

PLANNING STATEMENT

Planning application for the change of use property from retail to veterinary surgery (D1)

Number 8A/8B Sopwith Road, Upper Rissington.

Prepared by Hunter Page Planning on behalf of Dragon Vets

Our ref: 5410

December 2017



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1.0 INTRODUCTION

Statement brief

1.1 This Planning Statement has been prepared by Hunter Page Planning Ltd on behalf of Dragon Vets who is requesting that planning permission is granted for the development as described below at number 8A/8B Sopwith Road, Upper Rissington.

1.2 The description of development is:

Proposed change of use of building from A1 (food retail) to D1 (veterinary surgery)

1.3 This statement should be read in conjunction with the following plans which accompany the application:

- Site location plan
- Floor plans (proposed and existing)

Statement structure and content

1.4 Following this introduction, **Chapter 2** of this statement provides a description of the site and its context. It also provides details of relevant planning history and a background to the applicants, Dragon Vets. **Section 3** details the development scheme. **Section 4** sets out planning policy and guidance that is relevant to the scheme. Consideration of planning matters is provided at **Section 5** and **Section 6** draws together the conclusions.

1.5 Ultimately this statement explains that the proposed development meets with the objectives of local and national planning policy as to represent sustainable development. The scheme provides the opportunity to utilise an existing building which is currently vacant and is situated within a settlement which has been the subject of redevelopment and growth. It also imparts that, having regard for the proposal, the scheme does not give rise to harm to the built environment or the amenities of the occupiers of the neighbouring properties. Accordingly, the statement concludes that the scheme's represents a sustainable form of development which is supported by local and national planning policy and guidance.

2.0 THE SITE AND ITS CONTEXT

Site Location

- 2.1 The site is located towards the northern part of the village of Upper Rissington, which is situated approximately 11 km (9 miles) north west of Burford, 31 km (20 miles) east of Cheltenham and 6.3 km (3.9 miles) south of Stow on the Wold.
- 2.2 Fronting Sopwith Road, the subject property is adjoins public open space, to the east. The site, together with the open space, is enclosed by Farman Crescent, a cul-de-sac which provides access to nearby residential dwellings.

Site Description

- 2.3 Number 8A/8B is a detached two story building, with a single storey wing. Constructed during the 20th Century, the property enjoys the benefits of on-site parking. Vehicular access to the site is obtained from the south of the building, via Farman Crescent.
- 2.4 Whilst currently vacant, the ground floor of the property was formerly used for retail purposes (a co-op) with residential on the first floor above.
- 2.5 The property is partially bounded by a low hedge and young trees.

Designations

- 2.6 The site is included within the Cotswold Area of Outstanding Natural Beauty.
- 2.7 The site is not subject to or within close proximity of any Scheduled Ancient Monuments or conservation areas. The site does not affect any heritage assets.

Surrounding Area

- 2.8 As detailed above, number 8A/8B is located at the within the village of Upper Rissington which is a relatively new settlement especially when compared to the historic villages located within the Cotswold District. Initially developed as a military support settlement on

the edge of the village of Little Rissington, Upper Rissington is characterised by 1930s housing which were built to accommodate the service men and women and their families.

- 2.9 In 2010, planning permission was granted for the redevelopment of the land occupied by the former military buildings to housing, retail, business and offices (planning reference 08/03697/OUT). Work has now commenced on the implementation of this permission, which is located towards the centre of the village and effectively includes a new 'community hub' within the settlement. This new 'hub' includes a new parade of shops along Parade Square, which incorporates a number of retail units including a co-op food store.
- 2.10 In addition to the new development described above, Upper Rissington provides for a community hall, primary school, café and a number of businesses. Furthermore, a number of bus stops are located in the village linking Upper Rissington to the nearby towns of Bourton on the Water and Cheltenham.

Site history

- 2.11 The following permissions are relevant to the subject site;
- 97/01710 – Change of use of property from residential to village store (130m2) with living accommodation (92m2). Permit July 1998
 - 98/01710 - Single storey extension to approved shop. Permit October 1998

The applicants – Dragon Vets

- 2.12 Dragon Vets is an established veterinary practice comprising a team of 10 vets and 20 nurses. A tier 2 RCVS accredited practice, Dragon Vets is primarily based in purpose built premises at Cheltenham Racecourse and also has a base in Charlton Kings. The premises at Cheltenham Racecourse provide for out of hours service for emergencies and hospitalised animals. Large enough to be able to invest in the latest cutting edge equipment, the company is committed to remaining up to date with knowledge and learning with one member of their team having obtained Advanced Practitioner Status.

2.13 Dragon Vets has a requirement for expansion and has identified a demand for such a service within Upper Rissington.

3.0 DETAILS OF THE PROPOSED DEVELOPMENT

The Use

- 3.1 The proposal incorporates the change of use of the ground floor of number 8A/8B Sopwith Road from retail (A1) to a Veterinary surgery (D1). No physical alterations to the existing building are proposed.
- 3.2 The proposed vets is intended as a small, primary care unit, dealing with minor procedures such as vaccinations, parasite treatments, micro chipping, neutering and dentistry. It is intended that any out of hours emergencies will be dealt with from the company's base at Cheltenham Racecourse.
- 3.3 It is not proposed to keep any animals on the premises overnight. Clinical waste will be stored within the premises.

