



Appeal Decision

Site visit made on 15 November 2022

by M. P. Howell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 December 2022

Appeal Ref: APP/Y3940/W/22/3302392

Land south of Whittonditch Road, Ramsbury, Marlborough SN8 2PX

- 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 Wendy Davies against the decision of Wiltshire Council.
 - The application Ref PL/2021/10698, dated 12 November 2021, was refused by notice dated 16 May 2022.
 - The development proposed is the erection of new dwelling, car parking, access, landscaping and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Landscape and Visual Appraisal Statement (LVA) includes a layout plan showing the siting of a dwelling, a proposed garage and log store, which is different to the proposed development subject of the appeal. For reasons of clarity, in determining the appeal I have had regard to the proposed dwelling and its siting as indicated on drawing reference S054.3F, and not as shown in the LVA. However, in reaching my decision I have had regard to the LVA insofar as it provides an appraisal of the site context and considers the visual impact of a dwelling in a similar location to that proposed.

Main Issues

3. The main issues in this appeal are: -
 - Whether the proposed development would provide a suitable location for housing, with regard to the Council's housing strategy and
 - The effect of the development on the character and appearance of the area, including the conservation and enhancement of the landscape and scenic beauty of the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

Reasons

Suitable location for housing

4. The site closely adjoins but is located outside of the defined settlement boundary of Ramsbury, a Large Village, as defined in the Wiltshire Core Strategy 2015 (CS). Large Villages are defined as settlements with a limited range of employment, services and facilities. As the site lies outside any

residential settlement boundary, it is defined for planning purposes as being in the countryside.

5. Core Policies 1 and 2 of the CS set out the settlement and delivery strategy for Wiltshire. Core Policy 14 of the CS lists the recognised settlements for planning purposes for the Marlborough Community Area. It indicates that 920 new homes will be provided, 680 of which should occur at Marlborough and 240 in the rest of the area. There is a general presumption against development outside the defined limits of the Principal Settlements, Market Towns, Local Service Centres and Large Villages.
6. The proposed development is for a single market dwelling on an undeveloped parcel of land, outside of the defined limits of the Large Village of Ramsbury. As the proposed dwelling is outside the defined limits of Ramsbury, it would be an unjustified form of residential development.
7. Paragraph 80 of the National Planning Policy Framework (the Framework) permits isolated homes in the countryside in certain circumstances. This includes rural worker dwellings, securing a use for a heritage asset and enabling development, conversions of redundant buildings, subdivision of residential buildings and designs of exceptional quality. However, the site is not a remote location. Accordingly, the site is not 'isolated' for the purposes of paragraph 80 of the Framework. In any event, it is not indicated in the evidence before me that any of the exceptions set out in Paragraph 80 apply.
8. I acknowledge the appellant's contention that the site would be accessible for a rural location and the development may support services in a village nearby in line with paragraph 79 of the Framework. However, the proposal is of a scale where support to services in adjoining rural areas would be limited. Furthermore, the CS remains to be the adopted plan and contains a settlement hierarchy that was soundly based on an assessment of the size and function of settlements as well as the facilities they contain. To allow new build housing in this location would be contrary to the policies of the development plan, which undermines the Council's development spatial strategy.
9. Accordingly, the appeal site is not in a suitable location for housing, with regard to the Council's housing strategy, and would be contrary to Core Policies 1, 2 and 14 of the CS, which directs residential development to existing settlement boundaries of towns and villages in rural areas to achieve a sustainable pattern of development, and limit development outside of settlement boundaries to justified exceptions. The proposed development would also be contrary to the housing policies contained in Section 5 of the Framework.

Character and Appearance

10. The site is adjacent to the main road on the periphery of the settlement of Ramsbury. The settlement boundary at this point can be defined by Halfway Lane, where dwellings to the east of the Lane (beyond the settlement boundary) are sparse, with only four properties present on this side of the Road, with significant gaps maintained between each. To the west of the Lane, the built form to the south of Whittonditch Road are predominately detached dwellings within spacious plots, with smaller spaces in between. The dwellings front the road but have a set back and are positioned at a lower level, providing views of the countryside beyond. The distinct pattern of development within the settlement, in combination with lower position of the dwellings contributes

positively to the rural character and appearance of the village and the wider AONB.

