
Appeal Decision

Site visit made on 31 May 2017

by Janet Wilson BA (Hons) BTP MRTPI DMS

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

Decision date: 28 July 2017

Appeal Ref: APP/Y3940/W/17/3169809

Land north of 554 Canal Bridge, Semington BA14 6JT

- 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 K Lockwood against the decision of Wiltshire Council.
 - The application Ref 16/06564/OUT, dated 10 June 2016, was refused by notice dated 11 January 2017.
 - The development proposed is two detached dwellings and new access.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. At the time of the Council's decision there was a shortfall in the five year housing land supply. This position has since been revised with a housing land supply in excess of five years (including the appropriate buffer) achieved. An appeal at Forest Farm, Chippenham¹ referred to in evidence has recently been determined following an Inquiry. That site is located in the same Housing Market Area as this appeal and the conclusion reached by the Inspector confirming the five year supply is material to this appeal.
3. The application is made in outline with details of appearance, landscaping, layout and scale reserved (the 'reserved matters'). The plans submitted with the application are taken to be illustrative other than in so far as they relate to access which is not a reserved matter.

Main Issues

4. The main issues are the effect of the development on the character and appearance of the area and whether the proposal would provide a suitable site for the two detached dwellings having regard to accessibility to services and facilities in the context of the development plan.

Reasons

Character and appearance

5. The site lies to the north of Semington, physically separated from the village by the canal though linked by a bridge. There are open fields either side of the road to the south of the canal with significant gaps between the bridge and the

¹ APP/Y3940/W/16/3150514

edge of the village with only a small cluster of dwellings on the road approaching the bridge. Consequently I consider the site to be well removed from the village and located in open countryside. North of the canal, development is also loose knit, with the characteristics of sporadic development in the countryside. A further cluster of built development here comprises a small group of farm buildings and properties either side of the road. The general setting around the site is open with hedgerows, fields and a farm to the north.

6. The site is bounded by established hedgerows and trees and was historically associated with the property at 554 Canal Bridge. To the north and west are open fields. A small utility structure located on the site is used in connection with the water main which crosses the site. Apart from that it is devoid of buildings. The construction of two additional detached dwellings on the appeal site would consolidate the sporadic nature of development.
7. Residential development here would be apparent from the road and from open fields to the rear where the topography is relatively flat. Notwithstanding that layout, landscaping, scale and appearance are reserved for future applications, it is clear that a significant amount of vegetation would need to be cleared to accommodate two dwellings and to ensure that the structures remain away from the path of the water main. Furthermore as 4 bedroomed dwellings it is likely that the dwellings would also be of substantial scale.
8. The appellant argues that the site is an unkempt parcel of land which does not have the appearance of open countryside and that development here would simply read as a natural continuation of existing development. I disagree and for the reasons I have described above the site has the characteristics of open countryside where development would result in a loss of openness.
9. For the above reasons the development would conflict with Policies CP1, CP2, CP51 and CP57 of the Wiltshire Core Strategy (2015) (the Core Strategy). These policies, amongst other things, seek to ensure that development mitigates negative impacts upon the landscape through sensitive design in order to conserve landscape character and where it does occur ensure that development enhances local distinctiveness.

Accessibility and policy considerations

10. The site on Semington Road is located on the former A350, now by-passed and used as a bus, cycle and pedestrian route connecting Semington with Melksham. Other vehicular traffic is prohibited at Hampton Business Park with only buses and emergency vehicles permitted access northwards. Thus vehicular access to the appeal site would only be achievable from, and to, the south.
11. The appellants highlight that there is a well-lit footway leading to the village and that there are bus links and relatively easy access to employment centres, he points to the Council's acceptance that occupants would not necessarily be reliant solely on the private car for journeys dependant on their personal choices. Nonetheless, bus stops are not conveniently located, car access is prohibited northwards and six car parking spaces are proposed. Thus I consider it more than likely that occupants of the dwellings would rely on the car for transport to a large extent given the position of the site remote from facilities, as the factors described limit the degree of accessibility to services and facilities by sustainable means.

12. The five year housing land supply has been confirmed and the policies of the development plan apply. The appellant does not dispute the revised position on housing supply set out in the recent appeal decision, or the fact that the site is outside the settlement limits of Semington. However he does argue these limits are out of date and the site allocations Development Plan document which will replace them is still not in place.
13. Moreover the appellant considers the site is well related to the village and is a sustainable location where permission has been given nearby for a new centre for Wiltshire Air Ambulance including helipad and hangar and there are aspirations for a new marina close by. He argues that Policies CP1 and CP2 cannot be afforded full weight and the presumption in favour of sustainable development contained in Paragraph 14 of the National Planning Policy Framework (the Framework) should apply.
14. I have limited detail on the air ambulance centre though it would appear that a more remote location is necessary for such a use. Likewise I have been given very limited information and no supporting details for a proposed marina to suggest that such a development is likely to occur. In either circumstance no sort of precedent would be set for the development of open market housing.
15. The Inspector in the Forest Road appeal² stated the absence of non-strategic allocations does not prevent the delivery of identified growth and that residual housing requirements would be met within the large and small villages identified in the Plan. From the evidence before me and from my observations at the site, I am clear that the site is not on the edge of the village, but is located in open countryside where planning decisions must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 55 of the Framework confirms that isolated homes within the countryside should be avoided unless there are special circumstances, no such circumstances have been outlined here and the proposal does not accord with the spatial strategy within the development plan policies to which substantial weight should be given.
16. For the above reasons the site is unsuitable for residential development as it would be remote from services and is not an accessible location. The proposal would conflict with Policies CP1, CP2, CP60 and CP61 of the Core Strategy and the Framework as a whole. These policies together seek to ensure development is located in the most accessible locations and sited so as to easily access shops schools and employment and reduce the need to travel by private car.

Other matters

17. My attention has been drawn to three appeal decisions. I note that there are differences in each of these cases including the scale of development, their relationship with the pattern of existing development and the benefits outlined. In the light of these differences they are not directly comparable to the circumstances which apply here. I have, in any case, reached my own conclusions on the appeal proposal on the basis of the evidence before me.
18. Attention has been drawn to the fact that no objections have been made as a result of consultations; this may be so, however, this fact alone does not outweigh the harm that has been identified.

² APP/Y3940/W/16/3150514

Conclusion

19. For these reasons and having taken all other matters into account, the appeal should be dismissed.

Janet Wilson

INSPECTOR