



Appeal Decision

Inquiry Held on 7 – 10 December 2021 (in person) and 25 January 2022 (Virtual)

Site Visits made on 17 November and 14 December 2021

by J Wilson BA (Hons) BTP MRTPI DMS

an Inspector appointed by the Secretary of State

Decision date: 04 August 2022

Appeal Ref: APP/Y3940/W/21/3276908

Land to the North of Bath Road, Pickwick, Corsham, SN13 0BT

- 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 Care UK against the decision of Wiltshire Council.
 - The application Ref 20/08255/FUL, dated 12 October 2020, was refused by notice dated 21 May 2021.
 - The development proposed is the construction of an 80-bedroom care home (Use Class C2), with associated access, parking, landscaping, and site infrastructure.
-

This decision is issued in accordance with section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 08 April 2022.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the submission of the appeal, the Government has published a revised National Planning Policy Framework (the Framework) (July 2021). The parties were aware of the publication and referred to the updated version within their evidence. I am satisfied that both parties were fully aware of these changes.
3. I held a Case Management Conference (CMC) online on 16 August 2021. At the CMC the following matters were covered: the main issues were identified, how the evidence would be dealt with at the Inquiry; the submission of statements of common ground; the listing of core documents; the timetable for submission of documents along with other procedural matters.
4. Statements of Common Ground (SoCG) were submitted to address specific matters, including transport, care home need, and planning matters. A separate SoCG was submitted relating to the 5-year housing land supply (5YHLS) and this was updated in the days leading up to the Inquiry.
5. It is clear the Council cannot demonstrate a five-year supply of housing land as required by the Framework and this is not disputed by the parties. Nonetheless the extent of the shortfall was disputed and is a matter to which I will return.
6. The Council have clarified in evidence that issues relating to reasons for refusal 1 and 3, namely the need for a care home development and ecology matters had both been resolved. I deal with these matters below.

7. Prior to the Inquiry the appellants requested that a substitute plan relating to an alternative treatment to the access and car parking area be consulted upon and considered as part of the appeal. The Council objected to the substitution of an amended plan and I have therefore proceeded on the basis of the layout plan on which the Council made their decision.
8. The Council is in the process of preparing a new Local Plan, however this is at a very early stage of preparation and is not sufficiently advanced to be a consideration in this appeal such that any weight can be afforded to it.

Main Issues

9. The main issues are:
 - a) Whether the proposed development would preserve the character or appearance of the Pickwick Conservation Area (PCA);
 - b) Whether the proposed development would preserve the setting of the PCA;
 - c) Whether the proposed development would preserve the settings of adjacent listed buildings;
 - d) if harm is identified to heritage assets, whether any such harm would be outweighed by public benefits arising from the proposal.

Reasons

Development Plan Policy

10. The Development Plan in force includes the Wiltshire Core Strategy, 2015 (the WCS), the Wiltshire Housing Site Allocations Plan, (the WHSAP) 2020, the Corsham Neighbourhood Plan, made in March 2019 (the CNP), and the 'saved' policies of the North Wiltshire Local Plan 2011, adopted June 2006 (the LP).
11. Under the parameters of the WCS the site is not allocated for development and lies beyond the boundary of Corsham. Consequently, it lies in open countryside for the purposes of planning policy and as such there would be some conflict with Core Policies CP1 CP2 and CP11 of the WCS. However, the site is in a location generally accepted as being sustainable. The principle of development on the site for a care home turns on whether the exceptional circumstances within Core Policy 46 (CP 46) of the WCS exist. That policy provides for specialist accommodation outside of, but adjacent to, the principal settlements and market towns subject to specific criteria. These relate, amongst other things, to considerations of scale, character, and the setting of the settlement. Accordingly, compliance with Policy CP 46 is dependent on those matters being satisfied.
12. The 'Planning for Corsham' consultation document was referred to in relation to the developing policy for the area in connection with the appeal site. Whilst that document indicates that there may be potential for development on the western part of the site that is not what is proposed here. In any event this is emerging policy which may or may not be progressed in the future as further assessments of suitability are required. Such early consideration of potential future policy does not have any bearing on this appeal and I therefore give the document little weight.

