

West Devon Planning and Licensing Committee



West Devon
Borough
Council

Title:	Agenda								
Date:	Tuesday, 15th September, 2015								
Time:	10.00 am								
Venue:	Chamber - Kilworthy Park								
Full Members:	<p style="text-align: center;">Chairman Cllr Sellis</p> <p style="text-align: center;">Vice Chairman Cllr Benson</p> <p><i>Members:</i></p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td>Cllr Baldwin</td> <td>Cllr Moyse</td> </tr> <tr> <td>Cllr Cann OBE</td> <td>Cllr Parker</td> </tr> <tr> <td>Cllr Hockridge</td> <td>Cllr Pearce</td> </tr> <tr> <td>Cllr Mott</td> <td>Cllr Roberts</td> </tr> </table>	Cllr Baldwin	Cllr Moyse	Cllr Cann OBE	Cllr Parker	Cllr Hockridge	Cllr Pearce	Cllr Mott	Cllr Roberts
Cllr Baldwin	Cllr Moyse								
Cllr Cann OBE	Cllr Parker								
Cllr Hockridge	Cllr Pearce								
Cllr Mott	Cllr Roberts								
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.								
Committee administrator:	Kathy Trant Specialist - Democratic Services 01803 861185								

1. Apologies for Absence

2. Declarations of Interest

Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting.

[If Councillors have any questions relating to predetermination, bias or interests in items on this Agenda, then please contact the Monitoring Officer in advance of the meeting]

3. Items Requiring Urgent Attention

To consider those items which, in the opinion of the Chairman, should be considered by the Meeting as matters of urgency (if any).

4. Confirmation of Minutes

1 - 6

Meeting held on 18th August 2015

5. Planning Applications

To see Letters of Representation and further supplementary information relating to any of the planning applications on the agenda, please select the following link and enter the relevant Reference number: <http://westdevon.gov.uk/searchlanding>

(a) 00569/2014

7 - 12

Higher Wilminstone Farm, Wilminstone, Tavistock
Change of use of existing agricultural buildings into self-storage units.

(b) 00633/2015

13 - 18

Allison Farm, Spreyton
Retrospective application for the erection of an agricultural building.

6. Planning Appeals Update

19 - 20

Agenda Item 4

At a Meeting of the **PLANNING & LICENSING COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **18th** day of **AUGUST 2015** at **10.00 am**

Present: Cllr D K A Sellis – Chairman
Cllr M J R Benson – Vice-Chairman
Cllr R E Baldwin Cllr C W G Cann OBE
Cllr L J G Hockridge Cllr C Mott
Cllr D E Moyse Cllr G Parker
Cllr T G Pearce

Substitute: Cllr P R Sanders for Cllr A Roberts

Lead Specialist – Development Management (AHS)
Planning Officer (BD)
Affordable Housing Officer (AR)
Legal Officer (Mr Paul Clough)
Senior Case Manager (KT)

In attendance: Cllrs D Cloke, C Edmonds, J Evans, A Leech, J Moody, R Sampson & J Sheldon

***P&L 17 APOLOGIES FOR ABSENCE**

An apology for absence was received from Cllr A Roberts (Substitute: Cllr P R Sanders).

***P&L 18 DECLARATION OF INTEREST**

Cllr G Parker – 00578/2015 – Cllr Parker declared that he had spoken to the applicant at length regarding this application and therefore felt he had predetermined the decision. He spoke in his capacity as a local Ward Member and then withdrew from the meeting for the debate and vote.

Cllr P R Sanders – 00578/2015 – Cllr Sanders declared a personal interest by virtue of being a known friend of the applicant. He left the meeting for the duration of this item.

Cllr T G Pearce declared a personal interest in all applications by virtue of being on the Management Board of Devon Building Control Partnership. He remained in the meeting throughout and took part in the debate and vote on all items.

***P&L 19 CONFIRMATION OF MINUTES**

The Minutes of the Meeting held on 21 July 2015 (page 1 to the Agenda), were confirmed and signed by the Chairman as a correct record.

