TOWN & COUNTRY PLANNING ACT 1990

NABLES FARM AND ASSOCIATED BUILDINGS, UPPER SEAGRY, CHIPPENHAM, WILTSHIRE

COMBINED PLANNING STATEMENT IN SUPPORT OF THE RELAXATION OF 3No HOLIDAY LET USES AS PART OF THE WIDER UNRESTRICTED RESIDENTIAL GROUPING AT NABLES FARM AND LEAFIELD HOUSE, UPPER SEAGRY, WILTSHIRE

Prepared by

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1.0 INTRODUCTION

1.1 LPC (Trull) Ltd have been instructed by Mr A Jackson to seek to rationalise the mixed unrestricted and holiday let uses at Nables Farm, Upper Seagry (and the former separately owned Leafield House premises, next door - and now in the same ownership), allowing independent residential use of the existing 3No Holiday let properties, without limitations.

1.2 In order to place this proposal in context, this overarching report will review the site's overall planning history, explaining the incongruous mix of residential uses that have been created over time and those that remain extant. The declining attraction of the historic holiday lets will be reviewed, and the planning balance will be undertaken to highlight how the site's sustainability locationally, and given the existing built infrastructure, will positively contribute to the supply of much needed new houses, avoiding any greenfield new development.

2.0 PLANNING BACKGROUND



2.1 The aerial site layout extract on the previous page has been annotated to identify the full range of residential properties in the applicant's control (and as listed below). For completeness I have also identified those buildings which have recently been approved, pursuant to application PL/2022/08822 for conversion to create 4No new, and unrestricted residential properties (I), and one further dwelling pursuant to PL/2021/07596 (E), due to start shortly. In total there are 16 No individual Class C3 units sanctioned at this site, of which 3 are restricted for holiday use only, and are thus anomalous as part of the residential built grouping, viewed as a whole.

A Leafield House-subdivision as 2No dwellings

B The Anchorage (Holiday use)

C Nables Farmhouse

D Woodman's Cottage (Holiday use)

E PL/2021/07596 (1No dwelling)

F Oxen Cottage (Holiday use)

G Building No 1 (2No dwellings)

H Building No 3 (3No dwellings)

I PL/2022/08822 (4No dwellings)

2.2 Examining the site's relevant history chronologically I have provided a brief outline of the most applicable details enacted for each property.

2.3 <u>Nables Farmhouse</u>

N/93/01038/OUT – Outline – Rebuild former farmhouse.

<u>Nables Farm-Barns, now known as Oxen Cottage and Woodman's Cottage</u>

N/00/00558/FUL – Proposed conversion of 2No Barns to form self-catering holiday accommodation.

<u>Woodman's Cottage</u>

N/05/00384/S73A – Variation of Condition 5 (N/00/00558/FUL) to allow occupation of Barn by a carer.

N/08/01167/S73A – Variation of Condition 5

N/11/02312/S73A – Variation of Condition 5 of N/00/00558/FUL to allow occupation of a carer for a further 3 years.

14/06814/VAR – Variation of Condition 2 of N/11/2312/S73A to allow occupation by a carer for further 3 years.

Building No 3

16/08475/PNCOU – Notification for Prior Approval, Conversion of existing Building (Building No 3). Falling within Class B8, for use as 3No Dwellings (Use Class C3), Pursuant to Class P.

Building No 1

17/03208/PNCOU – Notification of Prior Approval, Conversion of existing Building (Building 1). Falling within Class B8, for Use as 2No Dwelling (sic) (Class C3), Pursuant to Class P.

Barn

PL/2021/07596 – Prior Notification under Class Q for change of use as 1No dwelling.

The Anchorage

17/00244/FUL – Use of annex/agricultural building as holiday accommodation.

18/05603/VAR – Removal of Condition 3 on 17/0244/FUL regarding use of annex as 'tied' holiday accommodation.

Leafield House

PL/2022/02508 – Alterations and subdivision to create 2No dwellings.

3.0 THE PROPOSALS

3.1 There are effectively three separate applications the subject of this overarching joint statement and these are described below.

