
Appeal Decision

Site visit made on 4 April 2017

by Debbie Moore BSc (HONS) MCD MRTPI PGDip

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

Decision date: 12th April 2017.

Appeal Ref: APP/U3935/W/16/3164945

Land to the north of Hangar C2, Wroughton Airfield, Hackpen Lane, Wroughton, Swindon, Wiltshire SN4 9NS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Steven Coen of ActionDrome UK Ltd against the decision of Swindon Borough Council.
 - The application Ref S/OUT/16/0412/HC, dated 1 March 2016, was refused by notice dated 14 July 2016.
 - The development proposed is described as "outline application for the erection of up to 14 houses".
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken the address of the appeal site as that given on the application form for reasons of consistency.
3. The application was submitted in outline with all matters reserved for subsequent approval except for access. The site access would be via the existing private road to Hackpen Lane. I have considered the appeal on this basis, treating the site plan as illustrative.
4. Wroughton Neighbourhood Plan was 'made' or brought into force as part of the statutory development plan for the Borough on the 14 July 2016. I have, therefore, taken the Neighbourhood Plan into account in my consideration of this appeal.

Main Issues

5. The main issues are whether the site is suitable for residential development, having regard to its location and the effect of the development on the character and appearance of the area, in particular the Downs Plains Landscape Character Area (LCA) and the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

Reasons

6. The appeal site is located on land adjacent to the former Wroughton Airfield. It lies between two hangars which are now in alternative uses. The surrounding land is predominantly open and rural in character and, aside from the airfield, it
-

is largely in agricultural use. There is a small but established residential development of former Ministry of Defence houses to the east, which is known as Thorney Park. The site is outside of any rural settlement boundary and is therefore in the countryside for development plan purposes. The site is within the AONB and the LCA.

7. The development strategy for the Borough, as set out in Policy SD2 of the Local Plan,¹ aims to ensure that residential development is located in the most sustainable locations. The policy states that development proposals in locations outside the rural settlement boundaries will be permitted in certain circumstances. One such circumstance is where local needs have been identified and allocated through a Neighbourhood Plan. The Neighbourhood Plan² seeks to identify suitable sites for residential development to accommodate the additional dwellings requirement for Wroughton, as set out in the Local Plan. The appeal site is not one of the five sites allocated for housing in the Neighbourhood Plan. Consequently, the proposal would be in conflict with the Neighbourhood Plan and Policy SD2 of the Local Plan.
8. The Council acknowledges that it is unable to demonstrate a five-year supply of deliverable housing sites and, consequently, the appellant argues that the relevant housing supply policies should not be considered up-to-date. However, a Written Ministerial Statement (WMS) concerning neighbourhood planning was published on 12 December 2016. The WMS sets out a change to government policy with regard to the circumstances under which relevant policies for the supply of housing within neighbourhood plans are automatically deemed to be out-of-date where there is lack of housing land supply. The WMS is a material consideration to which I attach significant weight. It requires that, where there are relevant policies for the supply of housing in a recently made neighbourhood plan, these policies should not be considered out-of-date unless there is a significant lack of supply.
9. It is not clear from the information before me whether the lack of housing supply is significant. In any event, Paragraph 14 of the National Planning Policy Framework (the Framework) states that where relevant policies of the development plan are out-of-date, permission should be granted unless specific policies in the Framework indicate development should be restricted. As the site is within a designated AONB, it is first necessary for me to assess the proposal against the relevant restrictive Framework policies.
10. The Framework advises that great weight should be given to conserving the landscape and scenic beauty in AONBs which have the highest status of protection. The landscape in the vicinity of the appeal site is relatively flat and open. There is an installation of solar panels on part of the former airfield, but this is a relatively low profile development.
11. Notwithstanding the development in the vicinity, the site is currently open and it allows views across the former airfield to the countryside beyond. Whilst the existing hangars are relatively large structures, they are characteristic of their airfield setting. The site is not physically related to the houses at Thorney Park and the development would be a prominent and uncharacteristic feature which would be visible in views from Hackpen Lane. It would stand out in the landscape and it would not reflect the character and appearance of the area.

¹ Swindon Local Plan 2026, adopted March 2015

² Wroughton Neighbourhood Plan 2016-2026, April 2016

Consequently, the development would not conserve and enhance the natural beauty of the AONB. Furthermore the site is within the Down Plains Landscape Character Area (LCA) and it has not been demonstrated that the development would respect the special attributes of the LCA. As I have found that there would be harm to the landscape, the development would not meet the aims of the Framework insofar as it seeks to protect the landscape and scenic beauty of AONBs. Consequently, housing supply policy SD2 is afforded due weight.

12. The Council agrees that the site can be described as brownfield land. I have been referred to the press release issued by the Department for Communities and Local Government,³ which announced the launch of the pilot brownfield registers. This initiative complements the Framework which seeks to encourage the re-use of previously developed (brownfield land), provided that it is not of high environmental value. Whilst the re-use of the land and the contribution to the local housing supply would be a benefit, this would not outweigh the conflict with the development plan policies. Moreover, the site is of high environmental value as it is within the AONB.
13. The appellant states the site is accessible as it close to existing residential areas and is supported by local shopping facilities and a bus service. I have no details of the type of facilities or their distance from the site, other than a hotel and spa and village shop, or the frequency and destinations of the bus service. However, the site is some distance from Swindon and it is likely that future occupiers would be reliant on the private car to access shops, schools, employment and leisure facilities. I do not consider that the development would be well located due to the lack of access to day to day facilities.
14. The appellant advises that the development would enable the upgrade and public use of the road leading towards the former Princess Alexandra Hospital site. A draft Unilateral Undertaking⁴ has been submitted which aims to ensure the road, which is within the appellant's ownership, would be upgraded. Whilst there may be a limited public benefit from this proposal, I am not satisfied that the Unilateral Undertaking would meet the tests of paragraph 204 of the Framework or Regulation 122(2) of the Community Infrastructure Levy Regulations 2010. In particular, it has not been demonstrated that the planning obligation would be directly related to the development. Consequently, I give this consideration little weight.
15. The appellant indicates that the development would provide low cost market homes. However, the application is in outline and this cannot be guaranteed. Also, there is no information on local housing need and I unable to judge how the development would meet that need. I accept that there may be a contribution to the local economy during construction, and future residents may use local services in Wroughton, but overall these would benefits would be limited.
16. To conclude, I find that the proposal would have an adverse effect on the character and appearance of the area, in particular, the AONB. Therefore, the proposal would not be sustainable development. It would be contrary to Policies SD2 and RA2 of the Local Plan, and complementary policies of the Neighbourhood Plan, which seek to ensure residential development is located in the most sustainable locations and that the identity of Wroughton is protected.

³ 10 March 2016

⁴ Section 106 of the Town and Country Planning Act 1990

It has not been demonstrated that the development would comply with Policy EN5 which seeks to protect the intrinsic character, diversity and local distinctiveness of the landscape.

17. For the reasons given above, the appeal is dismissed.

Debbie Moore

Inspector