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Mr Andrew Mead  
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29 Monmouth Street  
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BY EMAIL ONLY

**Our Ref:** WNP/EX      **Your Ref:** 02/AM/WNP

**Date:** 24<sup>th</sup> June 2020

Dear Mr Mead,

I write further to your correspondence of the 10<sup>th</sup> June regarding the examination of the Winkleigh Neighbourhood Plan. Please find set out below a response to the questions you directed to the District Council in that correspondence.

**1. Has the Village Design Statement been adopted by the District Council as Supplementary Planning Guidance?**

No, the Winkleigh Village Design Statement (VDS) has not been adopted as Supplementary Planning Guidance in the form of a Supplementary Planning Document (SPD). The Council could however consider doing so, if deemed necessary and appropriate to support the practical implementation of the Winkleigh Neighbourhood Plan. It would however be necessary to review the content of the VDS to ensure that it fully accords with the principles of the North Devon and Torrige Local Plan and the Winkleigh Neighbourhood Plan, in that it has due regard and appropriately relates to their policies. It will also be necessary to consult on the VDS as a draft SPD in order to do adopt it, undertaking this action would come with the risk that it may need to be subject to change in order to address any representations received.

Alternatively, in a similar fashion to a Landscape Character Assessment and other appropriately prepared appraisals, the view could be taken that the VDS is already able to be regarded as a material consideration in the determination of relevant planning applications. The North Devon and Torrige Local Plan (paragraph 13.36)-provides that Village Design Statements (amongst others), will be “used to achieve high quality design”. The value of such documents is therefore already recognised by the District Council, on which basis it may be viewed as unnecessary for the VDS to be taken forward to be adopted as an SPD.

**2. Policy H1. I can appreciate the reasoning behind the policy, but has the Parish Council or the District Council any suggestion to make which would enable “substantially larger” to be quantified? For example, would “40% larger than the original building” be appropriate?**

We would suggest that 40% larger than the original building would provide an appropriate basis for defining “substantially larger” in the context of Policy H1. The supporting text, or

any associated glossary definition, should also provide sufficient detail and clarity around the definition to enable the measure to be unambiguous in its application. This should include clarification on the method of measurement, which we suggest should be Gross External Area (GEA), along with how the 'original building' or rather 'original dwellinghouse' should be established; with the latter addressed by reference to the definitions provided in section 1 of The Town and Country Planning (General Permitted Development) Order 1995 (as amended). We would also welcome some supporting text being added to recognise that any extension will not only be considered in terms of whether it is 'substantially larger' but also by reference to other considerations such as amenity, landscape and design which would be addressed by other policies of the development plan when taken as a whole.

**3. Policy E4. Would it be possible to define “small scale retail development” in more detail and specify to which Use Classes the policy would apply? I appreciate that the District Council made this point in its representations (ref: 84) but, with the benefits of its breadth of experience as a local planning authority, I would appreciate any further comments in order to make the policy more effective for development management purposes.**

We would support the term “small scale retail development” would benefit from being defined more precisely, both in terms of acceptable scale and uses that it is intended to enable. This is likely to be best achieved through the addition of a glossary definition which could be cross-referenced from the supporting text.

For the former, a review of planning permissions associated to comparable uses in rural areas within Torridge, taking in community shops and post offices (sadly often for their loss), identifies that these tend to be in the order of 40 to 60 square metres gross internal floorspace; whilst farm shops tend to be a little larger, in the order of 100 square metres. On this basis, we would advocate that in the context of Policy E4, small scale is defined as up to 60 square metres, using gross internal floorspace as the appropriate measure.

With respect of the definition of retail development, we would advocate that this is achieved by reference to the appropriate Use Classes which are supported. We suggest that the extent of these is very much a matter for the Qualifying Body and the breadth of development that they intended the policy to cover. We would advise that if the Qualifying Body simply intends the policy to enable the development of shops, then a restriction to A1 uses should be considered. That being said, we would advocate and support the policy enabling a wider range of development across the full range of 'A' Use Classes (A1 – A5), as this is likely to provide flexibility and assist in supporting a broader range of proposals that could support rural sustainability and vitality.

