The Planning Inspectorate

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Your Ref: PL/2023/06033
Our Ref: APP/Y3940/W/24/3345527

19 November 2024

Dear Sir/Madam,

Town and Country Planning Act 1990
Appeal by Mr & Mrs H Gravell
Site Address: Land at West Street, Great Somerford, Chippenham, Wiltshire, SN15 5EH

I enclose a copy of our Inspector's decision on the above appeal(s).

If you have queries or feedback about the decision or the way we handled the appeal(s), you should submit them using our "Feedback" webpage at https://www.gov.uk/government/organisations/planning-inspectorate/about/complaints-procedure.

If you do not have internet access please write to the Customer Quality Unit at the address above.

If you would prefer hard copies of our information on the right to challenge and our feedback procedure, please contact our Customer Service Team on 0303 444 5000.

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The Planning Inspectorate cannot change or revoke the outcome in the attached decision. If you want to alter the outcome you should consider obtaining legal advice as only the High Court can quash this decision.

We are continually seeking ways to improve the quality of service we provide to our customers. As part of this commitment we are seeking feedback from those who use our service. It would be appreciated if you could take some time to complete this short survey, which should take no more than a few minutes complete:

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Thank you in advance for taking the time to provide us with valuable feedback.

Yours sincerely,

Sean Ernsting
Sean Ernsting

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The Planning Inspectorate

Appeal Decision

Site visit made on 23 October 2024

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th November 2024

Appeal Ref: APP/Y3940/W/24/3345527
Land at West Street, Great Somerford, Chippenham, Wiltshire SN15 5EH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
- The appeal is made by Mr & Mrs H Gravell against the decision of Wiltshire Council.
- The application Ref is PL/2023/06033.
- The development proposed is erection of up to 2 No. dwellings.

Decision

1. The appeal is allowed and permission in principle is granted for erection of up to 2 No. dwellings at Land at West Street, Great Somerford, Chippenham, Wiltshire SN15 5EH in accordance with the terms of the application, Ref PL/2023/06033.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages. The first stage (permission in principle) establishes whether a site is suitable in principle. The second stage (technical details consent) is when detailed proposals are assessed. This appeal relates to the first of these two stages.

3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted[1]. All other matters are considered as part of a subsequent technical details consent application if permission in principle is granted. I have determined the appeal accordingly.

Main Issues

4. The main issues are:

   - whether the appeal site is a suitable location for the proposed development, having regard to policies for the delivery of housing;
   - the effect of the proposal on the character and appearance of the area, including the Great Somerford Conservation Area and its setting; and
   - whether the proposed development is in an accessible location, having regard to proximity to services and facilities and highway safety.

[1] Paragraph: 012 Reference ID: 58-012-20180615

Reasons

Suitable location

5. The appeal site is an undeveloped field fronting West Street. It is located outside the defined settlement boundary of Great Somerford. This settlement is categorised as a 'large village' under the strategy set out under Core Policy 1 of the Wiltshire Core Strategy 2015 (the WCS). As the site is outside the settlement boundary it is in the countryside where Core Policy 2 of the WCS restricts housing development except in a few circumstances, none of which would apply to the appeal proposal.

6. The settlement boundary to Great Somerford is fragmented and irregular, particularly along West Street. The appeal site lies within a relatively long gap between residential pockets of development within the defined boundary. Nevertheless, development of the site which lies within the countryside would be contrary to policy.

7. The appeal site is not a suitable location for the proposed development, having regard to policies for the delivery of housing. It would therefore conflict with Core Policies 1 and 2 of the WCS and the Great Somerford Neighbourhood Plan 2017 which together and amongst other things seek to restrict development in locations outside defined settlement limits and within the countryside.

Character and appearance

8. West Street is characterised by linear housing development of varying designs, ages and sizes. Some are set behind domestic hedges, others behind fences and historic stone boundary walls and others have a more open frontage. The overall sense travelling along the road is of being within a loosely developed village interspersed with gaps provided by field frontages. The appeal site is one such gap, positioned between existing development.

9. The site is an area of open land, laid to grass with mature trees within the northern section and an informal hedgerow boundary adjacent to the highway. There is a rough dirt track access within the northeastern corner with a field gate set back from the highway. As an undeveloped area of land, it makes a positive contribution to the rural setting of the village. It is not, however, identified as an important or green gap within the Neighbourhood Plan, which does identify 'Local Green Spaces' elsewhere.

10. The northern section of the site lies within the Great Somerford Conservation Area (GSCA) with the remainder forming part of its setting. The GSCA encompasses much of the built-up area of the village and areas of open land beyond. Its significance is derived from the mix of historic buildings within a village and rural setting. The appeal site as it contributes to the rural setting of the village makes a positive contribution to the GSCA and its setting. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

11. Inevitably, the introduction of two dwellings to the appeal site would diminish the rural character of this undeveloped open land. The linear pattern of development along West Street would be extended. However, a wooded area fronting the road between the appeal site and the property directly to the south-west would remain, helping to maintain a degree of separation between

pockets of development along the road. Properties are generally spaciously arranged, within relatively large plots which the appeal scheme, proposing up to two dwellings within a generously sized site, could achieve.

12. In terms of the overall character and appearance of the development, this would largely be addressed at the technical details consent stage which would, amongst other things, deal with landscaping, layout and design. However, I see no reason why, given the existing site characteristics and context, that a development sympathetic to the character of the locality, including the GSCA and its setting, could not be secured.

