
Appeal Decision

Site visit made on 5 December 2017

by G P Jones BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22nd December 2017

Appeal Ref: APP/Y3940/W/17/3180317

7 Locks Lane, Purton, Wiltshire SN5 4HD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Richard Bullough against the decision of Wiltshire Council.
 - The application Ref 17/00798/FUL, dated 23 January 2017, was refused by notice dated 27 March 2017.
 - The development proposed is the conversion of detached outbuilding into a single dwelling and erection of detached double garage.
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Decision

1. The appeal is dismissed.

Preliminary and procedural matters

2. Since the planning application was determined the appellant has submitted an amended plan, reference C12117.PL.050 Revision B Proposed Block Plan, that in effect proposes the removal of the detached double garage element of the proposal. I consider that the removal of this double garage from the scheme would not fundamentally alter the nature of the proposal and thus would not prejudice any interested parties. I shall proceed with my determination of this appeal on the basis of this revised scheme.
3. In addition, the Council has now agreed that sufficient information has been submitted in regard to an assessment on the potential impact on trees on the site, and is therefore not pursuing this reason for refusal.

Main Issues

4. Taking all of this into account, I consider that the main issues are as follows:
 - whether the appeal site is an appropriate location for housing having regard to the development plan and the National Planning Policy Framework (the Framework); and
 - whether occupants of the proposed development would have acceptable access to shops and services.

Reasons

Planning policy

5. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions to be made in accordance with the development plan unless material

considerations indicate otherwise. Core Policies 1 and 2 of the Wiltshire Core Strategy (WCS), adopted January 2015, provide a settlement strategy and delivery strategy and seek amongst other things to direct development to the Principal Settlements, Market Towns, Local Service Centres and Large Villages and require that development should be restricted to within the defined limits of development of the identified settlements. Furthermore, I have not been presented with any evidence that the proposal would meet the criteria for a rural exception site as defined in the WCS. WCS Core Policy 19, among other matters, sets out a spatial strategy for housing for the Royal Wootton Bassett and Cricklade Community Area. It identifies Purton as a Large Village, and seeks to ensure that new housing development is within the defined settlement boundary in accordance with the settlement strategy set out in WCS Core Policy 1.

6. The settlement boundary for Purton is defined in the North Wiltshire Local Plan 2011. It is not in dispute between the parties that the appeal site lies outside of but immediately adjacent to the Purton settlement boundary. The settlement boundary for Purton will be reviewed as part of Wiltshire Housing Site Allocations Plan (WHSAP) which the Council is preparing. Even though the draft WHSAP proposes some changes to it, the appeal site would continue to lie just outside of the proposed revised settlement boundary.
7. The appeal site currently contains an outbuilding and there is an extant permission, reference 14/10406/FUL, for the conversion of the existing detached outbuilding to a residential annexe. Therefore the principle of a conversion to form a residential annexe within the curtilage of no. 7 has been established. However, a separate dwelling would have a different pattern of use than a residential annexe associated with the main property of no. 7, and thus is a significantly different consideration.
8. There is a row of houses further along Locks Lane to the north-east beyond the appeal site, and the housing that forms the outer edge of this part of the settlement is located not far away to the south-west. Therefore, despite the presence of open fields on the other side of Locks Lane to the west I do not concur with the Council's contention that this would be an isolated, countryside location in terms of paragraph 55 of the Framework.
9. There is dispute between the two parties as to whether the Council can demonstrate a five-year supply of deliverable housing sites. The appellant contends that the Council cannot demonstrate a five year supply of deliverable housing sites and has referred to the fact that Wiltshire Council and Swindon Borough Council are working together on their evidence base for their respective emerging Local Plans and that consultation is being undertaken on these plans.
10. The joint evidence base includes a Strategic Housing Market Assessment and a new housing market area (HMA) for Swindon which includes Purton. However, I note that the new HMA is in draft form and has been prepared to inform the Swindon and Wiltshire Joint Spatial Framework: Issues Paper. The appellant has calculated that the new Swindon HMA has only 3.6 years housing land supply. Furthermore, the appellant has cited a recovered appeal decision in Swindon¹ that concludes that Swindon has less than 2.5 years housing land supply. In addition the appellant has cited topic papers that relate to four of

¹ Appeal reference APP/U3035/W/16/3147902

Wiltshire's Community Areas, including Royal Wootton Bassett and Cricklade, which inform the WHSAP that the Council is preparing.

11. In contrast the Council has cited two recent appeal decisions in Wiltshire² in which the Council was found to have a five-year housing land supply. Therefore I have been presented with conflicting evidence in regard to the matter of five-year housing land supply. I consider that the two emerging Local Plans are at an early stage of preparation and I accord them little weight. In addition, unlike the appeal decisions that the Council has referenced, the appeal decision cited by the appellant relates to Swindon not Wiltshire and is therefore not directly applicable to this proposal. Having considered all the evidence available to me, it is my view that I have not been presented with clear substantive evidence to demonstrate that the Council does not currently have a five-year supply of deliverable housing sites. Therefore I consider that the fourth bullet point of paragraph 14 of the Framework is not engaged.
12. The appeal site is outside the settlement boundary and therefore the proposal would be contrary to WCS Core Policies 1, 2 and 19. I attach considerable weight to the conflict with the development plan that I have identified.

Access to shops and services

13. The development would be located on the immediate outskirts of Purton, which has a range of shops and services that include, among other things, a primary and a secondary school, a convenience store, a pharmacy, a takeaway and two public houses.
14. These shops and services would be within a reasonable walking distance and clearly within an easy cycling distance of the appeal site. There is no pavement available for the initial section of the route from the appeal site into the centre of Purton. However, the topography is flat, there is street lighting within reasonably close proximity of the appeal site and the surrounding roads leading to Purton centre are typical of a residential area and on the, albeit limited, evidence of my site visit did not appear to be heavily trafficked.
15. For these reasons, I consider that the appeal site is not in an isolated location and future occupants of the proposed development would have good access by sustainable travel means to the reasonable range of shops and services in Purton. In this regard I find that overall the proposal would accord with the relevant guidance in the Framework and Core Policy 60 of the WCS that seeks to promote sustainable travel objectives and ensure developments are in accessible locations.

Planning balance and conclusion

16. Paragraphs 7 and 8 of the Framework refer to three, mutually dependent dimensions to sustainable development: economic, social and environmental. In terms of its benefits the proposal would boost the supply of housing, albeit by a modest amount and future occupants would have reasonable access to the range of services and facilities provided in Purton. The construction of the proposed dwelling would provide a source of employment, as would the construction of a residential annexe, and once built it is likely that there would be some additional patronage from future occupants for the services and facilities that are available in Purton and nearby. The principle of a residential

² Appeal references APP/Y/3940/W/16/3150514 and APP/Y/3940/W/16/3262581

building on the site has been established, although it would be ancillary to the main property.

17. Overall I consider that there is no justification for reducing the weight that should be given to WCS Core Policies 1, 2 and 19 and thereby releasing the appeal site for unfettered residential development. To do so would conflict with paragraph 17 of the Framework which guides that planning should be genuinely plan-led.
18. Even though I have found little harm, nevertheless the proposal would not accord with an up to date development plan. The benefits of the proposal are limited and would not outweigh this conflict that I have identified and to which I attach considerable weight. For the reasons set out above, and having regard to all other matters raised including other relevant development plan policies, I conclude that the appeal should be dismissed.