REPORT TO EASTERN AREA PLANNING COMMITTEE **Report No.**

Date of Meeting	25th January 2024
Application Number	PL/2023/07628
Site Address	Park House, Clench Common, Marlborough, SN8 4DU
Proposal	A single new sustainable development dwelling at the land behind Park House. Proposed access via approved planning application (PL/2022/08144) for proposed stables and access. A custom build for a 3 bedroom with 2 parking bays.
Applicant	Mr Nick Herridge
Town/Parish Council	FYFIELD AND WEST OVERTON
Electoral Division	Marlborough West
Grid Ref	53.593639, -5.551065
Type of application	Full Planning
Case Officer	Meredith Baker

Reason for the application being considered by Committee

This application has been brought before the Committee at the request of Councillor Jane Davis should the application be recommended for refusal, on the basis a debate about the sustainability of the location of the development occurs.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material consideration, and to consider the recommendation that the application be refused planning permission.

2. Report Summary

The proposed development would result in the erection of one dwelling outside the recognised Limits of Development in conflict with the Settlement Strategy for Wiltshire as set out in Core Policy 1 and Core Policy 2 of the Wiltshire Core Strategy and is furthermore considered an isolated home contrary to the aims and commentary within Paragraph 84 of the National Planning Policy Framework (NPPF). The harm of the proposed development would significantly and demonstrably outweigh its benefits when assessed against the NPPF.

It is also deemed that by reason of its siting, design and arrangement of the proposal, the development would be harmful to the visual amenities of the area and to landscape character. Furthermore, the proposal would be introducing new built form with a new orientation which is not following the existing form of the area in the special rural landscape of the North Wessex Downs National Landscape and would not enhance or preserve the special rural character or appearance of the designation. As such the development is considered contrary to Core Policies 51 and 57 of the Wiltshire Core Strategy and the NPPF.

The development furthermore seeks to use an unsafe access onto the public highway which is considered substandard for an increased/residential use and would be harmful to highway safety. The access proposed would result in vehicles accessing the highway in close proximity

to a bend in the road with unsatisfactory visibility splays. This use of this vehicular access for the residential use associated with the proposed development is therefore considered to give rise to unacceptable highway safety issues and would be contrary to Core Policies 57 and 61 and the NPPF.

Finally, by reason of the distance to local services, facilities and amenities, the proposal would result in a heavy reliance of use of the private motor transport for the majority of day-to-day activities in conflict with the principles of sustainable development and the aims of reducing the need to travel, contrary to Core Policies 60 and 61 of the Wiltshire Core Strategy and the NPPF.

3. Site Description

The application site comprises the rear portion of the existing residential plot of Park House. The land is currently being used as residential garden and has several mature trees. The application site is located in a rural area, with the cluster of buildings forming Clench Common to the northeast. The site is washed over by the North Wessex Downs National Landscape.

Below is an extract from the submitted Location Plan that shows the context of the site.



4. Relevant Planning History

PL/2023/02983 – Proposed dwelling on land behind Park House with proposed access via approved planning application (PL/2022/08144) – Withdrawn 02.06.2023

PL/2022/08144 – Erection of timber stables on a concrete pad with an area of hardstanding. Improvement to field access – Granted 13.12.2022

5. The Proposal

The application seeks planning permission for the erection of a new, two-storey, three-bedroomed property with associated hardstanding within the rear garden of the existing dwelling of Park House. The dwelling would be a 'H' shape with a mix of two storey and single storey elements. The proposed external materials would comprise oak weatherboard cladding walls on a brick plinth, with sections of the brickwork extending the full ground floor height, and Phalempin red handmade roof tiles (in Val de Seine (104) colouring).