***P&L 20 PLANNING, LISTED BUILDING AND ENFORCEMENT REPORTS**

The Committee considered the applications prepared by the Lead Specialist – Development Management and considered also the comments of Town and Parish Councils together with other representations received, which were listed within the presented agenda reports and summarised below, and **RESOLVED**:

PLANNING APPLICATION REPORT

Case Officer: James Clements

Ward: Drewsteignton

Ward Members: Cllr Ridgers

Application No: 00054/2015

Agent/Applicant:

Aardvark EM Ltd
Higher Ford
Wivellscombe
Taunton TA4 2RL

Applicant:

Powerhawk Limited
North Beer Farm
Spreyton
Devon EX17 5AP

Site Address: Land at NGR SX 698988, Spreyton, Devon

Development: Erection of a single wind turbine with a hub height of 40m and maximum blade tip height of 67m, formation of new vehicular access track and associated infrastructure. The application is accompanied by an Environmental Statement.

Reason item is being put before Committee

Ward Member stated that he 'fully supported the objections listed by Spreyton Parish Council'.

COMMITTEE DECISION: To **REFUSE** the application

Reasons for Refusal:

1. The proposed wind turbine by reason of its location, scale and movement would harm the significance of the Grade II* listed buildings Combe Farmhouse and Hendicott and Grade II listed buildings Week and Stockhay. As such the proposal is contrary to policies SP1, SP3, SP17, SP18, SP20 and BE3 of the West Devon Borough Council Core Strategy 2011 and West Devon Local Plan Review 2005 and guidance set out within the NPPF.
2. The proposed wind turbine by reason of its location, scale and movement with existing turbines and the proposed turbines at Denbrook would cause detrimental cumulative impact upon the visual amenity of the surrounding landscape contrary to policies SP1, SP3, SP17, SP20 & NE10 of the West Devon Borough Council Core Strategy 2011 and West Devon Local Plan Review 2005 and guidance set out within the NPPF.
3. The proposed wind turbine, by reason of its siting and scale would introduce a discordant feature into this tranquil rural landscape leading to an adverse impact upon the landscape character of the area. The proposal is therefore considered to be contrary to policies SP1, SP3, SP17, SP20 & NE10 of the West Devon Borough Council Core Strategy 2011 and West Devon Local Plan Review 2005 and guidance set out within the NPPF.

4. It has not been adequately demonstrated that the planning impacts to the landscape and upon the heritage assets in the locality identified by the affected local communities have been fully addressed and therefore a planning judgment has been made by the Local Planning Authority that the proposed wind turbine does not have community backing which is contrary to the written Ministerial Statement released on the 18th June 2015 from the Secretary of State for Communities and Local Government and paragraph 14 of the Planning Practice Guidance.

Key issues for consideration:

The main issues for consideration include the principle of development, pre-application consultation process, impact upon landscape character, visual and cumulative impact; impact upon amenity of nearby residents with regard to visual impact, noise/amplitude modulation & shadow flicker; heritage; highway safety, site access & construction of access track and ecology.

The Proposal:

Planning permission is sought for the erection of a wind turbine with a hub height of 40m and maximum tip height of 67m, formation of a vehicular access track and associated infrastructure.

Consultations:

- Landscape officer
- County Archaeologist
- Environmental Health
- Highway Authority
- Spreyton Parish Council
- Bow Parish Council
- Mid Devon District Council
- Conservation Officer
- Historic England
- NATS
- Natural England
- Environment Agency
- Ecology

Representations: 94 letters of objection

Speakers: Mr R Langley – Objector
Mrs Angela Hawkins – Applicant
Cllr K Whitaker – Spreyton Parish Council

Conclusion:

Members had a detailed debate about all the issues relating to this application including the addendum within the presented report that set out the latest legal position in respect of the Ministerial Statement. Members raised concerns over the greater harm caused to the landscape by the cumulative effect of this application to the landscape and it being industrial development in the countryside.

PLANNING APPLICATION REPORT

Case Officer: Ben Dancer

Ward: Tavistock North

Ward Members: Cllrs N Jory, J Mood, Page Sheldon

Application No: 00569/2015

Agent/Applicant:

Mr R Page
21 Maynard Park
Bere Alston
Yelverton
PL20 7AR

Applicant:

Ms Irene Chambers
The Round House
Launceston Road
Tavistock

Site Address: Higher Wilminstone Farm, Wilminstone, Tavistock PL19 0JT

Development: Change of use of existing agricultural buildings into self storage units.