Character and Appearance of the Conservation Area and whether or not the PCA is preserved

13. The site is an open field at the northern edge of the settlement of Corsham. Part of the site lies in the PCA, one of two CA's in the town. Views across the site are from the A4 Bath Road (the A4) along the site frontage and from residential properties at 15/17 Pickwick; from Woodlands (to the west) and from The Ashes and Copperfield (to the east). The field boundaries incorporate vegetation and mature trees, some of which are within adjacent properties. The site is a pleasant green space which forms a gap in the street scene and affords views to open land to the north.
14. The view directly to open farmland beyond the appeal site from the A4 and the PCA is also visible from the approach to the site along the northern end of Priory Street. The appeal site contributes to the integrity of the PCA and to the character of the area by reinforcing the historic setting in this part of the PCA.
15. The Council established in cross examination that such undeveloped gaps were 'rare' in Pickwick. Third parties described the site as a 'special remnant' of green within the PCA. I saw on my visit that built form over the years has resulted in Pickwick being generally built up and conclude that visual green gaps are few in number from the A4 frontage. The CNP identifies a key view to the northeast along Priory Street. From the approach to the appeal site at the northern most end of Priory Street and from the frontage of the site on the A4, views across the site are essentially rural or semi-rural in nature.
16. Older historic buildings adjoin the site to the south and to the opposite side of the A4 which gives a rich tapestry of built form. Whilst the site itself is an open field, buildings to the south, include listed properties which contribute to the significance of the PCA. The open and verdant characteristics of the site are integral to the PCA and to its setting.
17. The scale of a building is defined in the National Design Guide¹ as the height, width, and length of a proposed building in relation to its surroundings but also the scale of their parts in relation to how a space is experienced. Part xi of CP 46 of the WCS is consistent with this assessment and is a key part of whether exceptional circumstances for specialist accommodation are demonstrated.
18. The structure would undisputedly be large with a width of over 50metres and a depth of over 60metres. The appellants accepted that it was a large building but argued it would not be perceived as such due to the design approach which seeks to minimise the bulk and massing through the use of 'glazed' connecting links between structures of domestic proportions. However, when examined in detail those glazed links would serve residential accommodation which would not afford views through or beyond the building. In practice the links would be flat roofed elements finished in contrasting materials with opaque glass cladding recessed only marginally from the main elevations. Cumulatively the building would have very significant proportions which the glazed links would do little to diminish.
19. That part of the site which is within the PCA would be utilised for access and car parking spaces which, even with the modest landscaping intended, would

¹ National Design Guide – Planning practice guidance for beautiful enduring and successful places MHCLG (2021) (Now DLUHC)

fail to preserve or enhance the character or appearance of the PCA contrary to the expectations of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 (the Act) causing significant harm to the character of PCA in this location. Paragraph 199 of the Framework states that when considering the impact of a proposed development on the significance of a Designated Heritage Asset (DHA), great weight should be given to an asset's conservation. Paragraph 200 goes on to state that any harm to, or loss of, the significance of a DHA, including from development within its setting, should require clear and convincing justification.

Setting of the PCA

20. It is accepted that the footprint of the built form would be beyond the PCA boundary. Nonetheless the overall size, position, and impact of the structure would have a substantial effect on the setting of the PCA in this part of Pickwick where the site in its current undeveloped state makes a very positive contribution to its setting and thus its significance. Such an outcome fails to meet the expectations of Framework paragraphs 199 and 200 which anticipates great weight being given to the conservation of DHAs and their settings.
21. Whilst there is no criticism of the detailed design of the building per se, the impact of the scale and mass of the proposed building would not simply encroach onto this space, but the remaining space would also be dominated by it. Views across the site from the PCA to open land beyond would be eliminated.
22. From the frontage of the site the proposed care home would be highly visible. Even though it would be set back from the road it would not be characteristic of the buildings around it. Whilst views of the site from further along the A4 in particular viewpoints B - F and viewpoints K and L² would not afford views across the site. The loss of the visual gap across the site, as appreciated from within the PCA, would be significant and harmful and that loss would again fail to conserve the setting of the PCA compounding conflict with the Framework as identified above. Though these views should not be confused with a direct view of the original Hartham Park Estate, but rather to the wider and more recently acquired land which has been added to the Estate. This lies immediately to the north of the appeal site but does not have any historical significance of its own.
23. Consequently, for all of the above reasons the appeal proposal would not be of a scale appropriate to the nature of the settlement of Corsham in a localised context. Neither would it respect the character or setting of the settlement. As such the development would not represent the exceptional circumstances for the provision of specialist accommodation required by CP 46 of the WCS.
24. For these reasons the proposal would conflict with Policies CP 46, CP 57 and CP 58 of the WCS. These policies seek, amongst other things, to ensure that development is of a scale and type appropriate to the nature of the settlement; that it enhances local distinctiveness by responding to the value of the historic environment and that it conserves the special character of conservation areas. As identified above, the proposals would fail to preserve the PCA, contrary to the expectations of the Act and an outcome the Courts anticipate being a matter of considerable importance and weight. They would also fail to meet the

