

On behalf of Haskins Garage, we set out below objections to policies in the Wroughton Neighbourhood Plan .

## **Background**

Haskins occupies old style garage premises at High Street, Wroughton. The site comprises a petrol forecourt, car showroom and external car sales area, workshops, car parking and ancillary uses. The petrol sales and car showroom uses are not operating at the moment.

Haskins has served the village for very many years. The business proposes to relocate the workshops to enable the existing garage site to be redeveloped for housing and a planning application has been submitted accordingly.

Most of the garage car park is identified as part of site DP6 in the Neighbourhood Plan which, it is suggested, is suitable for 6 houses.

Representations have been made at each stage of the Neighbourhood Plan but key points raised have not been addressed and objections therefore remain.

## **Policies HV2 and LE5**

These policies seek to prevent a change of use of all retail, commercial and leisure premises (buildings and sites in the case of the 'heart of the village') to residential use unless there is viability evidence that there is no alternative use possible. HV2 applies this approach in the 'heart of the village' and LE5 applies it in a similar form to all of the village.

As well as being repetitive, the fundamental problem with this policy approach is that it is unduly onerous and there is no evidence to justify it.

If interpreted to apply to outdated commercial sites like Haskins Garage, the effect would be to prevent the site coming forward for housing without an exercise being carried out to assess the economic viability of any use, other than housing, before a housing permission could be granted.

In order to be able to demonstrate that there is no other viable use for a site or building, it would be necessary for a landowner to show that all possible options have been considered and assessed for viability. That could only be done by preparing development schemes for many forms of development (that the landowner has no intention of implementing) and then for those options to be viability tested.

This is plainly wholly unrealistic, unreasonable and unparalleled in development management policy. There is no basis for such an approach in the NPPF. It is a fundamental principle of planning that an application should be considered on its merits and it is well established that a developer does not need to assess whether there are other forms of development that could come forward on a site.

Furthermore, there is no evidence to support this approach. For example, for retail uses, other than a reference to a desire expressed by some local people for more

shops, there is no supporting information on retail capacity, viability of additional retail provision and no evidence of unmet retailer demand. Indeed, the plan notes a number of shops have closed in the village in recent years. That reflects a national pattern of oversupply of retail units leading to historically high vacancy rates in most areas. Similarly there is no evidence that all such land needs to be kept in commercial use nor is there any evidence of a need or demand for leisure uses. The restriction in the policies requires any other use to be unviable so the effect of the restriction is not limited to those categories. There is no evidence of a need for any other uses. The failure to provide an adequate justification is, therefore, a fundamental objection and the plan fails to meet the necessary requirements in this regard.

In terms of the Haskins site itself, it is relevant to note that the Neighbourhood Plan proposes housing on the main Haskins garage car park which could only be implemented if the garage business closes because the parking is essential to its operation. We consider that the obstacle that the policies would place in the way of the redevelopment of the garage site could prevent the DP6 allocation coming forward and thus the Plan is potentially self-defeating.

The existing Haskins garage buildings do not make a positive contribution to the appearance of the area and the restriction the policies would impose risks delaying or preventing a redevelopment that would be very beneficial to the appearance of the High Street.

Finally, to create such restrictive approach against housing is completely at odds with the Government's clearly stated objective of boosting housing supply in recognition of the severe housing shortfall in the UK. There have been numerous announcements to this effect in recent months.

These policies are, therefore, considered unreasonable and unjustified in planning terms and should be deleted.

### **Policy RH5**

This policy seeks to require compliance with the Code for Sustainable Homes. The Code for Sustainable Homes was withdrawn by the Government on 27<sup>th</sup> March 2015 and reliance on the Code would not be consistent with the limited range of circumstances in which it might still be used as set out in the Government's Statement.

The policy wording is, therefore, inappropriate and contrary to national planning policy.

### **Policy RH9**

Car parking standards are best addressed at District level. Inclusion in a Neighbourhood Plan is un-necessary and would confuse matters should the planning authority revise its standards. There is no separate analysis for the Neighbourhood Plan that justifies any particular parking standard.

### **Policy RH11**

This policy seeks replacement parking whether or not there is any need for it. That is wrong in principle. A developer should only be required to replace parking where there is an adequate justification based on the implications in the particular area affected.

### **Policy HE1**

This policy states that any proposal which has an adverse impact on a heritage asset will not be permitted. This is not consistent with national policy which is much more sophisticated and nuanced to reflect the complexity of decisions involving heritage assets. I would draw attention to section 12 of the NPPF and the considerations that weigh in a decision affecting such assets including the three elements identified at paragraph 131 and the content of paragraph 134 which states that *'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use'*. I suggest that it is not appropriate to introduce a simplified and blunt policy approach in a Neighbourhood Plan where there is a body of policy and legal precedent on the correct approach to be adopted to heritage assets.

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