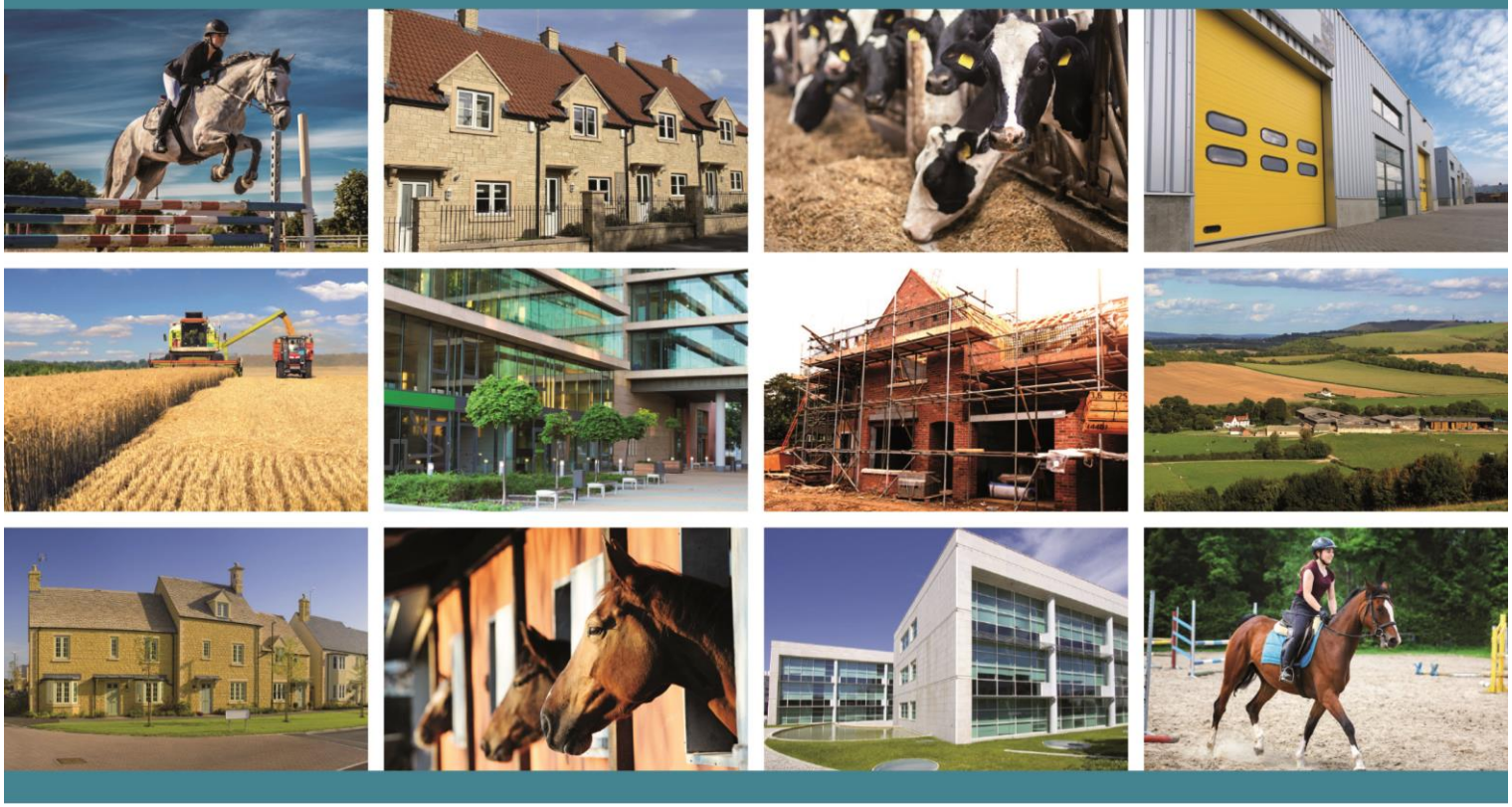
RCC TOWN PLANNING CONSULTANCY



Site: 188 St Edith's Marsh, Bromham, Wiltshire, SN15 2DJ

Proposal: Conversion of outbuilding to 2 bedroom dwelling and associated works

On behalf of: Mr and Mrs Cavill

Date of Issue: August 2023

RCC TOWN PLANNING CONSULTANCY

PLANNING STATEMENT

RCC Town Planning Consultancy

T: 01380 730047
W: www.rcctownplanning.co.uk
E: info@rcctownplanning.co.uk

This statement is the Copyright of RCC Town Planning Consultancy Ltd. To this extent this statement may not be copied or used by any means or for any purpose without the written consent of RCC Town Planning Consultancy Ltd.

CONTENTS PAGE

Introduction	1.0
Site Context	2.0
Planning History	3.0
Planning Policy	4.0
Planning Assessment	5.0
Conclusion	6.0

1.0 INTRODUCTION

1.1 This statement has been prepared on behalf of the applicants to support their full planning application for the conversion of an outbuilding (former workshop/store) at 188 St Edith's Marsh to a 2-bedroom residential dwelling. The proposed plans also show how the site would be divided up to create a new residential curtilage with a parking and turning area and new garden areas.

1.2 As the proposal is not a 'major' development, or development within a designated area a Design and Access Statement is not required.