Hours of operation

- 3.4 It is anticipated that the hours of operation will be 8am to 7pm Monday to Saturday. It is anticipated that there will be between 4 – 6 employees initially however this may rise depending on demand.

Highways and Parking

- 3.5 Access arrangements will be via the existing access. Existing parking facilities will be retained to the south of the building and additional parking, if required, is available along Sopwith Road.

4.0 PLANNING POLICY AND GUIDANCE

4.1 In order to provide an assessment of the acceptability or otherwise of the proposed development, consideration is given to development plan policy and all other material considerations, including national planning policy guidance.

4.2 By way of a general overview, the Development Plan for the site comprises the Saved Policies of the Cotswold District Local Plan (LP) adopted April 2006. However, it is evident that these development plan policies are somewhat aged and do not fully reflect more up-to-date national planning policies and the weight to be afforded to each should be adjusted accordingly.

4.3 In the first instance the National Planning Policy will be assessed.

National Planning Policy Guidance March 2012 (NPPF)

4.4 The NPPF places a heavy reliance on economic growth with an expectation that applications will be considered favourably unless there is some clear harm to the principles of sustainable development.

4.5 The NPPF seeks a presumption in favour of sustainable development. The three dimensions to sustainable development as set out in paragraph 7 of the NPPF are the economic, social and environmental roles. Paragraph 8 states:

“These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.”

4.6 Paragraph 14 states:

“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision-taking.”

And continues:

“For decision taking this means:

*(1) approving development proposals that accord with the development plan without delay;
and*

(2) 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; or

specific policies in this Framework indicate development should be restricted.”

4.7 Paragraph 187 of the NPPF states:

“Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.”

4.8 Support for rural economies, including local services, is discussed in paragraph 28 of the NPPF, which confirms that;

‘Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should promote the retention and development of local services...’.

4.9 As referenced above, the site is situated within the Cotswold AONB which washes over the settlement of Upper Rissington. Paragraph 115 of the NPPF confirms that great weight is to be attached to conserving landscape and scenic beauty in AONBs.

Cotswold District Local Plan (adopted 2006)

4.10 The main policies relevant to considering the acceptability of the principle of the proposed development are policies 19 (development outside settlement boundaries), 24 (employment uses), 25 (vitality and viability of settlements), and policy relevant to development within the AONB (albeit that Policy 7 has not been saved so consideration will need to be given to the NPPF detailed above). Consideration will be given to additional policies relevant to the proposal.

4.11 **Policy 19** states:

Outside Development Boundaries, and subject to Policy GB.1 and policies for site specific allocations indicated on the Proposals Map and insets, development appropriate to a rural area will be permitted, provided that the proposal relates well to existing development; meets the criteria set out in other relevant policies in the Plan; and would not:

(a) result in new-build open market housing other than that which would help to meet the social and economic needs of those living in rural areas;

(b) cause significant harm to existing patterns of development, including the key characteristics of open spaces in a settlement;

(c) lead to a material increase in car-borne commuting;

(d) adversely affect the vitality and viability of settlements; and

(e) result in development that significantly compromises the principles of sustainable development.

4.12 **Policy 24** discusses employment uses and confirms at point 7

'Subject to Policy 19, the extension of existing employment sites, or the change of use/redevelopment of such sites to other employment uses will be permitted particularly where it would bring about environmental or other improvements.'

4.13 **Policy 25** confirms at point 7;

‘Proposals for the change of use of existing retail premises, public houses and/or post offices that would harm the vitality and viability of the settlement, will not be permitted unless;

(a) It can be demonstrated that the existing use is not viable; or

(b) There are satisfactory alternative facilities available in the settlement.’

Emerging Local Plan Local Plan submission Draft 2011-2031

4.14 The emerging Local Plan is in its early stages of development; the consultation on Focussed changes Addendum to the Local Plan submission draft (2016) has been completed and is now closed.

4.15 Due to the prematurity of this document, little weight can be afforded to its policies. However it is perhaps relevant to note that Chapter 9 relates to the Economy, including Retailing and Tourism. Policy EC1 entitled employment development confirms that development associated with employment will be permitted *‘where it maintains and enhances the vitality of the rural economy’*. This advice therefore reflects that provided within the NPPF and the LP.

4.16 Policy EC7 relates to the retail hierarchy within the District. Due to the size of the settlement, Upper Rissington is not referenced specifically within this hierarchy, however point 2 of Policy EC7 confirms

‘In settlements that are not listed in Policy EC7, proposals for small shops and services will be permitted if they would enhance a settlement’s viability and help to meet the needs of, and are conveniently accessible to, the local economy’.

