
Appeal Decision

Site visit made on 29 June 2017

by Andrew Dawe BSc(Hons) MSc MPhil MRTPI

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

Decision date: 20 July 2017

Appeal Ref: APP/Y3940/W/17/3166905

Ryleys Farmhouse, Crossroads South South East C86 to North Side of Motorway Bridge, Grittleton SN14 6AF

- 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 Dagg against the decision of Wiltshire Council.
 - The application Ref 16/04538/FUL, dated 12 May 2016, was refused by notice dated 26 July 2016.
 - The development proposed is erect a two bedroom dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i) whether or not the proposal would be in a suitable location for a dwelling, having regard to the principles of sustainable development;
 - ii) the effect of the proposed development on protected species;
 - iii) the effect of the proposed development on the character and appearance of the site and surrounding area.

Reasons

Suitability of location

3. Core Policy 1 (policy CP1) of the Wiltshire Core Strategy (the Core Strategy) sets out the settlement strategy which identifies the settlements where sustainable development will take place. Core Policy 2 (policy CP2) qualifies specifically where development would be considered acceptable to meet the minimum housing requirement in Wiltshire. Outside of the defined limits of development, as is the case with the appeal site, other than for proposals relating to other exception policies within the Core Strategy, that policy states that development will not be permitted. I have not received any evidence to demonstrate that the proposed development relates to any of those exceptions.
4. Saved policy H4 of the North Wiltshire Local Plan 2011 (the Local Plan) states that new dwellings in the countryside will be permitted provided that they satisfy certain criteria including in connection with the essential needs of agriculture or forestry or other rural based enterprise, or it is a replacement for

- an existing dwelling. Based on the submitted evidence, neither apply in this case.
5. Core Policy 60 (policy CP60) of the Core Strategy relates to sustainable transport, seeking to reduce the need to travel particularly by private car, and including the planning of developments in accessible locations. Core Policy 61 (policy CP61) requires that new development should be located and designed to reduce the need to travel particularly by private car, and to encourage the use of sustainable transport alternatives.
 6. The above policies are broadly consistent with the National Planning Policy Framework (the Framework) which in paragraph 55 states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. It goes on to say that for example, where there are groups of smaller settlements, development in one village may support services in a village nearby. It also states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. I have also had regard to bullet point 11 of paragraph 17 of the Framework which states that planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.
 7. The site is not isolated in the sense that it is located close to a small number of existing dwellings served by the same access drive. However, it is noticeably separated from the central part of the village of Grittleton without footways or lighting alongside the road for part of the route. That would be likely to make walking into that main part of the village generally unattractive, including to catch the bus from the nearest bus stop next to the entrance to Grittleton House. In any case the village only has very limited services and facilities including a public house and church, and the bus service is fairly infrequent in terms of enabling flexibility in travel times.
 8. Access to facilities and services in larger centres to serve all day to day needs of prospective residents such as shops, schools and leisure and health facilities and to wider employment destinations, due to the significant distances, would therefore be likely to involve heavy reliance on private motorised transport as opposed to more sustainable walking, cycling or use of public transport. Furthermore, having regard to paragraph 55 of the Framework, I have not received any substantive evidence to demonstrate that the development of the proposed single dwelling in this location would be needed to enhance or maintain the vitality of rural communities in the vicinity.
 9. For the above reasons, the proposal would not be in a suitable location for a dwelling, having regard to the principles of sustainable development. As such, it would be contrary to policies CP1, CP2, CP60 and CP61 of the Core Strategy, saved policy H4 of the Local Plan and Paragraphs 17, bullet point 11, and 55 of the Framework.

Protected species

10. I have had regard to the Council's concerns relating to the potential for the existing building, proposed to be demolished, to provide opportunities for bats and for the surrounding hedgerow and rough vegetation to provide opportunities for breeding birds and reptiles. In the absence of any substantive ecological survey evidence to demonstrate to the contrary, I am unable to be

certain that such protected species are not present, or that if they are how they could be affected by the proposal.

11. For the above reasons, in the absence of sufficient evidence to the contrary, the proposed development would have the potential to cause unacceptable harm to protected species on the site. As such, it would be contrary to Core Policy 50 of the Core Strategy which states that development proposals must demonstrate how they protect features of nature conservation value and that they shall incorporate appropriate measures to avoid and reduce disturbance of sensitive wildlife species and habitats. It would also be contrary to the Framework which in paragraph 17, and expanded upon in section 11, states that planning should, amongst other things, contribute to conserving and enhancing the natural environment.

Character and appearance

12. The proposed dwelling would replace an existing single storey storage barn with the proposed larger bungalow. Whilst the plot would divide the existing field, it would be located adjacent to the existing access drive to Ryleys Farmhouse which also serves a small number of other single storey dwellings on the opposite side. It would therefore be fairly closely related with those existing dwellings and the field concerned is also relatively small in comparison with the surrounding fields. The existing field is also fairly discrete in that it is surrounded, other than on its eastern boundary, by mature hedges or trees.
13. It would domesticate the site and be likely to include various external associated paraphernalia such as seating, washing lines, play equipment as well as cars parked outside. However, with the modest height of the proposed dwelling, and due to the above factors, it is unlikely that the development would be a dominant or jarring feature within the surrounding landscape.
14. For the above reasons, I conclude on this issue that the proposed development would not cause unacceptable harm to the character and appearance of the site and surrounding area. As such, it would accord with Core Policies 51 and 57 of the Core Strategy which together, in respect of this issue, require development to protect, conserve and where possible enhance landscape character, not to have a harmful impact upon landscape character, and to have a high standard of design.

Conclusion

15. The Framework sets out that there should be a presumption in favour of sustainable development and indicates that to achieve that, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.
16. It is claimed that the proposal would have the benefit of regenerating an under-utilised site. However, the extent of any such benefits would be limited by the fairly small size of the site. Furthermore, it would have the benefit of contributing a small family dwelling to the supply of housing in the area, also with the intention of utilising sustainable technologies and development practices and embracing lifetime home standards. However, such benefit would be small, relating only to a single dwelling.
17. I have found that the proposed development would not cause unacceptable harm to the character and appearance of the site and surrounding area.

However, this does not deflect from my findings that it would not be in a suitable location for a dwelling, having regard to the principles of sustainable development and that it would have the potential to cause unacceptable harm to protected species on the site. Furthermore, the small benefits referred to above would be insufficient to outweigh those findings. It would therefore not be a sustainable form of development.

18. Therefore, for the above reasons, I conclude that the appeal should be dismissed.

Andrew Dawe

INSPECTOR