The policy would not of course operate in isolation, with matters such as amenity, parking, design, etc. all covered by other policies of the development plan where relevant and when taken as a whole.

**4. Policy H4. Paragraph H9 refers to two large sites being granted planning permission for up to 125 dwellings in total.**

- (i) **Please could a map be provided to show the location of the two sites and with reference numbers (or links) to enable me to read the plans and decision notices?**

A map (see enclosed) has been prepared showing the geographical extent of the two sites subject to planning consent for housing to the south west of the village of Winkleigh. Key information on the consents is tabulated below, with further

details, including associated documentation available online via:  
<https://www.torridge.gov.uk/planningonline>

Application Reference	Site Address	Description	Decision Date	Expiry Date
1/0346/2017/OUTM	Kingsley Plastics Ltd Western Barn Road Winkleigh	Outline application with some matters reserved (all bar access) for the development of up to 70 dwellings (Additional Highways Information)	10.04.2018	10.04.2021
1/0127/2017/OUTM	Land To The West Of Townsend Road Winkleigh	Outline application for residential development of up to 55 dwellings (use class C3) and associated infrastructure (Affecting a Public Right of Way)	12.10.2017	12.10.2020

- (ii) **Both paragraph H20 of the Plan and Policy H4 imply that, even though granted planning permission for up to 125 dwellings, the development might not proceed. What is the basis for those views?**

We have no reason to believe that the development of the sites subject to planning consent to the south west of the village might not proceed, however no reserved matters applications have been received for either site to date. We recognise however that it would appear from the content of the Neighbourhood Plan that the Qualifying Body would prefer for the land in question to not be developed for housing.

- (iii) **In its representation (ref: 65), the District Council suggested that the area of land with planning permission for housing should only be indicated broadly and not included on the Policies Map because this would infer a higher status such as an allocation. Given that the land already has planning permission, is it not remiss to exclude the land from the Policies Map, especially as the second part of Policy H4 specifically deals with it? Indeed, what are the reasons for not including the land within the development boundary?**

Our understanding is that the Qualifying Body seeks to include policies within the Neighbourhood Plan which would provide the basis for influencing development proposals should they come forward on the land to the south west of the village but that they, through the Neighbourhood Plan as drafted, are not supportive of the

principle of the land being brought forward for development for housing and would rather see this land remain unchanged from existing uses.

We believe that by leaving this land unallocated and outside of the development boundary, the Qualifying Body considers that it would not benefit from any explicit support for future permission for housing should the existing permissions lapse and not be implemented. However, should any planning application be forthcoming the provisions of Policy H4 would be applicable and capable of being considered in any determination. Whilst an unusual approach, it would appear to be potentially capable of achieving their intended objectives.

It is not considered remiss to not allocate the land in question as it is not required in order to meet the overall housing requirements across northern Devon as established through Policy ST08 of the North Devon and Torridge Local Plan (NDTLP) , nor the minimum housing requirement set out specifically for Winkleigh through Policy WIN of the same Plan. Clearly, should the land be developed for housing, the position of the development boundary could be considered through a plan review – be that the local plan or the neighbourhood plan.

An alternative approach to the land in question could be to identify and allocate it as one or more 'reserve' housing sites which could receive support and be released subject to meeting prescribed criteria, including for example not being able to demonstrate a five year supply of deliverable housing land.

Hopefully you find the above responses helpful and constructive. Please do not hesitate to get back in touch if I can be of any further assistance with respect to the matters raised or any other aspect of the examination of the Winkleigh Neighbourhood Plan. In the interests of transparency, I will make arrangements for a copy of this correspondence to be made available at the Council's website via [www.torridge.gov.uk/winkleighnp](http://www.torridge.gov.uk/winkleighnp).