1.3 The statement will however examine how the proposed development relates to the site and its context. The statement will also provide an explanation and justification for the scheme having regard to the national and local plan policy context.

2.0 SITE CONTEXT

2.1 This application relates to land and a single building at St Edith's Marsh, a generally linear settlement, predominantly along the western side of the A34, with some areas of in depth development. It lies around 0.7 miles to the south of Bromham (defined as a 'large village' in the core strategy). Bromham benefits from a range of local facilities including several shops, a public house, primary school, pre-school, church and social centre. A bus stop lies close to the application site, with frequent bus services running in both directions towards Chippenham and Devizes. Consequently, although the site lies in a 'countryside location' insofar as planning policy is concerned, it does benefit from reasonable access to a wide range of local and larger facilities which are on offer in the area.

2.2 The application site is set back from the A342 and comprises the outbuilding the subject of this application, a small lawned area to the northeast, an area of vegetable garden containing two greenhouses to the southwest and a gravel parking and turning area to the south. 188 St Edith's Marsh and its residential outbuilding are positioned directly to the south of the application site, see figure 1 below. There is an existing vehicular access serving the site and no.188 from the A342.

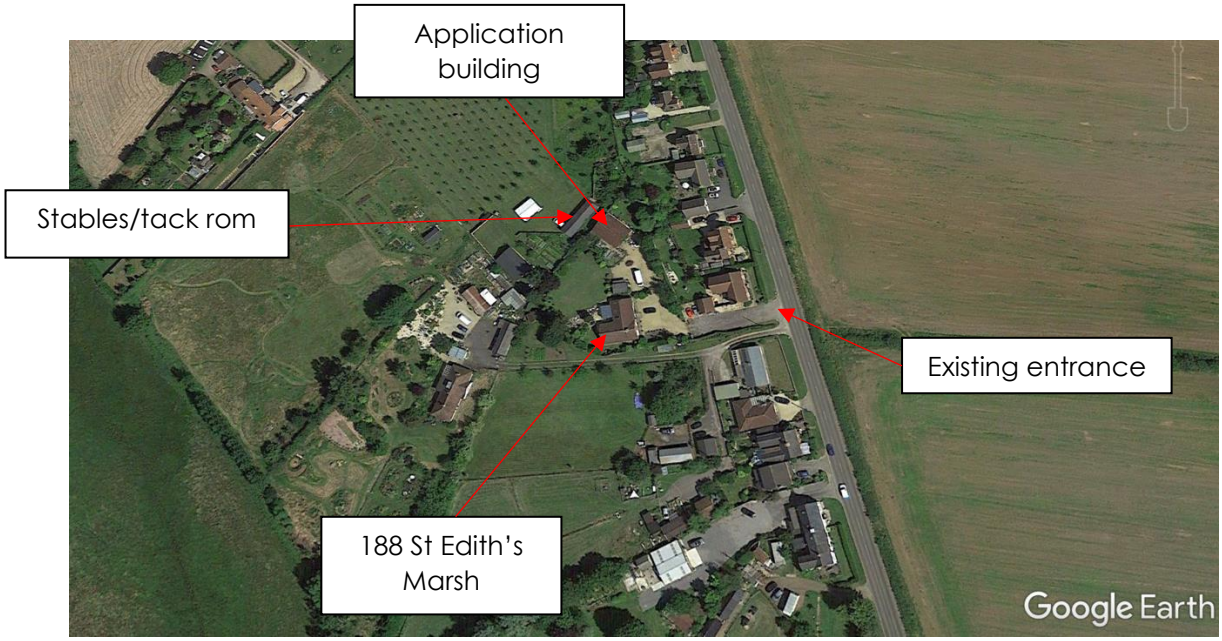


Figure 1: Application site

2.3 In terms of the site context, the application building is already surrounded by other buildings, primarily residential, see figure 2 overleaf. To the east of the site separated by fencing, trees and shrub planting are the residential properties fronting on to the A342, see also figure 3 overleaf. The rear of 186 and 186A back on to the existing gravel parking area, while 188 backs on to the grassed area to the east of the application building, with intervening fencing, trees and shrubs. A further residential property, Sunnyside 190 St Edith's Marsh and its various outbuildings are situated to the south west of the site.