- Removal of condition No 5 imposed on application N/05/00384/S73A regarding Oxen Cottage restricting use as a holiday let property.
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- Removal of condition No 2 imposed on application 14/06814/VAR restricting use of Woodmans Cottage as holiday accommodation.
- Removal of condition Nos 3 and 4 imposed on application 18/05603/VAR regarding The Anchorage restricting use as holiday accommodation.

3.2 For completeness, I have inserted below the conditional wording at issue regarding the above three proposals.

N/05/00384/S73A

5. Barn A as permitted shall be used for occupation by a carer in association with Nables Farm for no more than three years ending on 11 April 2008. Upon expiration Barn A shall be used for holiday accommodation only and for no other purpose and no person shall occupy the accommodation for a period of more than 6 weeks in any calendar year.

Barn B shall be used for holiday accommodation only and for no other purpose and no person shall occupy the accommodation for a period of more than 6 weeks in any calendar year.

Reason: To ensure that the development is only occupied as holiday accommodation because the site is within an area where the local planning authority would not normally permit new dwellings.

14/06814/VAR

2 Barn A (also known as Woodmans Cottage) as permitted shall be used for occupation by a carer in association with the permanent occupation of the main dwellinghouse known as Nables Farm, by Mrs Ridout for no more than three years ending on 31st August 2017. Upon expiration Barn A (Woodmans Cottage) shall be used for holiday accommodation only and for no other purpose and no person shall occupy the accommodation for a period of more than 6 weeks in any calendar year.

REASON: To ensure that the development is only occupied as holiday accommodation because the site is within an area where the local planning authority would not normally permit new dwellings.

18/05603/VAR

3 The accommodation hereby permitted shall be used to provide holiday accommodation only, which shall not be occupied as permanent accommodation or as a primary place of residence.

REASON: This site is in a position where the local planning authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit an additional unit of permanent residential accommodation.

4 An up to date register of names and main home addresses of all occupiers shall be maintained and shall be made available on request at all reasonable times to the local planning authority.

REASON: This site is in a position where the local planning authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit an additional unit of permanent residential accommodation.

3.3 In light of the above history it is apparent that since the two historic conversions were approved by application N/00/00558/FUL, (over 23 years ago) Woodman's Cottage has been used, effectively as self-contained and independent accommodation (albeit for a carer) for 12 years, amounting to over half of its total usage. Additionally, The Anchorage, is a 5 bedroom detached building with large communal rooms, initially built as an Annex to the main dwelling; Leafield House, and where the building was granted consent at appeal by application 13/03096/FUL, but was not built in accordance with the approved plans and permission was refused under 16/08358/FUL for retrospective consent as a two bedroom bungalow. It had therefore been used largely as a self-contained and independent residential unit until approved by application 17/00244/FUL for holiday let accommodation. The previous owner clearly didn't design it as a holiday let unit, and it is not typical of a rural get away property.

3.4 Without conflating the three applications, the two barns; Oxen Cottage and Woodman's Cottage, were restricted at the time, not only of course on the basis of the nature of the application first made and subsequently varied, but as the conditional reason explains, 'because the site is within an area where the local planning authority would not normally permit new dwellings'. The site's latest planning history however demonstrates this is clearly no longer the case and the vast majority of the site has been approved for residential use.

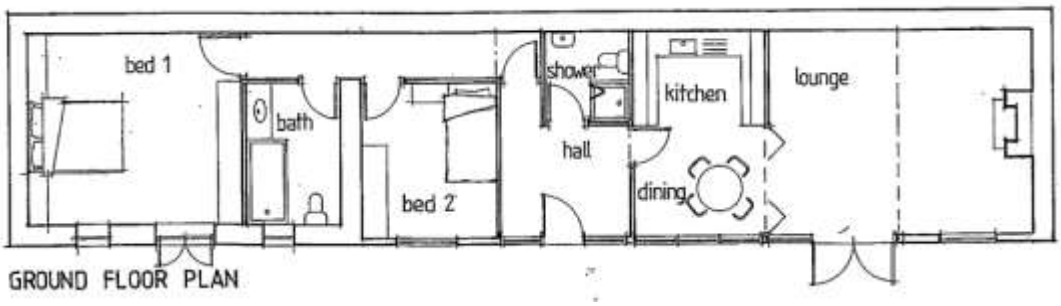
3.5 The Anchorage approval, albeit intended to overcome the previous owner's unauthorised actions, was restricted, 'having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area,' which it was said would not permit an additional unit of permanent

