

REPORT TO THE SOUTHERN AREA PLANNING COMMITTEE

Date of Meeting	23 rd May 2013
Application Number	S/2013/0251
Site Address	Adj. Greenways, Tidworth Road, Allington, Salisbury, SP4 0BN
Proposal	Erection of three bedroom bungalow
Applicant / Agent	Mr & Mrs Hill / Mrs Rita Pope
Town/Parish Council	Allington
Grid Ref	E. 420290 N. 139571
Type of application	Full Planning
Case Officer	Charlie Bruce-White

Reason for the application being considered by Committee

Cllr Smale has called in the application as the Parish Council is in favour, and the site is a 'brown site' having previously supported an abattoir.

1. Purpose of report

To consider the above application and the recommendation of the Area Development Manager that planning permission be **REFUSED** for the reasons detailed below.

2. Report summary

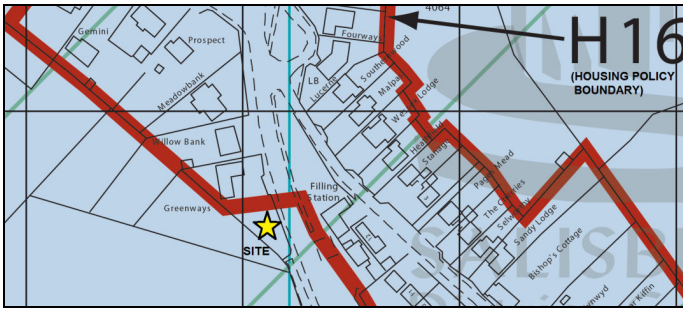
The main issues in the consideration of this application are as follows:

1. Principle of development;
2. Sustainability;
3. Character and appearance of the area;
4. Highway considerations;
5. Foul drainage;
6. Affordable housing and open space contributions.

The application is supported by the Parish Council. No responses have been received from third parties.

3. Site Description

The site relates to part of the garden to the side of a bungalow known as Greenways, situated off the main road running through the village of Allington. The existing bungalow is situated within the Housing Policy Boundary (HPB) although the garden area to the side of the dwelling is situated outside of the HPB.



4. Relevant Planning History

12/1672	Erection of three bedroom bungalow	REF	08.01.13
06/0792	Side and garage extension and associated ground work	AC	07.06.06
93/0091	Change of use of agricultural land to ancillary residential	AC	08.03.92

5. Proposal

It is proposed to erect a new single storey dwelling within the garden to the side of Greenways. The proposal would share its access with the existing dwelling.

The application represents a resubmission of a recently refused application (S/2012/1672) for an almost identical development which was refused for the following reasons:

- 1) *The site comprises undeveloped land outside of a Housing Policy Boundary, and is situated within a settlement which is not considered to be a sustainable location for growth by virtue of its low position within the settlement hierarchy. The Local Planning Authority has an existing planned supply of housing in excess of the minimum required by the NPPF, and therefore there is no presumption in favour of the development. The proposal would therefore be contrary to the aims and objectives of the adopted South Wiltshire Core Strategy, having particular regard to Core Policy 1 and saved Local Plan policies H23 and G1(i), and the NPPF.*
- 2) *The development proposes to dispose of foul sewerage by means of a septic tank. However, the site is within close proximity to the mains sewer and the applicant has not provided an adequate justification for a septic tank. The development would therefore be contrary to Local Plan policy G5 (as saved within the adopted South Wiltshire Core Strategy) and the guidance contained within Circular 3/99.*
- 3) *The development has not made adequate provision towards affordable housing or public open space, and would therefore be contrary to Core Policy 3 of the adopted South Wiltshire Core Strategy and Local Plan policy R2 (as saved within the adopted South Wiltshire Core Strategy).*

The only change now proposed is that the applicant proposes to connect to the mains sewer rather than a septic tank. The applicant has also offered to make the necessary contributions towards affordable housing and public open space.

6. Planning Policy

Local Plan: saved policies G1, G2, G5, H23, D2, C6, TR11, TR14, R2

South Wiltshire Core Strategy: core policies 1, 3, 19

Central government planning policy: NPPF

7. Consultations

Parish Council	Support
Highways Officer	No objection subject to condition to secure details of parking / turning
Archaeologist	There are no records within / immediately adjacent to the site and The development is not a large new footprint of impact. I therefore consider it unlikely that significant archaeological remains would be disturbed and so have no further comment to make.
Housing Officer	The development will trigger an off-site contribution of £12,882 towards affordable housing.
Wessex Water	Confirm that site is within an area served by the mains sewer

8. Publicity

The application was advertised by site notice and neighbour consultation.

No letters of representation were received.

9. Planning Considerations

9.1 Principle of development

Local Plan policy H23 states that undeveloped land outside a HPB and not identified for development in the Local Plan will be considered to be countryside where the erection of new dwellings will be permitted only where provided for by policies H26 (affordable housing) or H27 (housing for rural workers). The application is not made on the basis of either one of these exceptions, and therefore the proposal is contrary to policy H23.