Proposed scheme:



East Elevation



West Elevation



North Elevation



South Elevation

6. Planning Policy

National Planning Policy Framework (NPPF) (2023)

Section 2 (Achieving sustainable development)
Section 4 (Decision-making)
Section 5 (Delivering a sufficient supply of homes)
Section 7 (Ensuring healthy and safe communities)
Section 9 (Promoting sustainable transport)
Section 11 (Making effective use of land)
Section 12 (Achieving well-designed and beautiful places)
Section 14 (Meeting the challenge of climate change, flooding and coastal change)
Section 15 (Conserving and enhancing the natural environment)

Planning Practice Guidance (PPG)
National Design Guidance

Wiltshire Core Strategy (WCS):

Core Policy 1: Settlement Strategy
Core Policy 2: Delivery Strategy
Core Policy 14: Marlborough Community Area
Core Policy 41: Sustainable Construction and Low Carbon Energy
Core Policy 44: Rural Exceptions Sites
Core Policy 45: Meeting Wiltshire's Housing Needs
Core Policy 48: Supporting Rural Life
Core Policy 50: Biodiversity and Geodiversity
Core Policy 51: Landscape
Core Policy 57: Ensuring High-Quality Design and Place-Shaping
Core Policy 60: Sustainable Transport
Core Policy 61: Transport and Development
Core Policy 62: Development Impacts on the Transport Network
Core Policy 64: Demand Management

Other Documents and Guidance

Waste Storage and Collection: Guidance for Developers
Revised Wiltshire Planning Obligations Supplementary Planning Document (October 2016)
Wiltshire Local Transport Plan 2011 – 2026 – Car Parking Strategy (March 2011)
North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2019-2024
Wiltshire Character Assessment

7. Consultation responses

Fyfield and West Overton Parish Council: "Support."

Ecology Officer: No objection subject to conditions.

Highway Officer: Objection.

8. Publicity

The application has been advertised by letter to local residents and by site notice. Two third party representations have been received in support of the application. One representation

outlining that they consider the eco proposal submitted would be a benefit and would enhance the area.

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Principle of Development

- Wiltshire Core Strategy (WCS)

Core Policy 1 'Settlement Strategy' of the WCS outlines a settlement strategy which identifies the settlements where sustainable development will take place to improve the lives of all those who live and work in Wiltshire. Core Policy 2 'Delivery Strategy' of the WCS outlines there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages and development should be restricted to within the limits of development other than in exceptional circumstances (in circumstances as permitted by other policies within this plan, identified in paragraph 4.25).

The site lies within the open countryside and is not part of any built-up settlement.

Core Policy 2 states that development outside of the limits of development will only be permitted where it has been identified through community-led planning policy documents including neighbourhood plans, or a subsequent development plan document which identifies specific sites for development. Development proposals which do not accord with Core Policy 2 are deemed unsustainable and as such will only be permitted in exceptional circumstances under the exception policies of the WCS. In this instance the proposal would not fall within any of the exception policies as it is not a rural exception site nor a conversion or re-use of a rural building. As such, the proposed development is considered unsustainable in location and is contrary to the housing policies of the Core Strategy.

National Planning Policy Framework

The NPPF is a material consideration in the decision-taking process. The NPPF sets out the Government's planning policy for England and places sustainable development at the heart of the decision-taking process incorporating objectives for economic, social and environmental protection. These objectives seek to balance growth and local community needs against protection of the natural, built and historic environment.

For rural housing, paragraphs 82-84 of the NPPF are the most relevant to the consideration of this proposal for a new dwelling. Paragraph 83 of the NPPF states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the viability of rural communities. Furthermore, Paragraph 84 of the NPPF states that planning decisions should avoid development of isolated homes in the countryside unless one or more of the following circumstances apply:

a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;

c) the development would re-use redundant or disused buildings and enhance its immediate setting;
d) the development would involve the subdivision of an existing residential building; or
e) the design is of exceptional quality, in that it:
- is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