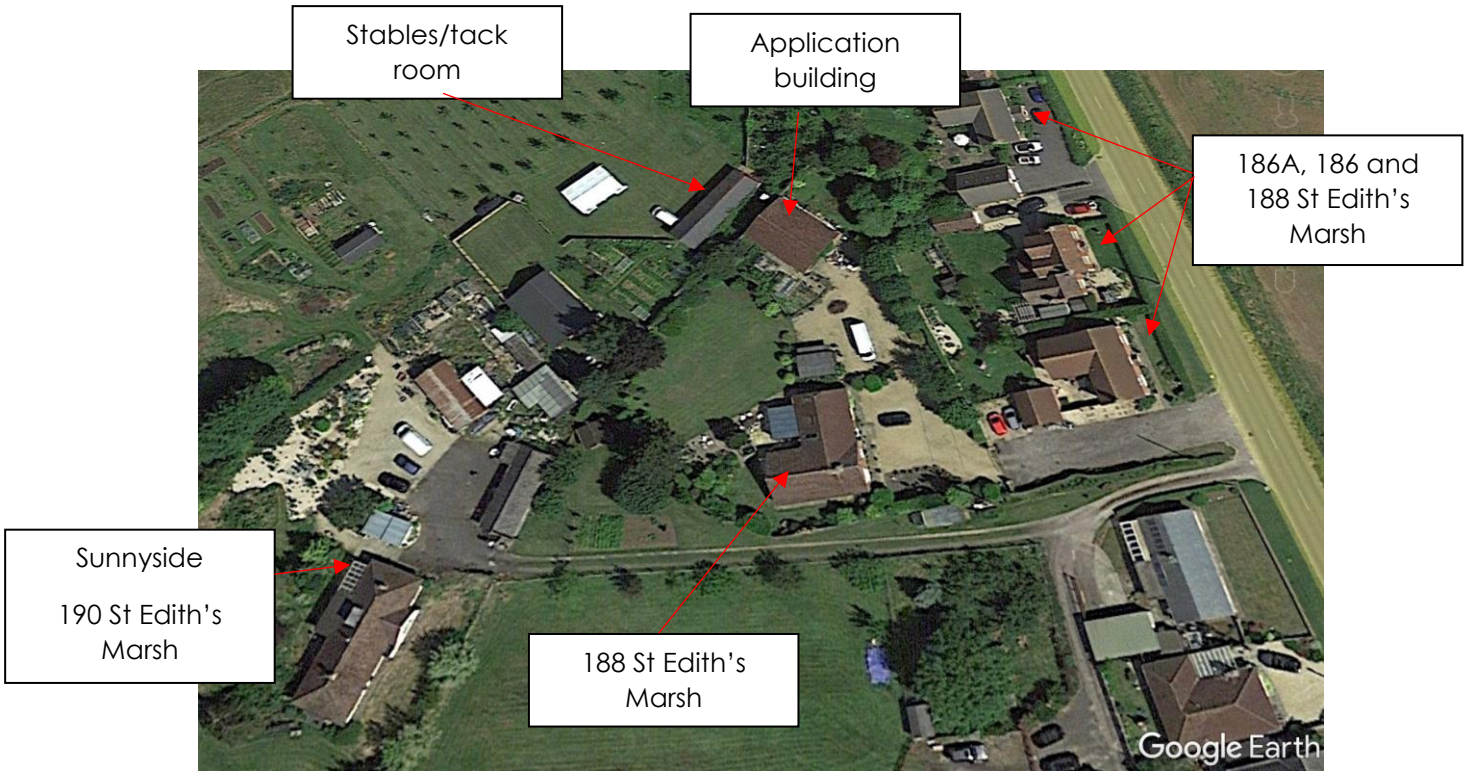


Figure 2 – Site context



Figure 3 – Rear of houses fronting on to the A342, to the east of application site

2.4 To the northwest of the site is an equestrian/agricultural outbuilding situated immediately to the rear of the application building, see figure 2 above. The top of the roof can just be seen in figures 4,5 and 7 overleaf. In 2003 planning permission was granted for the change of use from agricultural land to private

equestrian and agricultural use and for the erection of 3 stables and tack room and a hay store (K/45520).

2.5 The application building itself extends to just over 100sqm. It is single storey in scale and the front elevation is constructed in brick, partly clad in timber, while the side and rear elevations are in blockwork. It has a part timber and part metal frame roof structure covered with concrete tiles. Photographs of the outbuilding and the surrounding gardens and the parking and turning area are included below and overleaf (figures 4 – 9).

2.6 Historically the building has been used as a workshop but in more recent times the applicant Mr Cavill used it for storage associated with his building business and Mrs Cavill used it for her furniture/antique restoration work. Both applicants have now retired, and the building is largely redundant and only used partially as overspill domestic storage space relating to 188 St Edith's Marsh.





Figures 4 and 5: Photographs of front of outbuilding and existing parking/turning area associated with outbuilding





Figures 6 and 7: Photographs of south west and north east (side) elevations





Figures 8 and 9: Photographs of garden areas either side of outbuilding

2.7 There are two large gravel turning and parking areas serving no.188 and the application site, subdivided by a timber picket fence and a timber five bar gate (see figures 1 and 2 above). These areas are accessed via the existing entrance situated to the south east of the application building. This gated entrance opens onto a wide tarmac shared driveway leading directly to the A342. The shared tarmac driveway onto the A342 also serves garaging and parking for 186A St Edith's Marsh. Figure 10 below shows the access as viewed from the east, close to the A342.



Figure 10: Existing entrance to no's 188 and 186A

2.8 The application building is now largely redundant and used for ad hoc overspill storage and no longer plays a useful role for the dwellinghouse. No 188 already benefits from another outbuilding and now that the applicants are retired the application building is no longer needed. Furthermore, the plot itself is too big for our clients. The building is now at a crossroads where it will require investment if it is not to fall into disuse and state of disrepair, which simply cannot be warranted by the building in its present use. The building benefits from an existing vehicular access and two separate garden areas, already subdivided from the adjoining residential property. The site and its layout therefore readily lend itself to the creation of a separate dwellinghouse with its own defined curtilage.

