
Appeal Decision

Site visit made on 13 April 2021

by Helen O'Connor LLB MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 April 2021

Appeal Ref: APP/U3935/W/20/3253970

Land to the north of Hangar C2, Wroughton Airfield, Hackpen Lane, Wroughton, Swindon SN4 9NS

- 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 Steve Coen of ActionDrome UK Ltd against the decision of Swindon Borough Council.
 - The application Ref S/OUT/19/0346/SASM dated 13 February 2019, was refused by notice dated 5 February 2020.
 - The development proposed is the erection of business units for Classes B1 and/or B8 Use.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application is submitted in outline with all matters reserved for subsequent approval. I have considered the appeal on this basis, and have treated the block plan, floor plan and elevation plans provided as illustrative. Although these depict 9 units, this is not expressly mentioned in the appellant's description of development and therefore, I am mindful that there may be alternative ways of accommodating the proposed development.
3. The description of development refers to Class B1 which is a use class that has been replaced in recent amendments to the Town and Country Planning (Use Classes) Order 1987 (as amended). I have determined the appeal on the basis that it is proposed to use the business units for storage and distribution (Use Class B8) and/or uses equivalent to Class B1. This would include office use, research and development and light industrial processes.

Main Issues

4. The main issues are whether the site provides a suitable location for the development having regard to (i) local and national planning policies for economic development, (ii) accessibility and (iii) the effect of the development on the character and appearance of the area, having particular regard to the Downs Plains Landscape Character Area (LCA) and the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

Reasons

Local and national policies for economic development

5. Policy SD2 of the Swindon Borough Local Plan 2026, March 2015 (LP) sets out the sustainable development strategy for the borough and encompasses residential and economic development. It directs most development to Swindon's urban centre and allocated strategic sites. Development in rural areas is supported primarily at Highworth and Wroughton which represent the most accessible rural settlements. As such, economic development is supported within the rural settlement boundaries defined on the policies map.
6. Support for development in the countryside, outside of the rural settlement boundaries is limited to express exceptions in policy SD2. These include allocations in a Neighbourhood Plan, some expansion of tourism and visitor facilities or where other development plan policies specifically permit it. There is no dispute between the parties that the appeal site lies outside of the settlement boundary for Wroughton. Neither is it part of the appellant's case that the proposal falls within the exceptions listed in policy SD2. It follows that the proposal would conflict with the sustainable development strategy in the LP.
7. Paragraph 213 of the National Planning Policy Framework (the Framework) clarifies that development plan policies should be given due weight according to their degree of consistency with the Framework. Notwithstanding the absence of specific allocations for economic development in Wroughton, the sustainable development strategy sets out where it expects economic growth in the borough to take place, including rural areas. This generally accords with the national approach to supporting a prosperous rural economy set out in paragraphs 83 and 84 of the Framework.
8. The appellant highlights evidence associated with the preparation of the Swindon Local Plan Review that suggests jobs growth has not kept up with housing growth. He further points to the implications arising from the foreseeable closure of the Honda car making plant in Swindon. These will undoubtedly be factors that will need to be considered as part of the emerging development plan. The appellant acknowledges that in response, the emerging policies appear to be more flexible¹. Be that as it may, the emerging plan is at an early stage and will undergo further scrutiny and consultation, which may result in changes. Hence, it attracts little weight.
9. Accordingly, I find that the proposed location of the development would conflict with the adopted sustainable development strategy set out in policy SD2 of the LP.

Accessibility

10. Policy TR2 of the LP, amongst other things, stipulates that new development should be located to reduce the need to travel and to encourage the use of sustainable transport alternatives, particularly walking and cycling and provide the potential to maximise bus travel. This approach supports and is consistent with the sustainable development strategy in the LP. It further resonates with paragraph 102 of the Framework which states that transport issues should be considered from the earliest stages of plan-making and development proposals, so that opportunities to promote walking, cycling and public transport use are identified and pursued.