² Page 166 of appendices to Mr Cook's POE and agreed as viewpoints for Site Visit itinerary.

expectations of paragraph 199 and 200 of the Framework, which anticipates great weight being given the conservation of DHAs and their settings.

25. In reaching this conclusion I have had regard to the representations made to the Inquiry, both in support of and against the scheme, in respect of the content of the Pickwick Conservation Area Appraisal, which the appellants argued at the Inquiry had been redrafted following the submission of the appeal scheme to specifically oppose it. The document contains valuable information and a detailed history of the relationship between buildings within the PCA and provides a useful narrative in the appreciation of the historical evolution of Pickwick. However, this document is not sufficiently advanced to be afforded weight in relation to this appeal as it does not have the status of adopted guidance.
26. I also note the support given by the Councils' urban design advisor to the detailed design and materials proposed for the scheme. This did not however appear to focus on the effect of the scale and massing of the building in its wider context, a matter on which I have reached a different conclusion given the evidence before me.

Listed Buildings

27. This part of Pickwick is characterised by attractive historic buildings mainly along Bath Road (the A4). Many of these buildings are listed though there are examples of modern residential development to the west of the appeal site and to the east at Copperfield and The Ashes.
28. The front part of the site and the Grade II Listed Buildings at Nos.17/19 Pickwick (Nos.17/19) lie within the PCA boundary. A further listed building No.15 Pickwick (known as Mead Cottage) is located to the northeast of the appeal site. These are the DHAs to which the reasons for refusal refer and my considerations address.
29. Core Policy 58 of the WCS is also relevant in its aims to protect, conserve and where possible, enhance the historic environment. As mentioned above the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to an asset's conservation with any harm to, or loss of, the significance of a designated heritage asset, including from development within its setting, requiring clear and convincing justification. Moreover, section 66 of the Act makes clear that the decision maker (when considering the grant of planning permission) shall have special regard to the desirability of preserving the building or its setting, again a matter the courts have adjudged a consideration of considerable importance and weight.
30. Within this context Mead Cottage is set to the far side of its mature garden from the appeal site. It is screened by substantial landscaping and whilst there are views towards it from the appeal site there are minimal views to the upper floor windows which are barely visible from the appeal site. To my mind, given this relationship the setting of Mead Cottage would be unaffected.
31. Numbers 2A and 2B Pickwick have been referred to in evidence however these listed buildings do not feature in the reasons for refusal. They are located on the opposite side of Bath Road to that of the appeal site. On the basis of the

