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AT 40 MARLBOROUGH ROAD
WOOTTON BASSETT.
SN4 7SA

Proposed dwelling refused 21st March 2024. Application No PL/2023/08748

This appeal has been produced by Phil Rand instructed by Mt Russell Malem applicant.
APRIL 2024

The reasons given for the refusal for this application are as follows.

Refusal Reasons:

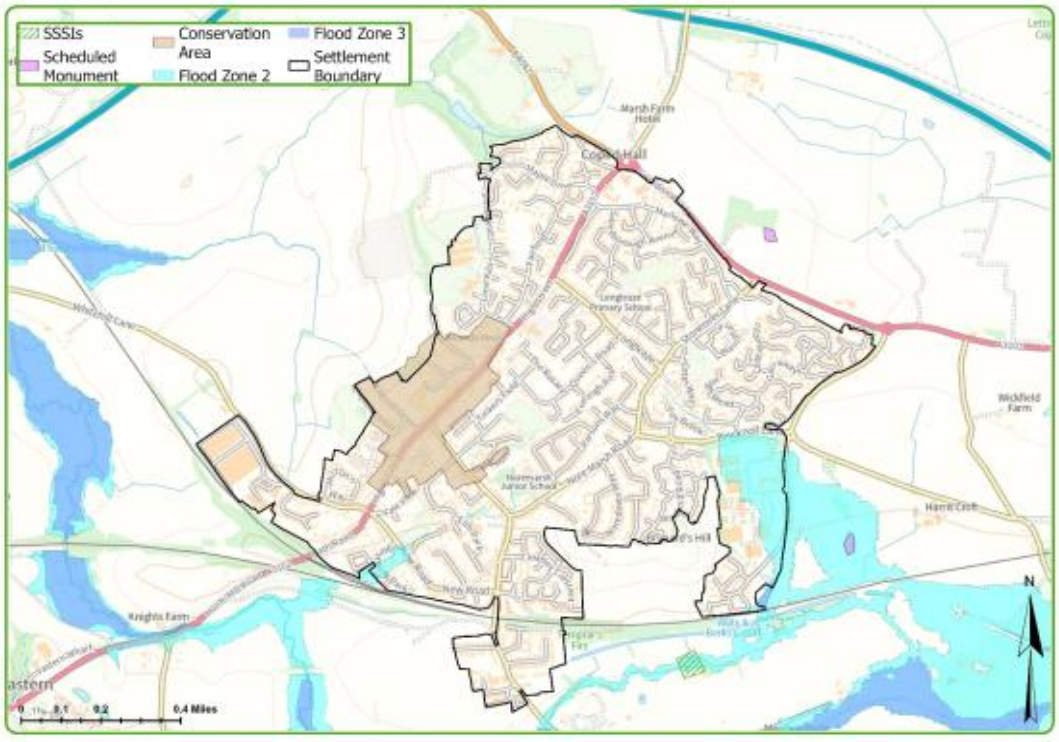
1 The proposed development by reason of its location outside any defined limits of development and having regard to all the submissions and relevant policies, including the policies of the National Planning Policy Framework taken as a whole, the application is considered to be an inappropriate, form of development which would significantly and demonstrably outweigh the benefit of providing one additional dwelling in an open countryside location. As such the proposal, in the absence of suitable justification, is not considered to represent sustainable development being contrary to Core Policies 1, 2 and 31 of the Wiltshire Core Strategy and the policies of the National Planning Policy Framework taken as a whole.

2 The proposed new dwelling, by reason of its position in proximity to the donor property along the west side boundary, size, height, massing, and scale would represent a cramped form of development and will appear overly dominant in the context of the locality and detriment to the character and appearance of the open countryside, and the immediate and wider street scene. The proposals would therefore conflict with the requirements of the Wiltshire Core Policy 57 Ensuring High Quality Design and with Central Government policy contained within the revised National Planning Policy Framework (NPPF) 2023.

SITE & CONTEXT

Wootton Basset is in proximity of the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The Town is some 6 miles from Swindon with good road links via the M4. The town centre area is covered by a Conservation Area. The High Street is a reasonably wide and attractive street which is lined by many attractive two and three storey properties along its entire length. Many of these properties are pre-war and a reasonable proportion of these are nationally listed. One of the most iconic buildings in the town centre is the Town Hall Museum which is located in the southern part of High Street in the central part of the highway.

