



Appeal Decision

Site visit made on 2 May 2023

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5th May 2023

Appeal Ref: APP/Y3940/W/22/3309083

16 Loophill, Bromham, Wiltshire SN15 2JH

- 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 Nigel Townsend against the decision of Wiltshire Council.
 - The application Ref PL/2022/05545, dated 19 July 2022, was refused by notice dated 30 August 2022.
 - The development proposed is separation of land and erection of detached dwelling, garage and parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A plan showing the possible siting of the proposal has been provided. However, given that the application is in outline, with all matters reserved, I have treated this plan as being only illustrative.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the area; and whether the proposal meets the settlement strategy of the Development Plan, having regard to access to services and facilities.

Reasons

Character and Appearance

4. The area consists of Loophill, a short ribbon of dwellings located in countryside to the south of the village of Bromham. The site forms steeply sloping land to the side of 16 Loophill (No 16), the end property of a small terrace. The site is divided from the surrounding countryside by close boarded fencing and hedging. It contains stables, a caravan and other structures.
5. There are open fields to the front, side and rear of the site, and the buildings within it have a simple, low-key and rustic appearance. The application is in outline, but a two-storey dwelling is intended and could be designed to reflect others nearby. However, a dwelling here would inevitably result in additional built form being erected on the site, together with the domestic paraphernalia associated with it, such as hardstanding and children's play equipment.
6. Moreover, the site is at the end of a row of dwellings. As such, rather than 'rounding off' the existing buildings or infilling a gap, the proposal would permanently extend the existing ribbon of development further into the

countryside. This physical encroachment and domestication would harmfully diminish and undermine the rural character of the area. This is particularly the case given that public views of it would be obtainable from Church Hill Road and surrounding footpaths, as well as from Loophill itself.

7. There is an existing mobile home to the rear of No 16, currently occupied by the appellant's family, but who are moving to a new dwelling approved adjacent to 14 Loophill (No 14). Even if the mobile home were to remain after being vacated, and regardless of its planning status, its relatively discrete location to the rear of No 16 means that its effect on the character and appearance of the area is relatively limited. As such, its removal would not be sufficient to justify the harm caused by the proposal.
8. For the reasons given above, the proposal would harm the character and appearance of the area. As such, it would be contrary to Core Policy 57 of the Wiltshire Core Strategy (WCS), adopted January 2015, which requires development to be complimentary to the locality and to make a positive contribution to the character of Wiltshire. Similarly, it would also conflict with the requirement of the National Planning Policy Framework (the Framework) to recognise the intrinsic character and beauty of the countryside. As such, I give this conflict significant weight.

Strategy, Services and Facilities

9. WCS Core Policy 1 sets out the Council's strategy for development, which it focuses towards settlements within defined boundaries, to provide for the most sustainable pattern of development and to reduce the need to travel. In locations outside of a settlement boundary, development is strictly controlled. WCS Core Policy 2 makes clear that only in specific circumstances will new development be permitted outside these limits.
10. The site is separated from Bromham village by fields and is outside of any settlement boundary. The appellant believes that the site constitutes previously developed (brownfield) land. Even so, the proposal is for an unrestricted market dwelling, and so it would not constitute one of the limited types of development supported by WCS Core Policies 1 and 2 in locations outside of settlement boundaries. It would therefore conflict with these policies.
11. The village has a few albeit limited facilities, including a bus service, public house and a butcher's shop. Access from the site to the village can be achieved using Loophill and Church Hill, but both roads have no footway and are not lit. Furthermore, Church Hill is steeply graded and Loophill is largely unmade. There is a shorter, direct footpath connection to the village, but this is also undulating, unlit and unpaved. As a result, the routes to Bromham would not be a suitable means of travel at night, in inclement weather, or for those with limited mobility.
12. Given these limitations, future occupiers of the proposal would be reliant on private vehicles for many day-to-day services and facilities, as would their visitors and deliveries. Such reliance would ultimately cause environmental harm because the proposal would not be located where it would contribute to a cumulative reduction in harmful greenhouse gas emissions, or to an improvement in air quality and public health.

13. Consequently, the proposal would not be suitable for housing and would not meet the settlement strategy of the Development Plan, having regard to access to services and facilities. As such, it would be contrary to WCS Core Policies 1 and 2. It would also conflict with WCS Policies 60 and 61, which encourage sustainable travel and require the location of development to reduce the need to travel by private car. The Framework has a similar aim and I therefore give this conflict significant weight.

Other Considerations

14. The Council accepts that it cannot currently demonstrate a five-year housing land supply. As such, the Council's housing policies are deemed out of date and it is necessary for me to determine whether the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits inherent in providing an additional dwelling to assist the Council in addressing its undersupply, as set out in paragraph 11 of the Framework.
15. I have found conflict with WCS Core Policies 1, 2, 57, 60 and 61 which are consistent with the Framework. Against that, the proposal would make a positive contribution to the supply of housing on a small site that could be delivered quickly. Its future occupants would make a positive social and economic contribution, and construction of the proposal would bring economic benefits. It could also be developed to high environmental standards. However, due to the proposal being for only a single dwelling, these benefits would be relatively small and so I give them limited weight.
16. I am told that permission for a dwelling at the site was refused in 1968 for similar reasons as now, but that other dwellings have been built locally since then. However, I have few details of these decisions or the reasoning behind them. As such, I can draw few parallels between them and the proposal, and so I give them very limited weight. I have also taken into account the support of the Parish Council for the proposal, but I have reached my own conclusions for the reasons set out above.

Planning Balance and Conclusion

17. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission, and therefore appeals, must be determined in accordance with the development plan, unless material considerations indicate otherwise.
18. I have identified that the proposal would conflict with the character and appearance of the area. It would also conflict with the settlement strategy of the Development Plan having regard to access to services and facilities. For the reasons given, I consider that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.
19. I have found conflict with the Development Plan, read as a whole. The material considerations in this case do not indicate a decision other than in accordance with it. This leads me to conclude that the appeal should be dismissed.

O Marigold

INSPECTOR