TOWN & COUNTRY PLANNING ACT 1990

DEMOLITION OF EXISTING COMMERCIAL GARAGE PREMISES (INCLUDING CAR SALES) - PAVENHILL GARAGE, PAVENHILL, PURTON, WILTSHIRE TO ACCOMMODATE 2No NEW DWELLINGS



PLANNING STATEMENT
(Including Design Commentary)

Prepared by

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Our Reference: SWLC.LPC54867

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1.0 INTRODUCTION

1.1 LPC (Trull) Ltd have been instructed by Mr Croucher to prepare and present the case to redevelop the existing commercial garage premises, known as Pavenhill Garage, Pavenhill, Wiltshire. The proposed redevelopment involves the construction of 2No new dwellings, and the extent of the site is shown edged red below.



1.2 This overarching planning and design statement should be read together with the listed plans and other application documentation below, which completes the full application package. The necessary application fee has of course been paid separately.

List of plans and documents

- Full application form including Certificate A
- CIL form
- Ecological Appraisal prepared by Crossman Associates
- LPC 5487 PL1 001 A – Planning, Ground Floor Plan
- LPC 5487 PL1 002 A – Planning, Floor Plans and 3D
- LPC 5487 PL1 003 A – Planning, Elevations
- LPC5487 PL1 004 A – Planning, Site Plan
- PPM799_topo_elev – Topographical Survey & Basic Elevations

2.0 SITE CONTEXT AND HISTORY

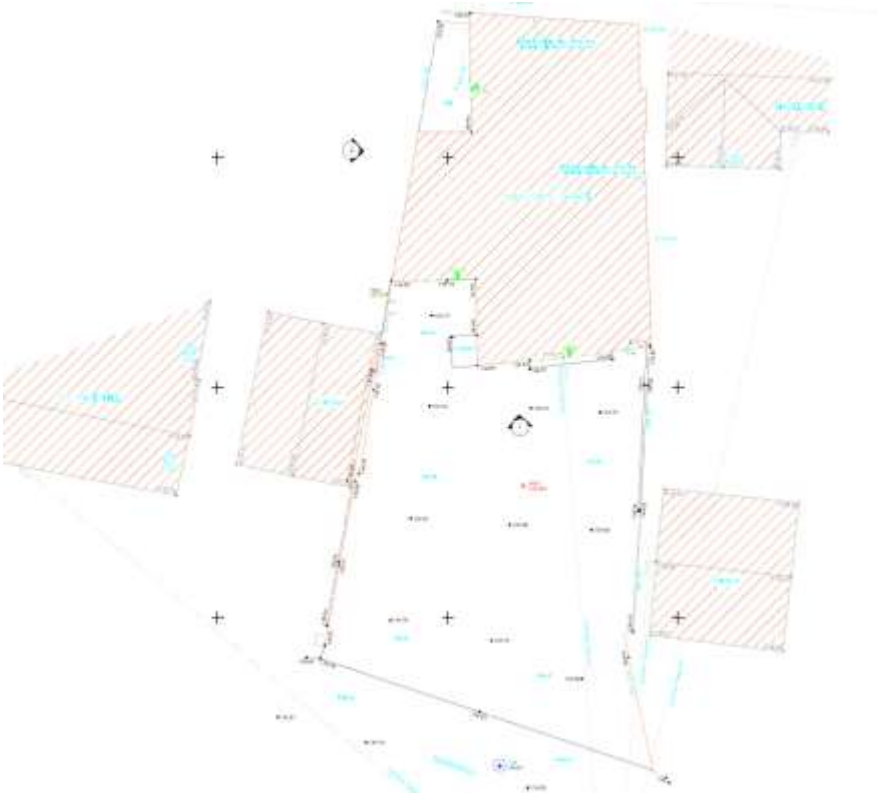
2.1 Purton is located approximately 4 miles north west of the centre of Swindon and the nearest junction to the M4. It is similarly positioned to the north of Royal Wootton Bassett. Its accessible location in these regards is shown by the plan extract inserted below.



