



PLANNING STATEMENT

Permission in principle for the erection of 1-5 dwellings

Land adjacent to Pollyanna
Windsbatch Hill
Oldford
Frome
BA11 2NN

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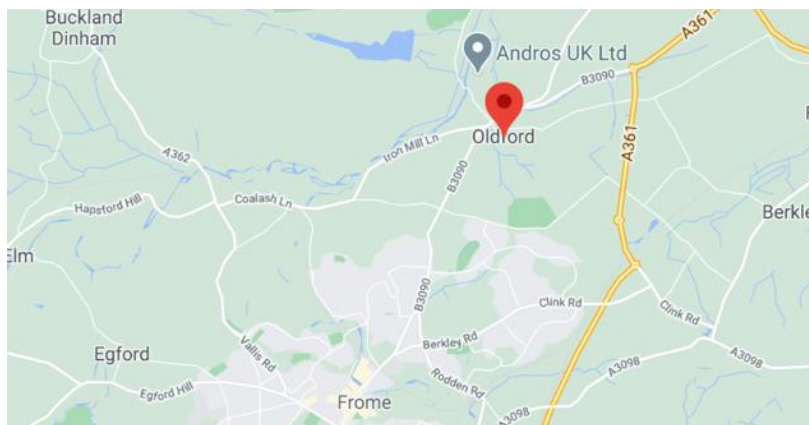
Permission in principle for the erection of 1-5 dwellings

1. Introduction

- 1.1 This statement has been prepared in order to explain and support an application for permission in principle for the erection of 1-5 dwellings on land adjacent to Pollyanna, Windsbatch Hill, Oldford.
- 1.2 This proposal has been prepared on behalf of the applicant, Mr Dean Roberts.
- 1.3 This request should be read in conjunction with the following documents:
 - Location plan
 - Indicative site plan

2. Site and surroundings

- 2.1 The site is located in Oldford a small village 2km north of the centre of Frome and 1km from the outskirts of the town.



- 2.2 Pollyanna is a bungalow on the north side of Windsbatch Hill in the eastern part of the village. Access is off Windsbatch Hill, but there is also an existing field access to the north onto the B3090.



2.3 Pollyanna consists of the bungalow and a number of sheds and other outbuildings. There is a second dwelling at the site to the northeast of Pollyanna.



Application site from northeast corner showing Pollyanna on the left and the yard at Middle Acre on the right

2.4 The application site comprises an area of land to the north of the dwelling. This land has been used as garden and recreational land in conjunction with the use of the dwelling for many years. The open grassed area has primarily been used as a motocross track for over 30 years as can be seen in this shot from GoogleEarth in 2006:



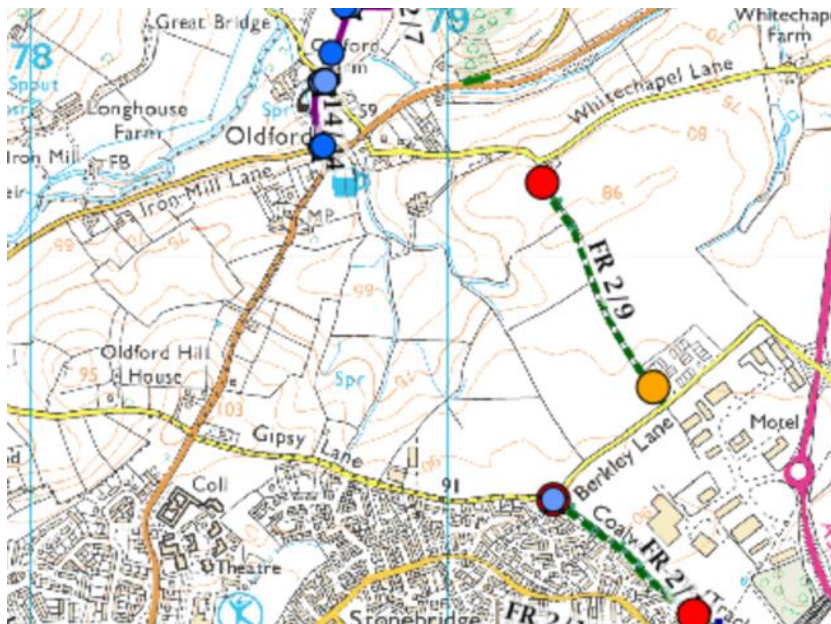
The site circa 2006 showing Pollyanna, concrete hardstanding and the motocross track