residential accommodation. This is clearly a more site specific assessment of the premise's future residential use, as proposed, but again the planning history for the site confirms there is no embargo on the reuse of buildings for residential purposes. Furthermore it will be shown that a reasonable residential access and amenity are possible.

3.6 Photographs of the three separate properties and floor plan extracts are inserted below to complete the contextual assessment and confirm that the proposed new chapters of use will be instigated without the need for any operational development.

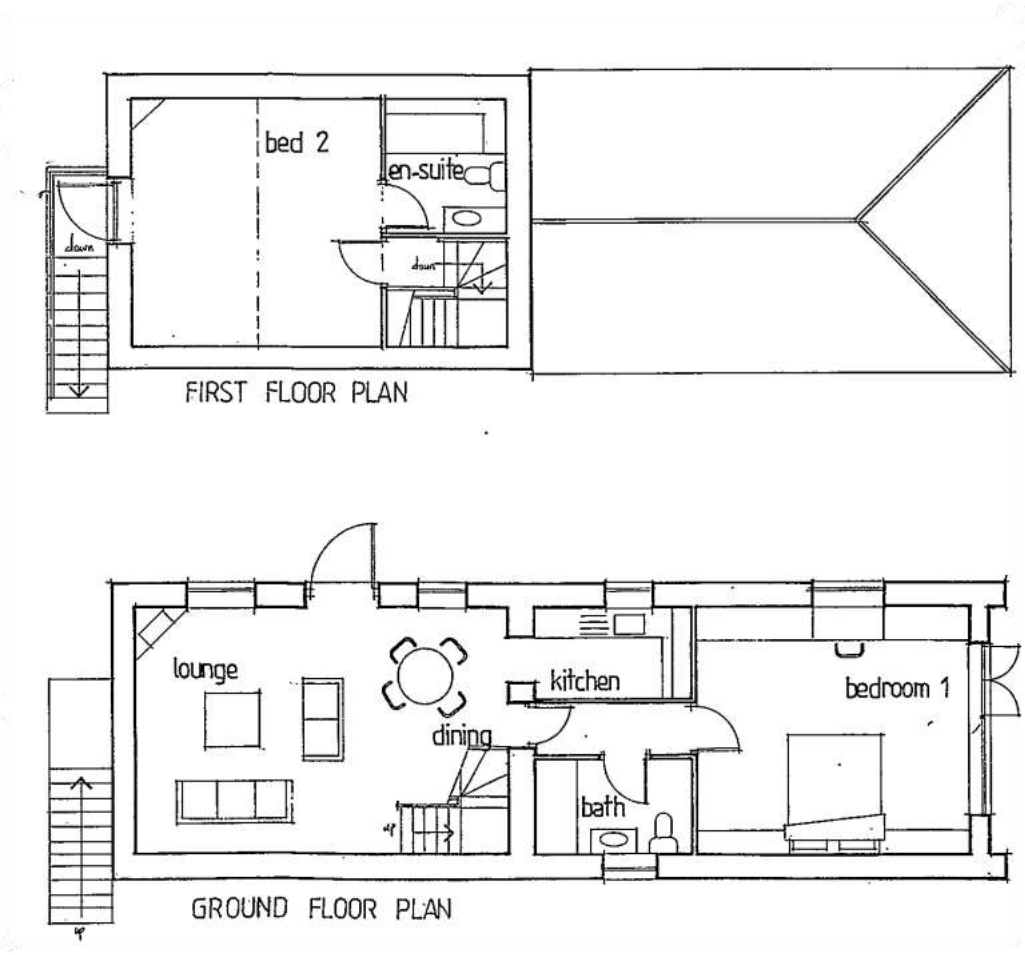
Oxen Cottage





Woodman's Cottage





The Anchorage





4.0 THE DEVELOPMENT PLAN

4.1 Section 38 (6) to the Planning and Compulsory Purchase Act 2004 requires that all planning decisions are made in accordance with the Development Plan unless material considerations indicate otherwise. The main planning policy framework relevant to this proposal is the Wiltshire Core Strategy 2015 (WCS).

