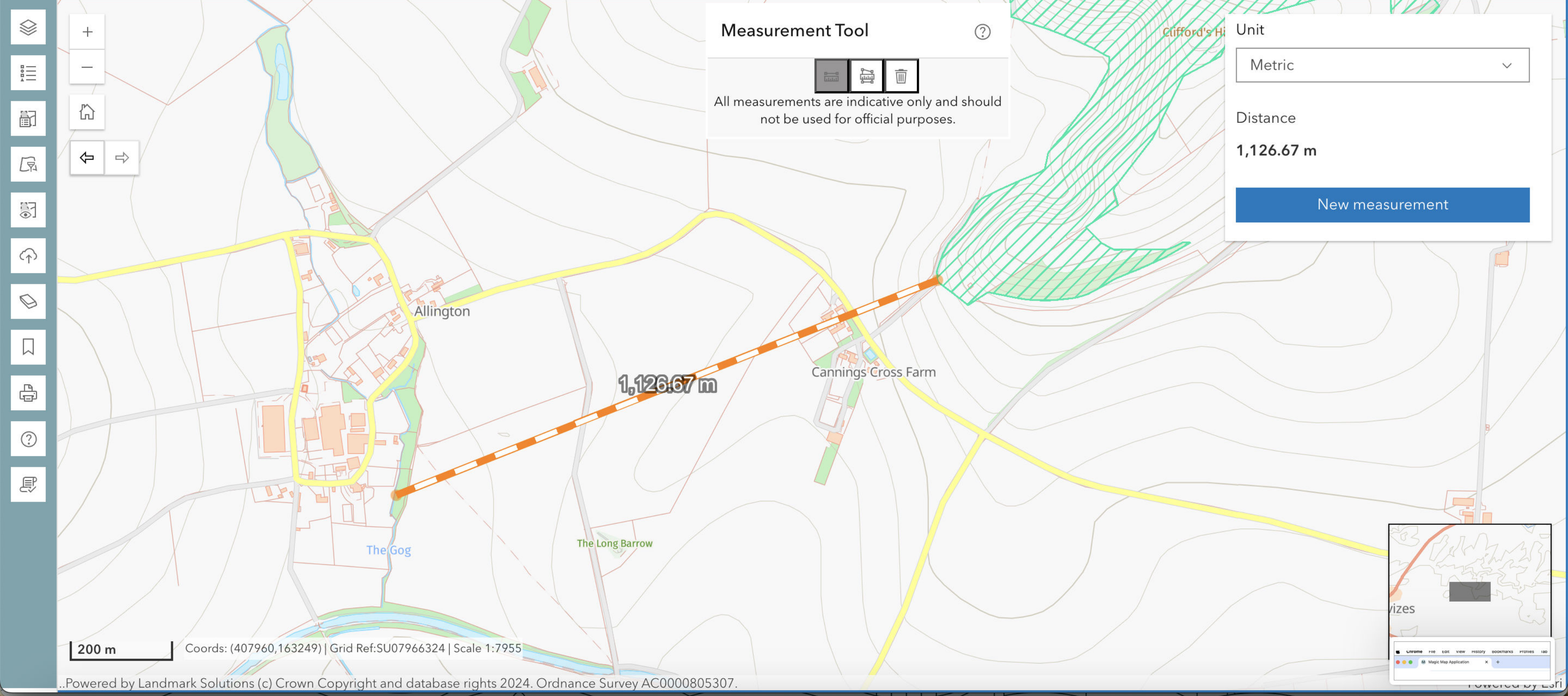




HDR











Allington, Devizes, Wiltshire



Historical imagery



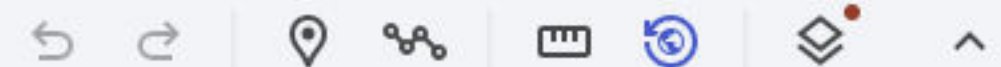
18 Jul 2021







Allington, Devizes, Wiltshire



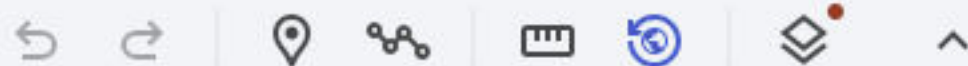
Historical imagery < 20 May 2018 > >|







Allington, Devizes, Wiltshire



Historical imagery < 31 Dec 2002 > >|

1985 2002 2005 2006 2009 2014 2015 2017 2018 2021 2025

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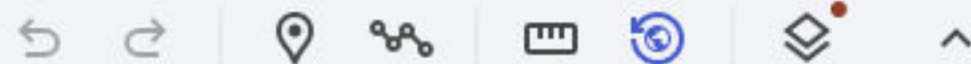








Allington, Devizes, Wiltshire



Historical imagery



18 May 2025





