40 Marlborough Road is part of a group of houses on the road to Broadtown within a 5 minute drive of the shops in the center of Wootton bassett. It is located outside the settlement boundary.





Flood risk map showing the property is not within a flood zone.

DESIGN

There is a vernacular in the vicinity of this site where mix developments have been built over the years, a mixture of Detached properties, semi detached and bungalows.

Facing material is mixed with render and brickwork dominating the area.

It is proposed to follow the vernacular described above with a modest detached four-bedroom dwelling. Facing materials to be render and uPVC windows and concrete tiles.

The plot and existing house are to retain 3 carparking spaces.

The parking spaces and drive are to be surfaced with permeable paving blocks. The private drive is to be surfaced in permeable tarmac between country side kerbs.

PLANNING POLICY

Wiltshire Core Strategy (WCS)
CP1 Settlement Strategy
CP2 Delivery Strategy
CP19 Landscape
CP57 Ensuring High Quality Design & Place Shaping

National Planning Policy Framework (2019)
Planning Practice Guidance

PLANNING HISTORY

There have been several planning applications relating to areas of this site as follows:

20/01767/FUL Single storey rear extension and 2 storey side extension
Approved 26/05/2020

N/06/01480/FUL Two Storey Side & Rear Extension.

2023/08747/FUL Proposed annex for the enjoyment of friends and family.

PLANNING ASSESMENT

Core Policy 1

Settlement Strategy The Settlement Strategy identifies the settlements where sustainable development will take place to improve the lives of all those who live and work in Wiltshire. The area strategies in Chapter 5 list the specific settlements which fall within each category. Principal Settlements Wiltshire's Principal Settlements are strategically important centers and the primary focus for development. This will safeguard and enhance their strategic roles as employment and service centers. 43 They will provide significant levels of jobs and homes, together with supporting community facilities and infrastructure, meeting their economic potential in the most sustainable way to support better self containment. The Principal Settlements are: Chippenham, Trowbridge and Salisbury. Market Towns Outside the Principal Settlements, Market Towns are defined as settlements that have the ability to support sustainable patterns of living in Wiltshire through their current levels of facilities, services and employment opportunities. Market Towns have the potential for significant development that will increase the jobs and homes in each town in order to help sustain and where necessary enhance their services and facilities and promote better levels of self containment and viable sustainable communities. The Market Towns are: Amesbury, Bradford on Avon, Calne, Corsham, Devizes, Malmesbury, Marlborough, Melksham, Tidworth and Ludgershall, Warminster, Westbury, and Royal Wootton Bassett. Local Service Centres Local Service Centres are defined as smaller towns and larger villages which serve a surrounding rural hinterland and possess a level of facilities and services that, together with improved local employment, provide the best opportunities outside the Market Towns for greater self containment. Local Service Centres will provide for modest levels of development in order to safeguard their role and to deliver affordable housing. The Local Service Centres are: Pewsey, Market Lavington, Cricklade, Tisbury, Mere, Downton and Wilton. Large and Small Villages Large Villages are defined as settlements with a limited range of employment, services and facilities. Small Villages have a low level of services and facilities, and few employment opportunities. 44 Development at Large and Small Villages will be limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities.

Core Policy 2

Delivery Strategy In line with Core Policy 1, the delivery strategy seeks to deliver development in Wiltshire between 2006 and 2026 in the most sustainable manner by making provision for at least 178ha of new employment land and at least 42,000 homes distributed as follows: Minimum housing requirement (dwellings) East Wiltshire HMA 5,940 North and West Wiltshire HMA 24,740 South Wiltshire HMA 10,420 West of Swindon26 900 Wiltshire 42,000 This will be delivered in a sustainable pattern in a way that prioritises the release of employment land and the re-use of previously developed land to deliver regeneration opportunities, and to limit the need for development on Green field sites, with approximately 35% of development taking place on previously developed land. The 42,000 homes will be developed in sustainable locations in conformity with the distribution set out above, against which the land supply situation will be assessed. A more detailed distribution is set out in the Community Area Strategies. Development proposals should also be in general conformity with these. Sites for development in line with the Area Strategies will be identified through subsequent Site Allocations DPDs and by supporting communities to identify sites through neighbourhood planning. Within the defined limits of development Within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages. 54 Outside the defined limits of development other than in circumstances as permitted by other policies within this plan,

