

Date of Meeting	2nd December 2021
Application Number	PL/2021/08195
Site Address	Rose Villa, Roundway, Devizes, SN10 2HY
Proposal	Erection of a pair of semi-detached dwellings, car parking, access and associated works.
Applicant	Mr Chris Combe
Town/Parish Council	DEVIZES
Electoral Division	Cllr Laura Mayes
Grid Ref	401466 163189
Type of application	Full Planning
Case Officer	Jonathan James

Reason for the application being considered by Committee

The application has been called-in by Cllr Laura Mayes, to enable the positive contributions that the scheme would have in delivering housing within the village to be discussed.

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 considerations, and to consider the recommendation that the application be refused.

2. Report Summary

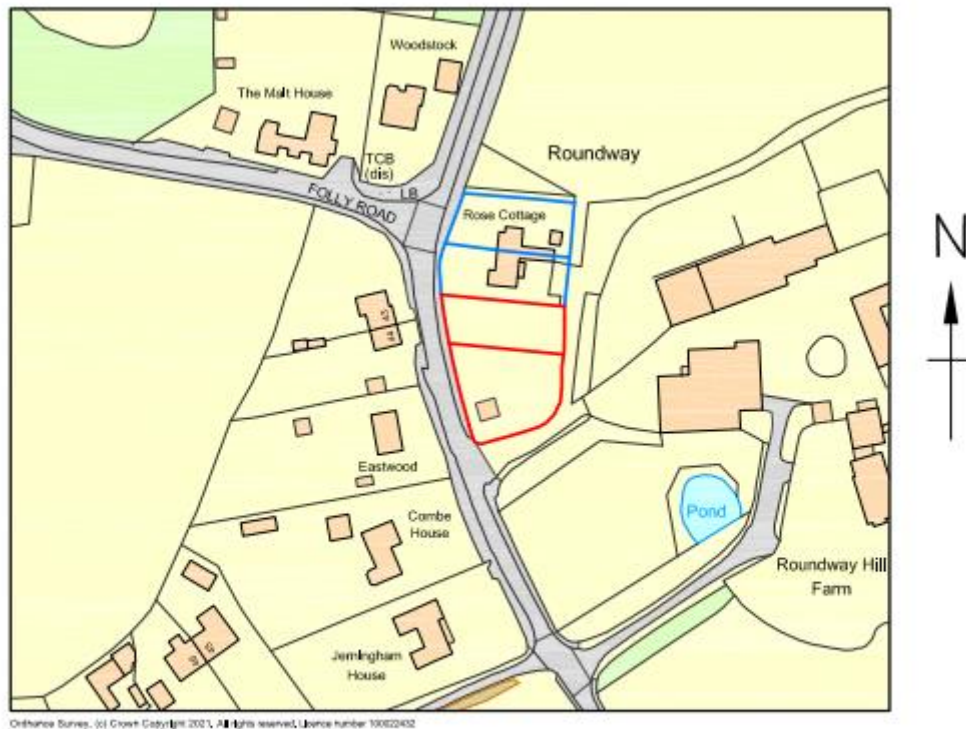
There are concerns regarding the location of the site, in a location that would be wholly reliant on the private motor car for access to everyday facilities, job opportunities and services and would be contrary to the requirements of both local and national policy in directing development to sustainable locations. The development would also have an urbanising effect on the rural character of the area. There are no benefits that would outweigh this harm.

3. Site Description

The site is located in the hamlet of Roundway and comprises the garden of 'Rose Villa', an existing semi-detached house set within a very generous plot. The area has a distinct rural

character, with a single track road running through the hamlet and properties set within generous, spacious plots. These enhance the appearance of the area.

Access into the site exists at present, off the adjoining highway through Roundway from the south. There is an existing garage associated with the main dwelling at the southern end of the garden and further parking to the rear of the existing dwelling, to the east of the site.



LOCATION PLAN

Scale 1:1250

4. Planning History

16/08498/OUT Outline application relating to access for redevelopment of land by the erection of three two-storey dwellings with garages and associated works

The site relating to application 16/08498/OUT lies approximately 210 metres to the north of the site to which this application relates. The scheme was for the erection of three new dwellings within this rural area. The application was refused for two reasons – firstly, it was contrary to the policies of the development plan and NPPF, as it would involve the construction of new dwellings in an unsustainable location; and secondly, there would be a negative impact on the rural character of the area.