2.2 Purton has a population of approximately 3200 and is supported with a range of facilities and amenities, including GP and dentist, various shops, a vet and pubs, a village hall, library, playing field and playground, nursery, primary and senior schools, and a church.

2.3 The C53 Bus Route: Royal Wootton Bassett - Cirencester College, and 53 Bus Route: Swindon – Cricklade operate within the village with various stopping points available.

2.4 The application site comprises a mix of utilitarian workshop and sales office premises set towards the rear of the site, facing an open hardstanding used to display cars for sale. The extent of the existing built spread is shown by the survey plan extract inserted at the top of the following page.



2.5 The garage operations and buildings, which in addition to vehicle repair have included vehicle sales over many years, are non-conforming within this predominantly residential part of the village.



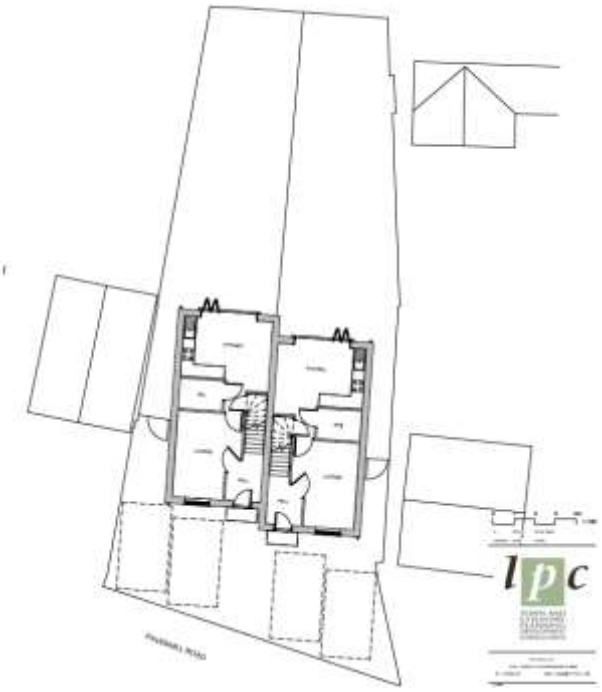
3.0 THE PROPOSAL

3.1 Purton is a predominantly linear settlement with a varied character. Although dwellings tend to be setback from the road, the built form consists of a range of architectural styles, forms and building sizes. There is very little uniformity in the locality, which is particularly the case in the area immediately surrounding the application site, where each dwelling tends to be different and whilst positioned almost upto the road frontage to the west, the eastern neighbour sits at the northern boundary with the fields behind, as are most of the houses to the east-with some noticeable exceptions set forward. The material palate in this area is also varied.



3.2 The application site has two large garage buildings flanking its road frontage. Visually therefore the dominant built pattern addresses the road and in light of the examples of houses set in front of those along the northern limits of the built up area it is proposed to reflect the tighter grained pattern closer to the road, as a pair of semi-detached new houses with rear gardens.

3.3 The proposed new site plan is shown at the top of the next page. By sitting along side the western neighbour there are no window to window conflicts impacting on the private space and outlook to the north and indeed its rear aspect will be substantially opened up by removing the existing buildings. There is a similar benefit alongside the western neighbour and the new pairing have been sensitively orientated so as avoid overlooking the front aspect of this neighbour.





Views looking west and east respectively including those neighbours closest to the road frontage.



3.4 Parking for both new dwellings is provided off road to the front, and mindful of the current manoeuvring relied on in the road for the garage similar turning will be available for the new dwellings. Pavenhill is not a heavily trafficked road and its alignment and presence of roadside parking ensures speeds past the

site are not high. The intensity of use and movement of vehicles will be substantially reduced relative to the on-going garage operations.