In addressing the proposed development, the first consideration is whether the site is in an isolated location. The NPPF does not provide a definition of what constitutes 'isolated' development. Therefore, in considering whether or not the current application site is 'isolated', reference has been given to case law. Braintree DC v SSCLG [2018] Civ 610 ('the Braintree case') considered the assessment of isolation. The term 'isolated' was considered by the Court of Appeal who upheld a High Court decision that concluded the word 'isolated' should be given its ordinary meaning as being 'far away from other places, buildings and people; remote'. Lindblom LJ held that, in the context of paragraph 55 of the previous NPPF (2012) (now paragraph 84 in the NPPF 2023), 'isolated' simply connotes a dwelling that is physically separate or remote from a settlement. Whether, in a particular case, a group of dwellings constitutes a settlement, or a 'village', for the purposes of the policy will again be a matter of fact and planning judgment for the decision-maker. The Court rejected the argument that the word 'isolated' as set out within the NPPF could have a dual meaning, being physically isolated or functionally isolated (isolated from services and facilities).

In applying the guidance to the current case, the proposed development is situated outside of the hamlet of Clench Common which is situated to the north-east. This has been agreed by the agent whereby within the Planning Statement it outlines within the location section that ‘the application relates to land at the above address, sited outside of the village of Clench Common, close to the town of Marlborough, Wiltshire.’

Whilst acknowledging that Clench Common is not a dense settlement, the main form lies around the junction between the A345 and the public highway which goes to the south east. The application site would be in excess of 750m from this meaningful collection of dwellings that forms Clench Common. Whilst there are dwellings in the wider locality, there are sporadic in nature and would not be visually connected to the application site. The site is situated in close proximity to the existing dwelling (Park House) and Park Farm Bungalow, together with the agricultural buildings. Whilst these buildings are noted, they (and other sporadically located dwellings in the area), would not form a group of houses or a meaningful collection of dwellings as you would expect in places such as a hamlet, village or settlement. There is a visual and physical separation from the nearest settlement and as such, the application site is considered to be isolated and would not contribute to the enhancement or maintenance of a viable rural community. It is noted that a permission in principle application was granted permission at appeal under reference 20/04621/PIP, whereby the inspector concluded that the site was not isolated given its proximity to other properties. This is a material difference to this application being assessed, whereby the PIP application was within the meaningful collection of dwellings forming Clench Common (just south of the junction with the A345) whereby this dwelling would be visually and physically separated from the settlement and is considered isolated.

In turn, this isolated siting is considered to be contrary to guidance contained within the NPPF, notably paragraph 84. Whilst paragraph 84 does allow isolated dwellings in certain circumstances, it is not considered that this dwelling would accord with any of these criteria. Namely that the proposal is not for a rural worker, enabling development, re-use of a redundant/disused building or subdivision of an existing dwelling. In relation to criterion e)

which refers to design of exceptional quality, this will be addressed further within the character of the area section below however is also not considered to fall under this criterion.

- Sustainable development

Core Policies 1 and 2 of the Core Strategy identifies areas of where sustainable development will take place to improve the lives of all those who live and work in Wiltshire. This approach is to provide the sustainable development, in particular due to the intention to reduce the need to travel (an approach agreed by Planning Inspectors such as within APP/Y3940/W/21/3280947).

It is noted that the site is located within an area with very limited services and facilities. As assessed previously the application site is isolated and is visually and physically separated from a settlement. The closest 'settlement' is Clench Common, which is not formally designated as a settlement within the Core Strategy. Clench Common has no services or facilities for daily living and thus travel to other settlements is required (such as for schools, shops, amenity areas or places of worship etc.) It would be expected that occupants would go to Marlborough or Pewsey for these services and facilities (though Oare does have very limited services and facilities such as a primary school and church). Given the distances to these settlements and the nature of the routes (which will be commented upon below) it is not considered that the application site is in a sustainable location.

When considering routes to the wider settlements, there are no Public Right of Ways that could be utilised by any future occupants. Consideration has been afforded to the public highways, however it is noted that the application site would be located from a public highway with no footpaths and is unlit in nature.