3.0 PLANNING HISTORY

3.1 The table below lists the planning history at the application site and no 188 St Edith's Marsh.

Ref. No	Description	Status
K/80/0885	Stationing one caravan, extension, and shed/store for temp accommodation	Approve
K/80/0870	Bungalow	Approve
K/81/0230	Detached bungalow	Approve
K/82/0005	Haybarn, calf unit, implement shed	Approve
K/82/0006	Use of forecourt for sale of motor vehicles	Approve
K/82/0007	Alterations to lean-to roof and rebuilding rear wall to garage workshop	Approve
K/83/0756	Retention of temporary buildings	Approve
K/86/1030	Buildings as constructed, depot for 3 HGV lorries and agricultural purposes	Approve
K/12110/O	Dwelling	Refuse
K/14949	C/U from agricultural building to storage of carpentry and groundwork materials: Parking for 4 vehicles	Approve
K/15667	Extension to bungalow and C/U of agricultural land to domestic curtilage	Approve
K/57102/F	Demolition of existing structure and erection of dwelling	Refuse

3.2 In considering the current application, an important material consideration is the approval for a similar proposal at 164 St Edith's Marsh, less than 0.2 miles from 188 St Edith's Marsh. Here, planning permission (15/02771/FUL) approved the conversion of industrial buildings to residential despite there being no viability report as is the case here. The case officer's report, after assessing the scheme under CP48, concluded:

"The continuation of the current use has been considered along with alternative uses. The Design and Access Statement concludes that the only economical and viable proposal for the retention of the site would be to convert it to residential. No evidence has been supported to substantiate this claim, however having regard to the location and scale of outbuildings a residential use could comfortably be accommodated at the site and would be in-keeping with the surrounding residential properties. It is recognised that a new residential use would not conform with the residential development and sustainability strategies of the local development plan. However, the proposal is for the conversion of an existing building and it is considered that a residential use would be a more sustainable use of the property. There would be less

vehicular movements to and from the property for a single dwelling, also less than if the building was converted to a tourist, cultural or community use".

3.3 Also relevant is the approval of another similar proposal nearby at Oak Farm, 62 St Edith's Marsh, some 0.31 miles to the north west of the site. Here planning permission (20/03428/FUL) was granted for the partial demolition of an existing outbuilding and the conversion of two outbuildings (former aircraft hangar and piggery) to a 3 bedroom residential dwelling and ancillary accommodation and associated works.

3.4 This application included a viability report of a very similar format to the current proposal. In this case the case officer's report notes that

"The applicant has considered other potential viable uses for the buildings and has commissioned a viability assessment to inform this process and understand what alternative uses would facilitate the investment required. However, it has been concluded that only a residential conversion is a viable proposal. As such the application is not for employment, tourism, cultural or a community use."

4.0 PLANNING POLICY

4.1 The main planning policy framework relevant to this proposal is the Wiltshire Core Strategy 2015 (WCS). No saved policies of the Kennet Local Plan (2004) are considered of relevance to the application.

4.2 At the national level, National Planning Policy Framework 2021 (NPPF) is the foremost material consideration. This is supplemented with the National Planning Practice Guidance (NPPG).

4.3 The Bromham Neighbourhood Plan is in its infancy with no published documentation.

4.4 The relevant policies and guidance are set out in the tables below:

NATIONAL PLANNING POLICY FRAMEWORK

Chapter	Title
5	Delivering a sufficient supply of homes
11	Making an effective use of land
12	Achieving well designed places
15	Conserving and enhancing the natural environment

WILTSHIRE CORE STRATEGY

Chapter	Title
CP1	Settlement strategy
CP2	Delivery strategy
CP12	Devizes Community Area
CP48	Supporting rural life
CP50	Biodiversity and Geodiversity
CP51	Landscape
CP57	Ensuring high quality design and place shaping
CP60	Sustainable transport
CP61	Transport and new development
CP64	Demand Management

5.0 PLANNING ASSESSMENT

5.1 The key issues for the consideration of this proposal are:

- The principle of the proposed conversion to residential use
- Design and visual impact
- Highway safety
- Residential amenity
- Impact on biodiversity
- Planning balance

Principle of development

5.1 Having regard to the principle of residential development in this location, CP2 of the WCS identifies exceptions to the general approach of the core strategy towards the location of new development. These exceptions seek to respond to both local circumstance and national policy.

5.2 The policy 'exception' to the provision of housing only in the most sustainable of locations has been permitted in order to help meet the Government's clear aim to significantly boost housing supply as set out in Chapter 6 of the NPPF and numerous ministerial statements, through in this instance, the re-use of existing under-utilised rural buildings. This is a better means of providing housing by efficiently using buildings which are already in existence, to limit the pressure on untouched countryside to provide for the growing demands on housing supply. Both national and local policy accept that residential conversions may be deemed acceptable even in isolated rural locations, which could be argued is not the case here, given the site falls within a small settlement.

5.3 The NPPF at paragraphs 79 and 80 support the principle of new housing in rural locations in certain exceptional situations. At paragraph 79 the NPPF states:

"*To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities*".

Paragraph 80 of the NPPF concerns development which would secure the reuse of a redundant building in the countryside, stating:

"*Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:*

…c) the development would re-use redundant or disused buildings and enhance its immediate setting…"

5.4 Similarly, the permissible exceptions set out in the WCS include the conversion and re-use of an existing rural building to an alternative use, subject to the criteria set out in policy CP48. In the first instance, the core strategy seeks the

use of the building for employment, tourism, cultural or community uses. If this is not a practical proposition, a residential use would then be considered. Policy CP48 states:

"*Proposals to convert and re-use rural buildings for employment, tourism, cultural and community uses will be supported where it satisfies 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; and
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; and
iii. The building can be served by adequate access and infrastructure; and
iv. The site has reasonable access to local services ***or***
v. The conversion or re-use of a heritage asset would lead to its viable long term safeguarding.' ***(Taken from adopted version of WCS which has not been correctly transposed in the online version)***

Only 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".