- 2.5 Pollyanna is part of a cluster of dwellings on the north side of Windsbatch Hill. Planning permission has recently been granted for 5 new dwellings at Middle Acre to the west of the site application reference 2020/0713/OTA. There is also a current application for 4 new dwellings at Santoy reference 2020/1652/OTA.
- 2.6 There are no special designations that apply to the site. Oldford House to the northwest of the site is Grade II Listed, but is not within close proximity and there would be no impact on the setting of the listed building caused by this scheme.

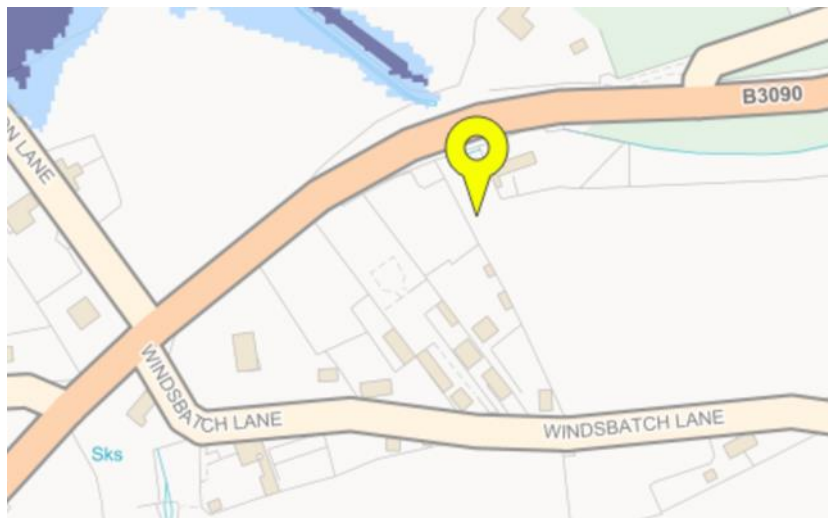


- 2.7 Oldford is well connected being on the A3090. Frome is easily accessible on by car and on foot and there are a number of regular bus services that run from the bus stops at the end of Windsbatch Hill some 150m from the application site.

- 2.8 There is a wide network of footpaths and other Public Rights of Way in the area as shown:



- 2.9 The site is within Flood Zone 1 where there is a very low probability of flooding and where there are no restrictions on development on flooding grounds.