With regard to cycling, the Department for Transport white paper, Creating Growth, Cutting Carbon, highlights the need to manage the existing road network more efficiently and how cycling has an important role to play. The Department for Health also has stated how important cycling is. Cycling is advantageous in three key areas:

· As a sustainable alternative to the car;
· As low cost transport; and
· As a means of encouraging physical activity in our increasingly sedentary society.

Cycling has the potential to be a viable substitute to car trips of up to 5km. Average speeds are thought to be ~24 kmh. In this regard Pewsey is beyond 5km when using the A435 whereby Marlborough and Oare would just be within the 5km distance. Whilst the distance to Marlborough and Oare are noted, given the nature of the highway of the roads, and notably the A345 which would need to be utilised, this is not considered suitable for the majority of cyclists. The A345 is unlit and primarily at the national speed limit, which would deter all but the most experienced of cyclists.

In relation to bus stops, the closest to the site would be on the A345 circa 0.6 miles away. Whilst the bus stop is noted, the route to this is not a convenient with no immediate pavements outside the site and lighting etc. As such this bus stop is not considered to mitigate the concerns over the siting of the dwellings and there would be an overreliance of the use of a private car for future occupants.

This assessment is similar to that made for the PIP application (reference 20/04651/PIP) which also assessed that a dwelling within the meaningful collection of buildings forming Clench Common was unsustainable in siting as "the roads near the site are generally unlit rural lanes with no footpaths, in some instances where the shape of the road limits forward visibility. These circumstances do not lend themselves to a safe use by pedestrians and would be

unlikely to encourage cycling to the services and facilities, in particular at times of darkness or adverse weather conditions…. The site is poorly located in terms of access to services and facilities by modest of transport other than by private motor vehicle and there would be a high degree of dependence on travel by car." It is acknowledged that under this appeal, the inspector did note that the NPPF acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural areas and that development in one village may support services in a village nearby. In this regard the current application is a materially different scenario as the application site is isolated from the built-up area of Clench Common so does not form part of the 'village' whereby under Paragraph 83 of the NPPF it states "to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities… Where there are groups of smaller settlements, development in one village *[officer emphasis]* may support services in a village nearby.

It is therefore considered that due to the conflict with Core Policies 1 and 2, it is considered that the site is unsustainable when taking account the approach to the sustainable pattern of development contained within the Core Strategy (which whilst has reduced weight due to the absence of a 5 year housing land supply, still has some weight) and the site's access to services, facilities and sustainable transport modes being poor. The siting results in conflict with Core Policies 1 and 2 which focuses development towards settlements and also considered to conflict with the NPPF in relation to sustainability, sustainable transport and climate change.

In particular under Section 9 of the NPPF promotion of sustainable transport is sought. Within paragraph 114 it outlines that applications for development should ensure that appropriate opportunities to promote sustainable transport modes can be taken up. Given the reliance of the use of a private car as above, the proposal is considered contrary to this part of the NPPF and the environmental objective of the NPPF under paragraph 8 which outlines:

> c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including **moving to a low carbon economy** *[officer emphasis]*.

Matters of accessibility are also balanced against the wider sustainable development objectives. Economically the proposed development would encourage development and associated economic growth through the building works. The future occupants would also contribute to the local economy and to the continued viability of local services in surrounding villages. However, as this proposal applies for an increase of one dwelling only, the economic role of the development is therefore considered to be limited.

In terms of the social objective, the provision of one dwelling in this location would not make a significant contribution to the Council's housing supply position. However, the development would provide one new dwelling, create the opportunity for the site to develop social and community ties within the area and facilitate future community involvement.