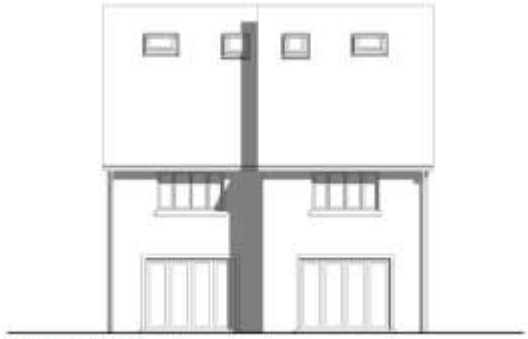
3.5 The two new dwellings will be staggered against each other but will share a design approach which is typical of other semis along the road. They will be constructed from red brick with slate roofs in keeping with the wider construction finishes throughout the village. The properties include a front dormer and will be three bedroom units including a bedroom in the roofspace and a separate lounge and kitchen diner on the ground floor.



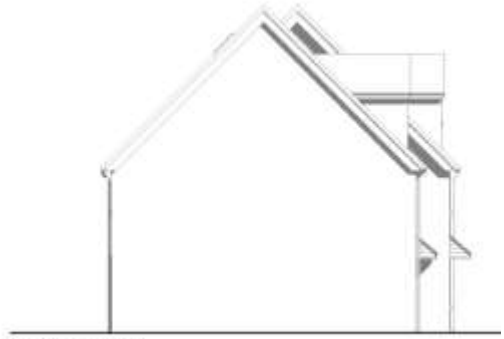
SOUTH ELEVATION



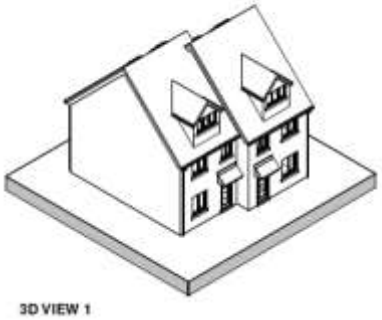
EAST ELEVATION



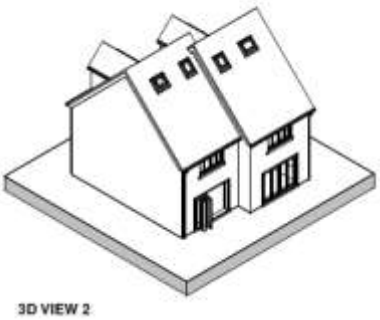
NORTH ELEVATION



WEST ELEVATION



3D VIEW 1



3D VIEW 2

3.6 The application will reduce the existing spread of development across the site, which has an area of approximately 0.04Ha. The two new houses siting within the road frontage ribbon increase the sense of space for both the immediate neighbours, in addition of course to removing the commercial uses in this residential area. This is believed to be a planning gain in and of itself.

4.0 THE DEVELOPMENT PLAN

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (Adopted January 2015) and the 'saved' policies of the North Wiltshire Local Plan 2011 (adopted June 2006). Purton Neighbourhood Plan (made November 2018) is of course also directly relevant. The most relevant policies are listed below.

Wiltshire Core Strategy (WCS):

CP 1 Settlement Strategy

CP 2 Delivery Strategy

CP19 Royal Wootton Basset and Cricklade Community Area

CP35 Existing Employment Land

CP45 Meeting Wiltshire's Housing Needs

CP48 Supporting Rural Life

CP50 Biodiversity and Geodiversity

CP51 Landscape

CP55 Air Quality

CP56 Contaminated land

CP57 Ensuring High Quality Design and Place Shaping

CP58 Ensuring the Conservation of the Historic Environment

CP61 Transport and New Development

CP64 Demand Management

CP67 Flood risk

North Wiltshire Local Plan 2011

Saved Policies NE14, NE18 and H4

4.2 Policy CP1 of the WCS sets out the settlement strategy for the area, identifying a hierarchy of settlements to which development will be directed with the aim of achieving sustainable development. Purton is identified as a 'Large Village', defined by the Council as settlements with a limited range of employment, services and facilities and where development will be limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities.

4.3 Policy CP2 provides a more detailed delivery strategy for housing in Wiltshire (having regard to Policy CP1), assigning a minimum housing requirement to respective housing market areas. For the application area this minimum requirement is 24,740 homes. The housing requirement in Policy CP2 is, however out of date as it is more than 5 years old and, in accordance with paragraph 74 of the Framework, the Council's 5-year land supply requirement should now be assessed against its local housing need calculated using the standard method.

