



Planning Partnership Ltd.

Proposed Dwelling – land at Halwill Junction, Holsworthy, Devon for Mr and Mrs Down

Planning Statement

Introduction

The following Planning Statement evaluates the development the subject of the present application against the relevant provisions of the adopted development plan and prevailing guidance set out in the recently revised National Planning Policy Framework (July 2021).

This Planning Statement is to be read in conjunction with the following drawings and documents:

- Drawing No. AHA-01 Location Plan
- Drawing No. AHA-02 Block Plan
- Drawing No. AHA-08 Proposed Floor Plan
- Drawing No. AHA -12 Proposed Roof Plan
- Drawing No. AHA – 09 Orthographic – Elevations
- Drawing No. AHA – 17 Contextual NE
- Drawing No. AHA – 16 Contextual NW
- Drawing No. AHA 16b Contextual SE
- Drawing No. AHA -15 Contextual SW
- Drawing No. AHA – 14 Elevations Contextual

Preamble

The presumption in favour of sustainable development is set out in the National Planning Policy Framework when it states '*at the heart of the Framework is a presumption in favour of sustainable development*' (paragraph 10).

The Framework continues:

For decision-making this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or 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are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

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 (paragraph 11 of the Framework).

In terms of the relevant legislation, planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate

otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Proposed Development

The present application is for small single storey dwelling that has been specifically designed to cater for the medical needs of Mrs Brenda Down.

Further information may be obtained if so required but I have attached on a **CONFIDENTIAL** basis copy of letter dated 4th. June 2021 from Mrs Down's specialist HHS Consultant Mr James Hiett Spinal Orthopaedic Practitioner Royal Devon & Exeter Hospital that sets out Mrs Down's medical condition which is described as 'multiple vertebral body collapse with thin lumbar spine associated with osteoporosis'.

Mr and Mrs Down presently live close to the site but in rented accommodation which is increasingly unable to meet Mrs Down's particular needs and its continued occupation no longer presents a tenable or realistic option. As a result, alternative accommodation that meets the above noted medical requirements is urgently required to enable Mrs Down to live a quality of life that acknowledges the above noted particular circumstances.

Mrs Down requires specialist accommodation to meet her increasingly pressing medical needs which result in an inability to move independently without specialist wheelchair assistance whilst other routine day to day activity requires specialist bedroom, bathroom and kitchen accommodation to meet day to day needs.

The dwelling that is proposed has been purposefully designed in discussion with Mrs Brenda Down and her husband Roy Down to meet these requirements with accessible accommodation, internal circulation spaces and Part M (access to and use of buildings) compliant building adaptations all located on ground floor level.

Application Site

The application site (OS Grid Ref. SS 43453 00351) comprises previously developed land on the north west edge of Halwill Junction.

The locality is characterised by a mix of small scale agricultural and residential development to the south, east and west of the application site as a consequence of which, although outside the identified development boundary of Hallwill Junction, the site is not located in open countryside in the accepted meaning of the term but on the north western edge and fronting the principal road to a Local Centre with its range of facilities and services that include a community shop, village hall, public house, primary school and church.

The site was previously used to accommodate a transport café and associated parking and also as a road material store by Devon County Highways. Since the cessation of the former use, the site has continued to be used by Brenda and Roy Down for storage, vegetable growing, parking, etc. and is continues to be occupied by areas of hardstanding, a number of small buildings, storage sheds, greenhouses, planting beds, etc.

There is a request bus stop immediately adjacent to the entrance to the site.

An earlier Pre-Application Enquiry (Reference FPEG/0086/2021 dated 26th. February 2021) did describe the site as within ‘open countryside’ but in doing so acknowledged that due to the prevailing pandemic no site inspection had been undertaken.

As noted, the application site is located on the north western edge of the designated Local Centre of Halwill Junction with its wide range of facilities and services in a location characterised by a mix of residential and other development. The site fronts on to the principal road to Halwill Junction and is already served by two vehicular access points that reflects the previous commercial use of the land.

Access arrangements may be improved should this be required so as to ensure safe and convenient access to serve the proposed development as suggested by Devon County Council as Local Highway Authority in its response to the above noted pre-application enquiry.

Extensive parking is available on the land for occupants and visitors to the site whilst traffic generation will be minimised when compared with the previous commercial uses accommodated on the land; in these respects the proposal is in full accordance with Policy DM05 : Highways and also Policy DM06: Parking of the above noted Local Plan.

