

<b>Date of Meeting</b>	11 August 2016
<b>Application Number</b>	16/04668/FUL
<b>Site Address</b>	Land at Livery Road Winterslow Salisbury Wiltshire SP5 1RJ
<b>Proposal</b>	New dwelling and alteration to existing access and parking
<b>Applicant</b>	Mr R Hewlett
<b>Town/Parish Council</b>	WINTERSLOW
<b>Electoral Division</b>	WINTERSLOW – Cllr C. Devine
<b>Grid Ref</b>	424001 130896
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Warren Simmonds

### Reason for the application being considered by Committee

The application has been called-in by Cllr Devine if officers are minded to refuse.

#### 1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be refused for the reason(s) set out below.

#### 2. Report Summary

The issues in this case are:

- The principle of residential development in this location;
- Scale, design, materials and impact on character of the area;
- Highway safety;

The publicity has generated two letters in support of the application. No objections were received from third parties.

The Winterslow Neighbourhood Plan Steering Group has submitted a letter jointly authored with Winterslow parish council in which full support is given to the proposed development.

### 3. Site Description

The application site is an open area of land that has been used for the growing of vegetables and flowers. It has an existing access from Livery Road.

The site is on the east side of Livery Road with open farmland to its north, west and south sides. To its east side (on the other side of Livery Road) are residential properties within West Winterslow.



SDLP map provided for information



Site outlined in red

In planning policy terms the site lies within the countryside outside of the housing policy boundary (defined limits of development) of West Winterslow (the boundary runs along the opposite edge of Livery Road). The site also lies within a Special Landscape Area (saved local plan policy C6 refers).

### 4. Planning History

13/02775/FUL Erect 3 bed dwelling and alterations to existing access (Refused)

13/04550/FUL Erection of 3 bed detached dwelling and alterations to existing access (Refused)

### 5. The Proposal

The application proposes the development of the land by the erection of a detached three bedroom dwellinghouse with access and parking.

## **6. Local Planning Policy**

The Wiltshire Core Strategy (WCS) was adopted in January 2015 and constitutes the primary planning document. Also of relevance are the NPPF & NPPG and the emerging Winterslow Neighbourhood Plan.

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

WC Highways – Comments provided, Conditions suggested

Spatial Planning – Object (see detailed response below)

Rights of Way officer – No objection

Wessex Water – Standard letter of advice for non-sewered area

Tree Officer – No response received

Winterslow parish council – Support the application

The Winterslow Neighbourhood Plan Steering Group has submitted a letter jointly authored with Winterslow parish council in which full support is given to the proposed development.

## **8. Publicity**

The application has been advertised by way of site notice and letters to near neighbours.

The publicity has generated two letters in support of the application. No objections were received from third parties.

The Winterslow Neighbourhood Plan Steering Group has submitted a letter jointly authored with Winterslow parish council in which full support is given to the proposed development.

## **9. Planning Considerations**

### 9.1 Principle of development and policy

The principle consideration in the planning decision for this application is the policy context for the proposal, being outside of the defined limits of development. The defined limits of development for Winterslow as set out within the adopted Wiltshire Core Strategy policies maps include the land on the opposite side (East) of livery road, but the application site itself is excluded. The former SDLP H19 Housing Restraint Area used to extend to the North as far as including the curtilage of the adjoining property 'Kings Farm' but did not include the application site. Policy H19 ceased to exist in January 2015 when the WCS was adopted (former H19 areas are now considered countryside where they are outside of the defined limits of development as described by the WCS policies maps).

The Council's Spatial Planning officer has assessed the proposal and provides the following consultation response:

The application is to be considered in the context of the adopted Wiltshire Core Strategy (WCS), NPPF and the saved policies of the Salisbury District Local Plan (SDLP).

Paragraphs 11 and 12 of the NPPF confirms that applications must be determined in accordance with the development plan and that proposals which conflict with the development plan should be refused unless material considerations indicate otherwise.