Yours sincerely,

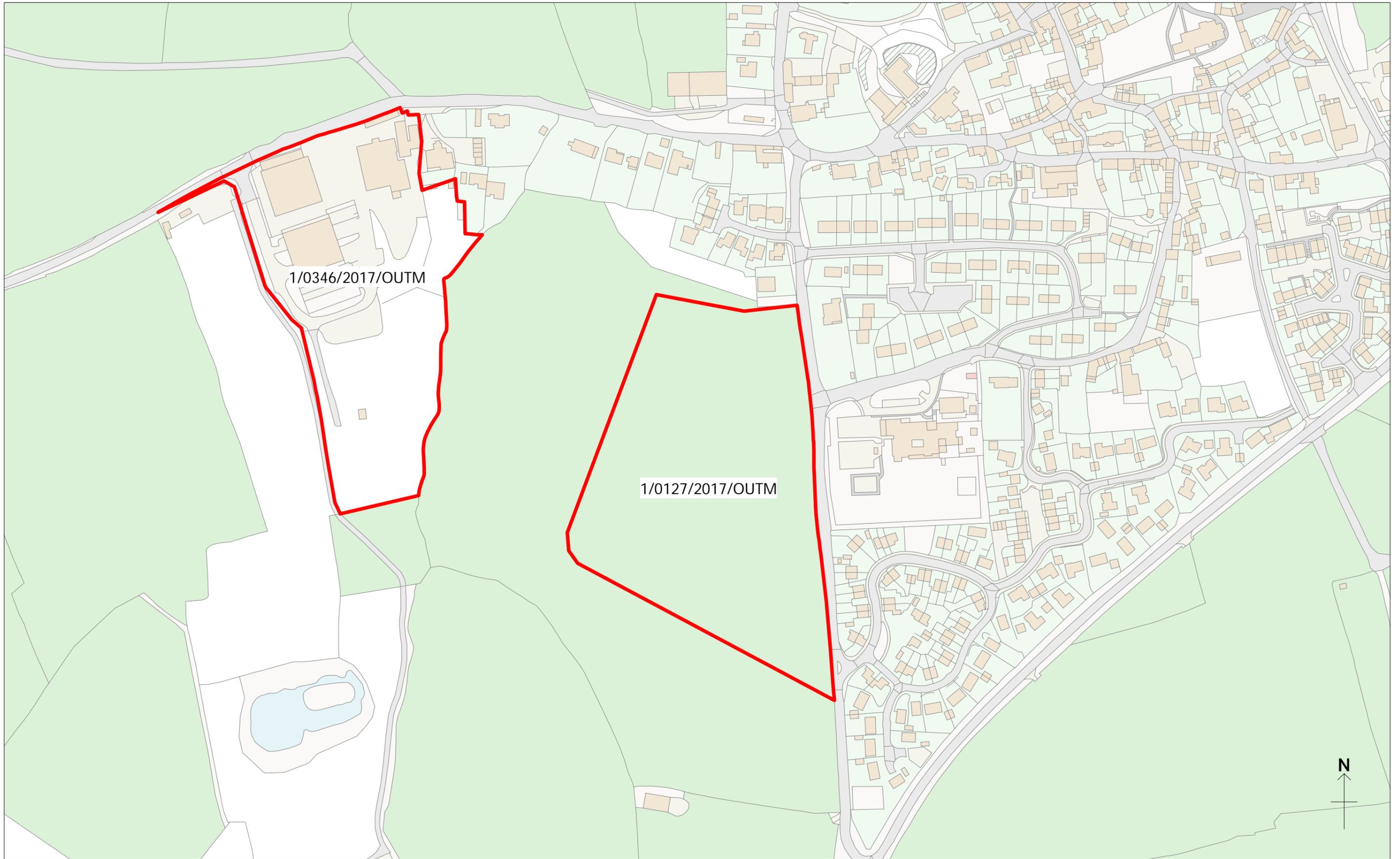


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Enc.



Planning Applications 1/0346/2017/OUTM and 1/0127/2017/OUTM



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