Finally, with regard to the environmental objective of this development, as above the matter of accessibility is considered to be contrary to this objection insofar as it places emphasis on accessible services and adaption to climate change through a move to a low carbon economy. However, in relation to the other matters outlined within the environment objective the proposal could reasonably be expected to demonstrate a degree of inherent sustainability through compliance with Council supported energy efficiency and Building Regulations standards and the requirement to provide net gain in biodiversity. The application was also supported by a 'Sustainable Development Supporting Planning Statement' which acknowledges the Wiltshire

Climate Strategy 2022-2027 and outlines that the proposal would be a low-impact carbon building and would utilise photovoltaics (eight on the southern elevation). Furthermore, it is outlined that the building construction would contain embodied energy, use off-grid energy and drainage solutions and would harvest water. As the application is only for one dwelling and is isolated in nature and would have a strong reliance on the private motor vehicle, the environmental role of the development, including the fact it is 'eco' is considered to be limited.

· Summary on the principle of development

The principle of the proposed development would be contrary to the Development Plan, notably Core Strategy 1, 2 and 14. The updated version of the NPPF with amended provisions in relation to the requirements for demonstration of five-year housing land supply has no bearing on this.

In having regard to the NPPF, particularly paragraph 8 in relation to sustainable development and paragraphs 83 and 84 in regard to Rural Housing, the application site is considered to be isolated in siting and unsustainable and thus would not accord with the aims within the NPPF.

Further discussion is also had within the planning balance taking into account other material considerations, which are addressed within the sections below.

Design and Visual Impact

Core Policy 57 requires a 'high standard of design' for all new developments and to draw on the local context and be complementary to the locality. Core Policy 51 requires that development should protect, conserve and where possible enhance the landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures.

The application site is located within a rural location and is situated within the North Wessex Downs Area National Landscape, within which there is a duty to have regard to the purpose of conserving and enhancing natural beauty.

The application site is the rear part of the existing garden of Park House and therefore would not involve any adverse change of use of land from agricultural to residential. Consideration has first been afforded to the proposed plot and the remaining plot for the existing dwelling of Park House. The surrounding area is generally characterised by detached dwellings within large and spacious plots and of a low density. The proposed development seeks to divide the existing garden to form two residential plots and is a form of 'back land' development, which in turn substantially reduces the space around the existing dwelling of Park House. Whilst the plots are not adversely small in nature overall, the depth of the 'rear garden' to the existing dwelling of Park House is not considered in-keeping with the general pattern of development whereby there is ample space around the rural properties. The 'private' rear portion of the garden of Park House would only be circa 8m which appears out of keeping with low density nature of the rural locality. This arrangement, due to the division in close proximity to the existing house of Park House is not considered of high-quality design which is in-keeping with the general character of the area where dwellings are situated within spacious plots. The proposal would also result in additional large built form and consolidation of this part of the rural area.

Secondly, attention has been afforded towards the proposed dwelling and its impacts upon the visual amenity of the area and its design. The proposed scale of the dwelling is considered large by reason of its height and footprint however, is not out of keeping with the locality whereby the sporadic dwellings are of various scales and the existing Park House is of a similar/larger footprint and is also two storey in nature. In relation to the design of the dwelling,

the red brick and timber cladded walls with roof tiles is considered acceptable and would not be harmful to the general character and appearance of the area (considered in isolation from other matters addressed below). It is claimed within the Sustainable Development Supporting Planning Statement that the NPPF gives weight to outstanding or innovative design (assuming in relation to Paragraph 84). In this regard, whilst an 'eco' home in relation to its construction, the design is not of exceptional quality that it reflects highest standards in architecture and would help raise standards of design more generally in rural area or would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area. The 'eco' nature is of a desired design, and the external appearance is typical of a new dwelling and does have a level of cluttered appearance due to the mixed nature of single storey, one a half and two storey additions. As such the design is not considered to be of exceptional quality under this part of the NPPF however, the design itself is not considered harmful or of low-quality.