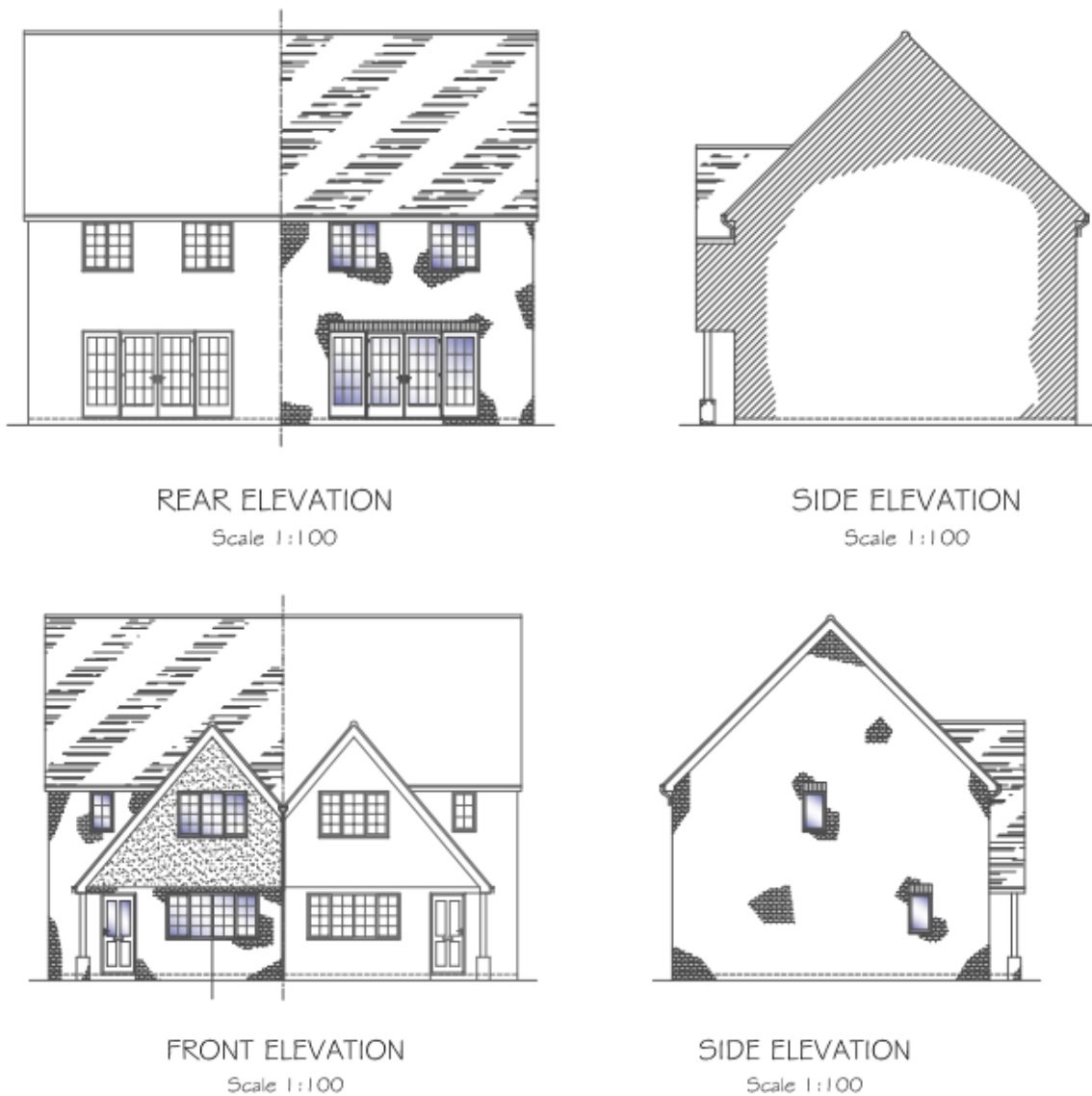
This decision was appealed and subsequently dismissed by the Planning Inspectorate for the following reasons: detrimental impact on the character of the area; and the unacceptable siting of this type of development in an unsustainable location. The Inspector clarified that there are three elements to sustainability, namely an economic, social and environmental

component. The Inspector determined that the scheme had failed on the environmental aspect as it would harm the rural character and appearance of the area and that its location was also unsustainable as occupiers would be reliant on the use of the private car for access to everyday services, facilities and employment. It is considered that the location of these sites within Roundway means that the issues relevant to these proposals are very similar. The appeal decision is therefore a material consideration in the determination of the application.

