

|                            |   |
|----------------------------|---|
| <b>Date of Meeting</b>     | 29 January 2015                                   |
| <b>Application Number</b>  | 14/11572/FUL                                      |
| <b>Site Address</b>        | 4 Turnpike Cottages, Hilcott, Pewsey SN9 6LQ      |
| <b>Proposal</b>            | Erection of a pair of attached 2-storey dwellings |
| <b>Applicant</b>           | Mr & Mrs T & R Bailey                             |
| <b>Town/Parish Council</b> | NORTH NEWNTON                                     |
| <b>Division</b>            | PEWSEY VALE                                       |
| <b>Grid Ref</b>            | 410781 158546                                     |
| <b>Type of application</b> | Full Planning                                     |
| <b>Case Officer</b>        | Nick Clark  |

### **Reason for the application being considered by Committee**

The application is before the Committee upon the request of the Division Member Councillor Oatway in order to consider the application of planning policies for new residential development in rural areas, and to consider the local support for the proposal.

### **1. Purpose of Report**

The purpose of this report is to allow the Committee to consider the recommendation that planning permission is refused.

### **2. Report Summary**

The main issues to be considered are:

- a) The principle of new residential development in the countryside
- b) The impact upon the rural character of the area
- c) The sustainability of additional new residential development in this location
- d) The amenity of the occupiers of the proposed dwellings adjacent to high voltage power lines

### **3. Site Description**

The 0.22 hectare site forms part of the garden of 4 Turnpike Cottages, being off-set to the side of the cottage with a frontage of approximately 60 metres along Wilsford Road. Hilcott is designated in the Core Strategy as a Small Village. The site is located outside the built up areas of village. The site frontage comprises a mature rural hedgerow, with a grass verge and ditch alongside the road, which has no pedestrian footway.



Site Location

To the east, on the opposite side of the road runs a similar hedgerow and open farmland beyond. To the north and west lies an area of woodland, with the terraced Turnpike Cottages set to the south. The site itself is largely laid to grass with a row of coniferous trees through the site at right angles to the road.

#### 4. Planning History

|              |   |                                    |
|--------------|---|------------------------------------|
| K/14428      | Erection of a two-storey extension to the cottage | Approved                           |
| 14/05680/FUL | Two semi-detached houses and garage building      | Delegated refusal<br>7 August 2014 |

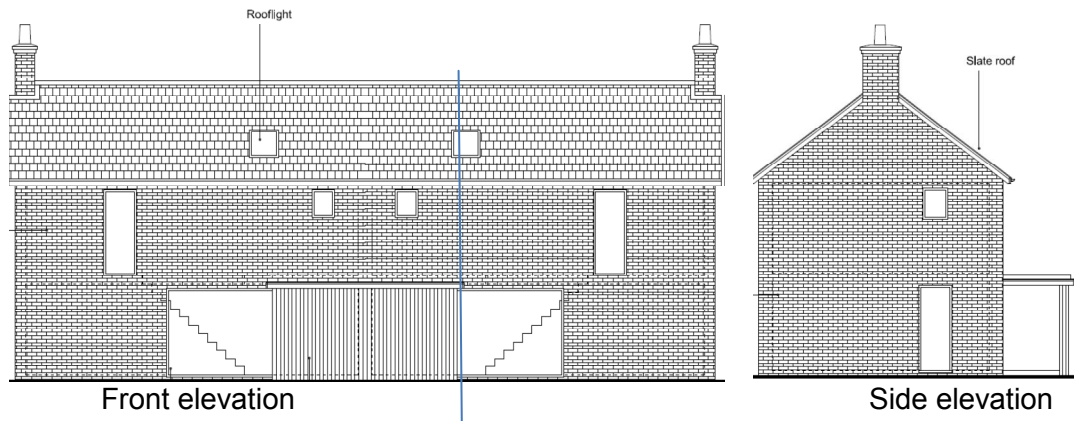
The application above earlier in 2014 was similar to the current proposal, and was refused for reasons relating to:

- 1) the detrimental impact on the character of Hilcott;
- 2) the unsustainability of the location for new residential development;
- 3) sub-standard visibility onto the Wilsford Road; and
- 4) the potential impact on residential amenity from noise from the overhead power lines.

