



Tree Tops Planning

Independent Planning Consultancy

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PLANNING STATEMENT

PROPOSED RETENTION OF AGRICULTURAL BUILDING – LAND AT MIDDLE SOUTHCOTT BARN, FRITHELSTOCK, GREAT TORRINGTON, DEVON EX38 8LD

1.0 Introduction

1.1 This Planning Statement has been prepared by Tree Tops Planning on behalf of Mr and Mrs Cantiani - the applicants - to accompany the planning application for the retention of an agricultural building on land alongside a barn conversion at Middle Southcott, Frithelstock, Great Torrington, Devon EX38 8LD

2.0 Site and Surroundings

2.1 The site is in the open countryside and comprises a recently implemented barn conversion which was approved under Planning Reference: 1/1024/2019/AGMB

2.2 The barn conversion includes some 1.62 hectares (4 acres) of agricultural land. The building, the subject of this application pre-dates the completion of the adjacent dwelling and was erected by the builders to store their equipment during the conversion. The building is sited to the east of the barn conversion on agricultural land.

3.0 Proposal

3.1 The application seeks retrospective planning permission for the erection of an agricultural shed. The building measures 5.00m by 4.90m with an eaves height with a mono-pitched roof rising from 2.50m to 2.95m.

3.2 The building is constructed of natural timber with a corrugated steel roof. It has an open front and with no doors or windows.

3.3 The applicants wish to retain the building for agricultural storage related to the smallholding. They own the agricultural land to the south and east of the barn conversion and require storage for agricultural equipment relating to the management of this land, including grass cutting, hedging and ditching.

4.0 Planning Policies

4.1 The Development Plan comprises the North Devon and Torridge Local Plan (NDTLP) which was adopted on the 29th October 2018.

4.2 Strategic Aims and Objectives

Aim 1: A Vibrant Northern Devon Economy – where excellent opportunities support diverse low carbon growth and moves towards an economy that supports our world class environment.

4.3 Objectives

- (a) a rejuvenated economy, supported by appropriate infrastructure that provides excellent opportunities for all through an extended range of well-paid and skilled jobs;
- (b) innovation and entrepreneurship will be encouraged through enhanced ICT opportunities and the promotion of new ways of working to create the conditions in which businesses can grow and prosper;
- (c) economic development in urban and rural areas shall regenerate and diversify the local economy without adverse environmental and social impacts to create high quality employment environments;
- (d) excellent learning opportunities and local facilities will deliver the skills appropriate for innovation and growth in important and enterprising economic sectors;
- (e) town and village centres are sustainable vibrant places;
- (f) sustainable growth in the maritime, engineering, tourism and leisure economies;
- (g) an agricultural sector, which is rejuvenated and supported to maintain and enhance its essential contribution to the well-being and land use management of the rural area; and
- (h) an economy that supports and complements the area's world class environment.

4.6 Policy ST07: Spatial Development Strategy for Northern Devon's Rural Area

(4) In the Countryside, beyond Local Centres, Villages and Rural Settlements, development will be limited to that which is enabled to meet local economic and social needs, rural building reuse and development which is necessarily restricted to a Countryside location.

Supporting paragraph 4.16 to Policy ST07 states:

"In the countryside, the Local Plan seeks to control dispersed development, guarding against development in unsustainable locations. The character of the countryside should be conserved and enhanced and new development will not detract from this. Within this context the Local Plan is responsive to a range of economic and social needs and it supports the appropriate reuse of rural buildings. Support is also provided for rural employment and farm and rural business diversification schemes. Housing, adjoining a Local Centre, Village or Rural Settlement, may also be enabled on an "exceptions" basis to meet an identified local need that could not otherwise be addressed".

4.8 Policy DM01: Amenity Considerations

Development will be supported where:

- (a) it would not significantly harm the amenities of any neighbouring occupiers or uses; and
- (b) the intended occupants of the proposed development would not be harmed as a result of existing or allocated uses.