Reason item is being put before Committee:

Cllr Sheldon: I am calling this application to Committee on the basis that the residents as outlined in three letters of objection do not agree with Devon County Council Highways as to the suitability of the access road and its potential use. There will also be further loss of amenity as business expands on this site, increasing noise and nuisance to that already suffered from this site by local residents.

Cllr Moody: Given the concerns raised by local nearby residents, the issues of potential highways issues to the site and the past planning history of Higher Wilminstone, I feel it preferable that all the issues related to this application ought to be considered by the Planning and Licensing Committee.

COMMITTEE DECISION: Deferral for site inspection.

The Proposal:

Change of use of former agricultural building into self storage units with associated parking

Consultations:

Tavistock Town Council
Devon County Council Highways Authority
Borough Engineer

Representations: Three letters of representation all objecting to the application.

PLANNING APPLICATION REPORT

Case Officer: James Clements

Ward: Tavistock South West

Ward Members: Cllrs J Evans and G Parker

Application No: 0078/2015

Agent/Applicant:

Mr Michael Gerry
1 Alder Road
Tavistock
PL19 9LW

Site Address: 1 Alder Road, Tavistock, PL19 9LW

Development: Householder retrospective application for erection of boundary wall and fence.

Reason item is being put before Committee:

At the request of Cllr Parker in the interests of transparency. The applicant felt that he had been given inconsistent advice by officers – positive advice led to the submission of the first application which consequently received a decision of refusal.

COMMITTEE DECISION: Approval

Reasons for Approval: Good design, visually attractive, in keeping with existing wall and therefore sympathetic.

The Proposal:

The application is for retrospective planning permission for the erection of a dwarf stone wall (approximately 0.9m in height) and timber fence above (up to 1.9m) to the front and side garden areas of the residential property.

Consultations:

Tavistock Town Council
Devon County Council Highways Authority
Environmental Health
Landscape Officer

Representations: The application was accompanied by 20 letters of support. One further letter of support was received.

Speakers: Mr Michael Gerry – Applicant
Cllr J Evans – Ward Member
Cllr G Parker – Ward Member

Conclusion: The Case Officer outlined the history of the application and the reason for the recommendation of refusal. Members stated that works had been undertaken sympathetically and that the application was complicated by some of the work being permitted development.

***P&L 21 PLANNING APPEALS UPDATE**

The Committee received and noted the updated list of Planning Appeals.

(The Meeting terminated at 12.45 pm)

Dated this 15th September 2015

Chairman

This page is intentionally left blank

PLANNING APPLICATION REPORT

Case Officer: Ben Dancer

Ward: Tavistock North

Application No: 00569/2015

Agent/Applicant:

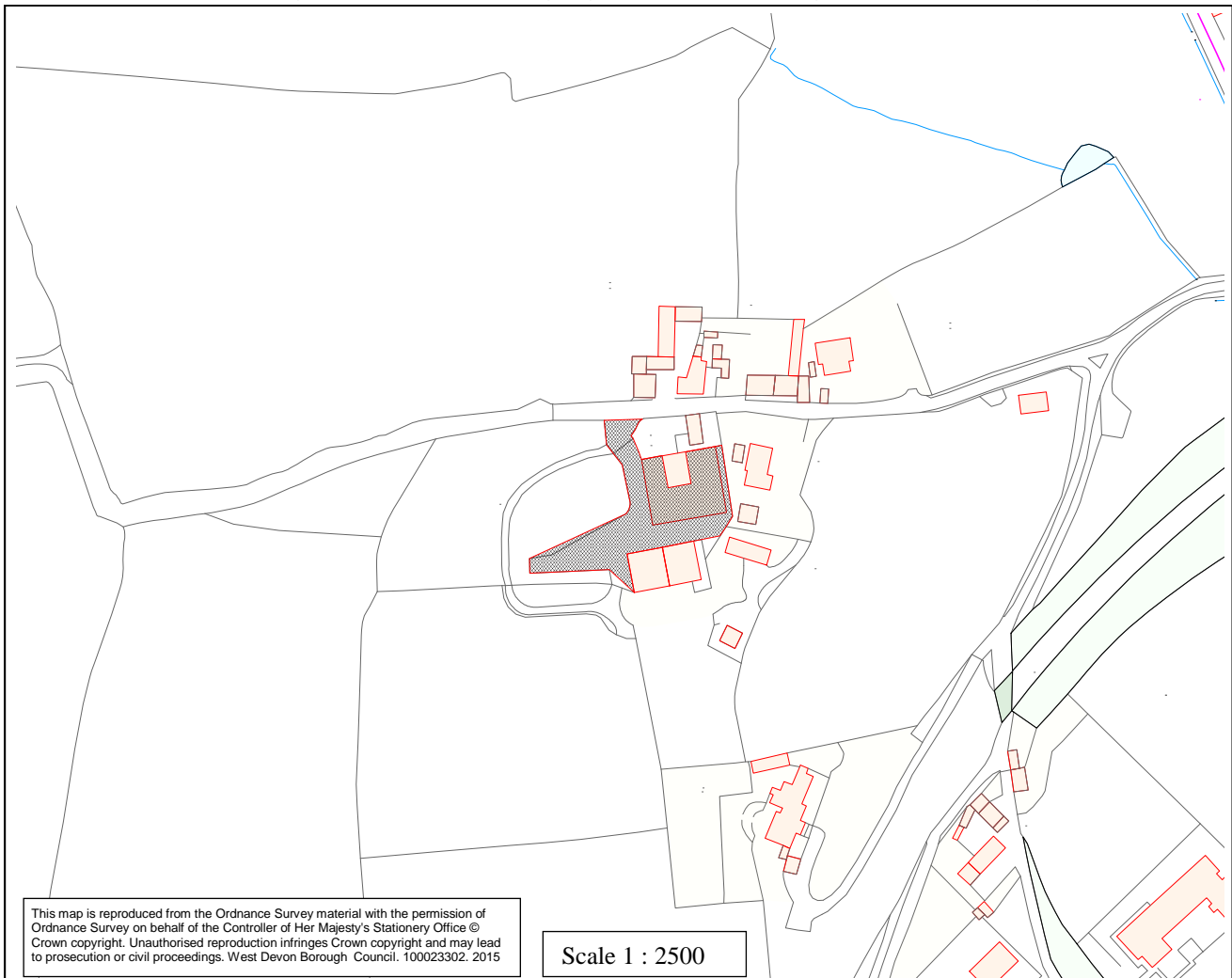
Mr R Page
21 Maynard Park
Bere Alston
Yelverton
Devon
PL20 7AR

Applicant:

Ms Irene Chambers
The Round House
Launceston Road
Tavistock
Devon

Site Address: Higher Wilminstone Farm, Wilminstone, Tavistock, Devon, PL19 0JT

Development: Change of use of existing agricultural buildings into self-storage units.



Reason item is being put before Committee:

Cllr. Sheldon - I am calling this application to Committee. This is on the basis that the residents as outlined in 3 letters of objection do not agree with Devon County Council Highways as to the suitability of the access road and its potential use.

There will also be further loss of amenity as business expands on this site, increasing noise and nuisance to that already suffered from this site by the local residents.

Cllr. Moody - Given the concerns raised by local nearby residents, the issues of potential highways issues to the site & the past planning history of Higher Wilminstone, I feel it preferable that all the issues related to this application ought to be considered by the planning committee. Therefore, I would request for the application be called to committee for deliberation.

Recommendation: approval

Conditions

1. Three year time limit
2. Development as per approved plans
3. This permission is for the development area to be used for self-storage only within the use class B8 and for no other purpose within this use class
4. Number of self storage units to be no more than 20
5. Hours of operation to be between 8am to 6pm from Monday to Friday, and 9am to 5pm on Saturdays, with no opening on Sundays and bank holiday Mondays.
6. No cars to be parked on site overnight
7. No storage beyond the confines of the building
8. Removal of permitted development rights to change use under Schedule 2, Part 3, Class I, Class P and Class V

Key issues for consideration:

Business use in countryside location
Traffic impacts

Site Description: existing agricultural building located outside of Tavistock

The Proposal: change of use of former agricultural building into self storage units with associated parking

Consultations:

- County Highways Authority: no comment, noted that usage for self-storage would cause minimal amounts of trip generation and there would be no significant highways impacts
- Tavistock Town Council: neutral view
- Borough Engineer: site is not within flood zones and there would be no increase in building's size or footprint so raised no objections
- Councillor John Sheldon:
- Councillor Jeff Moody:

Representations

Three letters of representation have been received all objecting to the application, from Viggers Hall, Higher Wilminstone Farm and Wilminstone House, the individual letters have a marked similarity between them, citing many of the same reasons to refuse and quoting many of the same planning policies. The reasons stated in the three letters refer to issues with highways and access, quoting the Devon Structure plan (which is now out of date), and note how vehicle movements would significantly increase with resultant impacts on residential amenity. A third reason given was that the materials stored would be flammable and the site is not accessible by fire hydrants.

Relevant Planning History

- 00812/2015 - Prior approval for proposed change of use of agricultural barn to dwellinghouse (Class C3). Awaiting Determination.
- 00761/2015 - Non material minor amendment for application 01267/2014: Installation of two dormer windows at first floor level. Not accepted
- 012267/2015 – Prior notification for change of use from office to a dwelling- Prior approval given - 16/12/2014
- 00259/2015 – Demolition of the existing milking parlour and erection of a new dwelling on the same footprint. Refused 17/04/2015
- 01268/2014 - Prior Notification for change of use of agricultural barn to 3 dwellinghouses. Refused 23/12/2014
- 01267/2014 - Prior notification for change of use to dwelling. Approved 16/12/2014
- 01006/2013 - Prior notification for change of use of agricultural building to B8 (storage or distribution). Withdrawn.
- 00912/2013 - Removal of Condition 7 attached to planning consent 02497/2012 to allow full time occupancy. - Appeal dismissed – 29/04/2014
- 00619/2013 - Prior Notification of change of use from B1(a) (Office) to C3 (residential) single dwelling. Withdrawn.
- 02958/2012 – Change of use of part agricultural building for use as domestic garage to be used in conjunction with holiday let - Allowed on appeal 12/03/2013.
- 02497/2012 - Conversion of Milking parlour to a holiday let conditional consent - 19/06/2012.
- 02431/2012 – Certificate of lawfulness for double garage with games room over. Issued 03/05/2012
- 00942/2010 – Construction of new roof to milking parlour- Refusal - 14/12/2010 - Appeal dismissed - 19/04/2011.

- 00579/2010 – Change of use of agricultural building for use for the preparation of motor vehicles. Appeal dismissed 19/04/2011
- 13441/2009/TAV - Planning permission for change of use to an office - allowed on appeal – 10/04/2010
- 11882/2008/TAV - Removal of Condition 5 of Planning Permission 6996/2005/TAV to enable permanent residential use. Withdrawn 01/07/2008
- 11881/2008/TAV - Variation of Planning Condition 2 of Planning Permission 10595/2007/TAV - approval sought for revised door design. Refused 19/08/2008
- 11724/2008/TAV - Variation of condition 5 of 6996/2005/TAV to allow full time occupation of holiday let for a 12 month period. Refused 30/05/2008
- 11134/2007 - Removal of condition 5 of 6996/2005/TAV to allow full time residential use. Refused 17/12/2007
- 10761/2007/TAV – Retention of access track. Conditional consent 18/09/2007
- 9795/2006/TAV – Change of use of barn to holiday lets. Appeal dismissed 03/03/2008
- 9774/2006/TAV - Conversion of milking parlour to holiday let - appeal dismissed - 03/03/2008
- 9462/2006/TAV – Formation of driveway, re-routing of cycle track, improved visibility splays and part change of use to car servicing. Appeal dismissed 03/03/2008
- 9532/2006/TAV – Change of use of land to curtilage for a holiday let and erection of garage. Conditional consent 05/12/2006
- 8268/2005/TAV – Part change of use of building to car service facility for owners vehicles. Refused 10/01/2006
- 8193/2005/TAV – Change of use of part building for car servicing and the creation of new access road. Refused 31/01/2006
- 6995/2005/TAV – change of use to industrial/storage units – appeal dismissed 09/08/2005

ANALYSIS

Principle of Development/Sustainability:

The proposed development is for a change of use of a redundant agricultural building, to be used for self-storage units. The proposed development would be acceptable in principle of it complies with policy ED21 'Rural Diversification', of the Local Plan Review, which states that proposals will be permitted if there are vacant, underused or redundant agricultural buildings where opportunities for re-use have been fully explored and exhausted, and provided that there are no significant traffic impacts or issues with the amenity of surrounding residential properties.

