

## REPORT OUTLINE FOR AREA PLANNING COMMITTEES

<b>Date of Meeting</b>	20 <sup>th</sup> December 2017
<b>Application Number</b>	17/09481/FUL
<b>Site Address</b>	Arland House, The Street, Alderton, SN14 6NL
<b>Proposal</b>	Erection of new dwelling, car port, solar array and associated works.
<b>Applicant</b>	Mr and Mrs Ian Anderson
<b>Town/Parish Council</b>	Luckington Parish
<b>Ward</b>	Sherston- Cllr John Thomson
<b>Grid Ref</b>	83905 82837
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Charmian Eyre-Walker

### Reason for the application being considered by Committee

The application has been called into committee by the Cllr John Thomson to determine if the site falls within the physical limits of Alderton

#### 1. Purpose of Report

To consider the above application and to recommend that planning permission is REFUSED

#### 2. Report Summary

Issues to be addressed:

- Principle of the development/whether within open countryside or not.
- Impact on AONB/Landscape
- Drainage
- Highways issues

11 letters of objection and 24 letters of support have been received.

Luckington Parish Council request that the application is put before the Planning Committee (full comments set out below)

#### 3. Site Description

The proposal lies within the Cotswolds AONB and is paddock land to the west of Arland House, Fourways and Ashcombe House. It is bounded by the drive to Arland House on the eastern side and mature hedging and trees on the 3 other boundaries.

The site is considered to be in the open countryside as Alderton is neither a small or large village and the site is outside any physical limits.

The site is in Flood Zone 1 and is not affected by surface water flooding in 1 in 30/100 events, although the road to the frontage is prone to flooding.

#### **4. Relevant Planning History**

There is no other relevant planning permissions on the land.

#### **5. The Proposal**

The proposal seeks planning permission the construction of a single storey dwelling centrally located in the eastern part of the site together with a detached garage and a solar array of 36 panels to the northern western corner with an orchard in the remainder of the site.

#### **6.Planning Policy**

##### Wiltshire Core Strategy:

- CP1 Settlement Strategy
- CP2 Delivery Strategy
- CP3 Infrastructure
- CP13 Spatial Strategy for Malmesbury
- CP42 Standalone Renewable Energy Installations
- CP48 Supporting Rural Life.
- CP57 Ensuring High Quality Design and Place Shaping
- CP60 Sustainable Transport
- CP61 Transport and new development.
- CP67 Flood Risk
- CP68 Water Resources

##### Saved Policies from North Wiltshire Local Plan 2011

Policy H4 New Housing in the Open Countryside.

##### National Planning Policy Framework (NPPF):

- Achieving sustainable development – Core Planning Principles (paras 7, 14 and 17)
- Chapter 4 Promoting sustainable transport (particularly para 34)
- Chapter 6 Delivering a wide choice of high quality homes (particularly para 55)
- Chapter 11 Conserving and enhancing the natural environment (paras 109, 115 and 123)

#### **6. Consultations**

Luckington and Alderton Parish Council comments as follows:

The application has generated strong local feelings within the community of Alderton, and this was evidenced by the fact that over 25 members of the public attended the meeting to express their views concerning it. The overwhelming majority of the public in attendance were against the application, but the parish council has also received numerous letters both in support and against the application. It appears that, at present, the community appears approximately equally split between those who support and those who are against the Arland House application. However, within the community, feelings are running high.

The Luckington and Alderton Parish Council considered the Arland House application in detail, and by a majority vote, objected to the application on the following grounds:

- a. It is a departure from the Core Strategy document (which protects small villages from development other than through infilling).

- b. The change from agricultural use to residential is undesirable and could set a precedent for the possibility of other fields in this small village to be developed.
- c. This would affect the ancient balanced layout of the village with two very old large farms at either end of the ribbon development.

This is not a straightforward or routine planning application, and In light of the high level of local public interest in this application, the policy issues that it raises, and the significant impact that such a development could have on the small village of Alderton, the Luckington and Alderton Parish Council ask Councillor John Thomson 'call in' this application for detailed scrutiny by the Wiltshire Council Planning Committee. The Parish Council feel that this would be in the interests of both the applicant and the local community.

Highways officer understands that the above proposal seeks to erect a new dwelling with car port and parking and erect a solar array and may require a change of land use to residential.

*The proposal, located remote from a range of services, employment opportunities and being unlikely to be well served by public transport, is contrary to the key aims of local and national sustainable transport policy guidance which seeks to reduce growth in the length and number of motorised journeys. New development should be located and designed to reduce the need to travel by private car and should encourage the use of sustainable transport alternatives. The proposal is contrary to Core Policy 60 of the adopted Wiltshire Core Strategy and Paragraph 34 of the National Planning Policy Framework.*

*Reason: In the Interests sustainable transport*

Drainage do not object to the proposal subject to conditions and comment that the site lies in Flood Zone 1 and is not affected by surface water flooding for 1 in 30/100 events, but the road in front of the site is affected by surface water flooding, causing potential ingress and egress issues.

Foul drainage is to foul sewer located on road outside site.

The application indicates that storm water will be taken to a soakaway, but mapping indicates that the area is a high ground level and soakaways are therefore unlikely to work. This can be addressed by permeability tests.

Wessex Water does not object but indicates 3m easements where required

Cotswold AONB Board comments are awaited.

11 letters of objection have been received raising the following points:

- This development is outside the usual line of development in this village,
- This is in an AONB and a conservation area ( Planning officer comment: There is no conservation area for Alderton) and this is alien to both of these concepts.
- There are no other bungalows here.
- Pressure for further development.
- There are few amenities in the village.
- The planning line is there for a reason and is particularly important in a village set in an Area of Outstanding Natural Beauty.
- The northwest side of the Street in Alderton is all single dwelling ribbon development. There is nowhere where one house is set behind another. This would be a break in that protocol and again set a dangerous precedent.

