



# Tree Tops Planning

Independent Planning Consultancy

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## **PLANNING STATEMENT**

### **PROPOSED DOMESTIC GARAGE TO INCLUDE CHANGE OF USE OF LAND TO GARDEN – 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 a planning application for a domestic double garage 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 and recently planning permission was granted for the retention of an agricultural barn alongside the house.

2.3 The land upon which the garage is proposed is a concrete hardstanding (see photos) where there was previously an agricultural building (the remains and footings of this building remain).

#### **3.0 Proposal**

3.1 The application seeks planning permission for the erection of a domestic garage to include the change of use of the small portion of land to garden which was not included in the original Class Q application.

3.2 The garage would measure 6m x 6m with a mono-pitched roof of 2.5m high. The garage would be constructed of rendered concrete with a dark corrugated tin roof. As said above, there is a large concrete hardstanding on the site of the proposed garage which extends northwards to the access.

#### **4.0 Planning Policies**

4.1 The Development Plan comprises the North Devon and Torridge Local Plan (NDTLP) which was adopted on the 29<sup>th</sup> 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.

#### 4.4 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".*

#### 4.5 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.

#### 4.6 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.

#### 4.6 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.

#### 4.7 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.

#### 4.8 Policy DM25: Residential Extensions and Ancillary Development

- (1) The extension of a residential dwelling and other ancillary development, beyond that enabled through permitted development, will be supported subject to:
  - (a) the form, scale, setting and design of the proposal respecting existing development, its context, setting and surroundings;
  - (b) adequate residential amenity space and parking provision being maintained; and
  - (c) there being no significant adverse impact on the amenity of the occupants of neighbouring properties.
- (2) Annexed accommodation will be physically attached to the main house and be commensurate in scale to the needs of the intended occupants.

#### 4.9 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 garage which is associated with the adjacent dwelling; it therefore needs to be sited in the open countryside. The ancillary building is deemed to be acceptable in terms of its design, landscape/visual impact and therefore comply with Policies ST07 and DM25 of the NDTLP.

## 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 and that the proposal accords with Policy DM01 of the NDTLP

## 7.0 Design

7.1 The design and materials of the building would match those of the adjacent dwelling with a low mono-pitched roof. 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 domestic access for the dwelling which would be used and unchanged. There would be no additional traffic as a result of this proposal.

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.

## 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 domestic garage on land alongside a dwelling with minimal visual or landscape impact. 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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