

Appeal Decision

Site visit made on 13 December 2016

by H Porter BA(Hons) PGDip IHBC

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

Decision date: 13 January 2017

Appeal Ref: APP/Y3940/W/16/3158959

Yew Tree Cottage, The Livery, West Winterslow, Salisbury, Wilts, SP5 1RH

- 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 & Mrs T.J.O Gilpin against the decision of Wiltshire Council.
 - The application Ref 16/05263/FUL, dated 30 May 2016, was refused by notice dated 23 August 2016.
 - The development proposed is erection of single 3 bed dwelling with garage on vacant plot between Yew Tree Cottage and existing residential unit adjoining.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether or not the proposed development would be in a suitable location in relation to social, community, employment and other facilities; and the effect on the safe operation of the highway network in the vicinity of the appeal site.

Reasons

Location

3. Wiltshire's Core Strategy, January 2015 (the Core Strategy), establishes a settlement and delivery strategy, with the objective of focusing development inside defined settlement boundaries. Development outside these established boundaries would only be supported in exceptional circumstances, for example in support of the rural economy, or if identified through a Neighbourhood Plan. Core Policy 1 is intended to support the housing needs of settlements, and to improve employment opportunities, services and facilities, while Core Policy 2 aims to strengthen communities and allow for appropriate growth, and seeks to reduce the need to travel and help redress the imbalance between jobs and homes.
 4. Classified as a large village, West Winterslow has a limited range of employment, services and facilities and is focused primarily on the ribbon development either side of Livery Road. Situated on the edge of the village, the appeal site lies just outside the established settlement boundary and consequently within the category of open countryside. Livery Road is a relatively narrow and unlit route that extends from the settlement into the open countryside beyond. I have been given no detailed information in relation to the facilities and services that are accessible from the appeal site. On the information before me, as well as from my site visit, the services offered by
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West Winterslow appear very limited. I am not advised as to the provision of such services and facilities in nearby settlements; while these may satisfy some everyday needs, it is apparent that access to these would similarly be via long, semi-rural country lanes.

5. Notwithstanding the appeal site's proximity to other residential dwellings, the nature of its location means that the proposal would severely limit options to travel without using a private car. There is no demonstrable evidence to indicate that the appeal proposal would meet the housing needs of the settlement, beyond those of the appellants' family, or improve employment opportunities, services and facilities. Saved Policy H27 of the Salisbury District Local Plan is consistent with paragraph 55 of the Framework and sets out the special circumstances under which an isolated home in the countryside may be acceptable; none such circumstances are met by the proposal.
6. I therefore find that the proposed development would not be in a suitable location in relation to social, community, employment and other facilities, and would fail to enhance or maintain the vitality of the rural community or support services in nearby settlements. As such, the development would be contrary to Core Policies 1, 2 and 23 of the Core Strategy, and Saved Policy H27 and paragraph 55 of the Framework, in so far as they seek to actively manage patterns of growth and promote sustainable development in rural areas.

Highway safety

7. Livery Road, a Class III road, is the primary route through West Winterslow. Access to the appeal site runs directly onto it, close to national speed limit signs that correspond to the edge of the settlement. As the ground level rises, banked verges either side of the access restrict visibility from the access onto Livery Road. At the time of my site visit I observed only light traffic on Livery Road, although it would be reasonable to expect traffic volumes to increase at commuting times. I also observed some vehicles, particularly south-bound, to pass at relatively high speed, and the width of the road limits opportunities for cars to pass without pulling into access openings along it.
8. The appeal proposal would make use of the existing access onto Livery Road, intensifying its use and materially increasing the number of vehicles emerging onto the highway. There is no substantive evidence from the appellant relating to the increase in vehicles using this entrance and the associated effect on the highway, and the Council have expressed concern that there would be inadequate visibility for drivers when entering or leaving the appeal site by car. From the evidence provided and from my own observations on site, I consider that the increase in traffic onto the highway would pose an increased and unacceptable risk to highway safety. While the appellants have expressed a desire to work proactively to overcome issues relating to access, to date there are no plans submitted since the Council's decision. The Highway Authority's concerns therefore still stand, and there remains significant doubt over the potential harm to users of Livery Road.
9. As such, the proposal would also fail to adequately provide for the safe and efficient operation of the highway network in the vicinity of the appeal site. The development is therefore contrary to Core Policies 57 and 61 of the Core Strategy, which, amongst other things, seek to secure development is safe and accessible, and to achieve a suitable connection to the highway that is safe for all road users.

Planning balance

10. In consideration of the proposal against the three limbs of sustainable development – economic, social and environmental, the proposal would meet some social and economic role. Set against this harm are the social and economic benefits associated with the provision of a single dwelling as market housing. Investment in construction and relative employment for its duration would also represent a benefit. I have found that there is likely to be major reliance on the private car to access services and facilities, and alternative means of travel, for examples by bus or bicycle, are not practicable or safe options. Overall, the moderate social and economic benefits do not outweigh the adverse impacts identified in relation to the location or highway safety. Consequently, the environmental dimension of sustainable development is not met and the proposal would not be sustainable development as defined in the Framework.

Other matters

11. I appreciate that the appellants provide full-time care for an elderly relative. However, as they already live in an adjacent property, there is no demonstrable need outside of a desire for larger living accommodation. There is also a risk that the personal circumstances of the appellants might change in the future, leaving behind a new dwelling that would not otherwise have been approved. Policy H26 specifically relates to the provision of affordable housing, which is not provided for under the appeal proposal. Policy H33 allows for, in some circumstances, the extension or conversion of a dwelling or existing building for a dependant person. Such circumstances are not being put forward under the appeal scheme. Furthermore, the Local Plan makes explicit that exception sites should seek to be located in villages with adequate facilities and access to public transport, which the appeal site is not.
12. My attention was drawn to other developments locally, in support of the appeal, some of which have been permitted outside the settlement boundary. I do not have full details of the circumstances that led to these proposals and so cannot be sure that they represent a direct parallel to the appeal proposal, including in respect of scale, location, use and development plan policy. In any event, I have assessed the proposal on its own merits. The four remaining dwellings referred to in the Officer's report relate to Southern Wiltshire Community Area. As the appeal site fails to accord with Core Policies 1 and 2, it would not be an appropriate site for one of the remaining four dwellings required before 2026.
13. The appellants' long connections with the local area, the lack of an objection from the Parish Council, the benefit of freeing a small family dwelling for the open market, and the lack of harm in relation to the detailed design, living conditions or to trees are not considerations that outweigh the harm caused by the development.

Conclusion

14. For the reasons given above, I conclude that the appeal should be dismissed.

H Porter

INSPECTOR