The modest unobtrusive design of the dwelling will not give rise to any unacceptable visual or landscape impact and indeed will enhance the site and improve its present informal appearance to reflect the requirements of Policy DM04: Design Principles and also Policy DM08A as the submitted scheme shows biodiversity net gain with increased indigenous planting to the site and its boundaries.

The above noted pre-application enquiry acknowledged that the site ‘would be relatively well screened due to the existing landscaped boundaries, consisting of established hedgerow, grassed banks, and trees’ and it is not intended that these are removed but instead will be retained and enhanced so as to further assimilate the dwelling into the site and secure biodiversity net gain.

Planning Policy

As noted, Halwill Junction is designated as a Schedule A: Local Centre Village in Policy STO7: Spatial Strategy for Northern Devon’s Rural Area of the adopted North Devon and Torridge Local Plan 2011 – 2031 and is within the Landscape Character Type 1F (Farmed Lowland Moorland and Culm Grassland).

Schedule A: Local Centres are defined in the Local Plan as *“the primary focus for development in the rural area; development will be supported in accordance with the local spatial strategies, to enhance the sustainability of the locally important service centres and to enable wider than local needs to be met”*.

In this instance, given the previous use of the site for a range of commercial and other purposes and the presence on the site of associated outbuildings and hard surfaces, it is considered that it represents previously developed land that is suitable to accommodate a specialist single storey dwelling to meet the applicant’s particular requirements. The site is clearly not agricultural in appearance or use and its sensitive redevelopment for a modest single story dwelling would not give rise to material conflict with any planning interest.

Furthermore, although only a single dwelling, the present application recognises the deficit in the Council’s 5 Year Housing land Supply position as indeed acknowledged in the Council’s recent response to the above noted pre-application enquiry. However, the present application has not been submitted in response to that particular issue but instead to address the applicant’s pressing medical requirements for adapted accessible accommodation.

The re-use of the application site is encouraged by the above noted North Devon and Torridge Local Plan 2011 – 2031 in its reference to the environmental role of the planning system in contributing to the achievement of sustainable development by ‘encouraging the reuse of previously developed land’ (paragraph 3.1) as also recognised by Policy ST02: Mitigating Climate Change:

‘Development will be expected to make a positive contribution towards the social, economic and environmental sustainability of northern Devon and its communities while minimising its environmental footprint by:

(e) redeveloping previously developed land and reducing, reusing and recycling resources, including construction materials, providing for more efficient use of facilities and enhanced opportunities for recycling’;

Also of note, the Local Plan states ‘*There is a need for urgent progress towards making future development more sustainable. The Local Plan will play a key role in helping to achieve reductions in greenhouse gas emissions at a local level. Locally the Biosphere Reserve aims to show northern Devon as a world-class exemplar for sustainable development using innovative approaches to achieve this(16). Reuse and redevelopment of previously developed land will be encouraged where available and environmental constraints allow*’ (paragraph 3.6).

In addition, the recently revised National Planning Policy Framework (July 2021) provides a definition of previously developed land:

‘Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds 71 and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape’.

The present application site falls within this definition given its use to accommodate a transport café and also for associated parking together with the storage and handling of road materials and recycled aggregates on hard surfaced areas which remain on the site.

Also of relevance to the present proposal, the Framework further advises:

85. Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

The present site and proposal meets the above noted circumstances as the dwelling will be sensitive to its surroundings, will not have an unacceptable impact on the local road network, comprises previously developed land with permanent structures and hard surfaces, is not in agricultural use and is well-related to the adjacent Local Centre.

The re-use of land as representing an effective use of land is also made clear in paragraph 119 of the Framework when it states:

Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

Conclusion

As detailed above, the present pre-application enquiry has been evaluated against the provisions of the adopted Local Plan as well as the National Planning Policy Framework. This exercise has concluded that the proposed development will accord with the prevailing planning policy context as well as the guidance set out in the National Planning Policy Framework (July 2021).

Furthermore, the particular requirements of the applicant are considered to represent important material considerations in the application of the required planning balance as the dwelling has been designed to meet particular requirements and provide a quality of life that is not achievable with the applicants' present accommodation nearby at lane End.

As such, the proposed development is considered to represent sustainable development. Given the presumption in favour of sustainable development and the consideration that for decision-making this means approving development proposals that accord with an up-to-date development plan without delay it is trusted that Torridge District Council are able to support the present application and determine the application accordingly.

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