- evidence their setting and significance would be unaffected by the appeal proposal.
32. Numbers 17/19 Pickwick are a pair of modest cottages dating from the late C17 and early C18 of painted rubble stone with stone tiled roofs. The appeal site wraps around the side and rear of these cottages. It was clear from the evidence given to the Inquiry and from my site visit that the tranquil and rural character of the appeal site makes an important contribution to the setting of these listed buildings. The main part of the field may not have any historical significance of its own however its contribution to the setting of the listed buildings would be manifestly changed by the appeal proposal and its loss to development of the scale proposed would be harmful to their setting. That harm would be 'less than substantial' as defined in paragraph 199 of the Framework, which makes clear that great weight should be given to any harm irrespective of the extent of that harm to the significance of the heritage asset.
33. There would be no alteration to the physical structure of Nos.17/19, though the construction of a significantly large structure in close proximity, and which would also involve the location of a large bin store to the rear of the garden to No.19 would far exceed the proportions of vernacular buildings in the vicinity of the site which are predominantly detached dwellings and modest historic cottages. The physical changes, which would result changing from a rural field to an access and car park, would unquestionably have a dominating and harmful effect on the setting of these cottages. The incongruence of the development would also erode the rural space and stray well beyond the linear building pattern characteristic in Pickwick. Given this context the scale of the appeal proposal would dominate Nos.17/19 Pickwick causing harm to their setting.
34. I have carefully considered the rationale put to me that the appeal proposal was set back to preserve a sense of visual relief which was argued to be something that the appeal scheme's bespoke design had specifically borne in mind. However as there is no alternative access to the site, placing a building across the frontage would not, to my mind, have been feasible and would in any event have had an even greater impact on the listed buildings. The careful placing of the building to the rear of the site to preserve a sense of visual relief as argued to be the motivation for the design is unconvincing.
35. It was argued that there is a numerical scale on which harm could be measured however this approach seeks to impose a granularity to the assessment required by paragraph 199 of the Framework which is simply not present. To the contrary, Framework paragraph 199 states that great weight should be given to an asset's conservation irrespective of the extent of the harm caused.
36. Furthermore, my statutory responsibilities under section 66 of the Act require that I take account of the desirability of preserving listing buildings and their settings.
37. Taking all these factors into account the setting of the listed buildings would not be preserved or conserved, and the rural and tranquil nature of their settings would be lost. It would irreparably alter the way in which the listed buildings at Nos.17/19 are experienced, changing from a rural to a distinctly urban setting. The characteristics of the setting of the listed buildings would be harmed and that harm would be significant.

38. Consequently, the proposal would fail to meet the expectations of the Act that their setting be preserved, and those of the Framework which anticipated great weight being given to the preservation of those settings. Additionally, the proposal would also conflict with Policies CP57 and CP58 of the WCS; to Policies HED1, and ED1 of the CNP and to the provisions of the Framework. These policies, amongst other things, require developments to make a positive contribution to enhance local distinctiveness by responding to the historic environment. They also require that important views into the site are retained and enhanced, and that developments should respect the scale and character of the historic built fabric, protecting conserving, and where possible enhancing the historic environment. Though in Framework terms the harms can be described as 'less than substantial' they are matters to which I attach great weight.
39. In reaching this conclusion I have had regard to the fact that the barn to the front of the site would be renovated as part of the scheme along with the frontage boundary wall and traditional iron gate. Though no detailed specification has been provided these features would benefit from some restoration which could be secured by a planning condition though such work would not alter my conclusion in relation to the overall impact of the development.
40. Moreover Paragraph 202 of the Framework requires that where 'less than substantial harm' occurs it should be weighed against the public benefits of the proposal, I will consider these in relation to the heritage and planning balance below.

Housing Land Supply

41. The PPG makes it clear that provision of housing for older people including residential institutions as part of Use Class C2 can be counted as part of the housing land supply. In evidence it was accepted that it would be the equivalent of provision of approximately 40 homes.
42. Evidence to the Inquiry highlighted that the Council cannot demonstrate a 5YHLS and this fact was not disputed. However, the extent of the shortfall was contested. The Council and the appellants undertook discussions in the lead up to the Inquiry to narrow their differences and presented an updated position prior to the opening of the Inquiry. The Council maintained a figure of a 4.49-year HLS and the appellants a revised figure of 4.10 years. This difference of 0.39 years rested on the interpretation as to whether particular sites were considered deliverable. The Inquiry was taken to the detail of a number of sites³. From the evidence given it emerged that many of the contested sites had issues which undermined their deliverability. Equally recent activity indicated that progress is being made on at least one key site.
43. A very recent appeal decision affecting three housing sites in Malmesbury was brought to my attention by the Council who also examined these same sites in terms of deliverability. That appeal concluded that there was a 4.41-year supply and I was invited to agree with that finding. Consents granted in the intervening period have an effect on the supply, and it is a fluid and changing situation. However, considering the evidence presented at this appeal and that

³ listed in the final housing land supply statement of common ground dated 6/12/21

of the findings in the Malmesbury appeals which are generally consistent, I have no basis on which to disagree with the figure of 4.41 years HLS.

