



Appeal Decision

Site visit made on 9 April 2024

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 April 2024

Appeal Ref: APP/Y3940/W/23/3331187

Land south of Abberd Lane and east of Spitfire Road, Calne, Wiltshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Michael Plimmer of Robert Hitchins Ltd against the decision of Wiltshire Council.
 - The application Ref is PL/2023/01007.
The development proposed is a new Local Centre comprising a Class E(f) day nursery and Class E(a) convenience store, with associated parking, access and landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Since the appeal was made, a revised National Planning Policy Framework (the Framework) has been published. Although I have made my determination against the updated national policy context, the relevant changes to the Framework are not fundamental to matters which are determinative to the outcome of this appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site consists of an agricultural field, lined with hedgerows. Nearby is recently built housing, and the site is now at the rural edge of Calne. There is an attenuation pond within part of the appeal site which blends in reasonably well to the natural landscape. The site has other man-made features, such as a gravel track and an access point installed for a previous use as a contractor's compound. Nevertheless, there is little evidence of this use, and the site is largely free of built development. As such, although not within a designated sensitive landscape, it has an attractive rural appearance which provides a degree of visual relief from the urban development nearby.
5. The proposal seeks to erect a single-storey building providing a day nursery and convenience store, with associated parking, access and landscaping. The form, shape and massing of the proposal largely follows the requirements of the operators, but its design and materials are intended to reflect the new housing opposite. In this context, the elevational design of the proposed building would have an acceptable appearance. However, although set into the

- ground, the proposal would be in a broadly central position within the field, leaving large undeveloped open areas to the field boundaries.
6. The 'left over' areas are shown on the plans as a future development plot, intended for housing. However, a planning application¹ for dwellings including within these areas was refused by the Council in March 2024. The site and its immediate surroundings are outside of the defined development boundaries in the Wiltshire Core Strategy (WCS), adopted January 2015. Nor are they allocated for retail or housing uses in the emerging Pre-Submission Draft Local Plan (PSDLP). Consequently, it is by no means certain that the land surrounding the site will be built upon, and so the proposal may well be a stand-alone feature in the long-term.
 7. For the reasons given above, the layout of the proposal would fail to reflect the existing natural landscape features. As a result, the scale and mass of the built form of the proposal would appear as an arbitrary and jarring incursion into the field. The Landscape and Visual Assessment identifies that the site has a medium-low visual and landscape character sensitivity and can accommodate change without significant effects on the wider landscape.
 8. However, it also finds that the site contributes to some extent to the desirable landscape characteristics of the local area, with value in its openness. From close positions, such as Viewpoints 1 and 2, there would be views of the built form of the proposal albeit filtered by trees and hedgerows. However, the existing and proposed enhanced landscaping would be less effective as screening in winter months. In any case, parts of the proposal, its siting and the undeveloped areas would be visible from the access point, car park and turning areas, at all times of the year. Accordingly, in my view, its negative landscape and visual effects would be of medium magnitude.
 9. For these reasons, I conclude that the proposal would harm the character and appearance of the area. It would therefore conflict with WCS policies 51 and 57 and Policy NE2 of the Calne Community Neighbourhood Plan (NP), made February 2018. These policies identify the importance of the rural edges of towns and require a positive response, including to landscape features. They also require sensitive design and conservation of the transition at the urban fringe. Framework Paragraph 135 requires that development is visually attractive, including in respect of its layout. As such, I give this conflict substantial negative weight.

Other Considerations

10. The proposal would deliver both a children's nursery and a local convenience store to the area. They would bring appreciable employment benefits both during construction and subsequently. They would also provide an improved retail offer and a nursery facility, thus potentially reducing the need for residents to travel further. The NP identifies the need for local top-up shopping facilities for recent developments in Calne. Its Policy W3 supports proposals that add to the distribution of neighbourhood convenience shops, albeit subject to compliance with other Development Plan policies.
11. Since the publication of the NP, an additional retail facility (Spar) and Post Office has opened at James Avenue, not far away. The proposal may well affect

¹ LPA reference PL/2022/07893

this facility, particularly if additional housing and a nearby employment and industrial allocation is not forthcoming. The Framework seeks to guard against the loss of shops meeting day-to-day needs, but also encourages a competitive economy. Although their customer catchment areas may overlap, the proposal would also provide convenience shopping for other new housing development further from the Spar shop, such as around Sand Pit Road.

12. The Council accepts that there is a need for an additional convenience retail facility. The PSDLP identifies an alternative location for a local centre. However, it is at an early stage. Having regard to Framework paragraphs 48 to 50, I give the PSDLP only limited weight. The proposal would not be so significant as to undermine the plan-making process and so prematurity does not apply. Consequently, for the reasons given above, I give moderate positive weight to the retail and economic benefits of the proposal. I also give limited positive weight to its ecological benefits.
13. Consistency of decision-making is important. At pre-application stage and during the application itself, the Council and its officers were supportive of the proposal. However, the circumstances have changed somewhat since then with regard to the surrounding land. In any case, I have reached my own conclusions on the proposal. The Council's handling of the application has not therefore had a bearing on my decision.

Planning Balance and Conclusion

14. For the reasons given, I have found conflict with the Development Plan as a whole. The material considerations in this case do not indicate a decision other than in accordance with the Development Plan. This leads me to conclude that the appeal should be dismissed.

O Marigold

INSPECTOR