¹ Paragraph 6.3, Appellant's Appeal Statement

11. Although the exact floorspace and use distribution are not fixed, the appellant suggests the development would be in the order of 700sqm gross floor area². This is likely to generate a notable degree of transportation movement from employees attending their place of work and deliveries associated with goods and services provided.
12. The closest residential areas to the appeal site from which walking and cycling would be more feasible are of a limited size which considerably limits the prospect of future employees living there. There would be a much greater probability that future employees would derive from a wider catchment area and therefore, would have a range of travel requirements. The most direct route to and from Wroughton has steep sections, is generally unlit with limited surveillance and is narrow in parts. In addition, there is generally no footway. This would make pedestrians and cyclists feel vulnerable. Hence, due to the combination of conditions, terrain and distance the walking and cycling route would deter employees living in Wroughton from using it routinely to travel to work.
13. Bus services serving Thorney Park which is not too distant from the appeal site do provide a service to Swindon. However, buses are infrequent, and the appellant acknowledges³ that the site is not in the most sustainable location from a public transport viewpoint. Consequently, the service would not be sufficiently convenient to encourage or maximise bus travel as required by policy TR2.
14. It follows that many employees would be reliant on the private car in order to travel to work. Furthermore, there would be vans and lorries associated with the commercial and storage uses proposed. Although future business occupiers would not necessarily all seek to use the motorway, it is likely that a reasonable proportion would do so. The shortest route to the M4 from the appeal site is via Priors Hill. The steep, narrow and unlit nature of Priors Hill would make it unsuitable for additional routine commercial traffic. Furthermore, it is subject to a weight restriction which would require drivers of heavier goods vehicles visiting the site and using the public highway to find a longer alternative route to the M4.
15. Therefore, overall, the proposed development would have poor accessibility due to the limited opportunities to promote sustainable transport modes and the unsuitability of the local road network to cater for additional commercial traffic. This would conflict with paragraph 108 of the Framework which seeks to promote sustainable transport modes and ensure that safe and suitable access to the site can be achieved for all users.
16. The appellant contends that traffic generated by the proposal could instead use the private road running eastwards over which he has control, rather than Priors Hill and that planning conditions could be used to ensure management controls. However, even if a Travel Plan did include measures to encourage this routing, I have serious doubts that it would be practically enforceable. Monitoring arrangements in perpetuity could be onerous and it is not clear what repercussions would ensue if Priors Hill was used in contravention of any such Travel Plan. It follows that based on the information before me, I am not

² Paragraph 6.7 Appellant's Appeal Statement

³ Paragraph 6.11 Appellant's Appeal Statement

persuaded that a condition to require such a travel plan would be enforceable and thereby pass the requisite tests set out in paragraph 55 of the Framework.

17. My attention is drawn to the lack of objection from the Highway Authority in relation to a previous outline planning application⁴ at the site for 14 dwellings. Although this proposal was ultimately refused, he considers that the traffic movements would be comparable to the scheme before me. However, the nature of traffic generated by the proposed economic development would be likely to contain larger and heavier vehicles to that associated with residential development. Moreover, a weight limit has since been imposed on Priors Hill to prevent its use by Heavy Goods Vehicles. Given these differences, the comments of the Highway Authority in relation to the earlier scheme are of limited weight. In any event, I have determined the proposal on its own merits.
18. The Highway Authority accept that appropriate vehicular visibility splays could be achieved and that the site could provide suitable levels of parking and manoeuvring, and I agree that these are matters that could be secured as part of a reserved matters application. Nevertheless, this would not address nor outweigh the more fundamental harm I have identified relating to the accessibility of the appeal site.
19. Therefore, I find that the site would not provide a suitable location for the development having regard to accessibility and it would be contrary to the locational requirement in policy TR2 of the LP.

Character and appearance

20. The appeal site lies adjacent to the former Wroughton Airfield which is within the LCA and AONB. The Landscape Character Areas, Supplementary Planning Guidance, December 2004 (SPG) describes the Downs Plains LCA as an open landscape with large field patterns and isolated, scattered forms of development. The North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2014-2019⁵ refers to Wroughton Airfield as a dominant and defining feature of the area. My observations were that the special and sensitive character of the AONB at this point is derived in part from the sweeping views of the open landscape with few trees and the singular distinctive appearance of the former airfield and associated buildings.
21. The appeal site comprises areas of hardstanding, vegetation and remnants of built form between two large hangars which are now in alternative uses. Although somewhat overgrown, its general appearance is in keeping with the context of the airfield. By respecting the character of the airfield, it makes a small positive contribution towards the character and appearance of the area and special qualities of the AONB.
22. The illustrative proposals show a simple block building with a flat roof and generally utilitarian appearance, reminiscent of an ancillary functional structure. This is reinforced by the remnants of a building on the site indicating the previous presence of a structure in a similar location. The modest scale and low key profile of the building illustrated would appear subordinate to the significantly larger hangars to the north and south, and its U shape would result in a symmetrical configuration of the overall group of buildings.

