



**TOWN AND COUNTRY PLANNING ACT 1990**

**PLANNING STATEMENT**

**TO ACCOMPANY A PLANNING APPLICATION  
FOR RESIDENTIAL DEVELOPMENT**

**ON LAND NORTH OF ST GEORGE'S ROAD, SEMINGTON**

**ON BEHALF OF OXFORD LAW**

**JULY 2016**

**PF/9657**

## 1.0 INTRODUCTION

- 1.1 An application for outline planning permission is sought for residential development on land to the north of St George's Road, Semington. All matters of detail, comprising layout, appearance, scale, landscaping and access are reserved for subsequent approval of the Local Planning Authority. The site extends to 4.2 hectares and has a frontage to St George's Road and Pound Lane, Semington.
- 1.2 The application is accompanied by an illustrative layout plan. It is anticipated that 30% of the dwellings would be provided within the definition of Affordable Housing (annex 2 of the National Planning Policy Framework).
- 1.3 The illustrative plan shows vehicular access to the site being gained from St George's Road, with provision for a pedestrian / cycle access being gained from Pound Lane. It is feasible within the site frontage of Pound Lane for a vehicular access to be provided so that a vehicular route could be achieved between Pound Lane and St George's Road. The two options for a vehicular access are shown on Drawings 18136-01 (Pound Lane) and 18136-02 (St George's Road). A condition could be imposed upon a grant of planning permission if the Highway Authority consider that the development should proceed with a specific point of access from St George's Road; Pound Lane, or from both highways.
- 1.4 The formal plan submitted with the application comprises:
- Location Plan – site edged red. Drawing No. PF/9657.01

1.5 The supporting documentation accompanying this application comprises:

- Planning Statement
- Design and Access Statement
- Transport Assessment
- Landscape and Visual Assessment
- FRA together with foul and surface water drainage strategy
- Ecological Survey
- Heritage DBA

1.6 The consultant team comprises:

Planning: Framptons, Oriel House, 42 North Bar, Banbury, OX16 0TH

Architects: Msquare Architects, Leefe House, 27 Abbey Street, Market Harborough, LE16 9AA

Transportation Consultants: David Tucker Associates, Forester House, Doctors Lane, Henley-in-Arden, B95 5AW

Landscape Architects: MHP Design, Corinth House, 117 Bath Road, Cheltenham, GL53 7SL

Ecologists: Ecoline, 25 Ainsbury Road, Beechwood Gardens, Coventry, CV5 6BA

Drainage Consultants, Infrastruct CS, The Stables, High Cogges Farm, High Cogges, Witney, OX29 6UN

Heritage Consultants: Cotswold Archaeology, Building 11, Kemble Enterprise Park, Cirencester, GL7 6BQ

1.7 The purpose of this planning statement is to set out the planning policy background for the submission of the planning application to assist the Planning Officer and members of the public in understanding the approach that has been taken by the Applicant in the preparation of this application.

## 2.0 RELEVANT PLANNING POLICY CONSIDERATIONS

2.1 The development plan for the purposes of Section 38(6) of the Act comprises:

- The Wiltshire Core Strategy 2015
- The saved policies of the West Wiltshire Local Plan 2004.

2.2 The West Wiltshire Local Plan has a plan period until 2011. The planning strategy is out of date. The Local Plan makes no provision for housing needs in the period beyond 2011. Policy H17 defines Village Policy Limits (VPL) for villages including Semington, and allows for 'limited development' within these limits. It is acknowledged that the site is not located within the VPL for Semington.

2.3 The Saving Direction letter dated 26<sup>th</sup> September 2007 makes clear that:

*'Policies have been extended in the expectation that they will be replaced promptly and by fewer policies in DPDs. Maximum use should be made of national and regional spatial strategies.'*

2.4 This Saving Direction was issued almost 9 years ago. Presently the saved policies have not been replaced within a development plan that is consistent with national planning policy. The National Planning Policy Framework March 2012 states (215):

*'due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).'*

2.5 This application is submitted on the basis the Council is not able to demonstrate a deliverable supply of housing land (minimum 5 years). It is inevitable that greenfield land is required to meet the housing needs of Wiltshire. In consequence little weight should be placed on the fact that the site lies outside the VPL for Semington which was identified some 12 years ago. Furthermore the planning policy context for the Local Plan in making provision for housing was dramatically different to today's circumstances where national planning policy requires LPAs to meet 'the full objectively assessed needs for market and affordable housing in the housing market area' (Framework 47). This policy requirement responds to the Government's commitment to 'boost housing land supply'.