identified in paragraph 4.25, development will not be permitted outside the limits of development, as defined on the policies map. The limits of development may only be altered through the identification of sites for development through subsequent Site Allocations Development Plan Documents and neighbourhood plans. At the Small Villages development will be limited to infill within the existing built area. Proposals for development at the Small Villages will be supported where they seek to meet housing needs of settlements or provide employment, services and facilities provided that the development: i) Respects the existing character and form of the settlement ii) Does not elongate the village or impose development in sensitive landscape areas iii) Does not consolidate an existing sporadic loose knit areas of development related to the settlement. Strategically important sites Development will be supported at the following sites in accordance with the Area Strategies and requirements in the development templates at Appendix A. Central Car Park, Salisbury Up to 40,000 sqm retail and leisure floor space and 200 dwellings Churchfields & Engine Sheds, Salisbury 5 ha of retained employment land and 1,100 dwellings Drummond Park, Ludgershall 475 dwellings Former Imerys Quarry, Salisbury 4 ha of employment land Fugglestone Red, Salisbury 8 ha of employment land and 1,250 dwellings 55 Hampton Park, Salisbury 500 dwellings Horton Road, Devizes 8.4 ha of employment land Kings Gate, Amesbury 1,300 dwellings Kingston Farm and Moulton Estate, Bradford on Avon 2-3 ha of employment land and 150 dwellings Longhedge (Old Sarum), Salisbury 8 ha of employment land and 450 dwellings Mill Lane, Hawkeridge, Westbury 14.7 ha of employment land Salisbury Road, Marlborough 220 dwellings Ashton Park, South East Trowbridge 15 ha of employment land and 2,600 dwellings Station Road, Westbury 250 dwellings UKLF, Wilton 3 ha of employment land and 450 dwellings West of Warminster 6 ha of employment land and 900 dwellings Masterplans will be developed for each strategically important site in partnership between the local community, local planning authority and the developer, to be approved by the council as part of the planning application process. At mixed use sites development will be phased to ensure employment land, and its appropriate infrastructure, is brought forward during the early stages of development.

Core Policy 19
Spatial Strategy: Royal Wootton Bassett and Cricklade Community Area Development in the Royal Wootton Bassett and Cricklade Community Area should be in accordance with the Settlement Strategy set out in Core Policy 1. Market Towns: Royal Wootton Bassett. Local Service Centers: Cricklade. Large Villages: Lyneham and Purton. Small Villages: Bradenstoke, Broad Town, Hook, Latton, Lydiard Millicent and Purton Stoke. The following Principal Employment Areas will be supported in accordance with Core Policy 35: Whitehill Industrial Estate, Interface Industrial Estate and Coped Hall Business Park. Over the plan period (2006 to 2026), 5 ha of new employment land (in addition to that delivered or committed at April 2011) will be provided, including: Land to the West of Saved North Wiltshire 3.7 ha Templars Way District Plan Allocation Brickworks, Purton Saved North Wiltshire 1.0 ha remaining District Plan Allocation Over the plan period (2006 to 2026), approximately 1,455 new homes will be provided of which about 1,070 should occur at Royal Wootton Bassett. Approximately 385 homes will be provided in the rest of the Community Area. Growth in the Royal Wootton Bassett and Cricklade Community Area over the plan period may consist of a range of sites in accordance with Core Policies 1 and 2. Development proposals in the Royal Wootton Bassett and Cricklade Community Area will need to demonstrate how the relevant issues and considerations listed in paragraph 5.102 will be addressed.

Core Policy 57 Ensuring high quality design and place shaping A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality. Applications for new development must be accompanied by

appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through: 286 i. enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the existing pattern of development and responding to local topography by ensuring that important views into, within and out of the site are to be retained and enhanced ii. the retention and enhancement of existing important landscaping and natural features, (e.g. trees, hedges, banks and watercourses), in order to take opportunities to enhance biodiversity, create wildlife and recreational corridors, effectively integrate the development into its setting and to justify and mitigate against any losses that may occur through the development iii. responding positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting iv. being sympathetic to and conserving historic buildings and historic landscapes v. the maximisation of opportunities for sustainable construction techniques, use of renewable energy sources and ensuring buildings and spaces are orientated to gain maximum benefit from sunlight and passive solar energy, in accordance with Core Policy 41 (Sustainable Construction and Low Carbon Energy) vi. making efficient use of land whilst taking account of the characteristics of the site and the local context to deliver an appropriate development which relates effectively to the immediate setting and to the wider character of the area vii. having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter) viii. incorporating measures to reduce any actual or perceived opportunities for crime or antisocial behaviour on the site and in the surrounding area through the creation of visually attractive frontages that have windows and doors located to assist in the informal surveillance of public and shared areas by occupants of the site 287 ix. ensuring that the public realm, including new roads and other rights of way, are designed to create places of character which are legible, safe and accessible in accordance with Core Policy 66 (Strategic Transport Network) x. the sensitive design of advertisements and signage, which are appropriate and sympathetic to their local setting by means of scale, design, lighting and materials xi. taking account of the needs of potential occupants, through planning for diversity and adaptability, and considering how buildings and space will be used in the immediate and long term future xii. the use of high standards of building materials, finishes and landscaping, including the provision of street furniture and the integration of art and design in the public realm xiii. the case of major developments, ensuring they are accompanied by a detailed design statement and masterplan, which is based on an analysis of the local context and assessment of constraints and opportunities of the site and is informed by a development concept, including clearly stated design principles, which will underpin the character of the new place

Policies CP1 and CP2 of the WCS define the settlement hierarchy within Wiltshire the required amount of development distribution of that development within the development strategy of the plan. Wootton bassett Population 113,600 8th largest of the County's 16 main settlements Strategic role Market Town Potential for significant development to help sustain, and where necessary, enhance their services and facilities, promoting better levels of self-containment and viable sustainable communities.

The proposal is to use the garden at No 40 Marlborough Road, thus a brown field site, whilst toward the outer fringes of the settlement can be considered to constitute infill. The proposal proposed should not considered excessive or unsustainable. As such it is entirely in accordance with the provisions of CP2, para 4.34.

The proposals are therefore considered to accord with the para 127 (f) of the

NPPF and CP57 (vii) of the WCS

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. The development proposals have been formulated with due regard to the policies that make up the statutory Local Development Plan and Supplementary Planning Guidance, together with Government guidance contained within the National Planning Policy Framework (February 2019)

ECOLOGY

As the site is at present a garden with no buildings or vegetation that could harbour protected species it is considered that no ecological survey is required.

ACCESS

The existing access a sufficient visibility splay to provide safe access.

3 Parking spaces provided for existing and proposed dwelling .

The dwellings comply in all respects with Part M of the building regulations.

REASONS FOR REFUSAL DECISION TO BE OVER TURNED.

The proposed development although outside the defined limits of development forms An infill between 40 Marlborough Road and Carlotta, Marlborough Road. Thus whilst technically in open countryside. This proposed development adds to a row of properties that are positioned close to each other. The proximity of the new development is similar to this row of houses. At the rear of Carlotta approval for 2No additional mobile homes has been approved 19/03202/FUL. This development is adjacent to 40 Marlborough Road, thus demonstrating proposed dwellings can be approved in this countryside location.
Wiltshire Council consider this proposal (19/03202/FUL) a sustainable development complying to the Wiltshire Core Strategy and the policies of the National Planning Policy Framework and thus should be consistent and state that this proposal is sustainable. The Refusal states the position and proximity to the donor property represent a cramped form and dominate. The row of houses that the host property is part of has various different styles detached and semi detached. This new development fits in with the vernacular language of the row. The new dwelling is set back from the front of the host building, thus not dominant in the context of the locality and not be detrimental to the character and appearance of the open countryside, and the immediate and wider street scene.
This proposal creates a high quality design, safeguarding the amenity of neighbouring residents in terms of daylight sunlight, privacy, visual intrusion, nuisance and security. It is well sited in scale and proportion, with a shape, mass, vertical and horizontal emphasis in character with the existing dwelling. Window and doors relate to the existing house in terms of materials, alignment, style, size, shape and proportion. The proposal is designed to match and correspond with the existing dwellings and protect and reflect existing architectural details. The proposal also accommodates access, car parking and servicing required for the extended dwelling. This development does not cause harm or conflict with existing biodiversity, site features or open spaces.

CONCLUSION

The application complies with Core policy 1,2,19,57. The development is outside and Flood risk, with no landscape impact and adds a dwelling to Wootton Bassett.

For these reasons we would argue this appeal over turned.