

Date of Meeting	02 April 2015
Application Number	14/12100/OUT
Site Address	Land adjacent Bell Caravan Park, Lydeway, Devizes SN10 3PS
Proposal	Erection of two dwellings (Outline application to determine access and layout). Resubmission of 14/06079/OUT.
Applicant	Mr Allan Nash
Town/Parish Council	URCHFONT
Division	URCHFONT AND THE CANNINGS
Grid Ref	405239 158021
Type of application	Full Planning
Case Officer	Jonathan James

Reason for the application being considered by Committee

The application has been called to committee at the request of the division member, Cllr. Whitehead. The key issues for justifying the call in, should the application be refused, are the visual impact on the surrounding area, the relationship to adjoining properties and the nearby larger development allowed on a neighbouring plot and concern at the previous reasons for refusal.

1. Purpose of Report

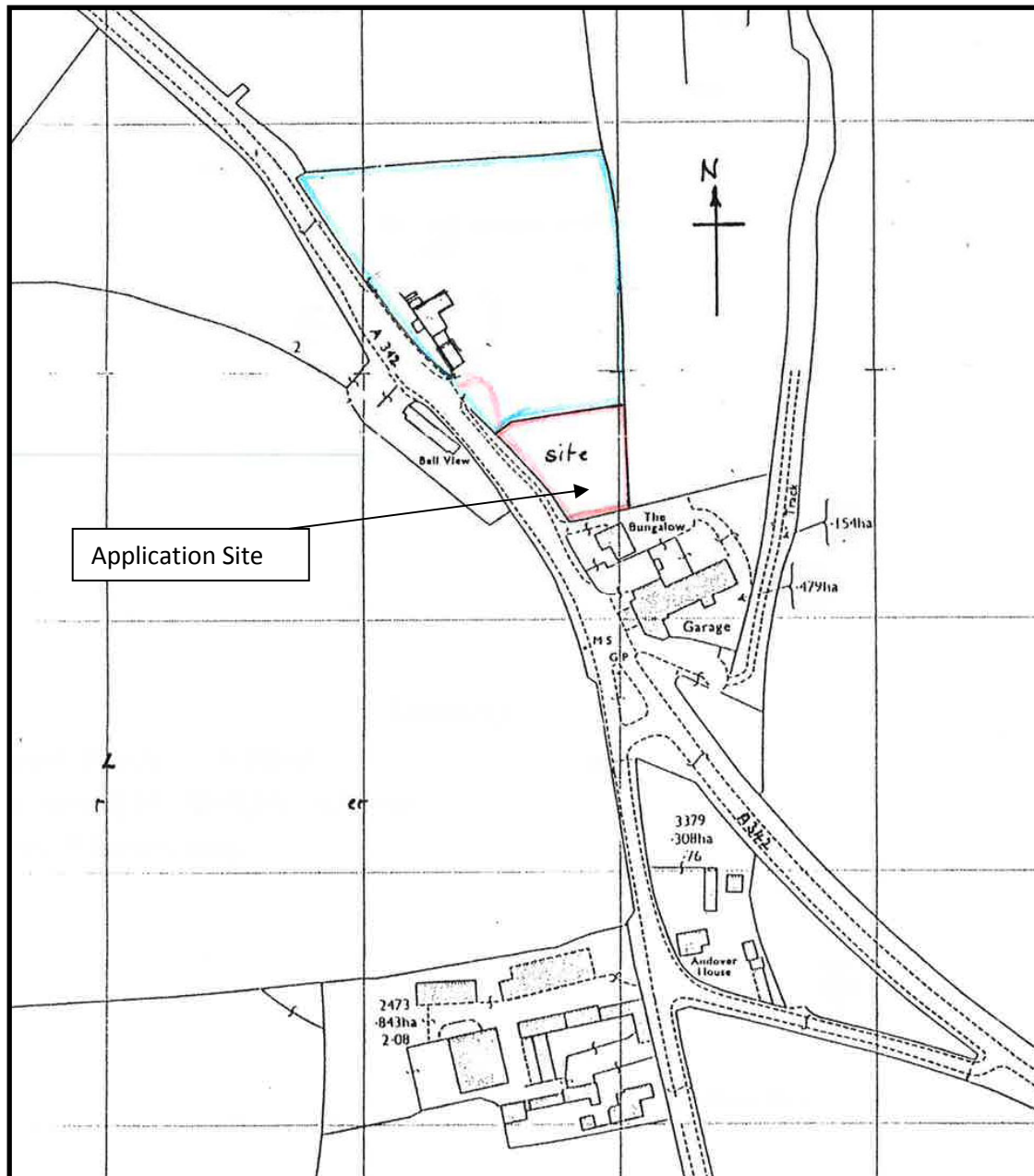
To consider the recommendation that the application be refused.