4.4 Core Policy 19 sets the spatial strategy for the Royal Wootton Bassett and Cricklade Community Area, which is relevant to Purton. It identifies a requirement of approximately 1,455 homes to be built in the Royal Wootton Basset and Cricklade Community Area by 2026. Case law clarifies of course that this is not a ceiling intended to restrict otherwise sustainable housing opportunities.

4.5 Core Policy 45 sets out the requirements of type, size and mix of new housing in Wiltshire. New housing must address local housing needs and contribute towards creating mixed and balanced communities.

4.6 Core Policy 50 considers how development proposals must demonstrate how they protect features of natural conservation and geological value. Where it has been demonstrated that such features cannot be retained, removal or damage shall only be acceptable in circumstances where the anticipated ecological impacts have been mitigated as far as possible and appropriate

compensatory measures can be secured. This policy is echoed by the Purton Neighbourhood Plan policy 4.

4.7 Core Policy 51 requires development to protect, conserve and where possible enhance landscape character and not have a harmful impact on the local landscape.

4.8 Core Policy 57 expects a high standard of design from all new developments. Development is expected to create a strong sense of place with appropriate regard to local context.

4.9 Under Core Policy 60, the Council will encourage sustainable modes of transport. Core Policy 61 seeks to ensure new development is located and designed so as to reduce the need to travel by the private car.

4.10 The Purton Neighbourhood Plan (PNP) was made in November 2018. Paragraph 3.15 of the Neighbourhood Plan states that in order to meet predicted population growth in Purton between 2016 and 2026, provision will need to be made for a minimum of 94 additional dwellings. The level of growth for Purton was informed by the Parish Council's 'Planning for our Future (2017)' evidence base document.

4.11 PNP Policy 13 allocates six sites within the defined settlement boundary for housing. There is no statement regarding how other sites should be treated so the PNP is silent of the application's assessment details.

4.12 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. The NPPF supports a general positive stance towards both urban and rural housing, especially on brownfield land. It requires a 5 year supply of housing land to be maintained by Local Planning Authorities and encourages permissions to be granted where a 5 year housing land supply cannot be demonstrated, as is the case for Wiltshire Local Planning Authority. This is called the 'presumption in favour of sustainable development'. In relation to rural housing in particular, the NPPF states at Paragraph 77 and 78 that decisions on rural housing should be responsive to local circumstances and support housing development that reflects local needs. In addition, the

NPPF states that sustainable development should be supported in rural areas and located where it will enhance or maintain the vitality of rural communities.

5.0 PLANNING ASSESSMENT

5.1 In light of the relevant planning policy framework the application is believed to raise the following key issues.

- Principle of development
- Design and impact on the character of the area
- Residential amenity
- Highways and parking
- Ecology
- Trees and landscaping

5.2 Principle of development

5.2.1 Wiltshire Core Strategy Policies CP1 and CP2 alongside community area-based policies, CP19 in this instance, define a hierarchy of settlements based on the range of services, infrastructure and facilities in those locations and seeks to direct most new development to the most sustainable locations in this hierarchy. In that regard Purton is a large village capable of supporting new housing within existing settlement boundaries.

5.2.2 Core Policy 2 of the Wiltshire Core Strategy sets out the delivery strategy for the Council and states that in larger villages, development will be limited to infill within the existing built area.

5.2.3 Proposals for development in the village will be supported where they seek to meet local housing needs and/or employment, services and facilities, and the presumption in favour of sustainable development.

5.2.4 The development is sited within the defined settlement framework for the village and comprises a brownfield redevelopment opportunity.

5.2.5 Paragraph 69 to the NPPF notes that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. Under the heading, ‘Making the Efficient Use of Land’ the NPPF at paragraph 119 also indicates that, ‘Planning policies and decisions should promote an effective use of land in meeting the need for

homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.' To this end the following paragraph notes, inter alia that, planning policies and decisions should, 'give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs'.