4.2 The National Planning Policy Framework (NPPF) provides the Government's planning policies for England and explains how they should be applied. It is a material planning consideration.

4.3 The following policies from the WCS are believed to be relevant to the application proposals are inserted below.

Wiltshire Core Strategy

Core Policy 1 Settlement Strategy;

Core Policy 2 Delivery Strategy;

Core Policy 10 Spatial Strategy: Chippenham Community Area;

Core Policy 48 Supporting Rural Life;

Core Policy 50 Biodiversity and Geodiversity;

Core Policy 57 Ensuring High Quality Design and Place Shaping;

Core Policy 60 Sustainable Transport,

Core Policy 61 Transport & Development,

Core Policy 62 Development Impacts on the Transport Network.

5.0 PLANNING ASSESSMENT

5.1 The main issue is whether the site is an appropriate location for permanent residential dwellings having regard to the WCS and the NPPF. With this in mind, and by reference particularly to the conditional justification noted at paragraph 3.5 earlier, the key planning issues for the determination of the two proposals are;

- The principle of development;
- Highway safety;
- Design and wider landscape impact; and
- Residential amenity issues

Principle of Development

5.2 In considering the principle of the proposed development, policies CP1, CP2, CP10 and CP48 of the WCS are the key considerations, together with the policies of the NPPF. I will of course review all other material considerations too.

5.3 CP1 outlines the settlement strategy which identifies the settlements where sustainable development will take place to improve the lives of all those who live and work in Wiltshire. It is however noted that the application site falls outside the limits of development of the nearest settlement and therefore for

the purpose of assessing this proposal falls within the countryside, between the small villages of Upper Seagry and Lower Stanton St Quintin. It is not particularly 'isolated' though in the normal meaning of the term, albeit paragraph 80 to the NPPF would apply given the rural location. Its relative location is shown below on the map extract.



5.4 CP2 of the WCS outlines that there is a presumption in favour of sustainable development at 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.

5.5 The 'exception polices' referred to in policies CP1 and CP2 are outlined within paragraph 4.25 of the WCS which seek to respond to local circumstances and national policy. The principle of residential development should therefore be considered under the relevant WCS exception policy CP48 'Supporting Rural Life'.

5.6 Policy CP48 of the WCS explains the approach that will be taken to support rural communities outside of the existing settlement limits/built areas. The policy advises that:

'Proposals to convert and re-use rural buildings for employment, tourism, cultural and community uses will be supported where they satisfy the following criteria:

I. The building(s) is/are structurally sound and capable of conversion without major rebuilding, and with only necessary extension or modification which preserves the character of the original building.

II. The use would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas.

III. The building can be served by adequate access and infrastructure.

IV. The site has reasonable access to local services.

V. The conversion or re-use of a heritage asset would lead to its viable long term safeguarding.

Where there is clear evidence that the above uses are not practical propositions, residential development may be appropriate where it meets the above criteria.

In isolated locations, the re-use of redundant or disused buildings for residential purposes may be permitted where justified by special circumstances, in line with national policy.'

5.7 Paragraph 80 of the NPPF, relating to rural housing, is also pertinent to the consideration of comparable rural development. It advises that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of a number of prescribed circumstances apply. Relevant to the consideration of these applications is item (c) which supports 'the development would re-use redundant or disused buildings and enhance its immediate setting'.

5.8 All three properties have been assessed as acceptable, reusing the existing buildings, as holiday lets as previously proposed, in accordance with the criteria either set out in policy CP48 regarding The Anchorage, and its proceeding planning policy framework for the other two units, which was not fundamentally different.