5. The Proposal

The application is for the erection of a pair of semi-detached dwellings, car parking, access and associated works, within the garden of Rose Villa.

Proposed scheme:



6. Local Planning Policy

Wiltshire Core Strategy 2015 (WCS):

- Core Policy 1 – Settlement Strategy. This identifies settlements where sustainable development will take place, with a settlement hierarchy running from Principal Settlements through market towns and local service centres to large and small villages. Roundway would be considered a hamlet set within the countryside.
- Core Policy 2 – Delivery Strategy – in order to deliver the sustainable development envisaged in CP1, CP2 sets out the delivery strategy.
- Core Policy 12 – Spatial Strategy: Devizes Community Area – clarifies that development in the Devizes Community Area should be in accordance with the Settlement Strategy as set out in Core Policy 1. Defines those settlements that are considered either large or small village; Roundway does not fall within either definition.
- Core Policy 51 – Landscape – seeks to protect, conserve and where possible enhance landscape character.
- Core Policy 57 – requires high quality design and place shaping
- Core Policy 58 – Ensuring the conservation of the historic environment.
- Core Policy 60 – Sustainable transport
- Core Policy 61 – Transport and new development
- Core Policy 64 – Demand management – private non-residential parking standards.

National Planning Policy Framework (NPPF, 2021)

National Design Guide, Planning practice guidance for beautiful, enduring and successful places (NDG) (2019)

Wiltshire Local Transport Plan 2011 – 2026: Car Parking Strategy (2015)

7. Summary of consultation responses

Devizes Town Council – Objects, noting that the whole of Roundway village is outside the development boundaries shown on the Core Strategy and the Devizes Neighbourhood Plan, and the proposal is therefore in conflict with those policies. Furthermore, as the site is on the outer boundary of Devizes, part of a largely undeveloped frontage along the eastern side of Folly Road, such development could set a pattern for significant further development along there, harming the rural character of the hamlet.

WC Highways – Comments: the applicant suggests a new access point is to be created but the information provided does not provide any layout drawing for the access and parking areas. Please ask the applicant to provide this information to enable me to make a more informed response.

WC Archaeology – Comments: the site is located within the historic medieval core of Roundway which is located in a wider area populated by later prehistoric and Romano-British field systems and settlements. There is every chance that further, as yet unrecorded archaeological features dating from these periods will survive as sub-surface features within the footprint of the proposed development. Historic map evidence shows indicates that the site has not been subject to any modern development and so if any archaeology does

survive here, then it will be relatively well-preserved. I would therefore advise that all groundworks associated with the construction of the two houses and their associated car parking areas and access roads be monitored by qualified archaeologists, with this monitoring secured via a condition to be attached to any planning permission issued.

8. Publicity

The application has been advertised by letter to local residents and by site notice. Third party representations have been received and are summarised as follows:

Third party comments:

CPRE - The whole of Roundway village is outside the development boundaries shown on the Core Strategy and the Devizes Neighbourhood Plan. The proposal therefore conflicts with policies CP2 of the Core Strategy ('development will not be permitted outside the defined limits of development') and H1 of the Neighbourhood Plan (to similar effect). The site is part of a largely undeveloped frontage along the E side of Folly Road. There are only 2 houses along the entire Folly Road-Roundway Hill Lane E side, including Rose Villa. This, and other undeveloped stretches of frontage in Roundway, could accommodate a significant number of new houses on a similar spatial pattern, which would harm the rural character of the hamlet and aggravate existing dangerous road conditions. Roundway is a small hamlet with no facilities whatsoever, and any/all housing is likely to be dependent on transport by car.

Neighbour comments:

Whilst I have no objection to this proposal, I am interested in Section 13 of the application, regarding Foul Sewage disposal. Main sewer has been ticked, and it has been marked as unknown regarding connection to the existing drainage system. As far as I am aware, no properties in Roundway Village are connected to mains sewage disposal. I suspect that the majority of residents would welcome the option of connecting to mains sewage disposal. Is this something that would be considered in light of this building application?

9. Planning Considerations

9.1 Principle of Development

The site is located in Roundway which does not fall within any of the settlement definitions identified by the Wiltshire Core Strategy (WCS) (2015); accordingly, and in terms of planning policy, the site is taken to be in the countryside.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the Wiltshire Core Strategy (WCS) (2015), the saved policies of the Kennet Local Plan (KLP) (2004) and the Devizes Area Neighbourhood Plan (NP) (2015).