### **Wiltshire Core Strategy 2015**

2.6 The Wiltshire Core Strategy has retained the Settlement Boundary for Semington under the category of 'Large Villages'. It is inevitable – and a matter which should be readily agreed by the LPA – that settlement boundaries carried forward in old development plans must be reviewed in order to bring matters up to date. The review of those boundaries will inevitably require their expansion in order to accommodate development needs which are greater than when the boundaries were initially established in the period leading up to the adoption of the Local Plan in 2004.

2.7 As such the settlement boundaries as they appear in the Core Strategy are out of date. The boundaries artificially constrain development by restricting the area of land to accommodate new development to that which was established in 2004. While it may be contended that the settlement boundaries have been re-validated by incorporation into the Core Strategy, the boundaries were conveniently carried forward from the Local Plan as a temporary measure pending the early, timely and swift review of those boundaries in a further plan. To date that review has not taken place some 5 years beyond the Local Plan period. It is submitted that in consequence the weight to be placed on the fact this site lies beyond the VPL is reduced accordingly.

2.8 At the Examination into the Core Strategy the Council recognised that the Plan could not be found sound with the inclusion of out of date settlement boundaries. Submissions were made to the Inspector that the Site Allocations DPD would be complete by Summer 2015. Despite the assurances made to the Inspector no fixed timescale has been provided for the Site Allocations DPD. The settlement boundaries were procured within the Core Strategy by the LPA making representations to the EIP Inspector which have subsequently been shown to be inaccurate and unreliable. Policies in a development plan secured on that basis should not attract weight in decision-taking in 2016. Adoption of the Sites Allocation is not anticipated prior to December 2017.

2.9 The Settlement Strategy is provided by Core Policy 1 which identifies 4 tiers of settlements. Large and small villages feature as the fourth tier of settlement. Core Policy 1 states:

*‘Development at Large and Small Villages will be limited to that needed to help meet the housing needs of the settlements and to improve employment opportunities, services and facilities.’*

2.10 Core Policy 2 Delivery Strategy identifies ‘minimum housing requirements’. The Policy envisages that only 35% of the minimum housing delivery can be placed on brownfield land. The overwhelming majority of housing land requirements will be made of greenfield land. Provision is made for at least 24,740 dwellings in the North and West Wiltshire HMA.

2.11 Semington is located within the Melksham Area Strategy. Core Policy 15 identifies Semington as one of 5 Large Villages as the second tier of settlement within the Area Strategy to the Market Town of Melksham and Bowerhill Village. Of the Large Villages, Semington is the most conveniently located to

the Market Town of Melksham and the Principal Town of Trowbridge for access to high order services and facilities.

2.12 Figure 5.10 Melksham Community Area does not identify any strategic policy constraint to the release of land beyond the settlement boundary of Semington. Policy CP15 envisaged that approximately 2,370 new homes will be provided within the Community Area, of which 2,240 should occur at Melksham. Table 5.9 envisaged that 51 dwellings remained to be defined within the Community Area.

2.13 In the absence of a 5 year deliverable land supply, policies for the supply of housing are to be considered out of date. The definition of Settlement Boundaries serves to restrict housing land supply and is to be regarded as being out of date.

2.14 As such the presumption in favour of granting planning permission is engaged as provided by the second bullet point of paragraph 14 of the Framework, namely:

*‘where the development plan is absent, silent or relevant policies are out-of-date, granting permission 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.’*

2.15 None of the circumstances identified at Footnote 9 are applicable to this site.

## Other material considerations

### National Planning Policy Framework (The Framework)

- 2.16 Paragraph 49 sets out an imperative that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 197 states that 'In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development'.
- 2.17 The three dimensions to sustainable development are economic, social and environmental. Paragraph 8 makes clear that 'to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system'.
- 2.18 In considering the merits or otherwise of the development, an assessment is made in the context of the Core Planning Principles (paragraph 17).



### 3.0 THE PLANNING CONSIDERATIONS

3.1 The starting point for the determination of this application is as always the provisions of the development plan. For the reasons explained it is acknowledged that the Core Strategy does not envisage land beyond the identified Settlement Boundaries being developed. As such the proposal may be regarded as not being in accordance with the development plan. Section 38(6) requires a decision to be made having regard to ‘other considerations – particularly national planning policy’ (paragraph 215).