2. Report Summary

The main issue to be considered is the principle of development due to the fact that the site lies within countryside outside of any recognised Limits of Development; as such the proposal represents an unsustainable form of development contrary to the policies of the recently adopted Core Strategy and should be refused on these grounds.

3. Site Description

The application site forms part of an existing caravan park. The land is designated as falling within the boundary of the North Wessex Downs Area of Outstanding Natural Beauty (AONB). It is bordered to the south by an existing residential dwelling, "the Bungalow", to the north is the remainder of the caravan site with the owners dwelling and associated buildings, to the east is open countryside/agricultural land and to the west is the adjacent highway, the A342, from which the site is accessed.



Site Location Plan

The site is bounded by a mix of mature hedgerow and interspersed with mature trees; it is well screened within the landscape. The topography of the land within the site is generally level. The land is predominantly grassed over and with hedge and tree features forming the setting, along with a mix of timber and post and wire fencing boundary finishes.

There is a strong mature hedgerow between the proposed site and the dwelling ("The Bungalow" to the south and between the western boundary of the site and the adjacent highway.



View of site for proposed dwellings, hedgerow in background forms boundary with adjacent bungalow. As can be seen the site is very rural in character and maintains its historical context with the surrounding agricultural land.

4. Planning History

The site has been the subject of an extensive site history relating primarily to the evolution of the caravan site located here.

K/11376 – Variation of condition No.1 of K/79/-995 to increase number of caravans by 8 – Approve with conditions

K/79/0997 – Convert closed down pub into complete residential – Approve with conditions

K/79/0995 – Touring caravan site – Approve with conditions

K/81/0172 - Reception office, stores, shop, toilets and laundry buildings in connection with caravan site - Approved

K/82/0882 – Porch – Approved with conditions

K/83/0755 – Swimming pool – Approved with conditions

14/06079/OUT - Erection of two dwellings (Outline application to determine access, layout and scale) - Refused

With specific regard to the development proposed under the current submission the previous application “14/06079/OUT – for erection of two dwellings (outline to determine access, layout and scale)” was refused on the 6th October 2014 for the following reasons:

- 1 The proposed dwellings would lead to a consolidation of existing sporadic development in the countryside, representing an unsustainable form of development, being situated outside of any defined settlement boundary and would increase the need to travel by car to reach services, facilities and employment opportunities. There are no special circumstances which would outweigh this harm. Consequently the proposed development is contrary to policy HC26 of the Kennet Local Plan 2011, policy contained within the National Planning Policy Framework 2012 (particularly paragraphs 12, 37 and 55) and Core Policies CP1, CP2, CP48 and CP60 in the emerging Wiltshire Core Strategy (tracked*

changes version) April 2014.

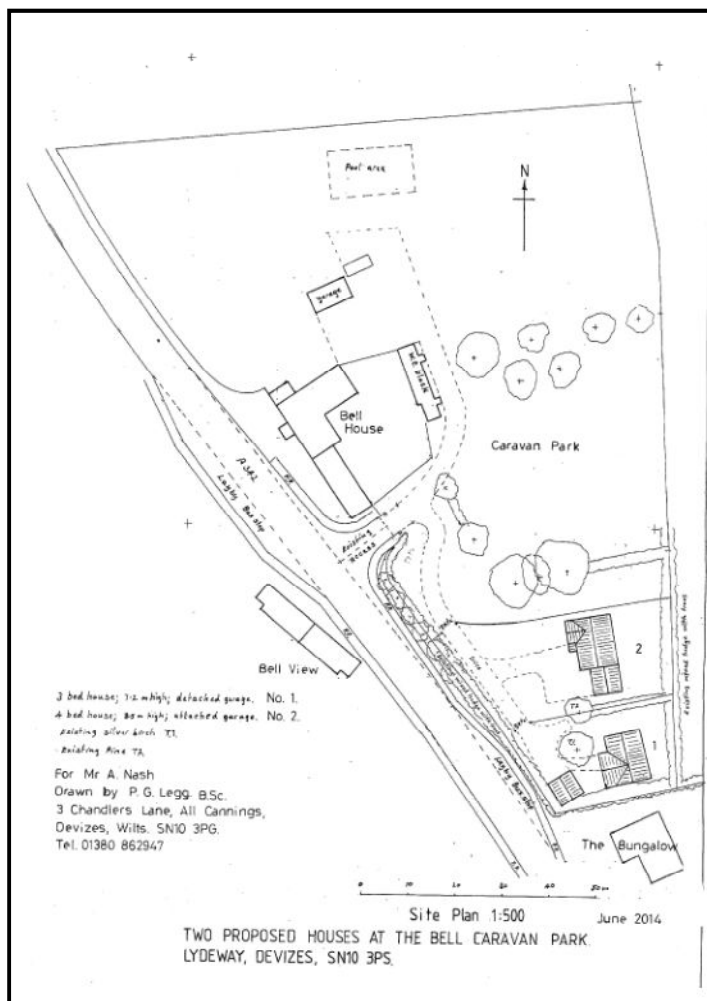
- 2 *In terms of the matter of scale, the application is lacking in detail in respect of the heights of the proposed garages, preventing a full assessment of the impacts of the development on visual and residential amenity. As such the application is contrary to policy PD1 of the Kennet Local Plan 2011 and policy CP57 of the draft Wiltshire Core Strategy (tracked changes version) April 2014.*