Fundamentally, the application is for the erection of two new dwellings in the countryside, contrary to the policies of the local development plan and neighbourhood plan for delivering sustainable housing.

In the interests of promoting sustainable development and the protection of the countryside the policies of the WCS (2015) seek to restrict all new residential development to locations within the Limits of Development defined for the towns and villages. The WCS includes a settlement strategy, Core Policy 1 'Settlement Strategy' and Core Policy 2 'Delivery Strategy' outline that there is a presumption in favour of sustainable development within 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 as set out within the relevant core policies contained within the plan. There are no exceptional circumstances that would suggest a departure from the development plan. Core Policy 60 Sustainable Transport supports the premise for development within sustainable locations. The policies of the WCS (2015) are consistent with the NPPF (2021) in terms of delivering sustainable development.

Extracts from the Devizes Neighbourhood Plan (2015) (DNP) for the area clarify that *public transport is variable in frequency, dependent largely on subsidies and is relatively expensive, while in some instances, it is non-existent, especially after 6pm and on Sundays. It remains virtually a minimal service, which is a poor second choice after the car. There is often much congestion on the main narrow country lanes. The nearest train station is approximately 10 miles away and bus services to these are restricted or, in the case of Pewsey, non-existent. The increased school travel incurred when schools are not within walking distance, can only add to the stress on traffic flow. The GP Surgeries are over-loaded, with waiting times of up to three weeks for routine appointments. Accessing many treatments, including minor injuries, still involves a journey of anything from 10 to nearly 30 miles in a public-transport-poor area. There are local concerns that the Devizes Area infrastructure is seriously overstretched and that infrastructure development should be a priority over housing development. The main constraints on development are spatial, congestion, poor air quality, limited access to medical services and increasingly limited employment opportunities.* It is clear from the evidence contained within the DNP that the area offers poor infrastructure and that inhabitants are likely to be reliant on travel by private car for access to everyday facilities and services. This site, being located well outside of the Limits of Development of Devizes, in a rural location, is clearly an unsustainable location for the erection of two new dwellings.

The Neighbourhood Plan housing site selection policy expands the terms of the previous limits of development to allow that: All future development in the Devizes area must be confined to land within the existing settlement framework boundary except where it is a demonstrably sustainable site (as measured by the other criteria and policies of the Neighbourhood Plan) and within the urban core (1600m of the town centre). The DNP supports that the limits of development should be maintained as in accordance with the WCS and the former KLP. The site in question fails to meet the requirements as set out within the DNP for sustainable locations and is also not an allocated site for development.

Core policy principles of the DNP include the requirement to minimise urban sprawl, secure a strong and complementary relationship with existing infrastructure and to reflect the views and preferences of the local community. It is considered that the site's location within the countryside, off substandard highways and contrary to the requirements of the DNP, clearly fails these tests. The Devizes vision statement identifies that the town should grow in a manner which enables its residents to live a sustainable lifestyle, with a reduced need to travel.

Policy H1 of the DNP (2015) identifies that for the purposes of the Neighbourhood Plan, the Settlement Framework Boundary defines the limits within which sustainable development should take place. Development on the edges of towns and villages will be broadly controlled in line with Core Policy 3 (Delivery Strategy). However, the principal pressure on the landscape arising from new development is the erosion of the separate identity, character, visual and functional amenity of settlements and their setting, and impacts on the open countryside. Para. 5.68 of the WCS (2015) clarifies that specific issues to be addressed in planning for the Devizes Community Area includes the rural identity of Roundway Parish as an important part of the landscape setting which helps to define the character of Devizes.

The WCS defines a “*Sustainable Location*” as a location or site for housing that is close to employment, schools, shops, parks, civic buildings and other services and amenities; is accessible by existing roads and close to existing public transport services; can be linked easily to existing infrastructure for roads, water, waste, and utilities; has low flood risk; and avoids sensitive features of the natural environment. With reference to the Planning Inspectorates conclusion in planning appeal APP/Y3940/W/17/3174323, the site referred to within the planning history, it was concluded that users of the site would be reliant on motorised transport and that the proposed use of the site would not be in an accessible location. Nothing has changed since this last determination and Roundway is still considered an unsustainable location for this type of development proposed.