44. The figures between the parties are not far apart but both do represent a shortfall. The parties were not in agreement as to the weight to be given to the shortfall. I note that recovery of the housing supply in Wiltshire is ongoing, and the most recent Housing Delivery Test figure for Wiltshire of 141%⁴ indicates a positive position. Taking all these factors into account I consider the shortfall arising from a 4.41-year HLS should be attributed moderate rather than significant weight.

Other Matters

45. Even though the Council withdrew its first reason for refusal relating to care home need, evidence was given to the Inquiry regarding the local need for care home provision. This was not contested. I discuss the benefits that should be attributed to this provision later.
46. The boundary of the Cotswolds Area of Outstanding Natural Beauty (AONB) is some 600metres to the north of the appeal site though it is no part of either case that the AONB would be affected. I have on the basis of the evidence concluded that there would be no conflict with CNP policy E3.
47. In advance of the Inquiry the Council withdrew its third reason for refusal relating to ecology on the basis of the provision of additional information. Despite the proximity of the site to the Bath and Bradford-On-Avon Area of Conservation (SAC) the Council did not present evidence at the Inquiry regarding any harm to the SAC, subject to the SoCG and specific requirements outlined in the suggested planning conditions. I have had regard to the submitted detailed evidence in relation to the site's use by bats and the measures by which the proposal could enable continued use without harm or disturbance from aspects such as lighting or developing too close to hedgerows. There is however no need for me to consider the implications upon the SAC because the proposed development is unacceptable for other reasons
48. Numerous appeal decisions have been referred to and I have had regard to these in my deliberations. Nonetheless the decision I have reached is on the basis of the evidence as it relates to the circumstances of this particular case. This is in the context of the findings of the many other appeal cases to which my attention has been drawn via the core documents.
49. There were a number of other concerns raised by interested parties in their responses and verbal representations to the Inquiry. These can be summarised as concerns regarding increased traffic and congestion, parking pressures outside of the site, concerns over lighting and noise generation as well as additional pressures on public transport and local infrastructure and ecology. Detailed information on acoustics traffic and lighting were submitted by the appellants in response to verbal evidence. Parts of that evidence were challenged and the appellants provided technical documents to address matters of concern. I am satisfied these matters could have been addressed via planning conditions had I been minded to allow the appeal.

⁴ 2021 HDT Final result -.gov.uk

Public Benefits

50. The Framework at paragraph 202 states that *where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal*. The appellants set out a range of benefits and I assess these below.
51. The provision of accommodation for the elderly is a social benefit. It is provision which the Framework highlights and is also a recognised need which the Planning Practice Guidance (PPG) identifies as critical. This development would create specialist accommodation for a vulnerable group; indeed, it would provide end of life care and would increase the choice of accommodation locally. In consequence it would free up housing in the community on a recurring basis as it would accommodate those who can no longer take care of themselves in their own homes and for those who require specialist nursing care. Moreover, there is an acknowledged qualitative and quantitative need for care home provision in this locality which is recognised as both serious and urgent. The development would therefore contribute to meeting housing need both in Corsham and Wiltshire as a whole.
52. I have had regard to the arguments made by the appellants about the Councils trajectory of recovery in relation to its housing supply and have weighed these alongside the appeal decisions cited regarding the weight given in other appeal decisions to public benefit of this type of housing provision. I consider that this would be the case notwithstanding the relatively recent identification of the Council's housing land shortfall and its progress shown in the latest HDT figures. Accordingly, the contribution that the scheme would make to housing delivery in this locality would represent a public benefit to which I attribute significant weight.
53. The associated economic benefits from the construction phase, albeit temporary, and longer-term economic input from the future employment of staff at the care home are acknowledged though on the basis of the evidence I attribute moderate weight to them in support of the scheme.
54. It was argued that the scheme would reduce pressure on local community and health facilities as individuals would receive 24-hour care on the site. However, it was accepted that there would be a need for doctors to attend the site. The type of accommodation proposed is for specialist end of life care though I am not persuaded on the basis of the evidence before me in this case that there would necessarily be reduced pressure on local health facilities to the extent that this factor would be a separate public benefit.
55. Heritage benefits are listed by the appellants to be the repair and restoration of the barn putting it into an optimum viable use. In questioning there was no definitive answer as to the precise intended use nor was there any detail given other than intended elevational treatments which were indicated on the plans. It was however accepted that a schedule of works to the existing barn could be dealt with by the imposition of a condition and it was generally accepted that works to the barn would consolidate the structure and may secure its future. Similarly, the repair of the stone wall and iron gate which fronts the site could be secured via conditions though I emphasise that as existing features in the PCA their consolidation and or repair would bring little change to the PCA and in these circumstances, I attribute limited weight to that benefit.