Other than the removal of the consideration for scale in the application and the fact that the Wiltshire Core Strategy has now been adopted there has been no material change in circumstances.

5. The Proposal

This is an outline application, with all matters reserved except means of access and layout. The proposal is for the erection of two dwellings, accessed from the A342 via the existing access point of the Bell Caravan Park.

An indicative planning layout illustrates how the site might be developed. The site is subdivided by established hedgerows, trees and boundary features, these would be retained.



Indicative Planning Layout

Access

It is proposed that the dwellings would be served by a private access drive branching from the vehicular access point into the Bell Caravan Park Site which joins the A342. No comments have been received from the Highways Officer on this application, although on the previous application their comments did not raise any concerns. The existing access has good visibility and allows for vehicles to pull in off the road whilst others may be trying to exit. The proposed site layout for both units would allow vehicles to enter and exit in a forward gear. On balance it is considered that the proposed development would not adversely affect highway safety in this location.

Layout

The dwellings are proposed to be laid out in a linear fashion and each is shown to be served by private amenity space and a parking and turning area. Plot 1 is also shown with a detached garage located at the front of the site. There are no objections to this approach which offers potential for adequate relationships between the plots and between the dwellings and the neighbouring bungalow (subject to the retention of existing boundary landscaping and provided the detached garage is modest in height). Whilst the rear garden serving plot 1 is quite shallow, the overall private amenity space surrounding the dwelling would be considered adequate. The layout is considered broadly in keeping with other scattered residential development at Lydeaway which tends to follow a linear pattern of development.

Scale

Under the historical application concern was raised at the scale of the proposed development, more specifically the potential for impact from the scale of the garages. This element has now been removed from the scheme and is no longer for consideration under this application. It is considered that the second reason for the refusal was down to a lack of information to allow for a full assessment of the impact and even though this matter is now reserved for future consideration that detail is still lacking. However, it is acknowledged that as this matter can now reasonably be considered at a later date that it would no longer be reasonable to refuse again for this issue.

6. Planning Policy

The site lies outside of any recognised Limits of Development (LOD) and hence in planning policy terms lies within countryside where policy seeks to restrict new build residential development to that which is required to meet an essential agricultural need, or other employment essential to the countryside. Development outside the settlement boundary will be strictly controlled. Relaxation of the boundaries will only be supported where it has been formally identified through a subsequent Development Plan Document (DPD) or a community-led neighbourhood plan.

The Wiltshire Core Strategy (2015) is the determining development plan for the area. It was formally adopted in January 2015 and has been found sound and robust by the Inspectorate. Core Policy 2 states that development outside of LODs will only be permitted where it has been identified through community led planning documents including neighbourhood plans, or a subsequent development plan document which identifies specific sites for development. This development must be adjacent or well related to the LOD.

Any existing settlement boundaries for Small Villages and other small settlements not identified in the settlement strategy will be removed, and there is a general presumption

against development outside the defined limits of development of the Principal Settlements, Market Towns, Local Service Centres and Large Villages. However, some very modest development may be appropriate at Small Villages, to respond to local needs and to contribute to the vitality of rural communities. Any development at Small Villages will be carefully managed by Core Policy 2 and the other relevant policies of this plan.