4.9 Policy DM04: Design Principles

(1) Good design seeks to guide overall scale, density, massing, height, landscape, layout, materials, access and appearance of new development. It seeks not just to manage land use but support the creation of successful places and respond to the challenges of climate change. Development proposals need to have regard to the following design principles:

- (a) are appropriate and sympathetic to setting in terms of scale, density, massing, height, layout appearance, fenestration, materials and relationship to buildings and landscape features in the local neighbourhood;
- (b) reinforce the key characteristics and special qualities of the area in which the development is proposed;
- (c) are accessible to all, flexible to adaptation and innovative;
- (d) contribute positively to local distinctiveness, historic environment and sense of place;
- (e) create inclusive environments that are legible, connected and facilitate the ease of movement and permeability through the site, allowing everyone to easily understand and find their way around;
- (f) retain and integrate existing landscape features and biodiversity to enhance networks and promote diversity and distinctiveness of the surrounding area;
- (g) provide public and private spaces that are well designed, safe, attractive and complement the built form, designed to minimise anti-social and criminal behaviour;
- (h) provide safe and appropriate highway access and incorporate adequate well-integrated car parking, pedestrian and cycle routes and facilities;
- (i) ensure the amenities of existing and future neighbouring occupiers are safeguarded;

- (j) incorporate appropriate infrastructure to enable connection to fast ICT networks;
- (k) optimise the efficient use of land, and provide well-designed adaptable street patterns and minimise functionless open spaces;
- (l) create and sustain an appropriate mix of uses and support local facilities and transport networks;
- (m) consider opportunities for public art; and
- (n) provide effective water management including Sustainable Drainage Systems, water efficiency measures and the reuse of rainwater.

4.10 Policy DM05: Highways

(1) All development must ensure safe and well-designed vehicular access and egress, adequate parking and layouts which consider the needs and accessibility of all highway users including cyclists and pedestrians.

(2) All development shall protect and enhance existing public rights of way, footways, cycleways and bridleways and facilitate improvements to existing or provide new connections to these routes where practical to do so.

4.11 Policy DM08: Biodiversity and Geodiversity

(1) Development should conserve, protect and, where possible, enhance biodiversity and geodiversity interests and soils commensurate with their status and giving appropriate weight to their importance. All development must ensure that the importance of habitats and designated sites are taken into account and consider opportunities for the creation of a local and district-wide biodiversity network of wildlife corridors which link County Wildlife Sites and other areas of biodiversity importance.

4.12 Policy DM14: Rural Economy

To support the rural economy, new small scale economic development at Rural Settlements and in the Countryside will be supported on the following basis:

- (a) change of use or conversion of a permanent and soundly constructed building; or
 - (b) sites or buildings adjoining or well related to a defined settlement or a Rural Settlement; or
 - (c) the proposed employment use has a strong functional link to local agriculture, forestry or other existing rural activity;
- provided that:
- (d) there is no adverse impact on the living conditions of local residents;
 - (e) the scale of employment is appropriate to the accessibility of the site and the standard of the local highway network; and
 - (f) proposals respect the character and qualities of the landscape and the setting of any affected settlement or protected landscape or historic assets and their settings and include effective mitigation measures to avoid adverse effects or minimise them to acceptable levels.

4.13 Supporting paragraph 13.91-93 states:

Small scale economic development is needed to promote employment diversification and reduce commuting. A range of employment activities, particularly associated with tourism, recreation and rural diversification can be accommodated in countryside locations without adverse effects on the character of the rural area. Proposals relating specifically to farm diversification will be considered against Policy DM15: Farm Diversification.

Policy DM14: Rural Economy applies to development in the countryside and on the edge of towns and villages. It provides the opportunity for the development of small businesses, the improvement and expansion of existing businesses outside defined employment areas and for employment development in other appropriate locations.

Wherever employment development, conversion, or expansion proposals are consistent with the spatial strategy of the Local Plan and can meet the policy criteria applied by the second part of Policy: DM14, they will be permissible in principle. In supporting economic development, it is important that safeguards ensure that proposals are appropriate in scale, type and design and would not result in development that negatively impacts on local residents.