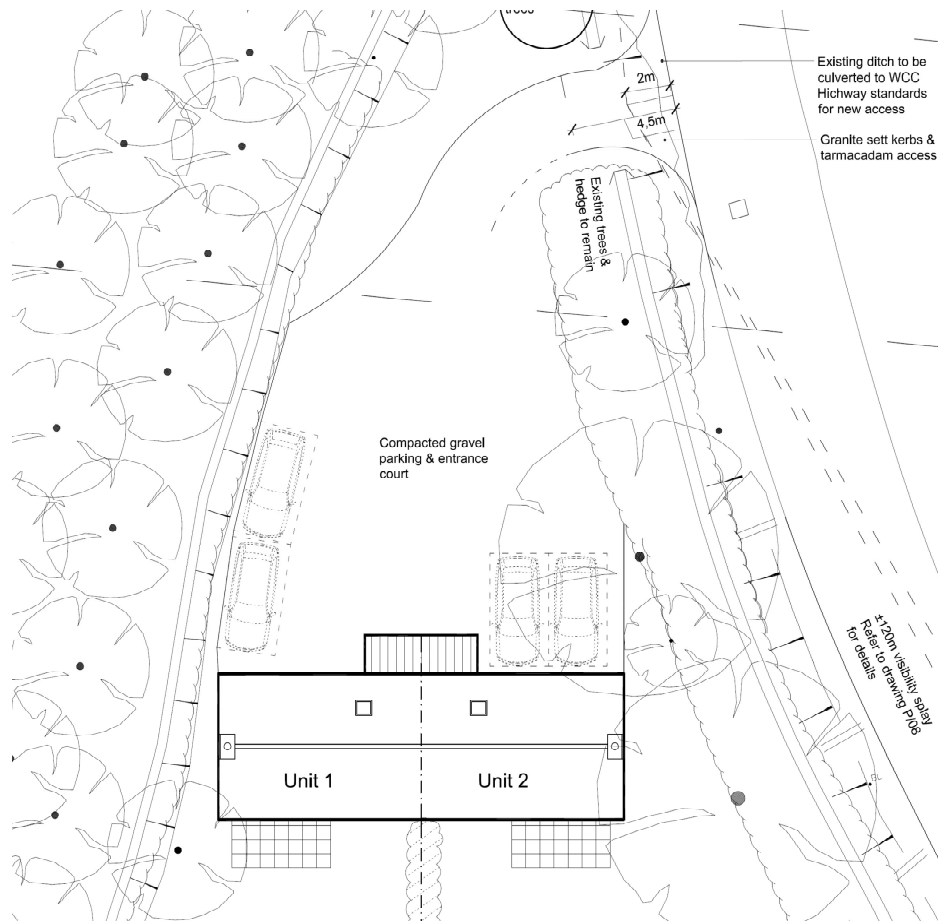
#### 5. The Proposal

The proposal is similar to the previous application in proposing two 3-bedroom 2-storey attached houses set at right angles to the road. The dwellings would have a height of 7.35 metres and each would occupy a footprint of 54m<sup>2</sup> with internal floor areas of c. 85m<sup>2</sup>.

The pair of properties would be of simple pitched roof form and brick/ slate construction with porches to the front.



The application seeks to address the previous third refusal reason above by way of revised road access with improved visibility splays. There is little change in the current application specifically in respect of reasons 1, 2 & 4 although the design and position of the dwellings and the parking arrangement have been altered.



Proposed site plan (part)

## 6. Local Planning Policy

Core Policy 18 of the Wiltshire Core Strategy identifies Hilcott as a Small Village which is defined in Core Policy 1 as having 'low level of services and facilities, and few employment opportunities' where there is a 'general presumption against development' unless it is

needed to help meet local housing needs (or to improve employment opportunities, services and facilities).

Core Policy 2 similarly directs that new housing will be developed in sustainable locations, and within the Small Villages, will be limited to infill within the existing built area, where, in order to be supportable, the development must seek to meet housing needs of the settlements and respect the character and form of the village without elongating the village or imposing development in sensitive landscape areas, and which does not consolidate an existing sporadic loose knit area of development. For the purposes of Core Policy 2, 'infill' is defined as 'the filling of a small gap within the village that is only large enough for not more than a few dwellings, generally only one dwelling.' The policy text highlights that exceptions to this approach will only be considered through the neighbourhood plan process or site allocation DPD's.