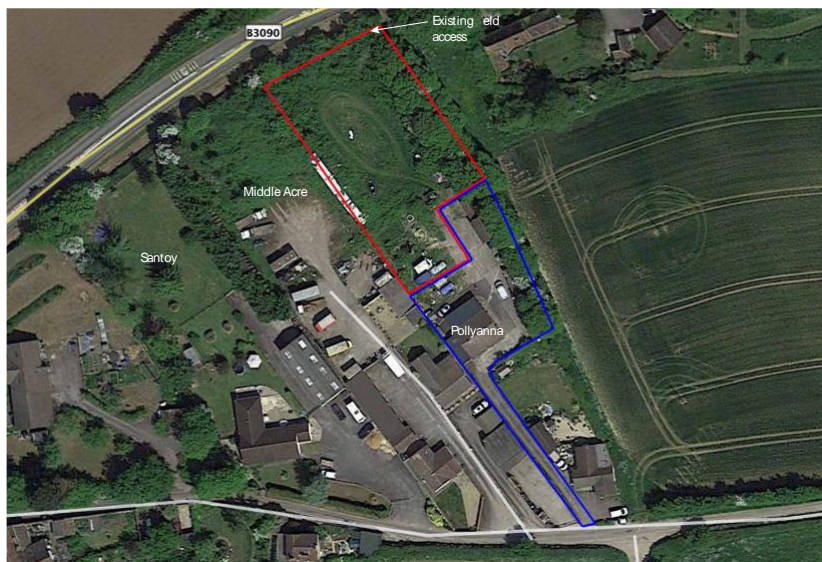


3. Proposal

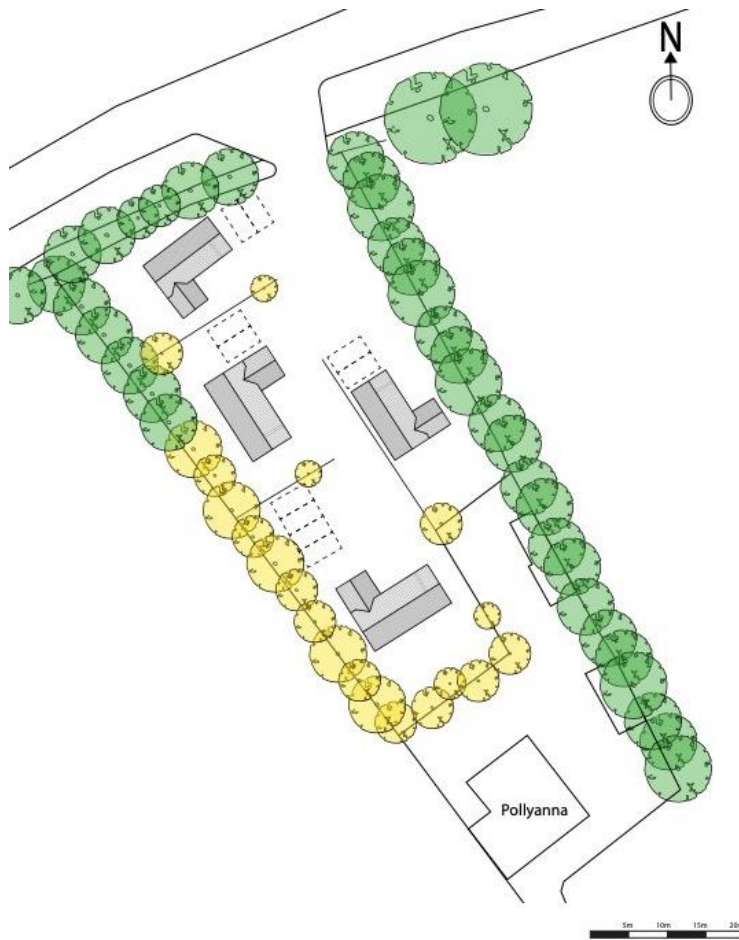
- 3.1 The proposal is for Permission in Principle for the erection of 1-5 dwellings on land adjacent to Pollyanna. Permission in Principle is a route to obtaining planning permission for new housing and other development which seeks to establish the

principle only. Following grant of Permission in Principle, the details of the proposal are worked out at the Technical Details Consent stage.

- 3.2 The issues to be considered at the Permission in Principle stage are limited to: location; land use; and amount of development. All other matters should be considered at the Technical Details Consent stage.
- 3.3 The timescale for the determination of a Permission in Principle application is 5 weeks from the day the LPA receives a valid application.
- 3.4 It should also be noted that Permission in Principle applications are not subject to the same validation requirements as other planning applications and the validation checklist should not be applied.
- 3.5 This proposal seeks to establish the principle of the erection of up to 5 new dwellings on land to the north of Pollyanna. This land includes parts of the garden of Pollyanna and the land to the north of the formal garden area. The total site area is 0.2ha.



- 3.6 Access would be off the B3090 via the existing access in the northeast corner of the site.
- 3.7 The only matter to be determined at this stage is the principle of the residential development of the site for up to 5 dwellings. The following indicative plan of the site, however, shows that 4 dwellings of different sizes can easily be accommodated.



Indicative site plan showing 4 dwellings with gardens and parking and turning

4. Relevant local planning history

2019/0940/OTA Application for outline planning permission with all matters reserved for the demolition of existing workshops and erection of live/work unit and 3 No. dwellings and associated works. Approved with conditions.