13. The Council has raised a specific concern about the changes to the site boundary through the formalisation of the access that would be required in association with two dwellings. I observed considerable variation in property frontages along West Street. This variation forms part of the overall character of the area and does not detract from the GSCA. There is no reason that a sympathetic approach on the appeal site could not be achieved without causing harm to the historic environment.

14. The proposal would not harm the character and appearance of the area. It would preserve the character and appearance of the GSCA and its setting. It would therefore accord with Core Policies 51 and 57 of the WCS which together require development to protect and conserve the locally distinctive character of settlements and their landscape setting and to be sympathetic to and conserve the historic environment.

Accessibility.

15. The site is located a short distance from the centre of Great Somerford where there is a shop/post office and public house. A primary school is located a little further away. These services and facilities would meet basic day-to-day needs for future occupants.

16. Pedestrian access from the site to these services and facilities would be along West Street which is served by a formal footpath running along the opposite side of the road with a short section of informal footpath and grass verge. This is unlit. It is also close to a bend in the road and visibility is restricted. Pedestrian access would not be suitable for all, especially people with limited mobility, the elderly and those with children.

17. However, this is a short section of road between existing built development and on the approach to the centre of the village. There is also development on one side of the road. Drivers, who would have either passed linear development along West Street or be heading out of the village, would be aware that they are in a village location. In this context, they would be likely to both anticipate pedestrians on the road and drive at a slower speed appropriate to the location. Thus, whilst I appreciate that pedestrian access may not be appropriate for all, it would provide an alternative to using the private car for some people. Indeed, at the time of my site visit, I observed people walking along this stretch of road.

18. In addition to some pedestrian access, the route between the appeal site and the services within the village would be accessible by bicycle.

19. There is a limited daytime bus service to Chippenham during the week and on Saturdays. Whilst this would not be sufficient to reduce overall reliance on private transport, it does offer an alternative that may reduce some trips.

20. The National Planning Policy Framework (the Framework) recognises that the opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Occupants of the appeal scheme would have access to services and facilities both within the village and elsewhere by bus. They would not be wholly reliant on the private car to do so and in this rural village location, this would be appropriate. Furthermore, development here may help to support existing services and facilities within the village to grow and thrive.

21. The proposal would be in an accessible location. It would therefore accord with Core Policies 60 and 61 of the WCS which together support development in locations which reduce the need to travel and support sustainable transport alternatives to the use of the private car.

Other Considerations

22. In accordance with paragraph 226 of the Framework, the Council only needs to demonstrate a four year supply of housing land because the emerging LP has reached Regulation 19 stage including proposed allocations towards meeting housing need. The Council's Housing Land Supply Statement, published June 2024, sets out that the supply is 4.2 years. This figure was since tested on appeal[2], where the Inspector concluded that the Council had a supply of 3.85 years. In the absence of evidence to the contrary, I am relying on this figure. I return to this in my planning balance below.

23. Concerns have been raised by local residents including overlooking, loss of outlook and sunlight. However, the position and design of the proposed dwellings has not been confirmed. The site is large enough to accommodate the dwellings and these factors could be addressed through the technical details consent stage. I appreciate that the view from the house opposite would change, however, the private view from a window or property is not of itself regarded as a planning matter.

24. There are a number of trees adjacent to and on the site. Many of these would be retained. I have no firm evidence of the site being of particular importance for wildlife or ecology. With residential development there would be a change to the character of the site, however, biodiversity matters including measures to mitigate any loss could be secured through the technical details consent process as deemed appropriate at that stage.

25. No substantive evidence has been provided that demonstrates that local infrastructure cannot accommodate this amount of development in the village. I have no firm evidence that traffic volumes will significantly increase as a consequence of the proposal.

26. The appeal site lies in Flood Zone 1. I am told that West Street has been subject to flooding, however, whilst a photograph of one such incident has been provided, I do not have substantive evidence relating to this. I also note the Council did not refuse the application on this basis. In any event, matters in respect of managing surface water to ensure the development would not

[2] APP/Y3940/W/24/3340811 – Land off Storridge Road, Westbury BA13 4HJ, dated 30 August 2024

give rise to or exacerbate existing flooding issues, could be appropriately dealt with at technical details consent stage.

27. Allegations about development taking place and trees having been cut down without permission have been made. These are not matters before me.

28. The appellant has suggested that the proposed dwellings could be made available as self-build homes. However, there is currently no mechanism to secure this as a planning obligation cannot be secured at the permission in principle stage. This factor therefore carries limited weight.

Planning Balance

29. There would be conflict with Core Policies 1 and 2 of the WCS as the site lies outside the defined settlement boundary and therefore in the countryside for planning purposes. However, in view of the shortfall in housing supply, the policies for the delivery of housing are deemed to be out of date and paragraph 11 d) of the Framework is engaged.

30. The absence of harm to character and appearance and the preservation of the character and appearance of the GCSA and its setting are neutral factors in the balance. However, the development of rural homes in an accessible location which would help to support rural communities, services and facilities is a positive aspect of the scheme that weighs in its favour.

31. When assessed against the policies in the Framework as a whole, the adverse impact does not significantly and demonstrably outweigh the benefits of two additional homes on a windfall site. Consequently, the presumption in favour of sustainable development indicates that permission should be granted.

Conclusion

32. The proposed development would be contrary to the development plan but material considerations, especially the presumption in the Framework, outweigh this conflict. Therefore, for the reasons given, the appeal should be allowed.

Rachael Pipkin

INSPECTOR