The Planning Inspectorate

Appeal Decision

Site visit made on 29 July 2019

by J Moss BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 November 2019

Appeal Ref: APP/Y3940/W/19/3227029
93 Sand Street, Longbridge Deverill, Warminster, Wiltshire BA12 7DS

- 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 Mrs & Mrs Campbell against the decision of Wiltshire Council.
- The application Ref 18/10459/FUL, dated 31 October 2018, was refused by notice dated 1 February 2019.
- The development proposed is the demolition of an existing outbuilding and the erection of a single dwelling and detached garage.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are as follows:

   (i) whether or not the location of the proposed development is acceptable, having regard to access to everyday services and facilities by sustainable transport modes and to the local and national planning policies on the location of housing; and

   (ii) the effect of the proposed development on the character and appearance of the site and the area.

Reasons

Location of the Proposed Development

3. Core Policy 1 (Settlement Strategy) and 2 (Delivery Strategy) of the Wiltshire Core Strategy Adopted January 2015 (WCS) direct new housing development to the identified principal settlements, market towns, local service centres and large villages, all of which have identified settlement boundaries or limits. At identified small villages, both core policies 1 and 2 support development that seeks to meet the housing needs of settlements or provide employment, services and facilities. This is subject to the development being 'infill' within the existing built up area and complying with the listed criteria in Core Policy 2.

4. Longbridge Deverill is identified in Core Policy 31 of the WCS as a small village. There is a degree of separation (some 30 metres or more) between the proposed buildings and the existing development off Sand Street. The development would not sit close to any other buildings within the vicinity, nor does it sit between existing development. It is not, therefore, reasonable to

conclude that the proposal would result in infill development within the existing built up area permitted by Core Policy 2 of the WCS.

5. Even if I had concluded that the development would be appropriate infill, in order to be compliant with the Council's settlement and delivery strategy (Core Policy 2), it must help meet the housing needs of settlements and improve employment opportunities, services and facilities . I have not been provided with any substantiated evidence demonstrating that there is a particular housing need in the village, or that the development would improve employment opportunities, services and facilities in the village. Whilst it is likely that the addition of the dwelling in the village would increase custom to the local store, petrol station and public house, any increase would be marginal and not likely to measurably improve those services and facilities.

6. In terms of access to every day services and facilities, the appeal site is located close to the junction of Sand Street with the main A350 into Warminster. The public house, petrol filling station and general store are all at this junction. I also observed a bus stop within the vicinity of the junction. The village is located over 3km from the edge of the main settlement of Warminster.

7. Being a small village, Longbridge Deverill is identified in the WCS settlement strategy as a suitable location for new development (subject to certain criteria, as mentioned above). Indeed, services and facilities at Longbridge Deverill have been drawn to my attention, along with the public transport links along the A350 to Warminster and other nearby villages. The appellants confirm that the bus service operates on a regular and daily basis.

8. Accordingly, occupiers of the development would have a degree of access to everyday services and facilities by sustainable transport modes and would not be solely reliant on the private car. The development would not, therefore, conflict with the objectives of core policies 60 and 61 of the WCS.

9. However, the development would be harmful to the Council's strategic settlement and delivery strategy. The strategy seeks to direct new development to principal and more sustainable settlements in the interests of sustainable development and to safeguard and enhance their strategic roles as employment and service centres. It allows new development in more rural locations only if that development improves the services, facilities and employment opportunities that support the rural economy. The development would not meet the objectives of the strategy. As such, it would be unacceptable and in conflict with core policies 1 and 2 of the WCS.

Character and Appearance

10. The appeal site lies within the Cranbourne Chase and West Wiltshire Area of Outstanding Natural Beauty (AONB), and paragraph 172 of the Framework makes clear that great weight should be given to conserving and enhancing its landscape and scenic beauty.

11. The general area in the vicinity of the appeal site is typical of a Greensand Terrace landscape character area in that it is predominantly agricultural land with some mixed woodland and some scattered farmsteads.

12. The appeal site itself is an expansive area, and whilst the vast majority is currently used as garden, there is a wooded area close to the A350. There is also a watercourse that is along the boundary of the site. The site is currently

occupied by a single storey low level building that is functional in appearance and relates more to a small scale rural use rather than a residential use.

13. As mentioned above, there would be a degree of separation between the proposed development and other buildings in the area. As such, the development would appear sporadic and would not accord with the prevalent pattern of development, that being close knit groups of buildings located close to the highway.

14. Furthermore, the proposed dwelling and carport would result in a substantial increase of built development when compared to the existing building, both in terms of their footprint and height. In this regard and in view of the detached location of these buildings, the proposal would result in an encroachment of residential development into the rural landscape surrounding the properties off Sand Street.

15. When viewed from the A350 the site is wholly rural in its appearance and from this view there is no hint of the current garden use of the site. Whilst the development would be set off the A350 and would be located behind the area of trees within the site, there would be some glimpsed views of the development from the A350 in the winter months. Furthermore, due to the need to provide the residential access to the site from the A350 through the trees, there would be an inevitable domestication of the access and the wooded area. The development would change the character of the site when viewed from the A350, from where the encroachment of residential development would be most appreciated.

16. To conclude, the proposed development would have an unacceptable effect on both the character and appearance of the area. It would fail to respect the existing character and form of the part of the village that is within close proximity to the appeal site. It would elongate the village along the A350 and would itself result in a sporadic form of development. The encroachment of residential development into the rural landscape setting of Longbridge Deverill would cause detriment to that landscape setting.

17. Accordingly, the development would fail to comply with Core Policy 51 of the WCS which requires development to relate positively to its landscape setting and the existing pattern of development. The development would also conflict with Core Policy 57 which states that development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character. The policy requires, amongst other matters, the conservation of the locally distinctive character of settlements and their landscape setting.

18. Furthermore, as the appeal site is in an area recognised for its outstanding natural beauty, I must give great weight to the conservation (and enhancement) of the landscape and scenic beauty of the area. Accordingly, the harm that would be caused by the proposed development to the landscape setting of the village would conflict with paragraph 172 of the Framework.

Other Matters

19. I note the comments of the appellants with regard to the lawful use of the site and the potential for further permitted residential development on the site. However, my determination of the appeal is on the basis of the development

that is before me and the effect that it would have on the existing situation. Whatever the lawful use of the site may be, it does not alter my conclusions in terms of the effect of the development on the character and the appearance of the area.

20. In support of the proposed development, my attention has been drawn to several planning applications. As limited information has been provided about these cases, I am unable to make an informed comparison between the proposed development in those cases and that subject of this appeal. Nevertheless, in the case that is before me I have identified harm in respect of the main issues, having considered the particular circumstances of the case.

21. I note the letters of support that have been submitted, in particular the support for the provision of an energy efficient home for a local family. Whilst this may be a benefit of the scheme, it does not outweigh the harm I have identified above. Furthermore, I have no reason to believe that the appearance of the site would deteriorate following the dismissal of the appeal.

Planning Balance and Conclusions

22. I have found that the proposed development would conflict with the development plan's strategic settlement and delivery strategy, that it would cause harm to the character and appearance of the area and also conflict with paragraph 172 of the Framework. These matters outweigh my findings regarding the accessibility of the site with regard to everyday services and facilities. Consequently, having regard to all other matters raised, I conclude that the appeal should be dismissed.

J Moss

INSPECTOR