56. It was argued that the development would make optimum use of the site and that a dementia specific care home would be a more appropriate and efficient use of the space than 15 dwellings. However, there is no commitment to 15 dwellings on this site, reference to that figure relates to a very early policy analysis of whether the site would be appropriate for development. The encouragement found in paragraph 125 of the Framework to ensure optimal use of the potential of each site is noted however this is a theoretical comparison. On this basis the benefit argued to be derived from an 'optimum use' carries minimal weight.
57. The appeal site and its immediate surroundings are not subject to any landscape designation, this was not disputed at the Inquiry. Equally the site does not form part of a valued landscape for the purposes of paragraph 174 of the Framework. This is not to say however, that it has no value. Indeed, its current undeveloped character is clearly valued by local residents. Landscape impact was not an issue raised in the Council's reasons for refusal and they did not give evidence at the Inquiry whereas the appellants presented landscape evidence in support of the scheme in relation to benefits.
58. Landscape effects are generally defined as the effects of a proposal on the landscape as a shared public resource, with the quality and value of a landscape determining its capacity to absorb change. Visual effects relate to how people would be affected by changes to views and visual amenity at different locations. In the National Design Guide⁵ landscape is defined as the treatment of land for the purpose of enhancing or protecting the amenities of the site, the area in which it is situated and the natural environment.
59. The landscape benefits argued by the appellants relate to the provision of '*significant green infrastructure and the high-quality design of the built form*⁶'. Whilst the landscaping proposed would soften the treatment of the site in the context of the nature and extent of the appeal proposal. It would not, in my view, represent a specific benefit in terms of any wider landscape effect particularly as the site is currently undeveloped and affords views to the wider landscape to the north which would be lost as a result of the development. Landscaping on the site would be provided to soften and mitigate the development rather than enhance the wider setting. On the basis of what I have read, seen and heard; I am unconvinced that significant green infrastructure would be provided by the development nor that the design of the building per se would be a landscape benefit. I therefore attribute minimal weight to this claimed benefit.
60. In relation to ecology and biodiversity net gain the proposals before me represent mitigation in relation to the development rather than particular benefits.

Heritage and Planning Balance

61. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the appeal must be determined in accordance with the development plan unless material considerations indicate otherwise. Development which would conflict with and undermine the strategy of an approved development plan and the Framework when taken as a whole would, in planning terms, be harmful.

⁵ National Design Guide 1/10/19 – Ministry of Housing Communities and Local Government - now DLUHC

⁶ Appellants closing submissions

62. The effect of the Council not having a sufficient housing land supply to meet its needs means that the policies which are most important for determining the application are out-of-date, and so the Framework's 'tilted balance' can apply. However, paragraph 11 d) i. of the Framework states that the presumption in favour of sustainable development should be engaged unless the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole. Importantly, footnote 7 includes policies relating to the protection of designated heritage assets, a significant if not defining factor in this appeal. Given this conflict the presumption in favour of sustainable development does not apply.
63. In considering the benefits of the scheme as required to do by paragraph 202 of the Framework, I have found that there would be a number of benefits from the development which together form a weighty consideration in my decision, including the provision of much needed specialist housing. However, set against these benefits are the significant harms I have found to the PCA, its setting and to the settings of adjacent listed buildings, all of which, both individually and cumulatively I have apportioned substantial or great weight. Taking all of these matters into account the public benefits of the proposal would not, either individually or collectively, be sufficient to outweigh the collective harms to DHAs and their settings which would result from the development.