### **Need for this development**

Para 47 bullets 1 and 2 of the **National Planning Policy Framework states:**

*To boost significantly the supply of housing, local planning authorities should:*

- *use their **evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area**, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;*

- ***identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5%** (moved forward from later*

*in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20%*

*(moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;*

With the adoption of the Wiltshire Core Strategy in January 2015, the council meets both of these objectives.

Policy CP24 of the WCS sets out a series of indicative housing numbers across broad locations in Wiltshire, which are designed to guide an even distribution of housing delivery across the area. The application site is not located within or adjacent to the settlement boundary of Winterslow, and is therefore in the open countryside.

The CP24 indicative housing requirement for the rest of the community area (excluding Downton) for the remaining plan period is 615 dwellings. Of these 611 now have planning permission or have been constructed and therefore as set out in Appendix 6 of the updated Housing Land supply report of 2015 there is only a requirement for 4 dwellings over the remainder of the plan period.

Table 2 of the Council's current Housing Land Supply Statement 2015 demonstrates that each housing market area in Wiltshire, including South Wiltshire which this site is located, has a 5 year housing land supply, plus a 5 % buffer. Therefore, there is no need for this development at this time.

### **Other policy considerations**

Core Policy 1 outlines the settlement strategy for Wiltshire and identifies the settlements where sustainable development will take place. Winterslow is listed as a large village within the Southern Wiltshire Community Area.

The site is outside the settlement boundary, as the housing restraint area designation was deleted on adoption of the Wiltshire Core Strategy in January 2015. This site is therefore considered to be in the open countryside.

Core Policy 2 addresses the issue of development outside of settlement boundaries. Under Core Policy 2, development will not be permitted outside the limits of development unless it has been identified within the subsequent Site Allocations Development Plan Document and Neighbourhood Plan.

Core Policy 2 states that development proposals outside of defined settlements will be strictly limited, and only acceptable in certain circumstances, none of which are applicable to the application proposal. The WCS does not propose any strategic housing allocations in Winterslow, and it is envisaged that any non-strategic housing sites will come forward either through the Neighbourhood Planning process or through the forthcoming Wiltshire Housing Sites DPD. The Council are currently working towards a Housing Sites Allocations DPD, and Winterslow Parish Council has begun the Neighbourhood Plan making process.

The housing requirements set out at CP24 are indicative in order that the Council and community, through the development of subsequent Sites Allocation DPD and Neighbourhood Plans, may apply a flexible approach to housing delivery. It is considered that the proposal is contrary to the Plan-led approach for housing intended to be delivered through the Neighbourhood Planning and Site Allocation processes. As the Council is able to demonstrate a five year supply of housing land, and there is no over-riding need at this time for development in this location, the presumption against development applies until such time as the site may be allocated for development by the Council or local community.

Attention needs to be given to the progression of the Draft Neighbourhood Plan for Winterslow which is ongoing. The Neighbourhood Plan steering group has gathered evidence relating to land ownership and land availability within the village and surrounding area. From the evidence that they have gathered, they have shortlisted the top ten preferred sites for residential development, as voted for by the local community. This site is currently one of the 10 sites identified for development within the Neighbourhood Plan.

It is the responsibility of the applicant to demonstrate in what way a scheme may represent a justifiable exception to policy CP2, and evidence should be provided to determine that:

- a. there is widespread local support for the proposals at a level equivalent to the tests set for a neighbourhood plan or development order; and
- b. where there is an adopted community led policy approach, it would produce this specific scheme at this location.

Evidence of widespread local support may be demonstrated by (i) a Statement of Community Involvement describing how the local community have been involved in the preparation of the application proposals from an early stage in the design process, (ii) an

independent survey demonstrating a majority vote in favour of the development from a representative sample of the community, and/or (iii) a letter from or minutes of the Parish Council confirming their support for the proposals.