⁴ Planning reference S/OUT/16/0412/HC, Appendix 3, Appellant's Appeal Statement

⁵ Section 8.5

23. In addition, the relative scale and siting of the structure between the existing hangars and presence of other large buildings to the west would mean that it would have an inobtrusive presence in this context particularly in longer views. As such, the illustrative plans show that the development could be designed so to prevent harm to the character and appearance of the wider landscape.
24. The Framework stipulates that great weight should be given to conserving and enhancing landscape and scenic beauty in the AONB. The modest scale of the illustrated proposal accords with paragraph 172 which states that the scale and extent of development within an AONB should be limited. Moreover, it aligns with the development considerations in the SPG which states, amongst other things, that proposals should reflect the existing pattern of isolated units through an open, dispersed development pattern and ensure that scale and massing is restrained and low key.
25. My view is reinforced by the comments of the Council's Landscape Officer who raised no primary landscape objection to the outline proposal⁶. Given his specialism his comments attract considerable weight.
26. I have had regard to the findings of the Inspector in a previous appeal decision⁷ for 14 houses at the site who found that the site was open, allowing views across the former airfield to the countryside beyond. Nevertheless, the proposal in that case involved residential development that would have been domestic in nature and uncharacteristic with the airfield setting. For the reasons already outlined, that would differ from the scheme before me which would be sympathetic to its context. Hence, this decision is of limited weight.
27. Therefore, I find that the proposal would not be harmful to the character and appearance of the area, having particular regard to the LCA and AONB. It follows that the proposal would not conflict with policy EN5 of the LP which seeks to protect landscape character and historic landscape. Neither would it conflict with policy HE1 of the Wroughton Neighbourhood Plan 2016-2026, April 2016 which requires new buildings at the former Wroughton Airfield to respect the scale and massing of the historic structures.

Other Matters

28. The proposal would bring economic benefits through the generation of jobs and associated activity, as well as during the construction period. Whilst there would be potential for providing employment to local people, this could not be guaranteed. Moreover, the size of the site would mean that the development would be relatively modest which in turn would curtail the extent of the resulting benefits. Representations in support of the proposal suggest that there is a shortage of small business units locally. Be that as it may, as the proposal is an outline application, the layout may not correspond with the 9 smaller units shown. Hence, overall, the economic benefits attract moderate weight in favour of the proposal.
29. There is no dispute that the site is previously developed land, the reuse of which is supported by paragraph 117 of the Framework. Whilst paragraph 118 indicates that substantial weight should be given to cases of using suitable brownfield land within settlements for homes and other identified needs, for the reasons already outlined above, that is not shown to be the case in this

⁶ Consultation response dated 26.3.19

⁷ Appeal reference APP/U3935/W/16/3164945

instance. Moreover, paragraph 122 indicates that in considering development that makes efficient use of land, account should be taken of the scope to promote sustainable travel modes that limit future car use. Accordingly, overall, the use of previously developed land in this case attracts limited weight.

30. The appellant asserts that the proposal would amount to an environmental improvement in the AONB. However, the appeal site presently makes a small positive contribution to the character and appearance of the area. Although no harm would result to the AONB due to the proposal, this would be required to make the proposal policy compliant. Therefore, this is a neutral factor in the planning balance rather than a benefit.

Planning balance and conclusion

31. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise⁸. The moderate weight given to the cumulative benefits would not justify my determining the development other than in accordance with the adopted development plan and there are no other material considerations that would lead me to find otherwise. Hence, for the reasons given above, I conclude that the appeal should be dismissed.

Helen O'Connor

Inspector

⁸ Section 38(6) Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990.