Policy 60 of the WCS (2015) relates to the need to reduce travel, particularly by the private car and makes clear that development should be located in sustainable locations; this is supported by the requirements of paragraph 105 of the NPPF (2021). As such the development is considered contrary to Core Policies 1, 2, 12 and 60 of the WCS (2015), Policy H1 of the DNP (2015) and with the principle of sustainable development as defined by the NPPF.

9.2 Visual Impact

The site lies in Roundway, within the garden area of Rose Villa, the setting of which is distinctly rural in character. Existing residential properties within the area are set within generous plots which are generally bounded by mature hedgerow interspersed with trees, set along a minor road. Despite the influence of the nearby dwellings, the area surrounding the site has a significant countryside feel by virtue of the nearby fields and more importantly the roadside hedgerows and narrow lane. The site has a largely open interior with trees and hedgerow to its boundaries, these making a positive contribution to the rural qualities of the locality.

The Wiltshire Core Strategy identifies the need to protect the distinct character and identity of the villages and settlements in Wiltshire. Core Policy 57 and the NPPF seek to encourage high quality design in new development and Core Policy 51 ‘Landscape’ seeks to ensure new developments do not have a harmful impact upon landscape character. Para. 5.68 of the WCS (2015) clarifies that specific issues to be addressed in planning for the Devizes Community Area includes the rural identity of Roundway Parish as an important part of the landscape setting which helps to define the character of Devizes. It is recognised that the principle threats and issues considered important to landscape quality in this character area are the influence of built development on the fringes of Devizes and other settlements.

It is considered that the proposed erection of two new dwellings with associated parking and paraphernalia would have an urbanising effect on this rural location to the detriment of the character of the area. The existing dwelling is set within a generous plot which is typical for the density of development within this rural location. It is considered that the erection of two dwellings within the garden curtilage of the existing dwelling would be overdevelopment of this site and create an overly urban character in this countryside location. Whilst it is acknowledged that there are existing dwellings nearby, it is considered that this development would further erode the rural character of the area through the intensification of the built form on the site and the pressures that this development would bring with the long-term management of the site.

On balance, it is considered that the erection of two new dwellings and associated paraphernalia are considered to have a detrimental impact on the rural character of the area and would therefore be contrary to Core Policy 51 and Core Policy 57 of the WCS (2015) and with the NPPF (2021).

9.3 Impact on Heritage Assets

In terms of the historic environment, the primary consideration is the duty placed on the Council under sections 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Comments received from the County Archaeologist state that there is likely to be heritage contained within the sub-surface of the soil.

However, no objections to the scheme are raised and the further investigation and monitoring recognised by the Archaeologist can be reasonably conditioned in the event that planning permission is granted.

9.4 Highway Safety Impact / Parking

Core Policy 61 - Transport and New Development - seeks to ensure that new development is capable of being served by safe access to the highway network. Core Policy 64 seeks to ensure that parking standards are met as set out in the Council's adopted standards. The NPPF (2021) states that an application should only be refused on highway grounds if "*there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*".

Comments received from the Council's Highway Officer identify that the submission does not provide any layout drawing for the access and parking areas and requests this information to enable an informed response. The applicant has been notified that there is insufficient information relating to this matter and has been offered the opportunity to provide further detail on this matter. However, the submission of further detail on the lack of information relating to highway matters does not overcome the principle concerns relating to this scheme.

Paragraph 109 of the NPPF clarifies that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Based on highway comments there is currently insufficient information to allow for a proper assessment on this matter. It is therefore considered that the proposal has failed to demonstrate that the proposed units and host dwelling will be served by safe access and adequate parking in line with the requirements of local and national policies. As such the scheme is considered to fail to meet the relevant criteria of Core Policies 60, 61 and 64 of the WCS (2015) and the WLTP (2011 – 2026) Car Parking Strategy (2015) and with the relevant sections in the NPPF (2021).

9.5 Other matters

Comments received query the opportunity to connect other houses to a mains foul sewer. No comments have been received from Wessex Water on this matter and the detailed aspects of foul drainage will be picked up under separate legislation via the building regulations.

10. Conclusion (The Planning Balance)

There are three aspects of sustainable development, an economic, social and environmental role, to which the NPPF identifies that there is a presumption in favour of sustainable development. This is seen as a golden thread running through the decision making process and that local planning authorities should approve development in accord with the development plan without delay.

It is acknowledged that the Council cannot demonstrate a five year supply of housing land, as such, under the terms of paragraph 11 of the Framework, the relevant development plan policies are deemed to be out-of-date. It therefore follows to consider the benefits of the scheme against its adverse impacts in light of the Framework's policies.