5.5 It is not therefore necessary to demonstrate compliance with both criterion iv) and v) of policy CP48, but only one of the two.

5.6 To accept the principle of a residential use of the site, CP48 requires applicants to demonstrate that the conversion and/or re-use of the building for employment, tourist, cultural and community uses cannot be made viable or are not practical propositions. To this end, a viability assessment has been commissioned to inform this process, to assess the returns against the investment now needed, and to help establish a viable new use for the building. This report is submitted in support of this application and serves to demonstrate that the conversion of the building for other potential uses would simply not be viable or practical propositions, given the likely values/rents achievable and the investment needed.

5.7 Furthermore, in terms of whether an alternate use would be a practical proposition, the site is located in a small settlement situated between the larger villages of Bromham and Rowde where there is unlikely to be the need, desire or funding for a community building in this location. The car movements associated with an alternative community use would also be higher than the

proposed residential use and even more likely to be considered unsustainable by the Council.

5.8 Moreover, an alternative community or employment use is likely to generate a much greater level of noise disturbance than the proposed modest dwelling to the detriment of the occupiers of the nearby residential dwellings and again is unlikely to be acceptable.

5.9 There would be, in all reality, no interest in the building for an alternative use. In this event, with no active use or financial input into the repair and upkeep of the building, the building would become redundant and dilapidated to the detriment of the appearance of the area. It is clear therefore that a sympathetic residential conversion of the outbuilding is the only practical and viable option.

5.10 This statement will now address the relevant criteria of CP48, namely i-iv, having regard to the principle of development.

i) Is the building capable of conversion

5.11 A structural report has also been commissioned by the applicant to identify the likely extent of works required to the building and to ensure that it is suitable for conversion. This report is submitted in support of this application.

5.12 The report confirms that the building is in a good overall condition, advising that the main steel roof trusses appear to be in good condition with little rust or decay observed and are capable of supporting additional loads from internal finishes. The timber elements also appear to be in a relatively good condition with no visible decay or rot. The blockwork walls are in a relatively good condition with only a small number of minor cracks close to the window openings but no significant cracks. The concrete floor is also in a relatively good condition. The report confirms that the building is suitable for conversion without significant modification or demolition.

5.13 The proposal would improve the appearance of the building by replacing the existing timber cladding and rendering the concrete blockwork. The materials chosen ensure that the building retains its original proportions whilst creating an aesthetically pleasing and simple modern dwelling. Internally, the building is divided using simple partitions. Existing openings are utilised, with no new openings proposed.

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

5.14 Although the site is situated in a rural location, it does not occupy an isolated location and cannot be described in the truest sense as having the character and appearance of open countryside. Instead, the application site is already a developed site and includes several buildings and gravel surfaced areas for

parking. It is also surrounded by other (mostly residential) buildings as can be seen in figure 2 above and is well related to the developed part of the village.

5.15 The conversion of an existing building to create a single dwelling would clearly relate to the existing built form on the site and the neighbouring dwellings. We therefore submit that the proposals would have a negligible impact on the character of the existing landscape and settlement.

5.16 These matters are dealt with in more detail in the design/visual impact and neighbour amenity sections below.

iii) The building can be served by adequate access and infrastructure

5.17 The proposed plans show the use of the existing vehicular access serving the site. The existing access is wide with good visibility in both directions. As such, it is considered more than 'adequate' to serve the proposed single modest dwelling. Highway matters are dealt with in more detail in the relevant section below.

5.18 Mains electricity and mains water supply already exist at the site.

5.19 Consequently, it is demonstrated that the site is already served by adequate access and infrastructure.

iv) The site has reasonable access to local services

5.20 In considering this criterion, it must firstly be remembered that policy CP48 is a policy which seeks to permit rural development within the countryside, outside of the usual 'sustainable' settlements. It therefore follows that 'access to services' in this regard should not be assessed in the same manner as non-exceptional development located within the settlements, and that there will necessarily be reliance on the private car to access local services. Nonetheless, we submit that this site is not unduly remote.

5.21 There is a bus route along the A342, with a stop less than 150m to the north east of the site providing an onward route to Devizes, Calne and Chippenham and their wide range of facilities and services.

5.22 It is accepted that the site lies within a countryside location, but it is less than a mile from Bromham (the closest 'large' village) again with access via a regular local bus. The NPPF recognises at para 78, where there are groups of smaller settlements, development in one village may support services in a village nearby. This would be the case here.

5.23 In considering this issue, the application site lies close to the residential conversion of the former commercial premises approved at 164 St Edith's Marsh and Oak Farm St Edith's Marsh (referred to in section 3 above) where the location in relation to services and facilities was deemed acceptable by Wiltshire Council. The same approach would apply at this site.

Design and visual impact

5.24 Policy CP57 of the WCS recognises that good design in new developments can help development respond positively to the existing townscape and landscape in terms of building layout, built form, height, mass, scale, building line, plot size, design, materials and streetscape. In terms of the wider landscape impact, policy CP51 seeks to protect, conserve and enhance Wiltshire's distinctive landscape character.