It is considered that the proposal is contrary to the Plan-led approach for housing intended to be delivered through the Neighbourhood Planning and Site Allocation processes. As the Council is able to demonstrate a five year supply of housing land, and there is no over-riding need at this time for development in this location, the presumption against development applies until such time as the site may be allocated for development by the Council or local community. Therefore I raise a **policy objection** to the application at this time. Subject to the site allocation being maintained in the Neighbourhood Plan when adopted, then this site may have potential for residential development in the future.

Further comment from the Spatial Planning officer:

*“I have considered this application again, in light of the support from the Neighbourhood Plan, but I have maintained my objection as the NP is still at an early stage, and although we have support from the PC and NPSG, it is still contrary to CP2 at this point in time. If we allowed PP for every site in a NP preferred list and in advance of the plan being adopted, then there will be no point in carrying on with the NP’s. There is also no guarantee that the examiner will support the sites inclusion in the plan either – he has just deleted some sites out of the Potterne NP.*

*I know that Mr H will keep drawing similarities to the Fralex site in Winterslow, but each application is dealt with on its merits. The Fralex application was next to the settlement boundary, in the centre of the village, within walking distance of the facilities, and will deliver affordable housing for the village, as well as resolving a drainage / surface water issue.*

*Once the NP has been adopted then the policy position will change. Until then, I maintain my objection.*

*It will be the prerogative of the committee to approve the application, if they deem the evidence sufficient to set aside CP2.”*

## 9.2 Design and Impact on area and amenity

The proposed dwellinghouse is to be set partially down (at the rear) within the rising contours of the land and will be afforded a degree of screening within the surrounding area by reason of retained trees. The proposed external materials consist of reclaimed style facing brickwork under a slate or clay tiled roof and the proposal is considered acceptable in terms of its scale, design and materials.

It is considered that by reason of the siting, orientation and general relationship between the proposed dwelling and the closest existing neighbouring dwelling (known as Kings Farm to the NW), the proposed development would not unduly disturb, interfere, conflict with or overlook adjoining dwellings or uses to the detriment of existing occupiers.

## 9.3 Highways matters

The access to the proposed dwelling constitutes a modified and improved access from the existing. A recessed and gated driveway/turning space at the front of the house (within the curtilage) will provide off street parking for at least two cars. The Highways officer has no objections on Highway safety grounds (subject to Conditions), however raises concerns in respect of the sustainability of the site, being outside of the defined limits of development.

Surface water drainage is to be provided by means of soakaways within the site, foul water drainage is to be by connection to the existing mains sewer.

#### 9.4 S106 contributions

None relevant

#### 10. Conclusion

It is considered that the proposal is contrary to the Plan-led approach for housing intended to be delivered through the Neighbourhood Planning and Site Allocation processes. As the Council is able to demonstrate a five year supply of housing land, and there is no over-riding need at this time for development in this location, the presumption against development applies until such time as the site may be allocated for development by the Council or local community. Therefore officers raise a policy objection to the application at this time.

However, subject to the site allocation being maintained in the Neighbourhood Plan when adopted, this site may have potential for residential development in the future, but for the moment the proposal is considered premature and cannot be supported on planning policy grounds.

**RECOMMENDATION: That the application be REFUSED,** for the following reason:

The application site is situated outside of the defined limits of development as set out within Core Policies CP1, CP2 and CP24 of the adopted Wiltshire Core Strategy and the associated policies maps. Whilst the application site has been included in the emerging Winterslow Neighbourhood Plan, the Neighbourhood Plan is not yet formally part of the development plan for the area. The proposal is therefore considered premature and contrary to the Plan-led approach for housing intended to be delivered through the Neighbourhood Planning and Site Allocation processes. As the Council is able to demonstrate a five year supply of housing land, and there is no over-riding need at this time for development in this location, the presumption against development applies until such time as the site may be allocated for development by the Council or local community. The proposal is therefore contrary to Core Policies CP1, CP2 and CP24 of the adopted Wiltshire Core Strategy, the emerging Winterslow Neighbourhood Plan, and the aims of the NPPF, which advocates a plan-led approach.