The NPPF describes the presumption in favour of sustainable development to be the “golden thread” running through plan-making and decision taking.

7. Consultations

Urchfont Parish Council: Supports the proposal. The following is a summary of their comments:

Support is given to this application and hope that the future viability of the Caravan Park will be secured. Urchfont Parish Council Planning Committee would further request that this application be treated in the context of the recent approval of Application 14/05562/OUT, in respect of travel and access to facilities.

North Wessex Downs AONB Unit: No comments received.

Wiltshire Highways: No comments received.

Wiltshire County Landscape Consultations: No comments received.

Wiltshire Council Landscape and Arboriculture: No comments received.

Wiltshire Fire and Rescue: make recommendation for use of domestic sprinklers and other measures in order to improve safety and property loss in the event of a fire.

8. Publicity

There have been four letters of support for the application; the following is a summary of the comments made:

- See no reason to object to the proposed houses and feel that it will be a positive move that will support the community of Lydeaway;
- As next door neighbour, no objections to the application;
- Fully support the planning application and can't see what all the fuss is about when there has been four houses passed within a stones throw of this proposed site;
- As a long term resident of Lydeaway, delighted about this proposal and fully support it; hope it will be followed by several more.

9. Planning Considerations

9.1 Planning Policy

The site lies outside of the Limits of Development (LoD) and hence in planning policy terms lies within the countryside. Policy seeks to restrict new build residential development to that which is essential for the needs of agriculture or other employment essential to the countryside, the aim being to concentrate development within settlements and to tightly control development in the open countryside in order to preserve its open and natural character. As described by the North Wessex Downs AONB Council of Partners during the development of the Wiltshire Infrastructure Delivery Plan (2011 – 2026), development of any kind in the area north of the A342 requires careful consideration as the landscape is particularly sensitive to change.

Whilst no comments have been received from the North Wessex Downs Officer on this current application, on the historical application an objection was maintained on the grounds that the site is outside of the settlement boundary and within countryside and nationally protected AONB landscape. They further argued that development would lead to sporadic and unsustainable development which is contrary to local and national policy. There has been no change in circumstance since the previous comments other than the adoption of the WCS (2015).

Core Policy 2 in the draft Wiltshire Core Strategy states that development outside of LODs will only be permitted where it has been identified through community led planning documents including neighbourhood plans, or a subsequent development plan document which identifies specific sites for development.

The site was put forward in the recent consultation rounds of the local neighbourhood plan for the area. Whilst support has been offered by the Parish Council under the current application the site did not go further forward in the neighbourhood plan. The same support of the site was not forthcoming during the course of the recent neighbourhood plan development phases. The site was evaluated as part of the Urchfont, Wedhamptom, Lydeaway Neighbourhood Plan (UWLNP) consultation (Nov. 2014), where it, along with two other sites was rejected at stage 1 of the evaluation and was determined by the public process not to be included as a candidate site for future development within the area.

Residential development will not normally be permitted in the countryside unless it meets the requirements of Core Policy 44 (rural exceptions sites). However, additional dwellings may be justified in certain circumstances when they are required in the interests of supporting rural employment, for example in association with equestrian activities when worker accommodation is needed onsite. In view of the exceptional circumstances applications will be scrutinised thoroughly and opportunities for accommodation within nearby settlements must be considered initially. Whilst an argument has been put forward that the provision of two market houses will support an existing business this is not for the provision of necessary housing for the owners of the business but to provide financial gain.

Core Policy 44 allows for the allocation of or granting of planning permission for small sites comprising of affordable housing only as an exception to normal policies. The Urchfont Parish Housing Needs Survey Report identifies a minimum need up to March 2016 for 6 new, shared/low cost affordable homes for the area. However, the proposed development does not provide for affordable housing and would not meet the criteria of this policy.

It is therefore identified that the proposed development does not meet an essential requirement for accommodation for rural workers and is not applicable to the determination of this application.

It was identified, in the Urchfont Parish Plan, amongst the key objectives to be considered in the neighbourhood plan that there needs to be a reduction in the number of car journeys for out commuting.

The National Planning Policy Framework defines three dimensions to sustainable development, a social, economic and environmental role and which it considers are mutually dependent (para's 7 and 8). It is considered that the site would not be categorised as brownfield/previously developed land and even if a successful argument was made to the contrary the stipulation of the definition of such land argues that not all of the land will be necessarily suitable for development. When planning consent was granted for the change of use of the land to a caravan park this particular area of the site was to be retained as paddock and would not have formed part of the formal set out for the seasonal occupation of the caravans. Clearly over time this area of land has been used for the placing of caravans.