3.2 In this case the Settlement Boundaries are out of date, and less weight should be given to their definition accordingly. Moreover as the definition of Settlement Boundaries comprises a ‘relevant policy for the supply of housing’ the boundaries are out of date in the context of the provisions of paragraph 49 of the Framework.

3.3 National planning policy requires a planning balance to be undertaken within the elevated presumption in favour of granting planning permission. This rebuttable presumption requires ‘adverse impacts’ to be ‘significant’ and demonstrably (provenly) to outweigh the benefits from allowing a grant of planning permission.

3.4 The benefits which flow from a granting of planning permission principally relate to the economic and social role. Assuming a development cost of £100,000 per dwelling ‘Laying the Foundations – A Housing Strategy for the UK’ envisages that ‘every £1M of new house building output supports 12 net jobs (7 direct and 5 indirect) for a year. Builders of new affordable homes also provide apprenticeships.’ On this basis the development could provide 86 jobs for a year (based on a calculation of 72 dwellings). This benefit is considered to carry moderate weight.

- 3.5 The Government is committed to boosting the supply of land for housing. A failure to provide at least a 5 year supply of deliverable housing land is a significant deficiency in the planning system. Substantial weight is placed on the social role for increasing the delivery of housing. Substantial weight is placed on boosting the supply of land for affordable housing.
- 3.6 In respect of the environmental role, if development needs are to be met it is inevitable that some greenfield land is required for housing. Development of greenfield land for housing cannot be undertaken without resulting in a significant change to the character of that land. The accompanying LVIA demonstrates that development as proposed will not have a significant impact upon a wider area of countryside.
- 3.7 Paragraph 29 of the Framework recognises that in terms of promoting sustainable transport ‘different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas’. The underlying objectives for promoting sustainable transport not only seek the availability of a choice of transport, but moreover to reduce journey lengths to access a wide choice of services and facilities.
- 3.8 The accompanying Transport Statement (TS) describes the availability of services locally, and the choice of transport for access to services facilities that are available within Melksham and Trowbridge.

3.9 The TS states at paragraph 3.6.2 – 3.6.3:

*‘A host of facilities are available in the towns of Melksham and Trowbridge. The centre of Melksham is 5km north of the site (cycling distance), and the centre of Trowbridge is 7.1km to the southwest. Both are accessible by public transport. Accessible facilities include, retailers, primary and secondary schools, sources of employment, health services, train stations, post offices (full time), banks, leisure facilities, eateries and pubs.*

*Giffords Surgery, Dr Michael Frain Ltd Dental practice, Melksham Community Hospital and Lloyds Pharmacy are all located within 100m of each other on Spa Road, Melksham. This is approximately 4.1km north from the site, accessible by cycling, the X34 bus service, or private car via the A350 (5km).’*

3.10 It is considered that the impact of the development on the environmental dimension is confined to the loss of 4.2 hectares of greenfield land. The accompanying Heritage DBA has considered the impact of housing development upon the setting of designated and a non-designated heritage asset (WWII pill-box). The scheme would provide for effective closure of the pill-box to prevent vandalism. Interpretation facilities can be provided. While the immediate spatial setting of the pill-box would change, its inter-visibility with the Kennet Canal is preserved. The effect of an application of the significance of a ‘non-designated heritage’ has been taken into account in the formulation of proposals for this site (Framework 135).

#### 4.0 THE PLANNING BALANCE

4.1 It is concluded that the negative impacts to the environmental dimension of sustainable development are not significantly adverse as to demonstrably outweigh the benefits to the social and economic dimensions of the planning system. A net benefit is gained for sustainable development and planning permission should be granted accordingly.

Land north St Georges Road, Semington, Wiltshire

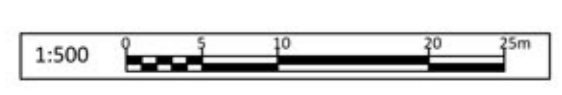
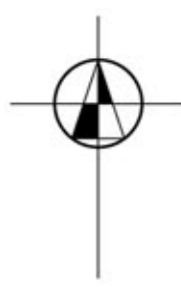


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PJF/tdb/PF/9657  
Dwg No. PF/9657.01





**PROPOSED ACCOMMODATION:**  
 50 HOUSES (MARKET SALE)  
 22 HOUSES (30% AFFORDABLE HOUSING)  
 72 HOUSES TOTAL

**PROPOSED INDICATIVE SITE LAYOUT**  
**LAND OFF ST GEORGES ROAD, SEMINGTON, WILTSHIRE**  
 OXF - 221 - PA - 001  
 JUNE'16 - 1:500 @ A1