Outside the built up area of the small villages, residential development is generally only supported in order to meet needs for affordable housing (Core Policy 44) or to support employment essential to the countryside (Core Policy 48).

The policies of the Core Strategy must be considered to be fully compliant with the National Planning Policy Framework having been found sound following their examination in public. In respect of new housing in rural areas, the policies of the Core Strategy accord with national policy for the recognition of the intrinsic beauty and character of the countryside and the 'great weight' that needs to be attributed to the need for conserving the landscape and scenic beauty of the North Wessex Downs AONB, as well as the need to ensure that new housing is developed in areas that are well served by local services and facilities so as to minimise the need for travel.

Considering all issues, the following policies of the Wiltshire Core Strategy are relevant to the proposal:

|      |  |
|------|--|
| CP1  | Settlement strategy                            |
| CP2  | Delivery strategy                              |
| CP18 | Pewsey Area Strategy                           |
| CP41 | Sustainable construction and low carbon energy |
| CP43 | Providing affordable homes                     |
| CP44 | Rural exception sites                          |
| CP45 | Meeting Wiltshire's housing needs              |
| CP48 | Supporting rural life                          |
| CP50 | Biodiversity and geodiversity                  |
| CP51 | Landscape                                      |
| CP57 | Ensuring high quality design and place shaping |
| CP60 | Sustainable transport                          |
| CP64 | Demand management                              |
| CP65 | Movement of goods                              |
| CP67 | Flood risk                                     |

## **7. Summary of consultation responses**

### **North Newton Parish Council:**

No comments received at the time of drafting the report. Comments are anticipated prior to the meeting of the planning committee and Members will be updated verbally at the meeting. It is understood that the parish council is likely to support the application.

**North Wessex Downs AONB Unit** – note that the site is not an infill site and is in a sporadic loose knit part of the village outside the built up area of the village.

**National Grid** – no objection as the separation of the dwellings from the power lines meets its safety standards.

**Wiltshire Council Highway Officer** - no objections subject to conditions to secure suitable access arrangements and parking provision.

**Wiltshire Council Environmental Health Officer** – concerns regarding amenity aspects arising from the proximity to the high voltage overhead power lines and the potential for noise disturbance, but no objection raised as noise levels would be unlikely to exceed levels recommended by the World Health Organisation.

**Wiltshire Fire & Rescue** – no objection, but recommend installation of a domestic sprinkler system.

## **8. Publicity**

Two letters of objection have been received from local residents raising the following points:

- A) Contrary to the development plan as outside the built up area of the village
- B) Disturbance to the wide variety of wildlife that inhabits the area,
- C) Lack of need demonstrated by difficulties in selling several similar properties,
- D) Lack of facilities in the village for new homes,
- E) Contrary to policies for sustainable development,
- F) Detrimental to the character and beauty of the North Wessex Downs AONB,
- G) Road safety issues, and
- H) Precedent for further development of the area.

## **9. Planning Considerations**

The main issue is the acceptability of residential development in this rural location taking into account the lack of local services and amenities, the location outside the built up area of the village, and the resulting impact on the rural character and landscape of the area and the North Wessex Downs AONB.

### **9.1 Principle of development**

The vision and policies of the Wiltshire Core Strategy seek to concentrate new residential development in areas well served by local services and facilities so as to reduce the needs for travel. The Core Strategy thus sets a presumption against development outside villages in rural areas unless for a number of excepted circumstances, none of which apply in this instance.

The applicant maintains that the site is within the village, and furthermore that it is within the built up area of the village, and thus an 'infill' development. There is no basis or justification for this however. The village does not have a defined boundary in the Core Strategy, but has three small but distinct clusters of development. Turnpike Cottages is at the northern edge of a cluster of development around the village crossroads. Northwards beyond the cottages lies

farmland and woodland providing a clear undeveloped gap from the development to the north at Bottlesford. The development would extend into this gap. Whilst the application site is part of the curtilage of 4 Turnpike Cottages, the NPPF makes clear that gardens do not fall within the definition of 'previously developed land' and that they should thus be considered as 'greenfield' sites. The site is thus outside the built up area of the village, does not comprise 'previously developed land', does not constitute an infill site and its development would elongate the village. As such the principle of the development is unacceptable under Core Policies 1, 2 and 48 in the Wiltshire Core Strategy.

