



Appeal Decision

Site visit made on 16 August 2017

by Rory Cridland LLB (Hons), Solicitor

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

Decision date: 29 August 2017

Appeal Ref: APP/Y3940/W/17/3173019

Land to the rear of 585 & 586 Semington Road, Melksham, Wiltshire SN12 6DY

- 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 Andy Gattiker against the decision of Wiltshire Council.
 - The application Ref 16/05446/OUT, dated 6 May 2016, was refused by notice dated 12 January 2017.
 - The development proposed is provision of three starter homes
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application was submitted in outline, with matters relating to appearance, landscaping, layout and scale reserved. I have dealt with the appeal on that basis, treating all plans as illustrative, except where they deal with matters of access.

Main Issue

3. The main issue is whether the appeal site offers a suitable location for the proposed development.

Reasons

4. The appeal site is located to the rear of Nos 585- 587A Semington Road in the settlement of Berryfield, a small village situated around 1.8 miles from the larger settlement of Melksham. Core Policy 1 of the Wiltshire Core Strategy (2015) (CS) sets out the settlement strategy for Wiltshire and directs development towards the area's main settlements.
5. Furthermore, Core Policy 2 of the CS requires development to be delivered in the most sustainable manner. Proposals for development at Small Villages will be supported where they seek to meet the housing needs of settlements or provide employment, services and facilities provided that the development i) respects the existing character and form of the settlement, ii) does not elongate the village or impose development in sensitive landscape areas, and iii) does not consolidate an existing sporadic loose knit area of development related to the settlement. Even then, new development in Small Villages will be limited to infill within the existing built-up area.
6. There is no evidence to indicate that the proposal would help meet an identified housing need or would result in any material improvement to employment

opportunities, services or facilities. In the absence of such, even if I were to conclude that the proposal would constitute infill within the built up area, it would nevertheless be contrary to Policies 1 & 2 in this respect.

7. While I acknowledge that the proposal would accord with the Development Plan in a number of other respects, I do not consider that settlement strategies set out in an up to date local plan should be set aside lightly. Furthermore, I have seen no evidence that there are any material planning considerations which would indicate that such a course of action would be justified.
8. Accordingly, I conclude that that the proposal would be contrary to the settlement strategy for Wiltshire as set out in Core Policies 1 & 2 of the CS.

Other Matters

9. The appellant has asserted that the site was previously used as a horticultural nursery and constitutes previously developed (brownfield) land. However, it has no remains of any permanent structure or fixed surface infrastructure on the site. It does not therefore accord with the definition of previously developed land set out in the National Planning Policy Framework ("the Framework") and I have not treated it as such.
10. The Council has also referred to Policies 60 & 61 in its decision notice. These policies seek to reduce the need to travel by private car, promote accessible locations and encourage the use of sustainable transport alternatives. The Council has accepted that there are other, more sustainable, transport options available and that future occupants would not be solely reliant on private car use in order to access services. I do not, therefore, consider there would be any material conflict with these policies and accordingly have not considered them further.

Planning Balance

11. The proposal would provide a number of benefits, the most significant of which is its contribution to the supply of housing. However, even cumulatively these benefits are modest and I afford them moderate weight.
12. As part of this appeal the Council has provided a Housing Supply Statement which indicates that it can now demonstrate a 5 year supply of deliverable housing land in accordance with the requirements of the Framework. This has not been challenged by the appellant and there is no evidence before me which would indicate that there was any material shortfall. However, even if I were to conclude the Council could not demonstrate a shortfall in 5 year housing land supply and that relevant policies for the supply of housing should not be considered up-to-date, the adverse impacts of granting permission would significantly and demonstrably outweigh the resultant benefits.

Conclusion

13. For the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Rory Cridland

INSPECTOR