It is acknowledged that there is some positive weight to be given to economic benefits through the likely local employment that may be generated by the development proposed for a limited period of time. As are there likely to be some social benefits through the provision of two new dwellings within the local housing market. However, given the likely cost of such units of this size, within an attractive rural location, the social benefits would be restricted to those on a higher income and would not likely benefit lower income families and would certainly not add to the affordable housing market within this area.

There are no perceivable environmental benefits identified; the intensification of use of the land including the addition of built form would negatively impact on the environment. There has also been no offer of enhancements to boost environmental benefits at this site either. In addition, the increase in traffic movements to and from the site could lead to an increase in air pollution, an identified key issue in the DNP and WCS for this area and the harm to the rural character of this area is irreversible.

It is considered that the proposal conflicts not just with the spatial strategy of where new housing should be located, but would also have a harmful impact on the rural character of the area. The site is located in what is construed as countryside in an unsustainable location. There is no reasonable access to local services and facilities and the proposed new dwellings would result in a car dependant development in order to access most services and

facilities due to alternative transportation methods not being attractive enough to encourage non-car use.

The scheme would be contrary to the Framework's aim to promote sustainable transport. Also, as it would be set away from the nearest services, the houses would not be located so as to maintain or enhance the vitality of rural communities. Moreover, it would be contrary to the Framework's provisions which seek to ensure development is sympathetic to the local context and recognises the intrinsic character of the countryside. It is considered that the adverse impacts of the development would significantly and demonstrably outweigh its benefits when considered against the Framework, consequently, the presumption in favour of sustainable development as set out in paragraph 11 (NPPF) does not apply.

It is considered that any limited public benefit that may occur if this development were approved, would not outweigh the harm that would be caused by allowing a development that in this particular location would cause harm to the character of the area, in an unsustainable location and on a site that has not been brought forward for development by the local community. Overall, this is not sustainable development. On balance it is considered that the proposed development would be contrary to the policies of the Wiltshire Core Strategy (2015) and guidance set out in the National Planning Policy Framework (2021).

RECOMMENDATION

That planning permission be REFUSED for the following reasons:

1. The proposed development, due to the position of the site within the 'open countryside', would conflict with the settlement strategy of the Wiltshire Core Strategy. The site is within a location that has limited access to local services and public transport facilities and future occupants would need to travel by car to reach services, facilities and employment opportunities. The proposed development is therefore deemed to be unsustainable and would conflict with the Council's plan-led approach to sustainable development. There are no exceptional circumstances which justify the approval of the proposed development and no objective evidence to demonstrate it would meet an identified housing need of the settlement or meet the criteria identified by Core Policy 2. In light of the above, the proposed development is considered to conflict with Core Policies 1 'Settlement Strategy', 2 'Delivery Strategy', 12 'Spatial Strategy: Devizes Community Area'; 60 'Sustainable Transport' and 61 'Transport and New Development' of the Wiltshire Core Strategy, and with Central Government policy contained within the National Planning Policy Framework; in particular, Chapters 2 'Achieving Sustainable Development', 4 'Decision-making', 5 'Delivering a Sufficient Supply of Homes', and 9 'Promoting Sustainable Transport'.

2. The proposed development, by reason of its location, layout, scale and appearance, would have a harmful impact on the character and appearance of the site and the locally distinctive character of the settlement. The proposed dwelling would result in the loss of the rural character and appearance of the site. The scheme would constitute an inappropriate form of development, which would be detrimental to the visual amenity of the area contrary to Wiltshire Core Strategy (2015) Core Policy 51 and Core Policy 57 and the requirements of good design as set out in the National Planning Policy Framework (2021).

3. The proposal has failed to demonstrate that the proposed units and host dwelling will be served by safe access and adequate parking in line with the requirements of local and national policies. As such the scheme is considered to fail to meet the relevant criteria of Core Policies 60, 61 and 64 of the WCS (2015) and the WLTP (2011 – 2026) Car Parking Strategy (2015) and with the relevant sections in the NPPF (2021).

4. **INFORMATIVE TO APPLICANT:** Notwithstanding reasons for refusal 1 and 2, reason for refusal 5 may be overcome in the event of the applicant providing sufficient detail to demonstrate that the site can be adequately served with safe access and sufficient parking. The reason for refusal is necessary in the event that there is an appeal or resubmission of an application and that this issue is satisfactorily resolved during that process or through the submission of another application.