Conclusion

64. The material considerations in this case when taken as a whole do not justify taking a decision other than in accordance with the adopted development plan and the Framework. For the reasons outlined above and having regard to all other matters raised, the appeal is dismissed.

J Wilson

INSPECTOR

ANNEX A: APPEARANCES

FOR THE APPELLANT:

Mr Charles Banner, of Queens Counsel instructed by Mr Andrew Riley of Dominic Lawson Bespoke Planning.

He called:

Mr Philip Lewis of KW Architecture – Scheme Design
Mr Andrew Cooke of Pegasus – Townscape and Visual Impact
Mr Neil Tiley of Pegasus - Five Year Housing Land Supply
Mr Nigel Newton Taylor of Healthcare Property Consultants - Care Home Need
Ms G Stoten of Pegasus on Heritage
Mr Andrew Riley of Dominic Lawson Bespoke on Planning matters

FOR THE LOCAL PLANNING AUTHORITY:

Mr Hashi Mohamed of Counsel - instructed by Wiltshire Council

He called:

Mr Guy Bentham-Hill of Wiltshire Council – Heritage
Mr Chris Roe of Wiltshire Council – Housing Land Supply
Mr Andrew Miles of LPC Trull Ltd – Planning

Third Parties/Local residents

- i. Mr M Whitelaw - resident
- ii. Ms H Belcher - Wiltshire and Corsham Town Councillor
- iii. Mr S Abbott - Corsham Town Council (Chair)
- iv. Mr T Clark - Pickwick Association
- v. Mr D Taylor - Pickwick Association
- vi. Mr C Johnson- Pickwick Association (Chair)
- vii. Mr S Bonser - resident
- viii. Mr M Plaice- resident (read by Ms A King in his absence)
- ix. Mr L St. Croix - resident
- x. Ms N Emerson - resident
- xi. Ms R Hopkinson - Wiltshire and Corsham Town Councillor

ANNEX B: DOCUMENTS SUBMITTED DURING THE INQUIRY

Doc 1	Suggested Conditions
Doc 2	Opening Submissions Mr C Banner QC on behalf of the appellants
Doc 3	Opening Submissions Mr H Mohammed on behalf of Wiltshire Council
Doc 4	Speaking notes - Councillor Neville Farmer
Doc 6	Speaking notes - Mr Matthew Whitelaw
Doc 7	Speaking notes - Mr White
Doc 8	Speaking notes - Councillor Belcher
Doc 9	Speaking notes - Mr Steve Abbot (Chairman Corsham Town Council)
Doc 10	Speaking notes - Mr Tony Clark (re Pickwick Conservation Area Appraisal)
Doc 11	Speaking notes - Mr David Taylor
Doc 12	Speaking notes - Mr Larry St Croix
Doc 13	Powerpoint presentation - Mr S Bonser
Doc 14	Speaking notes Mr C Johnson (Chair of Pickwick Association) including traffic analysis information
Doc 15	Speaking notes by Ms Ali King – statement read on behalf of Mr Mac Plaice
Doc 16	Speaking notes Ms Nicola Emerson
Doc 17	Speaking notes Councillor Ruth Hopkinson
Doc 18	Transport technical note (Appellants)
Doc 19	Acoustic technical note (Appellants)
Doc 20	Lighting Technical note (Appellants)
Doc 21	Historic England’s Comments relating to the Pickwick Conservation Area Appraisal (PCAA) 16/12/21 – Response to the earlier version of the PCAA
Doc 22	Pickwick Conservation Area Appraisal 2019 (to which Historic England comments refer)
Doc 21	Attendance Lists – face to face sessions December 2021
Doc 22	Electronic copies of the Appellants technical notes prepared by the Appellants in response to third party contributions
Doc 23	Third Party responses to technical notes
Doc 24	Appellants final responses to third party comments on technical notes
Doc 25	Revised list of conditions agreed by Council and Appellants
Doc 26	Closing submissions on behalf of Wiltshire Council
Doc 27	Closing submissions on behalf of the Appellants