9.2 Sustainability

The basis for policy H23 is founded on the settlement hierarchy established within the Core Strategy. A hierarchy has been identified based upon the size and function of settlements, which provides the foundation of the Core Strategy for delivering growth across the South Wiltshire area. This states that growth will be primarily focussed on settlements in the upper three tiers of the settlement strategy, which comprise Salisbury, Amesbury and the Local Service Centres. Allington is not included within any of these tiers, and is grouped within the lowest and sixth tier known as '*Other Settlements and the Countryside*'. The tier is described within the Core Strategy as follows:

This tier includes some of the smallest settlements in south Wiltshire, often in remote rural areas and with no facilities of their own. Functionally they are almost completely reliant on local service centres for day-to-day needs. As such they represent the most unsustainable location for new growth and hence new development is unlikely to appreciate in these villages.

The NPPF requires local planning authorities to identify a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (paragraph 47). The NPPF also states that there must be a presumption in favour of sustainable development if a local planning authority cannot

demonstrate a 5 year housing supply (paragraphs 15 and 49). South Wiltshire currently has some 17 years supply, and therefore in this instance there is no overriding need for this development in a countryside location.

Consequently, significant other material considerations need to be demonstrated in order to go against the policies of the Core Strategy, which is a recently adopted and up to date plan. It is noted that there are many sites on the edge of HPBs, and their piecemeal, unplanned expansion could seriously undermine the objectives of the Core Strategy.

It is noted that the Parish Council support the proposal, and the Allington Parish Plan indicates that there was 'some support for modest infilling of detached, semi-detached, bungalow and affordable housing' in the village. Whilst an important document for outlining the objectives and future directions for local communities, Parish Plans do not actually allocate, or have the authority to allocate, land for new development. In any event, this site does not comprise an infill as defined by Policy D2 of the Local Plan.

On the other hand, the Localism Act has created special provisions for local communities to create 'Neighbourhood Plans', which would have much more status in providing such allocations, and these documents would sit underneath the Core Strategy as part of the development plan. If Allington Parish Council wishes to seek the support of modest infilling within its community, it is the Neighbour Planning mechanism that they should exploit, and Officers from Spatial Planning can give further advice on request. However, until a Neighbourhood Plan is in place, including the necessary provisions to permit such development, the weight that can be afforded to the Parish Council's support is relatively limited in the determination of this planning application.

The applicant has also detailed that there was a building on the site many years ago, apparently comprising a dwelling and abattoir, and states that this sets a precedent to support the proposed development. However, any such building has long been demolished and the land comprises open residential garden. The NPPF makes it clear that residential gardens do not fall within the definition of previously developed (brownfield) land. In any case the site is not within a HPB and does not relate to a main settlement, and would therefore not be in compliance with Local Plan policy on the redevelopment of brownfield sites.

9.3 Character and appearance of the area

The dwelling design proposed would not be out of keeping with the area subject to further details relating to landscaping, principally in relation to site levels and the treatment of excavations.

9.4 Highway considerations

The Highways Officer raises no objection in highway safety terms subject to a condition to secure further details of the parking / turning area for the proposed and existing dwelling.

9.5 Foul Drainage

Now that the applicant proposes to connect to the mains sewer, the development would be in compliance with Local plan policy G5 and the previous reason for refusal in relation to this can be omitted.

9.6 Affordable housing and open space contributions

Local Plan policy R2 and Core Policy 3 require financial contributions towards off-site recreational open space and affordable housing respectively. In respect of these

requirements the Local Planning Authority will normally enter into negotiations with the applicant to secure the relevant obligations through a S106 agreement. Whilst the applicant has agreed to enter into such negotiations, given fundamental concerns with regards to the principle of development, Officers do not consider such negotiations to be prudent since they would result in abortive legal costs to both the applicant and Council. Consequently, in the absence of a S106 agreement being entered into, the development cannot comply with the above policy requirements, and this provides an additional reason for refusal.

10. Conclusion

The proposed development would be unacceptable in principle, being situated outside of a Housing Policy Boundary and not comprising an exception such as affordable housing or housing for a rural worker. Furthermore, no provision has been made towards affordable housing or public open space within the locality.

11. Recommendation

Planning Permission be REFUSED for the following reasons:

- 1) The site comprises undeveloped land outside of a Housing Policy Boundary, and is situated within a settlement which is not considered to be a sustainable location for growth by virtue of its low position within the settlement hierarchy. The Local Planning Authority has an existing planned supply of housing in excess of the minimum required by the NPPF, and therefore there is no presumption in favour of the development. The proposal would therefore be contrary to the aims and objectives of the adopted South Wiltshire Core Strategy, having particular regard to Core Policy 1 and saved Local Plan policies H23 and G1(i), and the NPPF.
- 2) The development has not made adequate provision towards affordable housing or public open space, and would therefore be contrary to Core Policy 3 of the adopted South Wiltshire Core Strategy and Local Plan policy R2 (as saved within the adopted South Wiltshire Core Strategy).

INFORMATIVES:

- 1) It should be noted that the reason given above relating to policy R2 and Core Policy 3 could be overcome if all the relevant parties complete a Section 106 legal agreement.
- 2) In accordance with paragraph 187 of the National Planning Policy Framework (NPPF), this planning application has been processed in a proactive way. However, due to the proposal's failure to comply with the development plan and the NPPF as a matter of principle, the local planning authority has had no alternative other than to refuse planning permission.