## **9.2 Sustainability of location**

Core Policy 60 provides that the Council will use its planning powers to help reduce the need to travel particularly by private car through measures such as planning development in accessible locations. Hilcott has no services, amenities and facilities to speak of, other than a village hall and bus stop for the 'Line 2' bus service to/ from Pewsey. As such the occupants of the dwellings would likely be heavily dependent on the use of private cars for day-to-day activities and journeys. The site location thus does not contribute towards the aims of sustainable development. Development of the site would thus be contrary to Core Policy 60.

## **9.3 Impact on the character of the area**

Hilcott has no single built up village centre, but rather comprises a number of small built up areas separated by areas of farmland, woodland, paddocks etc.

In terms of landscape, the Kennet Landscape Character Assessment identifies the 'essentially rural, agricultural character' of the Pewsey Vale and notes as a principal threat and issue 'the influence of built development on the fringes of settlements'. The assessment identifies the need to guard against the 'coalescence of linear settlements' within the Vale. The North Wessex Downs AONB landscape character assessment similarly notes as a key issue 'intense development pressures, particularly for new housing - impact on the character of the villages and their edges' with the landscape objective being 'to maintain the pattern of discrete small villages set within a quiet rural landscape'.

Whilst the application proposes to retain the roadside hedge, the housing on the site would be clearly evident from within the street by reason of a c. 5m gap in the hedge and driveway, and views through and above the hedging, particularly in winter. The development would result in the encroachment of development into an undeveloped rural area that forms a noticeable gap between areas of settlement, and would extend the development at the crossroads in Hilcott towards the built-up area to the north (Hilcott/ Bottlesford). As such, the spread of development outside a built up area, and reduced physical and visual separation from adjoining areas of settlement would be detrimental to the rural character of the area and the landscape of the North Wessex Downs Area of Outstanding Natural Beauty.

The pair of dwellings would also be sited at right angles to the street, and whilst the applicant suggests that this is a characteristic of development in the area, it would be out of keeping with the area in terms of the general character and grain of development around the Hilcott crossroads where dwellings predominantly face and address the street as a ribbon of development. As such, if the principle of developing the site as an extension to the built up area were acceptable (for example as an outcome of the neighbourhood planning process),

the form of development currently proposed would fail to reinforce the sense of place and character of Hilcott, and as such would be contrary to the design policies of Core Policy 57 in the Wiltshire Core Strategy.

#### **9.4 Sustainable design and construction**

Core Policy 41 seeks a minimum compliance with Level 4 of the Code for Sustainable Homes in the design and construction of new homes. The application does not include any details on sustainability although it is noted that the majority of windows in the dwellings would be south-facing to maximise solar gain and the use of natural light. The applicant has confirmed however that the dwellings would be able to achieve this standard, and this could be secured by way of planning conditions in the event that planning permission is granted.

#### **9.5 Ecology**

A respondent raises concerns regarding the impact of the development on wildlife in the adjoining woodland. The site itself however is of limited ecological value, comprising close-mown grass. Boundary hedging and trees would be retained and additional planting is proposed such that it is concluded that there would be no ecological impact sufficient to substantiate a refusal of permission.

#### **9.6 Salisbury Plain Special Protection Area**

The site is within the 15km visitor catchment area for the European designated Salisbury Plain Special Protection Area, designated for the protection of Stone Curlews. Mitigation is currently only required for developments of 10 or more dwellings.

#### **9.7 Residential amenities**

The rear windows would look towards the rear garden of 4 Turnpike Cottages. The 16m garden depths with boundary hedging to be planted would be sufficient to avoid any material degree of overlooking of the garden area. There would be over 30m distance between the proposed rear windows and the windows in 4 Turnpike Cottages, and they would have an angled relationship to avoid any direct view between windows so as to avoid any overlooking between windows serving living accommodation.

Core Policy 57 requires proposals to ensure that appropriate levels of amenity are achievable within the development. The proposed garden depths of 16m would be proportional to, and provide an adequate level of private garden space for the 2 dwellings. The internal floor area of 85m<sup>2</sup> for each dwelling however is in accordance with minimum national recommendations for internal floor space being proposed by the government (but not yet adopted).

