
Appeal Decision

Site visit made on 5 February 2025

by **R Kent BA (Hons) MTP DipM MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 9 April 2025

Appeal Ref: APP/Y3940/W/24/3354426

Land to the south of 1 Townsend, Great Cheverell, Devizes SN10 5TL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by PF & JE Andrew against the decision of Wiltshire Council.
 - The application Ref is PL/2024/02073.
 - The development proposed is a “pair of dwellings.”
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal scheme relates to an outline proposal with all matters other than access reserved for future consideration. I have therefore considered the submitted layout plan as purely illustrative and have determined the appeal accordingly.
3. The National Planning Policy Framework (the Framework) was revised in December 2024 after the appeal was submitted. The parties have had the opportunity to comment on the 2024 Framework and I have taken those comments into account. In its response the Council confirmed that it now has 2.03 years' worth of housing land supply. The Framework was updated again in February 2025 and I have also taken into account those further changes in so far as they are applicable to this appeal.

Main Issues

4. The main issues are
 - The effect of the development on the character and appearance of the site and its surroundings, and
 - Whether the proposed dwellings would be in a suitable location having regard to the spatial strategy in the development plan for the distribution of housing, with particular reference to best and most versatile agricultural land.

Reasons

Character and appearance

5. The site is a field on the southern edge of the village. Immediately to its north is a ribbon of 2 storey houses on the western side of Townsend, a rural lane, which

leads into the village. School playing fields lie beyond its western boundary separated from the site by a short belt of evergreen trees. Immediately to the south is a small group of agricultural buildings, beyond which, on the eastern side of the road, is a detached house. Beyond this to the south is open, rolling countryside comprised of fields and woodland.

6. Development of the site would extend the existing ribbon of houses along the western side of Townsend southwards. This would have the effect of elongating the village into the countryside beyond those houses. Furthermore, the proposal would consolidate the loose knit nature of the pattern of development on the southern fringe of the village by developing the field which separates the existing houses from the farm buildings and separates Townsend from the school playing fields. As a consequence, it would not respond positively to the existing pattern of development.
7. The site and the road slope southwards towards the main road. The fall in levels means that at its southern end Townsend is set between embankments which, together with the road side hedge and farm buildings, limit views of the site from Townsend approaching the site from the south. Whilst the development would be clearly visible from the east and when passing it along the road, longer views from the west and north would be filtered by the existing houses to the north, the belt of trees on the playing field boundary, existing hedgerows and the group of farm buildings. Overall, with sensitive design, landscaping and layout, the harm caused to the rural character and appearance of the countryside arising from the proposed development would be moderate.
8. For these reasons, the development of the site would harm the character and appearance of the site and its surroundings. This would conflict with Wiltshire Core Strategy 2015 (WCS) Core Policies 2 (Delivery Strategy), 51 (Landscape) and 57 (Ensuring high quality design and place shaping).

Location

9. Great Cheverell contains a number of facilities, including a local shop, a pub and church along High Street to the north of the site and the village primary school, village hall and play area to the north west closer to the appeal site.
10. To reach the facilities at the northern end of High Street from the appeal site would entail walking along Townsend and then High Street, neither of which have a footway for much of their length. As a consequence, pedestrians walking from the site to the facilities would be required to walk along the carriageway along parts of both roads. However, both Townsend and High Street have a 20mph speed limit for sections of each road which makes the route more conducive to use by pedestrians and cyclists as well as to existing residents within the village seeking to use the local facilities.
11. Access can also be gained from Great Cheverell to services and facilities in larger settlements from bus stops on High Street. Nevertheless, future occupants of the development would still be likely to use the private car for access to employment, secondary schools, health care and shopping facilities.
12. Although the location of the site just outside the village means that future occupiers would have access to a reasonable number and range of facilities within walking and cycling distance and by public transport to larger settlements, the

location of the site in the countryside nevertheless means that the development does not accord with the settlement strategy for Wiltshire.

13. Land categorised as grade 1 in the Agricultural Land Classification falls within the definition of best and most versatile agricultural land (BMV) in the Framework. Whilst it is not referred to in the development plan policies, it is recognised in paragraph 187b) of the Framework as one of the wider benefits arising from natural capital and ecosystem services. Whilst the site is small with an area of 0.13ha, the loss of BMV would nevertheless be harmful.
14. For the reasons given, the site would not be in a suitable location having regard to the settlement strategy in the development plan. It would therefore be in conflict with WCS Core Policies 1 (Settlement Strategy), 2, 12 (Devizes Area Strategy), 60 (Sustainable transport) and 61 (Transport and new development).