Design/Landscape:

The proposed development would not alter the exterior of the building in any way and would not, therefore have any significant detrimental impacts on the landscape or design of the extant buildings. The change of use would not significantly alter the setting of the building as the proposed use would have relatively minor impacts on traffic and visits to and from the site and would not represent a significant intensification of use on the site.

Neighbour Amenity:

The proposed change of use is to self-storage units, this application follows from an application at the same site for a change of use in 2005 (6995/2005/TAV) to industrial/storage which was refused and the subsequent appeal dismissed. However that application was for use for storage distribution which is qualitatively different in terms of usage and impacts to the current application. The Highways Officer from DCC has raised no objections and concluded that traffic impacts would be minimal. The use of the site for self storage would involve deposition of household items into storage containers and later collection. As the hours of operation would be set by condition attached to any permission granted and would be within standard working hours Monday to Saturdays there would be no significant impacts on residential amenity.

Highways/Access:

The Highways Officer has not objected to the application and has stated (verbally) that this type of usage for a small number of self storage units is likely to generate very few trips to and from the site and the use would not create any issue that would warrant reasons to refuse the application or apply highway related conditions. He also noted that the proposed development would be compliant with provisions within the NPPF. To ensure that the application site would only be used for the purposes that have been applied for there would be a condition for no overnight parking which would be attached to any permission granted.

Other matters: fire safety, one of the letters of representation has stated that flammable materials would be stored on site however the proposed development is for the creation of self storage units, primarily aimed at the residential storage market. The materials stored within the units would not be subject to the direct control of the LPA but the site has existing lawful use for agricultural purposes and the use for self-storage units would not create a situation in which there was likely to be any significantly increased risk associated with the granting of approval as compared to the existing lawful usage.

Members have requested a definition in planning terms as what "self-storage" means. The Development Control Practice planning resource confirms that *"pre-1987 Use Classes Order at Class X specifically referred to "repositories", and there seems little doubt that the present B8 Class embraces them. Repositories are normally understood to be places where goods and chattels are stored until such time as their owners need to retrieve them. The 1948 Use Classes Order, wherein Repositories were in a separate Class from "Wholesale Warehouses", defined a repository as "a building where storage is the principal use and where no business is transacted other than incidentally to such storage". This wording was applauded in the House of Lords judgment in Newbury B.C. v SoS 28/2/80 as an "excellent definition". The burgeoning "self-storage" market is embraced within the current B8. Class as substantiated by, see Lewisham 30/12/2004 DCS No 044-282-054."*

This confirms previous officer advice that the use falls within the B8 use class and the extent of the limitations within that use that would define self storage as a repository as opposed to other types of storage and distribution facilities that would also be classified as B8 uses.

Planning Policy

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004

Planning Policy

All standard policies listed (delete where not relevant, add others as relevant, including NPPF):

West Devon Borough Council Core Strategy 2011

- SP1 – Sustainable Development
- SP10 – Supporting the Growth of the Economy
- SP11 – Rural Regeneration
- SP15 – Traffic Management
- SP24 – Sustainable Rural Communities

West Devon Borough Council Local Plan Review 2005 (as amended 2011)

- NE10 – Protection of the Countryside and Other Open Spaces
- BE13 – Landscaping and Boundary Treatment
- ED16 – Development for Employment in the Countryside
- ED21 – Rural Diversification
- T8 – Car Parking
- T9 – The Highway Network

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

PLANNING APPLICATION REPORT

Case Officer: Mrs Nicola Glanville

Ward: South Tawton

Application No: 00633/2015

Agent/Applicant:
Robert H Hicks & Co
Miss C McIntosh
West Hele
Buckland Brewer
Bideford
Devon
EX39 5LX

Applicant:
Mr Lightfoot
Allison Farm
Spreyton
Credton
Devon
EX17 5AY

Site Address: Allison Farm, Spreyton, Credton, Devon, EX17 5AY

Development: Retrospective application for the erection of an agricultural building.