5.9 Policy CP48 allows for the conversion and re-use of redundant rural buildings for residential purposes where there is clear evidence that employment, tourism, cultural or community uses are not practical propositions. Additionally, it should also be stressed that Government's permitted development tolerances nationally, as part of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), at

Part 3, support the unrestricted residential reuse of various buildings, without any spatial distinctions or other 'evidence' of practicality, thus recognising the need to boost housing supply and that the reuse of existing buildings goes to the heart of its drive for sustainable development. Latest Government statements have reinforced the desire to focus rural housing away from green field developments.

5.10 There are also numerous examples within your Council area where rural buildings are converted for unrestricted residential use, without the sequential test at policy CP48 outlined above needing to be vigorously tested. A practical judgement is all that is required to make the necessary 'practically proposition' balance, as some judgements are of course very clear. For instance, in the case of a conversion on Stone Lane near Lydiard Millicent, and even closer to the built up limits of Swindon, (LPA ref; 16/09171/FUL) the officer's decision report stated;

> 'In respect of the tourism use this is not necessarily considered incompatible with the surrounding uses however given the lack of surrounding infrastructure and nearby attractions, a tourism use in such a location is not considered to be practicable.'

A more recent decision (PL/2022/08428) at Easterton Sands near Devizes shares much in respect of the benefits in delivering a boost to poorly performing supply of housing and thus practically setting aside any sequentially preferential reuse of the building. In that instance the officer's report clearly stated the balance of possible policy conflict was tilted by the need for housing and the acceptable impacts of the development.

> 'The development of a single dwelling would be of limited benefit in this respect, particularly when noting the locally healthy housing land supply position in the community area. The benefit nonetheless attracts significant weight in the light of the governmental aim to 'significantly boost the supply of housing'…. The development would also make use of previously developed land, which is supported by Strategic Objective 5 of the Core Strategy, albeit that there is nothing to suggest that the existing use of the site is redundant.'

5.11 Such a practical judgement is underpinned by the WCS policy considerations for new tourist accommodation. WCS policy CP39 would clearly exclude the land at Nables Farm. It states that, '*If new buildings are required in the countryside for tourist development, these should be directed towards the Local Service Centres and Large and Small Villages.*

In exceptional cases development may be supported away from the Principal Settlements, Market Towns, Local Service Centres and Large and Small Villages where it can be demonstrated that all of the following criteria are met:

i. There is evidence that the facilities are in conjunction with a particular countryside attraction.

ii. No suitable alternative existing buildings or sites exist which are available for reuse.

iii. The scale, design and use of the proposal is compatible with its wider landscape setting and would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas.

iv. The building is served by adequate access and infrastructure.

v. The site has reasonable access to local services and a local employment base.

Extensions to existing facilities should be appropriate in scale to their location and help to ensure the future viability of the business, including farm diversifi cation schemes.

Proposals for camping and touring caravan sites (including extensions) will be supported where they can be accommodated without adverse impact on the character and appearance of the landscape and meet criteria iii to v above.'

5.12 An additional example of the residential conversion of a rural building based on the clear benefits and practicality of a residential use has been provided by application PL/2021/10973 and in that regard the officer has also taken into account the 'tilted' balance resulting from the failed supply of housing in Wiltshire and the Government's stated desire at paragraph 60 to the NPPF

to significantly boost the supply of housing. I will return to this same point in due course.

5.13 The portfolio of properties at Nables Farm have been developed as a diversified income stream for the farm. They have not been and are not intended to be sold separately. They provide rental income, in addition of course to providing much needed rental accommodation in this rural area, where such housing tenure is notoriously difficult to find, as a more affordable form of housing allowing people to continue to live locally. There has been a phased investment to develop the site and a substantial commitment is still needed to deliver those additional houses already approved, adding further to the local housing supply. Obviously, the rise in interest rates has impacted on the servicing of those costs but the viability of manging the 3 holiday lets as part of the overall estate is more precarious than simply considering the reduced revenue being experienced against the rising costs. For instance, notwithstanding the disproportionate management time already involved in arranging/booking short stays etc, my client's cleaning contractors are currently unable to find weekend staff, which is now a long term issue, adding extra work for my client, who is still actively involved in the management of the poultry and beef operations on the farm. These problems are expected to be ongoing for some time without an obvious long term solution. The size of the 3No holiday let operations is not sufficient that it warrants employing dedicated staff, but neither is it incidental in the way that many short stay single Airbnb type operations are, merely provide a secondary form of income to a household.