Other Matters

15. As the proposal is in outline form, the quality of the design would be addressed at the reserved matter stage if the appeal were to be allowed. Similarly, the effect of the development on the living conditions of the occupants of No 1 Townsend and its solar panels and the effect of No 1 on the living conditions of future occupants of the proposed dwellings are also matters which could be addressed at reserved matter stage.
16. Whilst the development could have the benefit of providing low cost accommodation for local people, including agricultural workers, there is no legal agreement before me to provide for affordable housing. Therefore, little weight can be given to the suggestion that the site might provide affordable housing for local people.
17. The proposed access would require the provision of visibility splays and the Council has suggested a condition be imposed to secure these in the event that the appeal were to be allowed. From the evidence, it would appear that the suggested splay to the north would impinge on the hedgerow abutting Townsend beyond the northern site boundary. This would raise issues regarding the reasonableness and enforceability of the suggested condition. However, in view of my conclusions on the main issues, it is not necessary for me to consider this matter in further detail.

Planning Balance

18. The proposed development would cause moderate harm to the character and appearance of the site, result in some limited harm caused by the loss of BMV and cause moderate harm to the WCS strategy to promote sustainable development. The proposal therefore conflicts with Core Policies 1, 2, 12, 60, 61, 51 and 57.
19. The Council can only demonstrate 2.03 years supply of deliverable housing sites which is well below the minimum level required. Consequently, with reference to paragraph 11 d) of the Framework, consideration of the presumption in favour of sustainable development is required.
20. Set against the harm I have identified, the delivery of two additional homes would be a moderate benefit of the proposal given Wiltshire's housing land supply position. The Framework highlights that small sites such as this can make an important contribution to meeting the housing requirement in the area and are

often able to be built out relatively quickly. Therefore, this benefit carries moderate weight in favour of the proposal. There would also be moderate short-term economic and social benefits of the proposal during its construction, with longer-term economic and social benefits upon occupation should future occupiers use the services in the village. These also attract moderate weight in favour of the proposal. The suggestion that the proposal would have the benefit of providing low cost accommodation for local people carries little weight in the absence of a planning obligation to limit the occupancy of the proposed dwellings.

21. The WCS forms the development plan for the area containing the appeal site. The location of the development in the countryside results in conflict with the policies referred to above. Paragraph 232 of the Framework makes it clear that due weight should be given to existing policies according to their consistency with the Framework. Whilst Core Policies 1, 2, 12, 60, 61, 51 and 57 are generally consistent with the Framework, the Council's housing land supply of only 2.03 years means that they are deemed to be out of date for the purposes of the Framework.
22. The Framework recognises the intrinsic beauty and character of the countryside including the role of BMV and promotes sustainable transport, including ensuring that safe and suitable access can be achieved for all users. It makes clear that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Whilst the Framework also recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, Core Policies 60, 61, 51 and 57 are consistent with the Framework. The conflict with those policies therefore carries substantial weight in this appeal. The shortfall in the Council's housing land supply however means that the conflict with Core Policies 1, 2 and 12 carries only limited weight.
23. Nevertheless, whilst the proposed development would accord with other policies in the Development Plan, I am satisfied that the conflicts with Core Policies 1, 2, 12, 51, 57, 60 and 61 means there would be conflict with the development plan when taken as a whole.
24. Applying footnote 7 of paragraph 11d) i. of the Framework, there are no policies in the Framework that protect areas or assets of particular importance relevant to this appeal. In these circumstances, paragraph 11 d) ii. of the Framework requires that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
25. The development would not be in a sustainable location and would conflict with the Framework's policies for promoting sustainable development. It would also conflict with the Framework's policies for conserving and enhancing the natural environment as a result of the harm caused to the rural character and appearance of the countryside and the loss of BMV.
26. The moderate benefit of providing two additional dwellings on the edge of the village would accord with the Government's objective of significantly boosting the

supply of homes and the moderate economic benefit would be consistent with the Framework's policy to build a strong and competitive economy. However, the harm caused by the conflict with the policies to safeguard the character of the countryside and promote sustainable development in rural areas would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

27. The proposal would not be sustainable development and conflicts with the development plan. The material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed

R Kent

INSPECTOR