Whilst the scale and design of the dwelling is considered acceptable when noting the surrounding sporadic properties, it is considered that the provision of a dwelling in this location, together with the access and the dwelling's orientation would be harmful to the rural character of the area and street scene. Whilst situated within an existing residential garden, the orientation of the dwelling would bring a new dwelling with a frontage over open fields to the east. The existing dwelling of Park House is appropriately orientated to the public highway, which somewhat contains the views over the landscape within the National Landscape. The new dwelling is proposed to not relate to the public highway network and would be orientated to the landscape. Although it is acknowledged that there are mature trees which are to remain on site which would screen some views of the dwelling, views over the fields (from the public highway, in particular close to the junction of the A345) would likely still be afforded to the new dwelling, including through the new access point through the existing residential boundary). Furthermore, as these trees are not protected by way of tree preservation orders they could be removed at any point. The orientation of the dwelling, together with the siting and arrangement is therefore considered not to conserve or enhance the character and the local distinctiveness of the landscape and would be harmful to the landscape character and the special rural characteristics of the North Wessex Downs National Landscape.

In summary, whilst the detailed design and scale are not wholly unacceptable, the presence of a dwelling in this particular location together with its orientation and arrangement, is considered to be harmful to the visual amenities and landscape character of the area and the special qualities of the North Wessex Downs National Landscape. As such the proposal would not be sympathetic, nor would it enhance the character or amenity of the area and cannot be successfully integrated within the landscape and surrounds. The proposed development is therefore contrary to the National Planning Policy Framework (2023), Core Policies 51 and 57 of the Wilshire Core Strategy

<u>Residential Amenity</u>

Core Policy 57 criterion vii) outlines that there needs to have regard to the compatibility of adjoining buildings and uses, including the levels of amenity of existing occupants.

- Amenity of future occupants

The proposed internal layout of the proposed dwelling would allow for adequate light to habitable rooms and the amount of amenity space would be sufficient for the enjoyment of the future occupants.

It is noted that the existing amenity space for the existing dwelling of Park House would be substantially reduced as a result of this proposal. Whilst as explored previously this arrangement is considered out of keeping with the character of the area, is not considered

harmful to the amenity of the occupants of Park House. There would still be adequate space for private enjoyment.

- Residential Amenity

The proposed development is not considered to give rise to any unacceptable impacts upon neighbouring amenities.

The nearest residential unit would be the existing dwelling on site which would be circa 15m away from the proposed dwelling. Given the siting off the proposed shared boundary and intervening distance it is considered that the proposal would not give rise to any unacceptable impacts in terms of overbearing effect or loss of outlook. Whilst some overshadowing would occur to the existing dwelling and the remaining amenity space, given the siting off the boundary and orientation, the overshadowing would not be so significantly adverse as to warrant an objection.

With regard to openings, there would be a form of first floor opening in the northern elevation which would face the existing dwelling and its retained amenity space. Although this opening is noted, it serves the landing area and not a habitable room. Due to the nature of the space, whereby it is a travelling space rather than an area for social congregation, it is not deemed that this opening would give rise to unacceptable overlooking or loss of privacy. There would also be views afforded from the east and west elevation towards the existing dwelling however, the views would be oblique in nature and thus not considered harmful in nature.

In considering the impacts upon other dwellings in the area, given the intervening distance and orientation the proposal would not give rise to any adverse impacts upon amenity. Park Farm Bungalow is circa 47m away (and has no shared boundary) and Dog House to the south west is in excess of 200m away over the adjacent agricultural fields. As such there would be no adverse impacts upon neighbouring amenity from the proposed development.

<u>Highways</u>

- Locational sustainability

Core Policy 60 and 61 aim to direct development to accessible locations where it is 'located and designed to reduce the need to travel particularly by private car, and to encourage the use of sustainable transport alternatives'.

As addressed within the NPPF section above, the application site is considered unsustainable in terms of its access to facilities and services including public transport modes. As there would be a reliance of the private car, the proposal is considered to be contrary to Core Policy 60 and 61.

