
Appeal Decision

Site visit made on 16 March 2021

by J P Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 April 2021

Appeal Ref: APP/U3935/W/20/3264464

Banner Field, off Hinton road, Wanborough, Swindon, Wiltshire

- 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 Gallagher against the decision of Swindon Borough Council.
 - The application Ref S/OUT/20/0907/RACH, dated 21 July 2020, was refused by notice dated 16 October 2020.
 - The development proposed is the erection of 1 no. dwelling, detached garage, with associated access, vehicle parking and landscaping.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was submitted in outline, and included details of access, landscaping, layout and scale.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the area, including Wanborough Conservation Area and North Wessex Downs AONB and;
 - the potential to adequately deal with surface water disposal

Reasons

Character and appearance, Conservation Area and AONB

4. The appeal site is just outside and discernibly above Wanborough village. It is a grass field which slopes steeply, as part of an extensive escarpment and correspondingly, there are extensive open views northwards to a broad vale. The nearest building, a BT utilities facility, is softened by trees and hedges.
5. The appeal site lies just outside Lower Wanborough Conservation Area. The accompanying appraisal notes the linearity along the High Street, which is highlighted in the historic maps. There is also an informal mix of traditional buildings, which reflect the historic development of the village from its Saxon origins. The appraisal also notes the setting of the village below the chalk

scarp. Indeed, this scarp is one of the characteristics of the adjacent North Wessex Downs AONB.

6. The submitted LVIA shows that the site is visible from various public vantage points. The most notable is a nearby public footpath to the north of the site, which appears to be well used judging by the eroded surface. There is a largely open aspect of the appeal site from the footpath.
7. The proposed dwelling would have a large footprint and as the LVIA states it would be readily evident and prominent from the nearby footpath. From here the proposal would fundamentally change the character of much of the site from its otherwise open expanse of grassland. The dwelling would appear abrupt and intrusive. Similarly, the proposed access drive would be seen to the same effect.
8. The rear of the dwelling, patio and rear garden would face the footpath and its grounds would occupy a substantial area. This would lead to intrusive domestic paraphernalia and light pollution.
9. The LVIA does describe this as a localised view however the path is an attractive connection between Wanborough and the countryside. The dwelling would also be visible for a significant length and not just at a single point.
10. The proposal shows a hedge around the rear garden and access drive as well as copses either side of the dwelling. However, this landscaping would take a considerable time to mature and would not obscure all the dwelling or drive.
11. The dwelling would also be visible from the High St/Horpit/Burycroft crossroads, which the LVIA notes as viewpoint 14. The view is of the village and the site appears as its countryside fringe. The dwelling would spoil the verdant continuity of the scarp hillside.
12. The above view also shows the linearity of the village. This is a feature of the Conservation Area and reflects the historic importance of the through road. This linearity is also experienced from the footpath as the village appears contained as one leaves its confines and into the open countryside. This experience would be eroded by the proposal as the dwelling would appear to extend the village onto the hillside. Whilst the footpath to the north and appeal site are not within the Conservation Area, it is apparent that the village is contained in that historic linear context.
13. The Council has provided a recent appeal decision¹ for a dwelling to the rear of Woodlands, which is almost adjacent to this appeal site. The Inspector noted the linearity of the area in dismissing the appeal.
14. The appellant's statement suggests that there would be an improvement to the tranquillity by the cessation of recreational events and the proposal would result in the removal of a caravan and other paraphernalia. However, these would not offset the impact of the proposal.
15. I therefore conclude that the proposal would harm the character and appearance of the area, as well as the settings of the Conservation Area and AONB.

¹ APP/U3935/W/19/3241592

16. Policies DE1, EN5 and EN10 of the Swindon Borough Local Plan require proposals to respect the context of the site and features of importance, the distinctiveness of the landscape, avoidance of harm to views, protect the setting of the AONB and conserve the setting of heritage assets. Paragraph 172 of the National Planning Policy Framework (the Framework) requires great weight is given to conserving and enhancing the landscape and beauty in AONBs. Paragraph 127 states proposals should be sympathetic to local character and similarly paragraph 180 seeks to limit light pollution to landscapes. The proposal would be in conflict with these policies.
17. The proposal would cause less than substantial harm to the Conservation Area. Paragraph 194 of the Framework requires clear and convincing justification for any harm caused. Paragraph 193 requires great weight is given to the asset's conservation. Paragraph 196 requires that the benefits of the development are weighed against the harm, including the optimum use. The proposal would also conflict with the above.

Surface water disposal

18. The proposed dwelling and its access would lead to the replacement of the grass in part with hard surfaces. This has implications for the houses below given the pronounced slope of the site.
19. However, the proposed layout shows a substantial area would be left after the development to hold and drain the surface water, particularly as the house would be towards the higher part of the site. The surface water could also be directed away from the village towards the countryside. The driveway could also have a permeable surface.
20. I therefore conclude that the surface water drainage could be addressed by the submission and approval of detailed measures required by a condition.
21. Policy EN6 of the LP requires the use of SUDS and attenuation of surface water. The proposal would not be in conflict.

Planning Balance

22. The Council acknowledge that it is not meeting its housing land supply requirements. Paragraph 11 (d) of the Framework applies.
23. The dwelling would be an economic benefit through its construction and bring social benefits by providing a new home. The appellant's statement indicates that the dwelling would be an opportunity for self build which is an unmet demand. The dwelling would also make a contribution to housing land supply.
24. However, as I have found above the proposal would harm the character and appearance of the area, the settings of the Conservation Area and AONB. Accordingly, the proposal contravenes paragraphs 193, 194 and 196 of the Framework which confirm the significance of heritage assets and paragraphs 127, 172 and 180 highlight the importance of local character as well as the conservation and enhancement of the landscape and AONB. The land supply shortfall questions the Development Plan housing policies, but the general thrust of policies DE1, EN5, EN10 which seek to protect the locality, the conservation area and the landscape, is still an appropriate strategy.

25. In overall balance, I therefore conclude the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

Conclusion

26. I therefore conclude that the appeal should be dismissed.

John Longmuir

INSPECTOR