However that has not resulted in any significant change in the character of the land. The existing use of the land as a caravan park is considered to be a use which is compatible with this countryside setting, has a social and economic role as aids to support tourism and facilities within rural areas and is considered a use which has limited long term environmental effects on the character of the land. Introducing a permanent residential use on the site would fundamentally alter the character of the land to the detriment of the rural setting. It would also set a precedent for further permanent residential development of this tourist facility..

The presence of the two bus stops and farm shop with some small business services close to the site is acknowledged, however it is reasonable to expect that most journeys to schools, employment or larger shopping trips would be likely to be undertaken by private vehicle and it is not considered the fallback position generated by the current use would be comparable in terms of trip generation, particularly as the use of the site would have seasonal fluctuations and the applicant has stated the land in question is not heavily used due to its proximity to the road. For these reasons taking into account the above factors, the proposal is not considered to constitute sustainable development as defined within the framework.

9.2 Other matters.

The application suggests that the proposed development would help *“the local planning authority somewhat in providing housing to satisfy their huge outstanding housing supply deficit during the plan period”*. As has been confirmed by the Inspector’s report the supply of housing land has been provided for within the WCS which has been found sound and robust, therefore this is not a material argument in this instance.

The application argues that new development has recently been granted nearby to the site, on a former garage site. The agent and applicant have referred to this permission in correspondence querying the differences between the two proposals. It is confirmed that outline permission has recently been granted for 4 dwellings on the nearby site at Lydeaway Garage (14/05562/OUT). Whilst the application particulars and officer report leading to the reasons behind the decision to approve 14/05562/OUT are available to view online on the Council’s website, officers consider it is pertinent to record that whilst the policy starting points for the two proposals were comparable, the two applications have materially different circumstances.

Namely that in the case of the garage site evidence was submitted to indicate that despite marketing efforts, the continued use of the site for commercial purposes was unlikely (due to the location and significant reinvestment required) to be viable. The likelihood of the site, which is visually prominent, of falling into disrepair was considered a possibility and therefore the proposed redevelopment offered potential for visual benefits. Furthermore it was judged that due to the nature of the commercial uses operating at the site, there would be some amenity benefits to the adjacent residential uses. Finally, the fallback position in terms of vehicular trips also was found in the applications favour. On balance these material circumstances were found to outweigh conflict with policy concerning the location of new housing development and the application was approved.

For the reasons outlined within this report there have not been found to be any material circumstances in the case of this application which would allow officers to reach the same conclusion.

Reference has been made to planning application 14/05874/FUL – Manor Farm, West Overton as this involved the creation of dwellings outside of the village, although immediately adjacent to the village policy limits. The site had existing buildings on which

could in time fall into a state of disrepair and create a negative visual impact on the AONB in this area. In addition this case created further benefits through the provision of affordable housing, open space and education contributions all of which allowed for an on balance positive conclusion to be reached. Each case is dealt with on its own merits, however where no positive merits are demonstrable then the only conclusion that can be reasonably reached is that of refusal.

10. Conclusion

The site is located outside of any recognised settlement boundaries and therefore in policy terms occupies a countryside location where policy restricts new housing development except in a limited number of exceptional circumstances and none of which are applicable to this proposal. It would have an adverse impact on the character and appearance of the countryside. It is not considered the material considerations in this case would be sufficient to overcome the conflict with policy which restricts new housing in locations such as this, which fall outside recognised settlement boundaries in order to avoid sporadic and unsustainable development within the countryside.

RECOMMENDATION

That the application be refused for the following reasons:

The proposed dwellings would lead to a consolidation of existing sporadic development in the countryside that would have an adverse impact on the character and appearance of the countryside in this part of the area of outstanding natural beauty and that would represent an unsustainable form of development, being situated outside of any defined settlement boundary and consequently increasing the need to travel by car to reach services, facilities and employment opportunities. There are no justified special circumstances which would outweigh this harm. Consequently the proposed development is contrary to policy Core Policies CP1, CP2, CP48, CP51 and CP60 in the Wiltshire Core Strategy (Jan 2015) and policy contained within the National Planning Policy Framework 2012 (particularly paragraphs 12, 17, 37 and 55).