5.2.6 Core Policy 35 of the Wiltshire Core Strategy states that within the principal settlements, market towns, local service centres and principal employment areas, proposals for the redevelopment of land or buildings currently or last used for activities falling within Use Classes B1, B2 and B8 must satisfy a range of criteria including demonstration that the site has no long term or strategic need to stay in an employment use. However, this is not considered to be directly relevant to the proposal as the site is in a large village, not the higher-order settlements specified by the policy. Its mixed use is also a sui generis activity, so is outwith the policy terms too. It's previously developed nature and non-conforming use is therefore a material consideration that weighs in favour of the acceptable growth of village housing in this area.

5.2.7 Notwithstanding the accord with the tenet of the above strategic spatial policy framework the NPPF 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, as per paragraph 73 of the NPPF. 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 CP19 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 recent appeal decision regarding land off Park Road, Malmesbury (APP/Y3940/W/21/3286853 and 3289757) for the erection of 26 dwellings states very clearly at paragraph 69 that even if your Council's purported shortfall in housing supply is agreed (4.7 years), and other figures are

suggested by different parties, this figure, '**cannot reasonably** be considered a modest shortfall' (my emphasis).

5.2.8 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 therefore 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.

5.2.9 As said, in these circumstances, NPPF Paragraph 11d advises that policies which are most important for determining the application should 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. It can be seen therefore that Core Policies 1, 2 and 19 applicable to the assessment of the application, under the provisions of the NPPF are all to be considered out of date.

5.3 <u>Design and impact on the character of the area</u>

5.3.1 Core Policy 57 of the Wiltshire Core Strategy requires a high standard of design in all new development. It states that development is expected to create a strong sense of place by drawing on the local context and being complimentary to the locality. This is reflected in section 12 of the NPPF which requires at paragraph 127 that development is visually attractive and sympathetic to local character including the surrounding built environment and landscape setting.

5.3.2 As explained previously Purton is a predominantly linear settlement with a varied character and also in terms of building depths and alignments, particularly along Pavenhill in the vicinity of the application site. The built form

consists of a range of architectural styles, forms and building sizes. There is very little uniformity in the locality, which is particularly the case in the area immediately surrounding the application site. The material palate in this area is also varied.

5.3.3 The application proposes a simple pair of semi-detached properties staggered within the site, to compliment the wider mix of houses and in part echoing the pattern of housing set forward to the east. Additionally, it should be stressed that the proposal would have some visual benefits from first principles, through the removal of the existing garage buildings, whose built form, material and visual dominance is at odds with the dominant residential character of the area. That will be coupled with the removal of the hard surfaced forecourt area, used in full to park car for display. The repositioning proposed improves the open aspect to the rear and will substantially improve the site's permeability.

5.3.4 The use of perpendicular parking spaces off the road reflects the site's established turn practices, and overall, the pattern of the housing will be seen within the established rhythm of housing on comparably plots and within an improved more open and green setting.

5.3.5 Overall, it is maintained that the proposal results in an acceptable quality design treatment in both scale and harmony with the prevailing built character and form, particularly as it removes the existing utilitarian commercial buildings that harm the area's residential character, and dominate the neighbours. The redevelopment proposed would not therefore conflict with Core Policy 57 of the Wiltshire Core Strategy in addition to paragraph 127 of the National Planning Policy Framework.

5.4 <u>Residential amenity</u>

5.4.1 The site plan extract inserted previously shows the two neighbours to the side of the site and, where the windows will be satisfactorily screened from one another by the close boarded timber fencing proposed on the rear garden boundaries and the orientation/separation distances.

5.4.2 There are no habitable side windows looking towards the site from the two neighbours and similarly there are no overlooking issues generated by the new houses.

5.4.3 Despite the increased height of the dwellings when compared to the existing range of garage buildings, and varied roofscape generally in the area, it is considered that the proposal would not decrease the levels of light enjoyed by the neighbours and given the existing arrangement it is not considered that the proposal would have an overbearing impact. The proposed dwellings would be an acceptable distance contextually from other neighbouring properties. Due to these distances, it is considered that the proposal would not result in any significant loss of light, privacy or overbearing impact for the existing neighbours or within the new development.