- Access and Parking

The proposal comprises a single, three-bedroomed dwelling which would utilise an approved access point under planning reference PL/2022/08144 for an equestrian use. Firstly, the parking provision has been considered, and under the Wiltshire Local Transport Plan 2011 – 2026 – Car Parking Strategy (March 2011) a three bedroomed dwelling is expected to provide a minimum of two parking spaces on site. In this respect, hardstanding is proposed to be laid to the north east corner of the dwelling, and as demonstrated on the site plan would be for the parking of two cars. Additional space is also provided which could allow vehicles to turn on site and exit the site in a forward gear. An EV Car Charing Point is also indicated on the proposed site plan. Given that two parking spaces are provided, together with some space to

turn on site, it is considered that there is adequate parking provision on site and no objection is raised in this regard.

Attention is now afforded towards the proposed access. As previously outlined, the access would be utilising a previously approved, but not yet implemented in full, access point under planning reference PL/2022/08144. It must however be noted that this access was only permitted on the basis of an agricultural/equestrian use, and the use for residential means is considered a material change. In particular the comings and goings would be materially different to that previously approved, noting that the stables permitted as for the owners of Park House only – and controlled as such under Condition 5 of PL/2022/08144 which the reason for the condition stating "any commercial use of the track or building would give rise to fresh planning considerations, including traffic generation and the potential impact on the amenity of nearby properties and the rural character of the site within the North Wessex Downs AONB.".

Under the previous application the Local Highway Officer reviewed the application and stated that the access is poorly located close to the bend of the highway with restricted visibility. Whilst acknowledging it was an existing field access (for agricultural means) equestrian activity could see a large increase in vehicle movements. Whilst noted that it is was an existing access, the equestrian use was considered acceptable on balance as the applicants live next door, so the daily movements for personal equestrian care would not result in daily vehicle movements through the highway access, and thus would not be a significant highway safety concern beyond the agricultural situation.

In comparison, the proposed development is introducing a new use for the access point whereby daily movements are expected, and would be a significant increase in movements beyond an ad hoc equestrian and agricultural use (in particular given the stables are restricted by condition to remain in the ownership of Park House). The Local Highway Officer has reviewed the current application and has objected on the basis of increased vehicular movements through an unsuitable access (due to the poor visibility). The permitted access was only deemed acceptable on the basis of a very low level of vehicular movements. The vehicular access is considered substandard for the vehicle movements associated with a new dwelling, and given the poor visibility on a highway bend, would give rise to adverse harm to highway safety. It is not considered that any conditions could be imposed to overcome the concern given the unacceptable location and geometry of the access point on the highway bend.

It is therefore considered that the proposed vehicular access would be unacceptable for the residential dwelling and would give rise to adverse highway safety impact as a result of its siting. A refusal reason is therefore recommended in relation to the highway safety.

Ecology

Core Policy 50 to the WCS seeks to conserve and enhance biodiversity. The application was supported by a Preliminary Ecological Appraisal which has been reviewed by the Council's Ecology Officer.

The contents of the report were agreed by the Ecology Officer, who is satisfied that they have followed best practice guidance. The report contained mitigation measures to be implemented during construction to protect the sensitive ecological features on the site. It was considered that the mitigation measures could be controlled as part of the recommended Construction and Environmental Management Plan.

Inclusion of biodiversity enhancement measures in the form of integrated bat, bird and bee boxes was welcomed by the Ecology Officer. It was therefore recommended that a condition

is imposed that the exact positioning of these features on the building is controlled by way of condition. The locations of the features should be guided by a professional ecologist and the enhancements remain available for the targeted species for the lifetime of the development.

In this instance the proposal was being recommended for approval, these conditions would have been deemed reasonable and necessary in the interest of biodiversity. Furthermore, the recommended informatives would have been imposed and a condition preventing any external lighting on site. With these conditions, the application would have been considered acceptable in terms of ecology in accordance with Core Policy 50 and guidance contained within the NPPF.

