
Appeal Decision

Site visit made on 21 September 2016

by Andy Harwood CMS MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 October 2016

Appeal Ref: APP/Y3940/W/16/3152974

Land at Cadley Road, Collingbourne Ducis, Marlborough, Wiltshire SN8 3ED

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Derren Heath against the decision of Wiltshire Council.
 - The application Ref 16/00044/FUL, dated 16 December 2015, was refused by notice dated 1 March 2016.
 - The development proposed is the building of an underground, low impact dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The first main issue in this case is whether the site would be suitable for the dwelling having regard to accessibility to services and facilities. The second is the effect of the dwelling upon the character and appearance of the surrounding area.

Reasons

Accessibility

3. The appeal site is located to the east of a group of dwellings and a public house which are known as Cadley. The access to the site is a narrow track which along with the main part of the site, was overgrown at the time of my site visit. Cadley is centred on a cross roads. The western road from the cross roads leads to Collingbourne Ducis and to the east a rural lane passes the entrance to the site and out to the open countryside.
 4. The appellant does not dispute that the site is approximately 1km outside of Collingbourne Ducis which is defined as a 'large village', within the Wiltshire Core Strategy, adopted January 2015 (CS). CS Core Policy 1 states that development at large and small villages will be limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities. Furthermore, the National Planning Policy Framework (the Framework) explains that isolated homes in the countryside should be avoided unless there are special circumstances.
 5. From the site apart from the nearby public house, other facilities are located further away within Collingbourne Ducis. I could see that there was a small trading estate within walking distance of the site but along the road which does
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not include footpaths or street-lights. A shop is even further away. I am not made aware of what other facilities are available but those that I did see are a significant distance from the site. Although it may be possible to walk or cycle to these during good weather conditions and in daylight, it would not be safe or attractive to do so at night or in poor weather. Some people may choose to do so but in my experience, many people would be more likely to opt to use private transport. I have to look at the case with respect to the general situation rather than personal attitudes of the appellant. Planning permission runs with the land and would not be personal to the appellant. Although a school bus service may assist the accessibility of the area that makes a limited difference.

6. Although the site is close to other dwellings and a public house, it is remote from day to day facilities and outside of the defined large village. In relation to the first main issue, it is not a suitable location for the proposed dwelling and would not comply with CS Core Policy 1 which requires support for sustainable patterns of development. Although the existing nearby dwellings are also remote from facilities, I have not been made aware of the circumstances surrounding the development of those.

Character and appearance

7. The site rises up along the track and is higher than the gardens and dwellings nearby. The surrounding countryside on 3 sides includes rolling fields in agricultural use. The site is a rugged and overgrown parcel of land with a slope facing roughly southwards towards the lane and the adjoining field. There was a picnic table close to the top of the site but other than that, it is not clear what the site is used for.
8. The dwelling would be constructed by excavating into the slope and covering soil back over the structure apart from at the front. That roughly south facing elevation would be visible. This would be finished in earthy colours constructed of local materials. The aim is to make the building look organic, as if it had grown out of the site. The southern part of the site would include a gravel drive and parking area that would be constructed into the slope. This and other domestic attributes will change the appearance of the site substantially. The introduction of a dwelling and domestic activity including vehicles and other paraphernalia including the cycle shed and solar array would create an additional intrusion of domestic development into the rural outskirts of Cadley. This would not conserve or enhance the landscape character of the area.
9. The appellant submitted sufficient information to enable the Council to register the planning application. However there is a lack of precision with the elevations and details about the effect of the development on existing landscape features. I realise that the appellant intends to make the building fit with natural features. However the proposal would add a clearly domestic structure into what is an undeveloped site in a sensitive position between existing dwellings and open fields. The amount of excavation could impact upon some of the substantial boundary trees which would open the site up to views from nearby fields and gardens. Some new planting may eventually help to replace that and I note the intention is to enhance hedges and landscape features to protect wildlife. However, the potential initial impacts upon boundary landscaping could increase the visual impact of the structure and domestic activity around it. This would be noticeable from outside of the site.

10. Overall, I consider that the proposal would have a harmful effect upon the character and appearance of the surrounding area. This would not comply with CS Core Policy 51 and Core Policy 57.

Other Matters

11. The appellant has referred to a case within the Torridge District Council area that relates to an approval of an eco-dwelling. I am not provided with many details of that case to know what degree of similarities there are with this current appeal. I have reached my conclusions on the merits of the present case.
12. I made aware that construction materials would be ethically sourced and the structure would be very thermally efficient. The intention would be to connect initially to mains water and electricity but eventually come as off-grid as possible. A ground source heating and hot water system is proposed. Sewage would be treated by a private system. Some of the environmental demands of a new dwelling within the countryside may well be mitigated for. However I am not satisfied that the harm I have identified in relation to the main issues would be outweighed by these measures. The harm from the proposal would significantly and demonstrably outweigh the small benefit of providing one additional dwelling. Special circumstances do not exist to justify the isolated location and the proposal would not comply with the Framework.

Conclusion

13. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

Andy Harwood

INSPECTOR