

The Town and Country Planning Act 1990
Refusal of Outline Planning Permission (Some Matters Reserved)

Application Reference Number: 20/03876/OUT

Decision Date: 15 September 2021

Applicant: Mr and Mrs Chappell & Land Allocation Ltd
c/o Agent

Particulars of Development: Outline planning permission, with all matters reserved except for access, for up to 24 dwellings and associated infrastructure

At: Land to the east of Church View, Sutton Benger,
Chippenham, Wiltshire, SN15 4FD

In pursuance of their powers under the above Act, the Council hereby **REFUSE TO GRANT PERMISSION** for the development referred to in the above application and plans submitted by you, for the following reason(s):

Refusal Reasons: (4)

- 1 The site is located outside of any defined settlement boundary within the open countryside and is not allocated for housing development and would not meet any of the special circumstances for the creation of additional residential units in such circumstances listed under Paragraph 4.25 of the Wiltshire Core Strategy. The proposal fails to promote a sustainable pattern of development and amounts to new residential development in the open countryside that is not related to the essential need of agriculture, forestry or other rural based enterprise. The proposal is therefore contrary to Wiltshire Core Strategy Core Policies 1, 2, 10 and 48, Saved Local Plan Policy H4 of the North Wiltshire Local Plan 2011 and paragraph 2, 8, 11, 12 & 47 of the NPPF. In accordance with paragraph 11d (ii) of the NPPF the benefits of the proposal have been fully considered but the adverse impacts would significantly and demonstrably outweigh those benefits, when assessed against the policies in the NPPF taken as a whole.
- 2 The scale of the proposal exceeds the small scale residential development requirement at the Large Village level as specified under paragraph 4.15 of the Wiltshire Core Strategy, resulting in an imbalance within the community between the provision of homes and the available services, facilities and means of employment. This is considered to result in the need for a significant amount of excess travel via the use of private motor vehicles which is not a sustainable form of development contrary to WCS Core Policies 1, 2, 10, 60 and 61 and paragraphs 8, 105, 106, 110 and 112 of the NPPF.

- 3 The proposal, would result in the urbanisation of this rural site which would result in harm to the local character, appearance and visual amenity of the immediate locality. This together with the scale, mass and density of the scheme including the proximity of the built form to the boundaries, poor design of public areas, lack of space for appropriate landscaping of the site all fail to result in a high quality development in this prominent rural landscape. The proposal would therefore fail to accord with Wiltshire Core Strategy (2015) Core Policies 51 (points i, ii, iii, vi) and 57 (points i, iii, vi, ix) as well as paragraphs, 120, 134 and 174(b) of the NPPF and the National Design Guide.
- 4 The application fails to provide and/or secure any mechanism to ensure that the provision of essential infrastructure, services and amenities made necessary by the development being highway improvement works, recreation and leisure, affordable housing, secondary school place provision, air quality mitigation and waste collection can all be delivered. This is contrary to WCS Core Policies 3, 43, 45, 52, 55 and Policy CF3 of the North Wiltshire Local Plan 2011 and paragraphs 8, 34, 56, 64 and 92 of the NPPF.

Informatives: (2)

- 5 This decision is based on the following plans and information:
- Location Plan received MP- 01 Rev A 11 May 2020
 - Existing Site Plan MP-02 Rev A received 11 May 2020
 - Revised Indicative Site Plan 05 Rev B received 22 December 2020
 - Revised Landscape Concept Plan 08 Rev B received 22 December 2020
 - Revised site access plan - option 2 received 22 December 2020
 - Revised Landscape Strategy Plan 09 Rev B 22 December 2020
 - Revised Design and Access Statement 18 September 2020
 - Biodiversity calculation received 22 December 2020
 - Biodiversity Metric Report received 22 December 2020
 - Phase 1 Habitat Survey plan – figure 1 received 25 June 2021
 - Ecology Plan Net Gain Plan – figure 2 received 25 June 2021
 - Ecological Parameters Plan – Figure 3 received 25 June 2021
 - Contamination land – Phase 2 received 16 June 2021
 - Protected Species Survey Report received 11 May 2020
 - Preliminary Ecological Appraisal report (Second Revision) Corylus received 22 December 2020
 - Flood Risk Assessment received 11 May 2020
 - Flood Risk Addendum received 25 June 2021
 - Archaeological desk top survey report 11 May 2020
 - Archaeological geophysical report received 15 July 2020
 - Archaeological Trenching report received 27 October 2020
 - Draft heads of terms for legal agreement 11 May 2020

- Transport Assessment received 11 May 2020
- Arboricultural Survey received 11 May 2020
- Noise Impact Assessment received 11 May 2020
- Contamination Report – Phase 1 received 11 May 2020
- Heritage Impact Statement received 11 May 2020
- Odour Assessment received 11 May 2020
- Landscape Visual Impact Assessment received 11 May 2020
- Planning Supporting Statement received 11 May 2020
- Deliverability Statement 22 December 2020

6 Reason for refusal 4 is capable of being addressed through the completion of a planning obligation/S106 agreement.

Sam Fox - Director Economic Development & Planning