4.14 The National Planning Policy Framework (NPPF)

Paragraph 7 of the NPPF states that *“the purpose of the planning system is to contribute to the achievement of sustainable development”*.

Paragraph 8 states *“Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)”*

i) An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

ii) A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

iii) An environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'

5.0 Principle of Development

5.1 Paragraph 2 of the NPPF states that planning law (namely Section 38(6) of the Planning & Compulsory Purchase Act 2004 and Section 70(2) of the Town & Country Planning Act 1990) requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

5.2 The site is situated within the countryside, therefore Policy ST07 of the North Devon and Torridge Local Plan (NDTLP) must be applied. Policy ST07 (4) states that "In the countryside, beyond Local Centres, Villages and Rural Settlements, development will be limited to that which is enabled to meet local economic and social needs, rural building reuse and development which is necessarily restricted to a countryside location."

5.3 The application seeks the erection of a small agricultural building storage equipment to manage the land. The site has no other buildings or outdoor storage, so it will be used for the storage of hedge-cutting, grass cutting equipment, tools and items to manage the land.

5.4 Paragraph 83 of the NPPF states:

Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
- b) the development and diversification of agricultural and other land-based rural businesses;*
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and*
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*

Para 84. 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.

5.5 It is considered that the proposal, complies in principle to Policies ST07 and DM14 of the NDTLP and paragraphs 83 and 84 of the NPPF.

6.0 Privacy/Amenities

6.1 Policy DM01 of the NDTLP confirms that development will be supported where it would not harm the amenities of neighbouring occupiers or uses, or result in harm to the future occupiers of the development from existing or allocated uses.

6.2 The site is located in the open countryside with no near neighbours. It is therefore considered that the building would not have an adverse impact on the amenities and privacy of any dwellings that the proposal accords with Policy DM01 of the NDTLP

7.0 Design

7.1 The design and materials of the building will represent a traditional agricultural building. There would be minimal landscape or visual impact caused by the building, being alongside a mature hedgerow. Its design and appearance is considered to be an acceptable form of develop in the open countryside. The proposal is therefore considered to comply with Policy DM04 of the NDTLP.

8.0 Access/Parking

8.1 Policy ST10 and DM05 of the NDTLP seek, inter alia, to ensure that development does not adversely affect the local or strategic highway network and that vehicular accesses are safe and well designed.

8.2 Paragraph 109 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or where the residual cumulative impacts of development are severe.

8.3 There is an existing farm track alongside the site for the building, which would be used. There would be no changes to the access, parking or farm track

8.4 The proposal is therefore considered to comply with Policies DM05 and DM06 of the NDTLP and the NPPF.

9.0 Flood risk and drainage

9.1 The site is outside of any high risk flood zone. All roof water from the building would run into a water but sited to the rear of the building.

9.2 The building will not contain any chemicals, pollutant or hazardous substances. It is therefore considered that there will be no adverse impact on flood risk or pollution of any watercourse.

10.0 Biodiversity

10.1 Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, The Conservation of Habitats and Species Regulations 2010 (Habitats Regulations 2010). This is further reinforced by Policy DM08 of the NDTLP which require development to maintain or where possible enhance biodiversity and mitigate the potential loss of habitats.

10.2 There were no issues raised with regards to the Wildlife Trigger List and there would be no impact on ecology as a result of the proposal.

11.0 Consideration

11.1 Paragraph 2 of the NPPF states that planning law (namely Section 38(6) of the Planning & Compulsory Purchase Act 2004 and Section 70(2) of the Town & Country Planning Act 1990) requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

11.2 The proposal seeks a small agricultural building on a site alongside a hedgerow, with minimal visual or landscape impact. The building is necessary for the purposes of agriculture with there being no other storage for tools and equipment. There are no highways impacts or flooding issues.

11.3 The proposal is therefore considered to comply with the policies of the North Devon and Torridge Local Plan and the aims and objectives of the National Planning Policy Framework.

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