5.4.4 Core Policy 57 also requires that an adequate standard of amenity is achieved within the site itself. The proposed dwellings would have an adequate level of private amenity space and the layout of the proposed dwellings would ensure that future occupiers would have access to an adequate level of light. The layout will ensure that an adequate standard of amenity is achieved.

5.5 Highways and parking

5.5.1 The application creates simple off road parking spaces and of course substantially reduces the vehicle movements generated by the established site use. The visibility for the new access relies on established pattern of use and nature of the highway. Indeed the reduced intensity is believe to be an improvement between the current commercial accesses arrangements across the whole of the site frontage.

5.5.2 The two houses have two parking spaces each, and as three bedroom properties this satisfies your Council's adopted parking standards. The houses all have sufficient private amenity space to accommodate garden storage buildings sufficient to store bikes as an alternative mode of transport. As said the village is also on a good bus route. EV charge points can be conditionally provided with each house by condition too.

5.6 Ecology

5.6.1 The application includes an Ecological appraisal prepared by Crossman Associates and which concludes that given the physical construction of the buildings combined with a complete lack of evidence of bat use and evidence suggesting an absence of bats the site lacks any significant ecological interest,

and the buildings provide bats with negligible roosting suitability. Roosting bats are not a constraint for the proposed development, and no further bat survey is necessary.

5.6.2 Nevertheless, the report includes a mitigation and enhancement commentary to fit integrated bat and bird boxes which can be conditionally controlled. Such actions will result in a biodiversity gain and thus accords with WCS policy CP50 and PNP policy 4.

5.7 Trees and landscaping

5.7.1 The existing site, is either built over or laid to hardstanding. Foul and surface water drainage are established features and there is no reason to assume the main's connection will not be able to accommodate the redevelopment. The site's surface run off though will be substantially improved by the increased permeability. This is also associated with a generally softening of the site in landscape terms and the provision of new rear gardens.

5.7.2 By condition additional planting, over and above the reasonable private scope of the new residents could be conditionally controlled to introduce a traditional mixed species hedge along the northern boundary. This will of course add to the biodiversity benefits but also will result in a softening of the village built up boundary.

6.0 PLANNING BALANCE AND CONCLUSIONS

6.1 As stated above, in the determination of planning applications the first issue to consider is whether or not the proposal accords with the relevant provisions of the development plan. In light of the key issues addressed we of course say it does. If it does not though, then the issue arises as to whether material considerations, including relevant policies in the NPPF, mean that the development can be regarded as sustainable, and that permission should be granted despite conflict with these policies.

6.2 In this regard it is maintained that the development accords both in principle and in detail with the relevant policies of the Development Plan. It is previously developed land within the built up limits of the village where the two extra houses are acceptable additions to the local housing supply in principle, as a suitable infill.

6.3 However, for completeness given the reduced weight to be given to any possible conflict with policies for the supply of housing that are 'out of date' and the NPPF guidance intended to boost housing land supply where the development can be judged sustainable, I have expanded this permissive position to demonstrate how the tilted balance also supports the grant of permission.

6.4 Therefore, of key consideration are the benefits (economic, social and environmental) and harms associated to the development and the level of weight which may be attributed to them in the planning balance.

Benefits:

- Landscape and visual benefits through the removal of the existing nonconforming buildings and uses.
- Improved frontage and boundary landscaping.
- Biodiversity gains
- Improved amenity for neighbours through the removal of the existing commercial buildings.
- Amenity benefits through a reduction in traffic.
- Provision of family homes and support for village amenities and services
- Financial benefit through the collection of Community Infrastructure Levy. Additionally, there would be financial benefits arising from construction, and there would be additional expenditure from the future occupants of the site.
- The proposal would involve redevelopment of a brownfield site, in accordance with the objectives of paragraph 84 of the NPPF.

Harms:

- Loss of potential employment use through the demolition of the building.

Therefore, it is considered that the adverse impacts of granting consent would not significantly and demonstrably outweigh the benefits. As such the development is supported by the tilted balance.