5.14 As for finances, the need to re-mortgage is indicating that the interest only costs, at the moment are in the region of £7550.00 per month, as have been quoted from Oxbury, (2.57% over base) for the Leafield/The Anchorage finance to rise to £8069.00 per month, moving to £10784.00 after two years. These figures pre-date the latest rise in interest rates too. In terms of revenue to service those costs, rental for the Anchorage could hope to take around £80,000 per year, which in simple terms is divided by 2 for net income, as a rule – 18% commission, 20% VAT, cleaning, laundry, water/electric, rates and so on… £40k divided by 12 is therefore £3,333. Given the size of the

Anchorage a residential rental is anticipated to be in excess of £3,500 and of course attracts none of the holiday use costs. Furthermore, the removal of the holiday let ties would enable the finances to move to a standard buy to let mortgage and get away from the current very expensive commercial loans they attract. Overall, it should be possible to move closer to 5% fixed rates and this would save over £3,000 per month and could include repayments as well, whereas now the interest only serviceable financing is very limiting in the long run as a viable business proposition. There are no Business Rates either and the tenants would pay Council tax direct etc.

5.15 Moving on to look at the use of the buildings for light industrial purposes or for an office use, it is noteworthy that the site was established by the previous owner (Mr Rideout) in part for commercial uses. Over and above those buildings which had evolved by default North Wiltshire Council then successfully took enforcement action to reverse the commercial use of those buildings, since approved for residential use by application PL/2022/08822. The enforcement notice was upheld at appeal on the grounds it was not considered a suitable site for such employment uses. Since then of course the site is now primarily approved for unrestricted residential use, and in the same way the holiday users are not part of that community neither would an employment use.

5.16 Finally, the location of the site in the countryside would not be attractive for cultural or community uses, as there is no obvious community to be served, and the buildings are probably too small for these types of uses in any event. Of course, any use of the site that generates significantly higher levels of traffic would not be acceptable on highway safety grounds, thereby ruling out a cultural or community use as a practical proposition.

5.17 In summary, I believe that as the sites' uses have evolved and the dominant sanctioned use is now residential, the practical necessity of maintaining the anomalous holiday let uses is far from clear, indeed the only viable and practical proposition, which does not result in a financial loss is as an unrestricted residential use.

5.18 The statement above has reiterated that the proposals would satisfy all of the criteria set out in CP48. For these reasons, it is concluded that the reuse of the rural buildings complies with the exceptional circumstances set out in policy CP48 of the WCS. The actual proposals though are of course seeking to remove the related conditions referred to earlier. In that regard, since 2000 and regarding Oxen Cottage and Woodman's Cottage it is very clear that it is not tenable to suggest that this is an area where unrestricted residential dwellings 'would normally not be permitted'. The facts of the matter are that such accommodation is the norm, by far. Additionally, in principle, and particularly since the holiday use condition was imposed on the Anchorage and that the separate tie requiring it to be managed by occupants of the adjacent premises (Leafield House-see application 18/05603/VAR) has been removed, (and the use of that property approved as two separate dwellings) the basis for the holiday let condition is unfounded. Having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, there is no evidence that the use of The Anchorage should not be permitted as an additional unit of permanent residential accommodation juxtapose Leafield House. Parking and access as well as suitable amenity space are all provided for the current visitors and sufficient for a permanent residential use, entirely independent from Leafield House.

5.19 It is therefore clear that in terms of the primary issue in this case it has been shown that the proposed change of use of the site is acceptable in principle and accords with both national and local planning policies. However, if there is any doubt then the planning balance can be shown to fully support the sustainable addition to the sanctioned housing mix on this particular site.