- Given the previous applications made on this site (planning officer comment: There are none on this land) there is no guarantee that further development might not follow once the planning precedence is broken.
- The remainder of that side of the road has single properties in ribbon development. There is no other property set behind another. Again this application, if granted, could set a dangerous precedent.
- The introduction of solar panels in an area of natural beauty and to the extra traffic that may occur. The solar array is designed to service more than a single dwelling.
- Not infill.
- Does not meet the service requirements of the village.
- It does not respect the existing character and form of the development.
- Elongating the village.

24 letters of support have been received

## **7. Publicity**

The application was advertised by way of site notice and neighbour notification.

### **Planning Considerations**

#### Principle of the development

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. In this case, the Wiltshire Core Strategy forms the relevant development plan for the application area along with guidance in the NPPF (as set out above).

Alderton is neither a Large or a Small Village as defined by the Wiltshire Core Strategy and thus any housing in or immediately adjacent to it is considered to be in open countryside, where national and local planning policy seeks to resist new houses without special justification. The site is not an infill plot either with no built development to the west or north. Any residential development in this location would therefore be contrary to policies CP1 and CP2 of Wiltshire Core Strategy. Although the applicants have added a letter of support from their doctor as to why single level accommodation is desirable for them, this does not outweigh the strong presumptions against new dwellings in the countryside. The exceptional circumstances that may permit a dwelling in the countryside for the essential needs of a rural worker as set out in saved policy H4 of the North Wiltshire Local Plan 2011, Policy CP48 in the Wiltshire Core Strategy and the advice in para 55 of the NPPF are not met.

The scale of development is minimal in assisting the Council in achieving its Housing Land Supply figures and Inspectors are consistently finding that any increase in supply is not outweighed by the conflict with plan policy. Nevertheless the Council can currently demonstrate a NPPF compliant deliverable supply for the relevant period together with a 20% buffer.

#### Landscape Impact

The proposal promotes sustainable methods of construction and proposes ground source heat pump heating and there is a 36 panel solar array included in the proposal, but these do not outweigh the accepted principle against new houses in the countryside. The design of the dwelling is as a T-shaped bungalow and although the majority of the dwellings in Alderton are more traditional vernacular, there is sufficient variety that the dwelling would not

be out of character with the design of the area. However, the site lies within the Cotswolds AONB and the introduction of such a built form with its associated domestic paraphernalia and the solar array would be an incongruous addition in the landscape and thus be harmful to the open and rural landscape character of this part of the AONB. The Cotswolds AONB Management Plan aims to implement the statutory purpose of the AONB, which is to conserve and enhance natural beauty. Policies DTP1 and DTP2 of that plan are particularly relevant and echo the policies within the Wiltshire Core Strategy and advice in the NPPF (para 115 in particular).

Whilst the comments of the Landscape Officer and the Cotswolds AONB Board are awaited , it is considered that the proposal is contrary to policies CP42 and CP51 of the Wiltshire Core Strategy and advice in section 11 of the NPPF , particularly para 115.

### Drainage

The drainage engineer does not object to the proposal subject to conditions. The issue about surface water flooding outside the site is noted, but is not considered to be sufficient to refuse the application.

### Highways and Access

The site, which is remote from services will promote use of the private car, contrary to Policy CP57, CP60 and CP61 of the Wiltshire Core Strategy and the advice in the NPPF, particularly section 4.

### Conclusion

The proposal is considered to not be compliant with policies CP1, CP2, CP13, CP42, CP46, CP47, CP51, CP57, CP60, CP61 of the Wiltshire Core Strategy, saved policy H4 of the North Wiltshire Local Plan 2011 and guidance in the NPPF (sections 4, 6 and 11 in particular). The proposal does not adhere to any of the exceptions contained within paragraph 55 of the NPPF and for these reasons the application should be refused on the following grounds

## **8. Recommendation**

The recommendation is for REFUSAL for the following reasons :

- 1 The site is located outside of the limits of development of any village defined in CP2 of the Wiltshire Core Strategy. The proposed residential development does not fall to be determined under any of the 'exception policies' defined within Core Policies 46 and 47 (Specialist accommodation provision) or Core Policy 48 (Supporting rural life) or para 55 of the NPPF. The proposal conflicts with the Delivery Strategy set out in Policy CP2 of the Wiltshire Core Strategy, which seeks to properly plan for sustainable development of housing sites in Wiltshire to deliver the identified needs in the Community Areas through a Site Allocations DPD and/or a Neighbourhood Plan, a strategy supported by the Wiltshire Core Strategy Inspector. The site has not been brought forward through this process. The proposal would therefore conflict with Core Policies 1 and 2 of the Wiltshire Core Strategy; saved policy H4 of the North Wiltshire Local Plan (appendix D of the Wiltshire Core Strategy); Advice in the NPPF particularly paragraphs 7, 14 and 55.
- 2 The proposal, by way of its scale, siting and form of development would be an

incongruous and unacceptable form of development which would be harmful to the landscape quality of this part of the Cotswolds AONB contrary to policies CP42 and CP51 of the Wiltshire Core Strategy and advice in the NPPF section 11, particularly para 115.

- 3 The proposal, located remote from a range of services, employment opportunities which are not well served by public transport, is contrary to the key aims of local and national sustainable transport policy guidance which seeks to reduce growth in the length and number of motorised journeys. New development should be located and designed to reduce the need to travel by private car and should encourage the use of sustainable transport alternatives. The proposal is contrary to Core Policies 60 and 61 of the adopted Wiltshire Core Strategy and Paragraph 34 of the National Planning Policy Framework.

