
Appeal Decision

Site visit made on 20 November 2018

by Andrew Dawe BSc(Hons) MSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 December 2018

Appeal Ref: APP/Y3940/W/18/3209938

Land at Honeysuckle Cottage, Corston, Malmesbury SN16 0HJ

- 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 B Stew against the decision of Wiltshire Council.
 - The application Ref 17/12034/FUL, dated 22 November 2017, was refused by notice dated 28 June 2018.
 - The development proposed is erection of single dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the Council's decision, but prior to the submission of the appeal, the new revised National Planning Policy Framework (July 2018) (the Framework) has been published which replaces the first version published in 2012. I have therefore taken account of the new revised version in the determination of the appeal.

Main Issues

3. The main issues are:
 - i) whether or not the proposed development would be in a suitable location for a dwelling, having regard to the development plan objectives relating to development strategy and to national policy;
 - ii) the effect of the proposed development on the character and appearance of the surrounding area;
 - iii) whether or not the proposed development would be in an accessible location in relation to services, employment opportunities and public transport.

Reasons

Suitability of location

4. Core Policy 1 (CP1) of the Wiltshire Core Strategy (the Core Strategy) sets out the settlement strategy which identifies the settlements where sustainable development will take place. The site is located in Corston which is identified as a small village in the Core Strategy defined as having a low level of services and facilities, and few employment opportunities where development will be

limited to that needed to help meet the housing needs of the settlement and to improve employment opportunities, services and facilities. The village is not within a defined settlement boundary.

5. Core Policy 2 (CP2) qualifies specifically where development would be considered acceptable to meet the minimum housing requirement for Wiltshire. Outside of the defined limits of development, as is the case with the appeal site, other than in the case of proposals relating to other exception policies within the Core Strategy, development will not be permitted. The proposal does not relate to those exception policies. In respect of small villages such as this, it clarifies that development will be limited to infill within the existing built area.
6. Saved policy H4 of the North Wiltshire Local Plan (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. Neither apply in this case.
7. Having regard to paragraph 79 of the Framework, the proposed dwelling would not be in a clearly isolated location due to its close proximity to other existing properties. There are two modest sized outbuildings on the site set well back from the road and there is also some scope for parking vehicles. However, the general characteristics of the site, whether lawfully residential land or not, relates to it being generally open and verdant, devoid of any substantial built form. The proposed dwelling would therefore noticeably extend the primary built form of the village outwards and would not relate to a gap between buildings either side. It would therefore clearly not be infill development. Furthermore, the Malmesbury Neighbourhood Plan (MNP) makes no exception for development in this location.
8. I have had regard to paragraph 47 of the Framework which states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. In that context, for the above reasons, the proposal would conflict with Core Strategy policies CP1 and CP2 and saved policy H4 of the Local Plan. I therefore conclude on this issue that the proposed development would not be in a suitable location for a dwelling, having regard to the development plan objectives relating to development strategy.

Character and appearance

9. I have had regard to a previous appeal decision, Ref T/APP/J3910/A/92/207520/PB relating to a proposed dwelling on the same site, as a material consideration albeit that I have determined this appeal on its own merits. I acknowledge that that previous decision was made some time ago. However, from my observations, the context provided by existing nearby dwellings remains similar to that described by my colleague at that time. The adjacent terrace comprises modest sized dwellings set at a slightly lower level than much of the site. The appeal site and the garden of the dwelling opposite provide a pleasant, verdant transition between the built form of the village and the open countryside rising gradually to the north. The slightly raised position of the site itself in relation to the adjacent terrace adds to that sense of transition.

10. The proposed dwelling would significantly disrupt that transition in terms of the degree of built form and massing on the site and the distraction from its currently distinctive open and verdant appearance. Furthermore, in the absence of levels details to the contrary, it is likely that the dwelling's prominence would be accentuated due to the raised levels of much of the site in relation to the adjacent terrace. Any retained existing or proposed tree planting on the front boundary would be likely to soften its appearance to some degree. However, it is unlikely to sufficiently disguise it and there would also be no guarantee that such vegetation would be maintained or survive in the longer term. In any case the dwelling would be likely to be seen at least in part rising above the roof profile of the adjacent terrace when approaching the site from the village towards the open countryside.
11. From the countryside to the south and south-east in long distance views of the site, it is likely that the proposed dwelling would be sufficiently screened or softened by intervening vegetation and not so clearly seen in the context of the role of the existing site in creating that transition referred to above. Nevertheless, this does not deflect from the harm that I have otherwise found would be caused as seen from the road running through the village.
12. For the above reasons, I conclude on this issue that the proposed development would cause unacceptable harm to the character and appearance of the surrounding area. As such, in respect of this issue, it would be contrary to Core Policies 51 and 57 of the Core Strategy which together require development to protect, conserve and where possible enhance landscape character and to have a high standard of design. In respect of this issue it would also be contrary to the Framework which in section 12 relates to achieving well-designed places.
13. The Council, in its decision notice, also refers to policy 3 of the MNP. However that policy primarily relates to the location and extent of housing development in the village, and so is not directly relevant to this main issue.

Accessibility of location

14. Paragraph 103 of the Framework states that planning should actively manage patterns of growth in support of objectives set out in paragraph 102, including that opportunities to promote walking, cycling and public transport use are identified and pursued. Core Policy 60 (CP60) of the Core Strategy, relating to sustainable transport, is broadly consistent with the Framework in these respects. Paragraph 103 of the Framework also states, amongst other things, that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and that this should be taken into account in both plan-making and decision-making.
15. The village only has limited services and facilities, including a public house and church, reflecting its small size. Prospective residents would therefore have to travel further afield to larger settlements such as Malmesbury and Chippenham to access the full range of services and facilities to serve everyday needs such as schools, shops, leisure and health facilities as well as most employment destinations. Those distances, together with limitations in terms of footways and lighting from a safety point of view, would be likely to deter walking and cycling in many instances, and particularly due to the routes being along a busy A-road.

16. However, there is a bus stop in the village within walking distance of the site via lit footways. Whilst it is only a single route service, it operates over six days of the week and connects to Malmesbury and Chippenham, with their combined associated wide range of facilities, services and employment opportunities. Those destinations would also be likely to provide scope for ongoing travel if required by a wider range of transportation links. It is unlikely that this would provide sufficient flexibility to prevent significant private car use. However, despite the proposal not comprising infill development within the village, due to the edge of village location and the bus stop being within walking distance, in this case there would be an adequate level of alternative transport options to the private car.
17. For the above reasons, I conclude on this issue that the proposed development would be in an accessible location in relation to services, employment opportunities and public transport. As such, in respect of this issue, it would accord with policy CP60 of the Core Strategy and paragraphs 102 and 103 of the Framework.

Planning balance

18. The proposal would have the benefit of adding to the local housing supply and there would also be likely short term economic benefits during the construction phase relating to construction jobs. Nonetheless, it is likely that those benefits would be small relating only to a single dwelling. As such they, together with my findings on the third main issue, would be insufficient to outweigh my findings that the proposed development would not be in a suitable location for a dwelling, having regard to the development plan objectives relating to development strategy; and that it would cause unacceptable harm to the character and appearance of the surrounding area. It would therefore not be a sustainable form of development.

Conclusion

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

Andrew Dawe

INSPECTOR