Trees

The application site has a large number of mature trees and vegetation and these trees are not protected by being covered by tree preservation orders or by being situated within a Conservation Area. The application has therefore been supported by an Arboricultural Survey & Report. This report confirms that five trees would be removed on site which include four classified as 'C' and one classified as 'U'. The removal of the trees outlined would allow the dwelling to be on site as well as the removal of trees to allow the new access from the previously approved track. The report outlines that a 'no dig' driveway would be required to the east of the site and other mitigation measures proposed including protective fencing during construction works, no storage of materials within the root protection areas and the planting of five new trees on site to replace those felled to facilitate the development. The tree protection measures are outlined on the submitted site plan.

Due to the unprotected nature of the trees, the loss of the trees, whilst undesirable, is not objected to. The contents of the tree report are acceptable, and with the protection of the remaining trees on site (whereby a condition would have been recommended that the works accord with the tree report and the site plan) the proposal is acceptable in terms of its impacts upon trees on balance. It is noted that the replacement planting of trees has not been identified on the site plan submitted and thus if the application was recommended for approval a condition would be sought for proposed landscaping on site to control the planting of the replacement trees.

S106 contributions/CIL

The property will be CIL liable charged at the standard council rate.

Conclusion/Planning Balance

The site falls within the 'open countryside' and does not apply with Core Policies 1 and 2. The proposal does not fall within any of the WCS exception policies. The proposed site is located within the North Wessex Downs National Landscape which is a protected area. As assessed in above in this report, it has been identified that harm would be caused to the character and appearance of the National Landscape through the isolated positioning, siting, orientation and arrangement of the development, along with the unacceptable highway safety impacts.

It is noted that the dwelling is proposed to be 'eco' in nature and would incorporate sustainable construction measures. There would also be a limited social and economic benefit resulting from the construction of the new property and its subsequent occupation, as noted within the principle of development section of this report.

Notwithstanding the benefits identified, the identified harm of the proposed development significantly and demonstrably outweighs those benefits. In conclusion, taking all material planning considerations into account, the development is not considered to represent

sustainable development as required by Paragraph 11 of the NPPF. The application is therefore recommended for refusal.

RECOMMENDATION:

That planning permission be REFUSED for the following reasons:

1. The proposed development is located outside of the defined limits of development and within the 'open countryside.' The open countryside siting would not provide a suitable location for housing as it would conflict with the residential development strategy under Core Policies 1, 2 and 14 of the Wiltshire Core Strategy and the NPPF (2023). There is no justification for departing from the Development Plan Policies or any other material considerations to establish the principle of development which would be of sufficient weight to allow for the creation of an additional dwelling on the site.

2. The proposed development would, by reason of its siting, orientation and arrangement, be harmful to the visual amenities of the area, the landscape character and the special qualities of the North Wessex Downs National Landscape. As such, the proposal would not be sympathetic to nor would it enhance the character and visual amenity of the landscape, and it could not be successfully integrated within the landscape. The proposed development is therefore contrary to the National Planning Policy Framework (2023) and Core Policies 51 and 57 of the Wiltshire Core Strategy.

3. The proposed development seeks to use a substandard access onto the public highway with unacceptable visibility splays in close proximity to a bend in the highway. The use of the access for residential purposes associated with the proposed development is considered to give rise to adverse highway safety concerns and would result in inconvenience of the traffic on the highway network. The proposed development would give rise to an unacceptable highway safety situation contrary to Core Policies 57 and 61 of the Wiltshire Coret Strategy and the National Planning Policy Framework (2023).

4. The proposed development, by reason of the distance to local services, facilities and amenities, would likely result in heavy reliance on the use of private motor transport for the majority of day-to-day activities, which is in conflict with the principles of sustainable development and the aims of reducing the need to travel, contrary to Core Policies 60 and 61 of the Wiltshire Core Strategy and the National Planning Policy Framework (2023).