The Council's Environmental Health Officer raises concerns over noise impacts from the high voltage power lines passing above the site, but raises no objection as noise levels are likely to remain with World Health Organisation recommendations.

Whilst there may also be concerns regarding the impact of electromagnetic fields around the cables, currently no causal link has been established with ill health through diseases such as cancer so as to prevent the development. The National Grid is satisfied that the proposal

meets its safety standards but nonetheless advises that there can be good amenity reasons, not associated with electro-magnetic fields, to avoid building residential properties under overhead power lines wherever possible. Whilst there are no clear amenity reasons associated with the overhead cables to warrant refusal of the application, it is an issue that suggests that any housing need in Hilcott would be better met elsewhere, and as such the position of the dwellings adjacent to the power lines fails to provide support in favour of developing the site.

### **9.8 Access and parking**

The Council's Highway Officer is satisfied that the revised access arrangements would provide for adequate visibility at the junction with Wilsford Road. The officer is also satisfied that adequate on-site parking and turning space could be provided. The details of the access, parking and turning arrangements could be secured by planning conditions in the event that planning permission is granted.

### **9.9 Flood risk and drainage**

The site is not in an area of known flood risk. Planning conditions could ensure that the gravel driveway is maintained of permeable construction, and the need for Land Drainage Consent would ensure satisfactory bridging or culverting of the roadside ditch. The development would thus have an acceptable drainage and flood risk impact.

### **9.10 Housing need**

The Core Strategy sets the approach for housing delivery within the area up to 2026, with a 137 further dwellings yet to be identified within the Pewsey Community Area. The aim of the Core Strategy is that these dwellings are to be concentrated in Pewsey and the Large Villages. The Core Strategy provides that housing outside built up areas (other than exceptions such as farm worker dwellings or affordable housing) shall only be provided through the neighbourhood plan process or site allocation DPD's, the process for which allows full sustainability appraisal in the choice of sites.

The application promotes the dwellings as being 'affordable' by reason of their modest proportions. They would be for sale on the open market however and as such do not meet the definition of affordable housing so as to be supported by policy Core Policy 44. In any event, the Council's Housing Needs Register currently only shows 1 household in the parish of North Newton with a housing need, which is a need for a 1 bedroom house rather than the 3-bedroom dwellings proposed. There is thus nothing in terms of local housing needs to offer any significant support for the proposal.

Notwithstanding the above it is also to be noted that in accordance with the NPPF, any identified shortfall in housing provision within the North Wessex Downs AONB does not provide a presumption in favour of development.

## **10. Conclusion (The Planning Balance)**

The application site is outside the built up area of the village and would not comprise infill development. The principle of residential development is contrary to the vision and policies



of the Wiltshire Core Strategy for sustainable development, and the policies for protection of the countryside and landscape of the North Wessex Downs AONB. Whilst the development would provide 2 additional dwellings to meet the general needs of housing within the wider area, there is nothing in terms of local housing need or the level of amenity provided by houses in proximity to the high voltage power lines that supports the proposals so as to warrant approval contrary to the development plan.

## **RECOMMENDATION**

**That planning permission be REFUSED for the following reasons:**

- 1 The development would not constitute 'infill' and would occupy a countryside location beyond the built up part of the village of Hilcott (identified as a 'small village' in Core Policy 18 of the Wiltshire Core Strategy). It would therefore conflict with Core Policies 1, 2 and 48 of the Wiltshire Core Strategy, which sets a presumption against development outside of the villages in rural areas unless for a number of exceptional circumstances, none of which apply in this instance.

Furthermore, the development would be poorly served by local services, facilities and amenities such that the occupants of the dwellings would likely be heavily reliant on the use of private cars for the majority of routine journeys, contrary to the principles of sustainable development set out in Core Policies 1, 2 and 60 of the Wiltshire Core Strategy.

- 2 The siting and layout of the development set perpendicular to the road would be out of keeping with the general character of development around the crossroads of Hilcott and would elongate the built up area of the village into open countryside and towards the neighbouring built up area to the north, thereby eroding the separation between built up areas to the detriment of the rural character of the area and the landscape and scenic beauty of the North Wessex Downs AONB contrary to Core Policies 2, 51 and 57 of the Wiltshire Core Strategy.