4.17 Justification to this policy reads;

‘Small local shops and services (including public houses, post offices and surgeries) in rural settlements are recognised as important economic assets but also as a focus for wider social and community activities. Proposals which would result in the loss of services and facilities should be avoided where this would damage the viability of a settlement or increase car travel by local residents’.

5.0 CONSIDERATION OF PLANNING MATTERS

5.1 This section provides an assessment of all material considerations in the relevant context of paragraph 7 of NPPF, making reference to the relevant planning policies identified above.

The principle of Development

5.2 The proposal represents the re-use of an existing vacant building, which is located within a settlement.

5.3 The new use will provide a valuable service to the residents of Upper Rissington and the surrounding area. It has been established that the former retail business which occupied the subject building, has relocated to new premises within the village, which are arguably more suitable to the retail use. The loss of the retail use associated with the subject property will not therefore undermine the vitality or viability of the village.

5.4 It is evident therefore that the proposal would enhance the overall facilities and services available within the settlement as a whole and as such it is considered the proposal will comply with the advice contained within paragraph 28 of the NPPF and LP policies 19 and 25.

5.5 As such it is considered that the principle of the proposed change of use is acceptable.

Is the development sustainable?

5.6 It is considered that the proposal meets the three dimensions of sustainability in the following ways;

- Economic

The proposal will providing an opportunity for employment; it is anticipated that the new surgery will initially provide between 4 and 6 new jobs with an expectation that this number could rise with a foreseeable demand.

- Social

The proposal will provide an additional accessible service for local people in Upper Rissington in the form of a new veterinary use thus expanding the range of services and facilities within the settlement. The proposed development will therefore contribute towards the promotion and protection of community cohesion and growth.

- Environmental

The proposal represents the re-use of a building which is currently vacant. As the proposed use does not incorporate any physical changes to the building or its grounds, the use will cause no harm to the AONB.

- 5.7 It is considered therefore that the proposal represents a sustainable form of development, thus meeting the advice contained within the NPPF and the relevant local plan policies.

Loss of retail unit

- 5.8 As confirmed above, the existing retail business has moved to new premises within the new village 'hub'. There is therefore a satisfactory alternative retail unit which will meet the needs and demands of the residents of Upper Rissington within the settlement.

- 5.9 The subject building has been vacant for some time and there has been no interest from other retail businesses. The proposed use will maintain and enhance the vitality of the rural economy.

- 5.10 As such it is considered that the proposal complies with LP policy 25 and the advice contained within the emerging local plan.

Residential amenity

- 5.11 The subject property is located some distance from any residential properties; the closest residential property is approximately 40 metres from number 8A/8B, and is separated by Farman Crescent.

- 5.12 In terms of hours of operation, the proposed use would not deviate significantly from the authorised retail uses that could occupy these premises.

- 5.13 In terms of smell and general noise, it is intended that no live animals will be kept on the premises and clinical waste will be stored within the premises and disposed in a controlled manner in accordance with relevant public health regulations.
- 5.14 It is considered therefore that in terms of residential amenity, the proposed use will be no more intrusive than the activities associated with the current authorised A1 retail uses.
- 5.15 As such, it is considered that the level of amenities currently enjoyed by the neighbouring properties in terms of noise and smell will be maintained thus meeting relevant planning policy and advice.

Highways and Parking

- 5.16 Access arrangements remain unchanged and the existing parking arrangements are more than adequate to support the proposal. According to Appendix 9 attached to the LP, the number of car parking spaces for the proposed use equate to the authorised retail use. It is evident therefore that the traffic generated and the demand for parking that would arise from the proposed use would be no greater than the authorised A1 use.

6.0 CONCLUSIONS

- 6.1 The proposal is for the change of use of number 8A/8B Sopwith Road, Upper Rissington from a retail use to a veterinary surgery. The application does not involve any structural changes.
- 6.2 The property has been vacant for some time, due to the relocation of the former retail business to alternative premises within the village. The scheme would provide for a new service within the village of Upper Rissington, thus expanding upon the range of facilities available to the residents.
- 6.3 The saved relevant Local Plan policies, along with the emerging Local plan policies, support the principle of this change of use.
- 6.4 Regard has been had for the amenity of existing and proposed residents, particularly in terms of noise and odour. It is established that appropriate living standards would be safeguarded for all as required by LP policy.
- 6.5 It is demonstrated that the proposed new use would cause no detriment to highway safety. Furthermore, parking levels would be no greater than the authorised use and can be accommodated without causing disruption to the existing highway.
- 6.6 For the above reasons, it has been demonstrated that the development proposal complies with the relevant LP policies, there being no conflict therewith, and accordingly, the development plan tells in favour of the development proposal. Regard has also been had for other material considerations, particularly the NPPF, but none which weigh against the approval of the scheme have been identified. Accordingly, a straightforward application of the test set out at Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning permission is granted.
- 6.7 It has been demonstrated that the development represents sustainable development and complies with policies of the LP and the advice contained within the NPPF. As such it is considered that planning permission should be granted.