5.25 With regard to environmental impacts, it is noted that the application site is not covered by any nationally designated special landscape or heritage designations. It is not of high ecological importance, nor is it located within an area prone to flood risk

5.26 As noted above, although the site is situated in a rural location, the surrounding properties are largely residential in use and the conversion of the building to residential would not impact upon this character. Furthermore, the scheme would not appear isolated but would be viewed in close association with no. 188 as well as the established residential dwellings to the east of the site that line the A342 in this part of St Edith's Marsh. We therefore submit that the proposals would have a negligible impact on the character of the existing settlement.

5.27 The conversion scheme maintains and utilises the existing structure, thereby protecting it from falling into disrepair and proposes the general upgrading of the building and the addition of insulation to improve its thermal properties. There will be no changes to the overall scale or form of the building, with the eaves height and ridge height of the building remaining the same. The building is well established within the existing building complex and sits comfortably in this position.

5.28 Having regard to the detailed elevational treatment, the existing timber cladding is to be replaced with new timber cladding and the unfinished blockwork walls are to be rendered. There are to be no new openings although the size of some of the existing openings for windows and doors will be adjusted to suit the new internal layout. In these respects, the 'restrained' scale and design of the conversion will ensure that the building retains much of its existing appearance and would result in the improvement of the appearance of the building and the site as a whole.

5.29 In terms of the wider landscape impact of the change of use on the land, the outbuilding already sits within a curtilage more closely associated with the dwelling rather than an agricultural use. Furthermore, the building sits alongside other established residential properties.

5.30 The building is currently used for storage, and the surrounding land as a vegetable garden and a maintained area of grass clearly associated with no. 188. As a result, this site already extends the urbanised form within this rural landscape in the context of the outbuilding and surrounding land. Existing boundary vegetation and the field structure to the rear filter views of the site and help to ensure that it remains well assimilated into its rural context. As such

the change of use of the site proposed, is not considered to have a detrimental impact on the rural character of the area.

5.31 As a result, it is considered that the development would not be unduly prominent in the wider landscape and is commensurate with the prevailing rural character of the area, nor will it detract from the established character of the area as a whole.

5.32 It can therefore be concluded from this assessment that the conversion of the existing building will deliver an appropriate development that relates effectively to the locality and wider character of the area. The scheme is therefore considered to comply with policies CP51 and CP57 of the WCS.

5.33 The development will also accord with Section 12 of the NPPF, which highlights the significance of good design to the principles of sustainability and paragraph 127, which requires that planning policies and decisions should aim to ensure that developments are sympathetic to local character including the surrounding built environment and landscape setting.

Highway safety and parking

5.34 Turning to matters of highway safety, policies CP60 and CP64 aim to ensure developments adequately address matters of access arrangements and road safety alongside adequate parking provision.

5.35 The submitted scheme proposes that vehicular access to the new dwelling is via the existing access point on to the A342. The proposed layout also shows space for separate turning and parking areas to serve the new dwelling and the existing property.

5.36 Whilst the A342 is a busy road, this section of the road has a straight alignment and is within a 30mph speed limit, with wide grass verges along the road frontage for some considerable distance in both directions providing very good visibility. The existing private access is also of sufficient width to ensure approaching vehicles can pass easily.

5.37 In considering this issue, the existing usage of the access point is a relevant consideration. The access is well-established and currently well-used to provide access to two residential properties and the application building has previously been used for storage purposes in association with the applicant's business. It can therefore be concluded that a safe and suitable means of access for the modest traffic generated by one dwelling can be attained.

5.38 In terms of parking provision, two parking spaces are to be provided adjacent the new dwelling, while the existing property will retain four spaces. It is considered that the submitted parking layout provides ample parking facilities for the proposed dwelling and for the existing dwelling, in accordance with the Council's minimum parking standards.

5.39 Paragraph 111 of the NPPF states that:

'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or residual cumulative impacts on the road network would be severe'.

5.40 The scheme is considered to comply with the requirements of CP60 and CP64 having regard to highway safety and parking provision and for the reasons set out above, it is submitted that the proposal would not have a severe impact on the road network and instead that it includes and provides adequate parking and suitable access to the site and therefore refusal on these grounds cannot be warranted.

Impact upon residential amenity

5.41 Policy CP57 (vii) requires development to have regard to the compatibility of adjoining buildings and the impact on amenities of existing neighbouring occupants. In this case the closest neighbours are no 188 itself to the south and the rear gardens of 186, 186A and 188 St Edith's Marsh located to the east of the site.

5.42 No. 188 is a chalet style bungalow situated to the south of the application building. It has no first-floor windows facing directly towards the application site. Similarly, the proposed dwelling only has ground floor windows. As a result, there will be no issue with overlooking between the two properties.

5.43 No.s 186 and 186A are both two storey properties with very good sized rear gardens, backing on to the gravel parking area with intervening fencing, shrubs, hedging and trees. No 188 is also a two-storey dwelling with a large rear garden backing on to the private rear garden of the proposed dwelling.