© Crown copyright and database rights 2015
Ordnance Survey 100023302
Scale 1:2500 For internal reference only – no further copies to be made

Reason item is being put before Committee

Cllr Cann is supporting the Parish decision not to support this application

Recommendation:

Conditional approval

Conditions

Accord with plans
Implementation and timing of landscaping proposal

Agricultural use – removal if uses ceases

Yorkshire boarding to be painted within 30 days of date of Grant of Approval.

Roof cladding to be dark grey

Key issues for consideration:

- Visual impact
- Neighbour impact
- Highways

Consultations:

Highways - No comment

Parish Council - No support – size, height, location and isolation has a detrimental impact on the appearance of the open countryside.

Drainage Engineer – No objections.

Landscape Officer – Comments unavailable at the time of writing this report and will be reported verbally at the Committee meeting.

Site Description:

The site lies in the countryside, accessed to the south off Two Post Lane which is to the west of the A3124 to the North West of the village of Spreyton, within the Parish of South Tawton.

The area is agricultural in character, with a sparse scattering of residential properties and farms. The nearest of which is Endridge, 421m away on the A3124 and Longdown Farm, approximately 465m metres to the north of the site.

Allison Farm is situated 710m to the east of the site and is separated from this block of land by the A3124.

The Proposal

The proposal seeks the retention of a general purpose agricultural building which has been erected for livestock use. The barn measures approximately 5.7m in height with a width of 27.4m and a depth of 13.7m.

The proposal also seeks the retention of a yard area created in advance of the building, along with the removal of an existing hedgebank adjacent to the highway, which was reinstated to the west and south of the site to form a natural boundary around the yard.

The LPA have negotiated a landscaping scheme that incorporates the reinstatement of the hedgebank adjacent to the highway, allowing for a field access. Additional infill natural hedge planting is proposed to the new hedgebanks to the west and south of the yard area, in addition to a shelter belt of trees to the south to provide additional screening of the building.

ANALYSIS

Principle of Development/Sustainability

Policy SP1 of the Local Development Framework (LDF) Core Strategy Development Plan Document (DPD) seeks to strictly control development in the countryside and Policy ED18 of the Local Plan reinforces this by setting out parameters within which development in the countryside will be permitted. Development must require a countryside location and support

the essential needs of agriculture or forestry interests or meet the essential, small scale and exceptional local needs of a settlement.

The National Planning Policy Framework (NPPF) seeks to permit sustainable development and seeks a balance between economic, social and environmental interests. It seeks to support a prosperous rural economy by supporting economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development; support the sustainable growth and expansion of all types of business and enterprise in rural areas; and promote the development and diversification of agricultural and other land based rural businesses.

Therefore, contained within the local policies and National Planning Policy Framework (NPPF) is a presumption to only allow sustainable development in the countryside and only where there is an agricultural, economic or rural diversification justification for it.

Agricultural Justification

Allison Farm comprises 97.84 hectares (24.76 acres) or thereabouts of mixed pasture and arable land. The land is utilised by a breeding flock of 400 ewes together with 25 horses comprising brood mares and young stock. The applicant also rears beef cattle.

The block of land to be serviced by this building was purchased by the applicant in late 2013 and extends to 40.59 hectares (100 acres). This block of land is separated from Allison Farm by the A3124 which runs between North Tawton and Whiddon Down.

When the applicant purchased this block of land it was mainly arable land and therefore a building to store the grain and straw was necessary. The applicant mainly rears beef cattle as well as running his breeding ewe flock and breeds quality race horses. With this in mind, he has returned this land to pasture this year and therefore a building on this land is now imperative in order to provide accommodation and handling facilities for this stock. It is not practical to run stock across the A3124 back to the main farm buildings at Allison Farm.

Design/Landscape

The development falls within countryside characterised by an agricultural landscape. There is a strong feeling of remoteness, as the area is sparsely dotted with buildings. The nearest of which is Endridge, 421m away on the A3124 and Longdown Farm approximately 465m to the north of the site.

If it is deemed that there is sufficient agricultural justification for the buildings, it is not considered that the development will significantly alter this character.