2020/0713/OTA Application for outline planning permission with all matters reserved for the demolition of existing workshops and erection of 1 No. live/work unit and 5 No. dwellings and associated works. Approved with conditions.

2019/1652/OTA Application for outline planning permission with all matters reserved for the demolition of existing workshops and erection of 4 new dwellings and conversion of existing dwelling to 1 No. live/work unit with associated highway access. Decision pending.

2020/2029/OTS Application for outline planning permission with some matters reserved for the erection of 1 No. one-and-a-half storey residential dwelling with detached garage and associated highway access. Approved with conditions.

5. Planning policy

Mendip Adopted Local Plan Part I 2006-2029 (adopted 2014)

CP1: Spatial Strategy
CP2: Supporting the Provision of New Housing
CP4: Sustaining Rural Communities
DP1: Local Identity and Distinctiveness
DP5: Biodiversity and Ecological Networks
DP7: Design and Amenity of New Development
DP8: Environmental Protection
DP9: Transport Impact of New Development
DP10: Parking Standards
DP19: Development Contributions

Mendip Local Plan Part II: Sites and Policies

Part II of the Local plan is at an advanced stage and its policies should now be considered to hold considerable weight.

National Planning Policy Framework 2019

2. Achieving sustainable development
4. Decision making
5. Delivering a sufficient supply of homes
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places

6. Planning considerations

6.1 The starting point in the consideration of new development, as set out in the National Planning Policy Framework (NPPF) is the presumption in favour of

sustainable development. Paragraph 11 of the NPPF requires that a presumption in favour of sustainable development be applied and that development proposals that accord with an up-to-date development plan be approved without delay.

6.2 The key issues in determining this application for Permission in Principle are as follows:

- Location
- Land use
- Amount of development

6.3 The LPA's most recent Annual Monitoring Report (December 2019) states that the current housing land supply is 3.8 years. The Council cannot, therefore, demonstrate a 5 year supply of developable housing land and the provisions of NPPF Paragraph 11 come into effect.

6.4 The NPPF is very clear about what this means for decision-taking:

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- ii. 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.

6.5 It should also be noted that Local Plan policies may also be considered out-of-date where there is inconsistency with the NPPF. The recent High Court decision *Wavendon Properties Ltd v SSHCLG* [2019] EWHC 1524 (Admin) establishes this point and confirms that the approach should be that the most relevant policies should be viewed together and an overall judgement made whether the policies as a whole are out-of-date.

6.6 Another important consideration is the significance of development boundaries where Local Plan policies are out-of-date. The Supreme Court decision *Richborough Estates v Cheshire East Borough Council* confirms that reduced weight should be given to settlement boundary policies such as Mendip Local Plan Policy CP1.

6.7 Reduced weight should therefore be given to those Local Plan policies which concern housing supply: CP1, CP2 and CP4 and the 'tilted balance' be applied.

- 6.8 The Government is committed to ‘significantly boosting the supply of homes’ in Britain and their approach is set out in Chapter 5 of the NPPF: Delivering a sufficient supply of homes.
- 6.9 MDC’s Adopted Local Plan makes provision for 9,635 dwellings over the plan period or 420 dwellings per annum. According to Mendip District Council’s 2019 5 Year Supply Position Statement, however, there is a Local Housing Need Requirement of 604 dwellings per annum.
- 6.10 Given this shortfall, which equates to 763 dwellings over the 5 year period, this proposal would contribute to the provision of new homes in the District, which would weigh in favour of the proposal.
- 6.11 As set out in Paragraph 8 of the NPPF, there are three dimensions to sustainable development: economic, social and environmental.
- 6.12 In economic terms, there would be short term benefits to local contractors and suppliers during construction and there would be longer term benefits to local service providers in surrounding villages and nearby towns.
- 6.13 The site is considerably run down and degraded. The redevelopment of the site provides an opportunity to improve and enhance this land and offers a number of environmental benefits.



Area of hardstanding to the rear of Pollyanna and garden showing opportunities for enhancement

- 6.14 It is clear that, as with the recent application at Overbrook to the west of the site reference 2020/2029/OTS, at this time the ‘tilted balance’ should be applied in the determination of this application and that there are a number of factors that weigh in favour of the proposal.