5.44 It is considered that as a result of the size of the site, the proposed dwelling would be well separated from the nearest neighbouring residential dwellings in terms of separation distances, levels and intervening structures, mature trees and hedging. The application site is very well contained, and the conversion of the existing single storey building to a single storey dwelling with no first floor windows could be readily accommodated without giving rise to any significant neighbour amenity impacts, for example a loss of light, privacy or overbearing impact that would cause demonstrable harm having regard to residential amenities.

5.45 The access for the proposed dwelling is to be relocated slightly to the east and runs parallel with the eastern site boundary, to the rear of 186 and 186A and in front of 188. In considering the impact of the access and parking it must be remembered that there is currently an access, parking and turning area in a very similar location on site, used in the past in association with a business use at the site. The submitted scheme indicates the retention of the existing fence, trees and hedging along the eastern boundary and the planting of a new hedge between the access for the new dwelling and the access serving 188. As a result, there will be no undue disturbance to the occupiers of the adjoining properties.

5.46 Finally, the layout plan shows that the proposed dwelling itself would be served by sufficient amenity space.

5.47 As a result, the illustrative layout demonstrates that the terms of criteria (vii) of policy CP57 of the WCS can be satisfied.

Ecology

5.48 Policy CP50 of the WCS recognises that Wiltshire's natural environment is one of its greatest assets and requires that development proposals must demonstrate how they protect features of nature conservation. The policy also advises that development should seek opportunities to enhance biodiversity. Chapter 15 of the NPPF provides further guidance on conserving and enhancing the natural environment.

5.49 This application submission includes a Protected Species Survey and Mitigation Strategy prepared by Malford Environmental Consulting to support the application. The report presents the findings of a Phase 1 survey and a Phase 2 bat survey (including the results of a series of emergence surveys for bats).

5.50 The report notes that the building is classed as a confirmed occasional summer bat roost for a single common pipistrelle bat and a night roost for a single lesser horseshoe bat and goes on to state that the two roosts are classed as low conservation significance and an ecological resource for bats that is important in a Local (Site) context.

5.51 In terms of roost impact, the report concludes that the proposed scheme is predicted to have a low adverse impact as work will only affect an individual bat of two species and will not affect a colony roost of high conservation status. The report goes on to state that the conversion of the building is considered to have no significant long-term impact on local populations of the two bat species.

5.52 The report provides details of mitigation measures to protect roosting bats and provide alternative roosting habitat in accordance with legislation and planning policy. The submitted drawings incorporate these details in the form a purpose-built night roost structure and two general purpose cavity bat boxes.

5.53 The report provides details of the necessary requirements for the compensation roost, light level restrictions and the licence details that will be required from Natural England. These are matters that can be subject to appropriate planning conditions.

5.54 In terms of nesting birds, the report notes that there is no evidence of current bird nesting associated with the building, but evidence of previous nesting activity was recorded. Whilst no specific mitigation for nesting birds is required, the report recommends an enhancement by way of two swift boxes. These are shown on the submitted drawings.

5.55 As a result, it can be concluded that the proposal will not have any adverse impact on wildlife within or adjacent to the application site and therefore meets the requirements of policy CP50 of the WCS and the guidance contained in section 15 of the NPPF.

5- year Housing Land Supply and Planning Balance

5.56 Whilst the statement has made clear that the proposal fully accords with local planning policy, particularly policy CP48, and national policy in the NPPF, the 5-

year housing land supply is also relevant consideration for the council in the determination of this application.

5.57 National planning policy contained within the NPPF requires LPAs to identify a five-year supply of specific deliverable sites to meet housing needs, with an appropriate buffer. The 'Housing Land Supply Update' published in May 2023 confirms that the Council can only demonstrate 4.6 years of housing supply (based on April 2022 data). Furthermore, in recent appeal decisions at Filands (21/01641/OUT) and Purton Road (17/08188/OUT), the housing land supply position established at the point of the Filands appeal was 4.41 years, and at the Purton Road appeal it was between 4.42 and 4.62 years.

5.58 As such, development plan policies concerning housing delivery, such as those within the spatial vision at CP1 and CP2 of the WCS are considered out of date and applications for housing development should be considered in line with paragraph 11 of the NPPF. This states at subsection d) that where relevant policies are considered out of date:

"permission will be granted unless the application of policies in the framework that protect areas or assets of particular importance provides clear reason for refusing the development proposed or 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".

5.59 Focussing now on the contents of subsection d) paragraph 11 of the NPPF, the application site is not within '*an area of particular importance*' nor does it '*contain any assets of particular importance*' (as defined by footnote 7).

5.60 There are several recent decisions that are relevant to the consideration of this issue. In the examples listed below, all of the sites lie outside of any defined LOD and two involve new builds instead of the conversion proposed in the current scheme, yet greater weight was afforded to the lack of housing land supply and the benefit a single dwelling would contribute towards provision.

72 West Winds, Netherstreet, Bromham, SN15 2DP: Outline planning permission was approved under PL/2021/04596 for the demolition of a bungalow and erection of two dwellings. The relevant committee report notes that "*the development would bring a benefit in terms of a net increase of one dwelling in the local housing stock*" (paragraph 9.3). The site was described as being part of a "*small linear enclave*" of Netherstreet and the development was permitted despite the site being c0.5 miles beyond the closest point of the LOD of Bromham.