The building has been positioned to provide access off a non-classified country lane as opposed to the main A3124. The removed roadside hedge has been relocated around the west and south boundary of the yard to create a hard standing yard and the building has then been erected within this, adjacent to the highway.

Although at the top of the field and the hill on which it stands, there are very few locations in which the development can be seen; one viewpoint is situated at the access point to the site and the other is from the entrance to Longdown Farm some 465m away. From this position the building can just be seen but the proposed reinstated hedgerow will shield the building in time and as the ridge height does not protrude from the height of the adjacent hedging, it does not cause a visual impact on the surroundings.

Prior to the establishment of the reinstated hedgerow on the roadside (lane) boundary, the authority would condition the Yorkshire boarding of the building to be painted dark green and be maintained and retained as such.

The building is well concealed to the north by existing hedge banks, and the repositioned hedgerow to the west provides good screening, which will be much improved once the proposed infill planting to bolster it has been carried out. The building is concealed to the east by the topography of the land.

Although normally the clustering of buildings on an agricultural holding would be encouraged and isolated buildings would not be supported, given the limited scale of the building at the site and the landscaping that is proposed to reinforce the enclosure created by the planted hedging, the reinstatement of the highway boundary and additional shelter belt planting yet to be done, it is difficult to argue that there would be significant harmful impact upon the character and appearance of the landscape.

Neighbour Amenity:

The neighbours would be little affected in terms of visual amenity from the building at the site, due to their separation distances and the existing and proposed planting. The agricultural use of the buildings would also have little impact on the nearby dwellings, which are set within a rural area where it is reasonable to experience the low level disturbance from the movement of agricultural vehicles or stock.

Therefore, the development subject to this application is not considered to cause any material harm to neighbouring properties.

Highways/Access:

The Highway Authority has made no objections to the proposal based on its agricultural use. However, should the site/buildings be used for non-agricultural purposes or not be required to support agricultural activity, an objection to the development would be raised on the unsustainable location, which is remote from services and facilities of a settlement and from available public transport links.

Conclusion

The application, which seeks planning permission retrospectively for a traditional farm building and creation of a farm yard area, that are considered reasonably required in connection with the agricultural uses of the site, would not result in harm to the rural character and appearance of the site and surroundings or the quality of the landscape and would not result in any harm to neighbours. There are no technical objections to the development and, as such, the application is recommended for approval.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004.

Planning Policy

National Planning Policy Framework

At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking. For **decision-taking** this means

- approving development proposals that accord with the development plan without delay; and

- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - 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; or
 - specific policies in this Framework indicate development should be restricted.

West Devon Borough Council Core Strategy 2011

SP1 – Sustainable Development

SP17 – Landscape Character

SP19 – Biodiversity

SP20 – Promoting High Quality Design

West Devon Borough Council Local Plan Review 2005(as amended 2011)

NE10 – Protection of the Countryside and Other Open Spaces

ED18 – New Farm Buildings in the Countryside

ED19 – Agricultural Related Activities

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.
account in reaching the recommendation contained in this report.

This page is intentionally left blank

WEST DEVON BOROUGH COUNCIL
PLANNING & LICENSING COMMITTEE 15 September 2015
PLANNING APPEALS UPDATE

APPLICATION NO : 01399/2014
APPELLANT : Mr & Mrs Robbins
PROPOSAL : Householder application for erection of single storey extension to south west elevation.
LOCATION : Nethercott, Welltown Farm, Polson Bridge, Launceston, PL15 9QU
APPEAL STATUS : **APPEAL DECIDED**
APPEAL START DATE : 26-Jun-2015
APPEAL DECISION : Appeal Allowed with Conditions
APPEAL DECISION DATE : 20-Aug-2015

APPLICATION NO : 00107/2015
APPELLANT : Mr & Mrs Weymouth
PROPOSAL : Erection of single dwelling to include Podiatry Clinic, parking and amenity space.
LOCATION : Land Adjacent To Cannon Barn Cottages, Lewdown, Devon
APPEAL STATUS : **APPEAL LODGED**
APPEAL START DATE : 24-Aug-2015
APPEAL DECISION :
APPEAL DECISION DATE :

This page is intentionally left blank