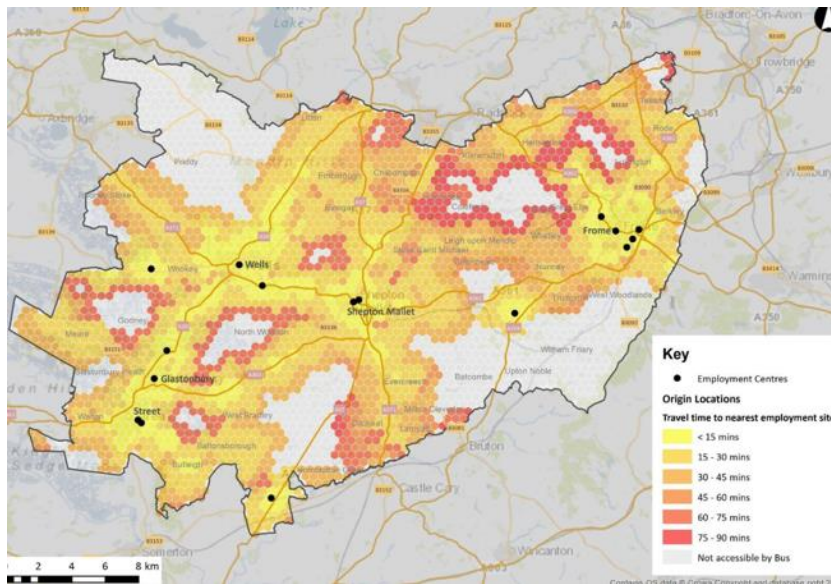
7. Location

- 7.1 The site is located in the village of Oldford and cannot be described as being 'isolated' with respect to Paragraph 79 of the NPPF. The site is bordered to the south and west by a number of dwellings and other development.
- 7.2 Oldford is not typical of many villages in the District as it is in such close proximity to a large town which possesses a wide range of services and facilities. The town provides access to education, health services, employment and provisions.
- 7.3 Frome is accessible on foot via the continuous public footway along Oldford Hill (a distance of around 800m from the centre of the village to Frome College) and there is also a regular bus service.



View down Oldford Hill leaving the village showing the public footway on the left. This runs continuously all the way to Frome.

- 7.4 The following key facilities are easily accessible from the site: Frome College (1.2km), Frome Sports and Fitness (1.5km), Frome Rugby Club (1.5km), Tesco Express (1.8km), Frome Community Hospital (1.9km) and the Frome Commerce Business Park (2km).
- 7.5 There are a number of bus services which serve Oldford. These include the various school routes, and there are also services to other key employment and education centres in the district. The 31, 67, D2, X34, X69 and 234 services run to Frome, Bath, Chippenham, Melksham and Bradford on Avon.
- 7.6 In fact, Oldford is considered to be in one of the locations best served by public transport in the District as shown on the plan below which shows that commuting times to work from Oldford are typically some of the lowest in Mendip. It should also be noted that there are a number of employers in the village itself including Andros UK Ltd, Tall Trees Kindergarten and Jay's Kitchen.



Map showing travel times to key employment centres by bus from Mendip Highway Investment Strategy: Evidence Base 2020

- 7.7 The NPPF seeks to promote sustainable transport and is supportive of ‘significant development’ being ‘focused on locations which are or can be made sustainable’ in order to limit the need to travel. Paragraph 103 of the NPPF, however, recognises that ‘opportunities to maximise sustainable travel solutions will vary between urban and rural areas’ and that ‘this should be taken into account’ in decision making. The proposed development accords with paragraph 103 in that it does not represent ‘significant development’ and it is largely accepted that there is a greater reliance on the car by residents in rural areas. In a recent appeal decision against the refusal of an application for 8 new dwellings in a rural location in Suffolk ref: APP/W3520/W/18/3207786, the Inspector attached a reduced weight to the sustainability of the location in light of paragraph 103.
- 7.8 There are increasing options for sustainable travel in rural areas, especially with electric/hybrid vehicles and the imposition of conditions on a new dwelling to ensure that electric charging for residents and visitors is available. Any new dwellings would be provided with a 16 Amp charging point.
- 7.9 Travel behaviours have changed significantly in the last few years. Daily journeys are reduced as more and more people have goods and services delivered including grocery shopping.
- 7.10 Residents of Oldford are not dependent on the motor car and distances to key services and facilities are low. Given the location of the site and the provision of a

good public transport service, this is considered to be a sustainable location for new residential development.