11. The land itself is an undeveloped parcel of grassed land, accessed off Whittonditch Road, with Halfway Lane adjoining the western boundary. It is located between neighbouring dwellings 'Halfway' and 'Whitton Lodge', albeit the gap between these properties is sizeable. It is a sloping site, falling away from the Road, which provides visual relief from the built form and extensive views of the countryside beyond. As such, the site contributes positively to the rural character and appearance at the edge of the village and the landscape and scenic beauty of the AONB.
12. The proposed dwelling would be detached and positioned largely in line with the immediate neighbours to the eastern side. It would front Whittonditch Road in a spacious plot, with a scale, design and materials that would not be objectionable. However, its siting means the dwelling would be prominently positioned close to the road, in the gap between 'Halfway' and 'Whitton Lodge', visually interrupting the space as well as the undeveloped character of the site. It would also consolidate the more sporadic nature of development along this section of Whittonditch Road, eroding the rural character at the edge of the settlement.
13. I acknowledge that the implementation of landscaping may in the long term soften the visual impact of the proposal on the wider landscape, but the introduction of the proposed development at the appeal site would still result in the erosion of the rural character of the site, which is a component part of the character at the edge of the village settlement, particularly when viewed from Whittonditch Road. Furthermore, paragraph 176 of the Framework sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in AONB's, which have the highest status of protection. As such, although the proposal would result in only localised visual harm to the quality of the village settlement in the AONB, it would still fail to conserve or enhance the landscape and natural beauty of the AONB. In reaching this conclusion, I have had regard to the findings of the LVA submitted in support of the proposal.
14. I have also had regard to the appellant's position that the proposal would comply with the overall spatial strategy of Core Policy 2, which permits infill¹ development within the existing built area of 'small villages' subject to certain criteria. However, the dwelling would be sited in a sizeable, rather than a small gap and would consolidate the sporadic and informal nature of the built form along this part of Whittonditch Road, contrary to the Core Policy 2 criteria for infill developments.
15. Accordingly, the proposed development would adversely impact on the character and appearance of the area, including the conservation and enhancement of the natural beauty of the AONB. The proposed development would be contrary to Policies 51 and 57 of the CS, which seek amongst other things, to conserve and enhance the locally distinctive character of settlements and their landscape settings. Furthermore, the scenic and natural beauty of the North Wessex Downs AONB should be protected, conserved and where possible enhanced. In reaching this conclusion I have also considered Section 15 and paragraphs 176 of the Framework.

¹ Paragraph 4.29 of Core Policy 2 indicates '*infill is defined as the filling of a small gap within the village that is only large enough for not more than a few dwellings, generally only one dwelling.*'

Other Matters

16. I have had regard to the AONB officer not objecting to the proposed scheme and the Landscape Officer providing a no comment. However, for the reasons set out above, I am of the view that the proposed development would be harmful to the character and appearance of the area and fails to conserve the landscape and scenic beauty of the AONB.
17. It has been highlighted that sites available within the village are limited and the Council has considered greenfield sites adjacent to the boundary edge as part of a background paper 'Empowering Rural Communities Paper' for a new local plan. In view of this paper, it is contended that the site represents an appropriate way to grow the village. However, I have not been provided with this background paper and the full details of the appraisal. In any event, at this time, the settlement boundary is clearly defined, and the proposed development would conflict with the Council's housing strategy set out in the adopted CS.
18. I acknowledge that there are representations from residents supporting the proposal. Although I note the issues raised, from what I saw on my site visit, the land did not appear unkempt or untidy. Despite the level of support shown, this does not outweigh the harm identified to the conflict with the Council's housing strategy and character and appearance of the area.

Planning Balance and Conclusion

19. The main parties agree that the Council cannot demonstrate a 5-year housing land supply. In such circumstances, the Framework makes it clear that the most important policies for determining the application are out of date in the terms set out in paragraph 11d) and footnote 8 of the Framework. Thus, permission should be granted unless, as set out at paragraph 11(d)(i), the application of policies in the framework that protect areas or assets of particular importance provides a clear reason for refusing the proposal; this includes, as set out in footnote 7, Areas of Outstanding Natural Beauty. As I have found that the proposals would cause harm to the AONB, the tilted balance is not engaged.
20. Nevertheless, the shortfall in housing land supply is small, and although the contribution that one new dwelling could make to the local housing stock is a benefit, it would be limited. I also note that there would be social and economic benefits from the construction of the new dwelling, in terms of additional expenditure in the local economy and the creation of construction jobs. There would also be some long-term expenditure in the local economy from future occupiers using services and facilities within the locality. However, these benefits are small, and do not outweigh the significant harm I have identified to the conflict with the housing strategy or the character and appearance of the area.
21. For the reasons given above and taking into account the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be dismissed.

M. P. Howell

INSPECTOR