

From: Colin Danks

Sent: Tuesday, September 30, 2025 12:28

To: Thomas, Andrew <Andrew.Thomas@wiltshire.gov.uk>;

Subject: RE: Planning Ref PL/2025/06615 – Land Adjoining Oak Hill House, Upper Seagry

Hi Andrew,

Sorry to miss your call yesterday and thanks for copying me into the email below. You're right about the change to the PPG and proportionality which has just been introduced. I hope you don't mind me going through the changes and how I believe they are applied.

Amongst others, there were two paragraphs inserted into the PPG which tread a careful path when considering all forms of flood risk (as per the NPPF): Paras 23 (the objective of the test) and 27 (proportionality) are relevant here.

The main objective of the para 23 is:

“The approach is designed to ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk. This means avoiding, so far as possible, development in current and future medium and high flood risk areas considering all sources of flooding including areas at risk of surface water flooding” [my emphasis]

Medium risk is a chance of flooding of 1 in 100 and 1 in 30. From what I have seen the site access falls into a medium risk category,). The approach to assessment which the PPG applies is ‘to avoid so far as possible, development in current and future medium and high risk....’

Para 27 is then clear that:

“The sequential test should be applied to ‘Major’ and ‘Non-major’ development proposed in areas at risk of flooding...”

So, the sequential test should be applied to this application unless there is a proportionate reason not to do so. Para 27 sets defined parameters for determining whether it is proportionate not to apply the sequential test:

“In applying paragraph 175 a proportionate approach should be taken. Where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied.”

I cannot see that the design of the layout or any mitigation measures ensure occupiers would remain safe or that flood risk would not be increased elsewhere. An alternative access route would address this. Likewise, an alternative site could address the medium risk identified.

Turning back to the first paragraph, the applicant has not demonstrated they have explored any options to “avoid so far as possible” the area of medium flood risk for the site access road. The application provides no evidence of showing how the proposed layout, design or any mitigation for this area of flood risk has been provided to “ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development” and in this instance a proportionate approach would be to seek a sequential test at the very least.

Again, I hope you don’t mind me going through this, but as you can see, just because the main body of the site is FZ1, it still needs to be treated as a site at medium risk and when you look at the proportionate parameters, the application as presented should raise a red flag with regard to sequential testing.

Do give me a call if you would like to discuss and thanks for your time with Andrew yesterday.

Kind regards

Colin

COLIN DANKS MRTPI

Director

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