8. Land use

- 8.1 Pollyanna has been in use as a private dwelling for many years. All of the surrounding land has been used in association with the use of that dwelling for more than 30 years.
- 8.2 There is a large area of concrete hardstanding surrounding the house and a number of outbuildings. There is also a second dwelling to the northeast of the main dwelling. The grassy area to the north has been used as a motocross circuit for over 30 years.



Northeastern part of garden and motocross track which make up the application site

- 8.3 The entirety of the site should either be considered to be garden or garden and motocross track.
- 8.4 The 2016 High Court Decision *Dartford Borough Council v Secretary of State for Communities and Local Government* ruled that residential gardens outside built-up areas are defined as 'previously developed' or 'brownfield' sites. Thus, the site should be considered in relation to the Government's guidance in Part 11 of the NPPF which directs LPAs to 'make as much use as possible of previously developed or 'brownfield' land.
- 8.5 The adjacent brownfield site at Middle Acre is to be redeveloped to provide 5 new dwellings. Should planning permission be granted at Pollyanna, there would be no conflict with surrounding land uses and residents of the dwellings to the west would benefit from the noise reduction resulting from the removal of the motocross track.

8.6 The site is considered brownfield land and there would be no conflict in terms of land use following the redevelopment of the site to provide additional housing.

9. Amount of development

9.1 There is no requirement for the precise number of dwellings to be decided at this stage, but the size of the site, which is 0.2 hectares would suggest that 1-5 dwellings could easily be accommodated. This will depend on the layout of the site and the housing mix provided.

9.2 These details can be determined at the Technical Details Stage should Permission in Principle be granted.

10. Other considerations

10.1 The issues already discussed are the only material considerations at this stage, however, the following considerations are likely to weigh in favour of the development of this site at the Technical Details Stage:

- Enhancement of the site: The residential development of this site would contribute positively to the character of this part of the village in line with Local Plan Policy DP1: Local Identity and Distinctiveness.
- Transport impact: An access serving the proposed dwelling can easily be created onto the B3090 using the existing field access on the northern boundary. The speed limit along this stretch of the B3090 is 30mph and visibility of in excess of 2.4m x 43m is easily achievable. The site is large enough to accommodate 1-5 dwellings, private amenity space and sufficient parking and turning space in line with the optimum parking standards set out in the Somerset County Council Parking Standards 2013.
- The site is well screened from the north and east by mature hedgerows and trees. New hedge and tree planting would be included at the Technical Details Stage and a full hard and soft landscaping plan provided.

11. Conclusion

11.1 This application has been devised to make effective use of this land, enhance this run-down site and provide a number of new dwellings in the District. The

Government remains committed to significantly boosting housing delivery and this application would address this National and District-wide housing shortage by providing up to 5 new dwellings.

- 11.2 The proposal is not located within the development boundary of one of the settlements identified in the Mendip District Local Plan Part 1, however it is within the built up area of the village of Oldford. Oldford has excellent public transport provision and is within very close proximity to Frome which is accessible both by car and on foot.
- 11.3 Given that the LPA cannot currently demonstrate a 5 year supply of deliverable housing land, Policies CP1 and CP2 are considered out-of-date. Therefore, Paragraph 11(d) is applied and planning permission should be granted 'unless there are any adverse effects that would significantly and demonstrably outweigh the benefits of the proposal'. It is not considered that there are any adverse impacts that would outweigh the potential benefits of the scheme in terms of the provision of additional housing and the enhancement of the site.
- 11.4 This proposal complies with both national and local planning policy and we respectfully request that Permission in Principle be granted without delay.
- 11.5 We would be happy to provide any additional information, should it be required.