5.20 This is important as it is understood that your Council still cannot demonstrate the required 5-year housing supply. The presumption in favour of sustainable development therefore tilts the assessment balance. Indeed, your Council's Briefing Notes No 22-09 and 20-20 have highlighted that in order to restore the five-year housing land supply, you Council will, inter alia,

'Positively consider speculative applications where there are no major policy obstacles material to the decision other than a site being outside settlement boundaries or unallocated'.

5.21 As said above, the reasons for the imposed conditions in question are clearly not sufficient grounds in principle to resist the increased sustainable supply of housing as proposed. To do so would contradict your Council's own efforts to overcome the ongoing housing supply shortage.

5.22 Paragraph 11 of the NPPF notes that the relevant policies for the supply of housing should not be considered up-to-date if a local planning authority cannot demonstrate a five-year housing land supply and for decision taking this means that planning permission should be granted unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

5.23 Paragraph 60 to the NPPF as indicated above states that, 'To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay'.

5.24 Paragraph 69 states that small and medium sites can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly. Indeed, in this case the proposal involves no actual works and will thus have a direct benefit in terms of immediate provision. Furthermore, it should be stressed that the area does not fall in a sensitively designated area as referenced in the NPPF at paragraph 11d) i) and underpinning the sanctioned scale of housing already.

5.24 Notwithstanding the scale of residential development already sanctioned, demonstrating the site's sustainable credentials the NPPF at paragraph 105 also notes that sustainable transport solutions will vary between urban and rural areas.

5.25 The Core Strategy was adopted in January 2015 and is now more than 5 years old. Both the Courts and Planning Practice Guidance make it clear that the policies of a development plan do not become out-of-date automatically after the passage of 5 years. However, the NPPF also makes it clear that housing land supply must now be assessed against Local Housing Need for the whole of Wiltshire, rather than the previous Housing Market Areas. During the past 5 year your council has regularly under provided housing land required to meet the required supply.

5.26 The NPPF, within the context of a presumption in favour of sustainable development, aims to significantly boost the supply of housing. It requires local planning authorities to identify and regularly update a supply of specific deliverable sites sufficient to provide 5 years' worth of housing land supply. The NPPF makes it clear that where this cannot be demonstrated, relevant polices for the supply of housing (which in this case would include CP1, CP2 and CP10 in relation to limits of development) cannot be considered up to date, and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The above referenced Briefing Note actions echo the same approach. The fact no operational development will be required as part of the delivery of 3 new unrestricted residences, as part of a well established residential enclave also curtails the legitimate and unflexing application of the holiday limitations in reliance on CP48.

5.27 The NPPF Paragraph 11d advises that policies which are most important for determining these applications should therefore not be considered up to date. As a result, the presumption in favour of sustainable development as set out at Paragraph 11d of the Framework is engaged so that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. No such harm can of course be identified in respect of the use of the three properties and that will be confirmed under the following key issues headings.

5.28 Case law has examined the interpretation and operation of national policy with regards the ability to demonstrate a five-year housing land supply, and

the presumption in favour of sustainable development. Court judgments have established that:

i. Policies that are considered to be out-of-date as a result of a shortage in the 5-year housing land supply are still capable of carrying weight in the planning balance. The weight to be attributed to those policies is a matter for the decision-maker (most recently in Suffolk Coastal District Council v Hopkins Homes Ltd. [2017] UKSC 37).

ii. The extent of any shortfall in the 5-year housing land supply is capable of being a material consideration (most recently in Hallam Land Management v SoS DCLG [2018] EWCA Civ 1808).

The implications of the Council's 5-year housing land supply position, and the weight to be attributed to the development plan policies, must be taken into account in the determination of the application. The extent of the 5-year housing land supply shortfall, and the potential for the proposal to deliver housing in the current 5-year period to help remedy the current shortage in deliverable supply, need to be taken into account in the balancing exercise too. As highlighted above, it is noted that the Council is endeavouring to redress its limited housing shortfall in several ways, including the support of windfall opportunities, which are of course generally modest in scale to raise no other issues.