18 Locks Lane, The Common, Purton, SN5 4HD: Outline planning permission PL/2021/06368 approved alterations and extensions to the existing dwelling, alongside the erection of a detached four-bedroom dwelling (in place of an existing workshop). Here, the site is positioned alongside only one neighbouring dwelling and 0.12 miles from the LOD boundary of Purton. The delegated

report considered the scheme in terms of its 'planning balance' and noted the lack of housing land supply and the position of the site in relation to existing built-form. The report also states that "*due to its relationship to the settlement of Purton, it is considered that the proposed dwelling would be located where it would, to a limited degree, maintain the vitality of a rural community*". In conclusion the limited harm arising from the conflict with policy was weighed up against the benefits the scheme, this was despite the fact that the Council openly acknowledged it was "*considered unrealistic to believe that future residents would walk to Purton*" and "*the proposal would likely lead to a reliance on the private car*".

The Brick Store, Dunkirk Hill, Devizes, Wiltshire SN10 2BD: Appeal decision APP/Y3940/C/20/3261363 relates to the occupation of a holiday let as a permanent dwelling (in breach of an occupancy condition). The Inspector acknowledged the site was outside of the LOD for Devizes (some 0.3miles) and that it is "*not one where unrestricted residential development would normally be permitted*". It was also accepted that it would be likely that there would be heavy reliance on travel by car, but this harm would be limited, because of the closeness of the site to Devizes, so that many car journeys would be short. Having regard to the lack of housing land supply and planning balance the Inspector stated:

> **Housing land supply**
>
> 15. The Council accepts that it cannot demonstrate a 5 year housing land supply. Whilst the shortfall is not great, it has worsened in the time that the appeals have been under consideration. Although there is no shortfall in this particular part of the county, this does not prevent paragraph 11(d) of the National Planning Policy Framework from being applied here, and the relevant policies most important for determining the appeal are out-of-date. There are no policies applicable here which protect areas or assets of particular importance, and thus the presumption in favour of sustainable development applies.
>
> 16. I have identified small harm arising from the need to travel, along with a conflict with the development plan. Although the addition of the dwelling to the housing stock would make the smallest possible increase, in view of the importance which the Government attaches to increasing the supply of housing, I give this benefit modest weight. Weighing these factors, I find the adverse effects of allowing the appeals would not significantly and demonstrably outweigh the benefits.

5.61 In these cases, the erection of a single dwelling was considered to make a small but important contribution to the current and persistent lack of housing land supply within Wiltshire. This 'benefit' was not outweighed by the harm associated with the development lying in the open countryside outside the limits of development.

5.62 In the case of the current application, notwithstanding compliance with policy CP48, because the relevant local plan policies are out of date - the 'tilted balance' as set out in Paragraph 11 is therefore engaged, i.e. The application should be approved unless it is in a protected area (which is not the case here) or the harms caused by the application significantly outweigh its benefits.

5.63 It is important to consider what is meant by the term 'tilted balance'. This term is used to define Paragraph 11 of the NPPF when engaged as the 'planning

balance' is tilted from a neutral balancing exercise where if the harms outweigh the benefits planning permission is usually withheld, to a tilted balance where the harms should significantly and demonstrably outweigh the benefits for permission to be withheld.

5.64 In this case, the 'harms' are that the site is in the open countryside in planning terms where new residential development would not normally be supported, notwithstanding it is supported by exceptions policy CP48.

5.65 In terms of benefits, the proposal would contribute towards the persistent lack of housing land supply within Wiltshire. It is acknowledged this is only an increase in one dwelling, but other decisions (cited above) have given this weight, particularly considering the NPPF's requirement to support the Government's objective of significantly boosting the supply of homes. There would also be economic benefits associated with the proposal both through its construction work to convert the building and the spending associated with the future occupants of the site and the additional Council Tax payments which would be attracted.

5.66 In respect of Paragraphs 79 and 80 of the NPPF, the proposal would not lead to the construction of an isolated dwelling in the countryside. The development is clearly related to existing built form on and surrounding the site, and as such the dwelling would assimilate well into its context. Moreover, due to its relationship to the nearby settlements, it is considered that the proposed dwelling would be located where it would help to maintain the vitality of a rural community.

5.67 In line with Paragraph 11 of the NPPF, a conclusion needs to be drawn as to whether the identified harms significantly and demonstrably outweigh the identified benefits as listed above. It is clearly evident that in this case they do not, and the identified harms fall some way short of outweighing the benefits of this proposal.

6.0 CONCLUSION

6.1 This statement has justified why the proposed scheme is entirely compatible with both the Wiltshire Core Strategy and the advice and guidance contained within the NPPF.

6.2 The site contains an outbuilding which is now surplus to the requirements of the applicants and a viable active use for the building needs to be found. The site already benefits from an established and suitable access and can readily accommodate any necessary parking provisions.

6.3 This statement, together with the submitted viability and structural reports has justified that the proposed conversion to residential is the only realistic use which will allow for the viable conversion of the building, thereby securing its long-term future in a manner that is sensitive to the wider landscape. The compliance of the scheme with policy CP48 has also been explained within this statement.

6.4 The submitted ecological survey fully assesses and identifies likely impacts of the proposal on protected species and outlines adequate mitigation and ecological enhancements. This statement also explains why the proposal will not result in any severe impact on highway safety and will preserve residential amenities.

6.5 The proposal therefore complies with planning policy at all levels and accordingly, the Council is requested to approve this application.