5.29 When you breakdown the current under supply in terms of actual housing numbers, as the Inspector did in a recent appeal at Park Road, Malmesbury (APP/Y3940/W/21/3286853 and 3289757) he said the position, '**cannot** reasonably be considered a modest shortfall'. The Inspector addressed the position further at paragraph 73 and noted the often cited argument that, 'each proposal would only address a modest part of the shortfall in each case', and concluded that that actually emphasises the importance of delivering more houses to meet the need wherever possible. Substantial weight should be given to the provision of housing, bearing in mind too that even the stated target is not ceilings. The undersupply was said by the above Inspector to represent a shortfall of 1216 houses and in simple quantitative terms therefore requires a positive approach to support all sustainable new

housing opportunities, such as in this case, to reduce the need on a rolling basis.

5.30 Appeal and court decisions confirm that ultimately it will be up to the decision maker to judge the particular circumstances of each application and how much weight should be given to conflict with policies for the supply of housing that are 'out-of-date'. Therefore, consideration of the weight which can be provided to the above policies is integral in the balancing exercise, which in this application is believed to identify no material harm and given the site specific circumstances is unlikely to create a material precedent. Moreover, in light of the immediate deliverability and the fact the land is not sensitive in landscape or heritage terms and is in fact already residential in character and use such increase is sustainable as part of the established site and therefore, taking a common sense position there are no reasons on balance that weigh against the grant of permission in principle as sought.

Highway safety

5.31 No objections have been substantiated to date indicating that the existing access arrangements are unacceptable and of course the three units in question already attract regular vehicle moments, both by the visitors but also those servicing the units. It is worth stressing in this regard that many visitors will have travelled long distances to visit the area as part of a driving tour of possible local attractions and will be car dependant whilst making whatever day trips are involved. It would not be tenable to suggest that a more permanent residential use will be any more intensive or unsustainable. There is ample space to park and manoeuvre on site too.

5.32 Paragraph 111 to the NPPF states, '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'. No such harm exists in this instance, evidenced by the sanctioned and long term usage.

Design and wider landscape impact

5.33 Not only are the application properties already there but so are the available amenity spaces and car parking areas etc and therefore the change in use will not give rise to any externalities not already established, and acceptable to the character and appearance of the area.

5.34 Additionally the orientation and spacing between units is sufficiently generous so that the amenities of all neighbouring properties will be maintained, and the use of the associated lands is not discernibly different.

Residential amenity issues

5.35 As above, the spacing and physical impacts of the grouping are unchanged by the relaxed residential usage of the three properties, amongst the 13 other dwellings already unrestricted properties and that arrangement of units will maintain the site's acceptable residential amenity and sense of place.

5.36 With regard to The Anchorage it is arguable that because of its size there is a propensity for it to be booked by party groups and these are often disturbing for the nearest rental properties, and anecdotally potential tenants have been more reluctant to lease the closest houses. Use of The Anchorage by a family unit is likely to be more invested in a more mutually considerate residential environment by comparison with a transitory party group.

6.0 CONCLUSIONS

6.1 The existing holiday units are an anomaly as part of the overall residential grouping in my client's control and in isolation are not financially viable to manage and fund, in contrast to the rest of the sanctioned portfolio. There has been a material change in circumstances since the first two holiday let units were created as a form of agricultural diversification. Indeed, the site is not an obvious holiday stay destination amongst the sanctioned settled community and the reasons for the conditional limitations are eminently not now true, as the significant majority of the houses (13 vs 3) are unrestricted dwellings.

6.2 Accordingly, not only is this a suitable site for housing in principle, but the titled housing balance, by reference to paragraph 11 to the NPPF, read in

conjunction with your Council's own briefing notes intended to mitigate the long term undersupply of housing, means boosting the supply of deliverable housing, only apparently contentious because they are outside a defined settlement boundary, materially weighs in favour of the logical and simple completion of the small housing community evolved at Nables Farm. The supply and mix of rural housing will be increased as a positive per se.