

# PLANNING APPLICATION REPORT

**Case Officer:** Jacqueline Houslander

**Parish:** Harberton **Ward:** West Dart

**Application No:** 171801 1801/17/FUL

**Agent/Applicant:**

Mr Phil Baker  
29 Bedford Street  
Bere Alston  
PL20 7DF

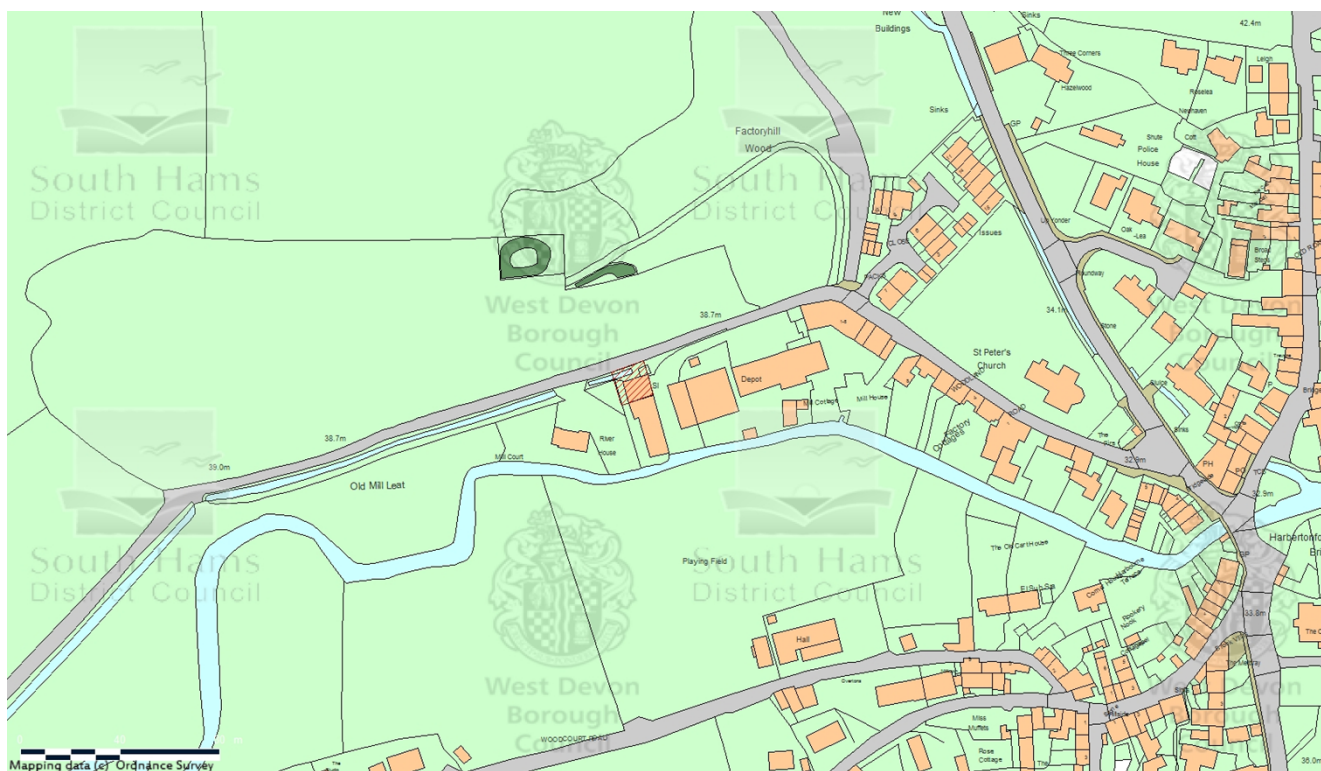
**Applicant:**

Mr Phil Baker  
29 Bedford Street  
Bere Alston  
PL20 7DF

**Site Address:** Fulling Mill, Woodland Road, Harbertonford, TQ9 7SU

**Development:** Change of Use from B1(c) light industry to C3 dwelling house.

**Reason item is being put before Committee:** The applicant is a member of SHDC staff.



## **Recommendation: Approval**

### **Conditions** (list not in full)

1. Time limit
2. Accord with plans
3. Samples of materials
4. Details of flue
5. Details of rooflights

### **Key issues for consideration:**

Loss of employment  
Location of development

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### **Site Description:**

The site is located within the settlement of Harbertonford adjacent to the Old Mill. The building is located at the end of a line of buildings. The Old Mill adjacent has been converted into residential properties. The building measures approximately 10 metres by 8.5 metres, over two floors (the upper floor being within the roof space). The building is a part of a traditional group of buildings within the curtilage of the Old Mill. The buildings would presumably have been previously used in association with the Mill. In fact the Design and Access Statement makes reference to it being used in association with processing fleeces to create wool. In more recent years there has been a pine workshop in part of the building. Currently there is also a residential use at the southern end of the building. The fine pine commercial use will continue in the middle section of the building if this proposal is approved.

The site is accessed off Woodland Road.

Part of the building falls within Flood Zone 2/3?

The building is also within the Conservation Area for Harbertonford.

### **Greater Horseshoe SAC**

### **The Proposal:**

The proposal is to convert the building from B1 to C3 dwelling house. The Planning Statement submitted in support of the proposal, proposes a near carbon zero carbon 3 / 4 bedroom dwelling, with bedrooms and bathroom on the ground floor and living accommodation on the first floor. The proposal involves very little alteration externally. Powder coated aluminium windows are proposed for the doors and windows to improve the thermal efficiency. Such materials have been used on the conversion of the Mill adjacent to the site.

In terms of carbon efficiency the proposal is taking a fabric first approach – ensuring high levels of efficiency, renewable technologies, ground source heat pump, solar PV and an electric car charging point.

### **Consultations:**

- County Highways Authority: No comments
- Town/Parish Council: Support

### **Representations from Residents**

Comments have been received and cover the following points:

Support:

It will create a new energy efficient home, which will support the local schools and businesses and also contributes towards the long term viability of a local business.

It will contribute positively to the quality of the built environment and the conservation area.

It would also be consistent with the lapsed planning approval 23/0944/09/F.

## Relevant Planning History

23/0540/89/4 -Restoration and rehabilitation of mill buildings to form 22 apartments and 7 town houses with erection of 7 craft workshops and single storey workshops to west of site to be retained. Refusal: 21 Jun 89. Appeal Upheld (Conditional Approval): 28 Mar 90.

23/1293/87/1 Conversion and extension to industrial/craft workshops/ residential use. Conditional approval: 08 Mar 88.

23/0422/93/3 - Conversion of existing mill buildings to form 20 apartments & 7 town houses the erection of a new building to form 7 no. craft workshops & 2 no. apartments. Conditional approval: 18 Aug 93.

23/1836/93/3 - Conversion of part of workshop to form single residence. Conditional approval: 12 Jan 94.

23/1907/93/12 - Certificate of Lawfulness for use of building for restoration/storage area and sales area. Cert of Lawfulness (EXISTING) Certified: 07 Feb 94

23/1891/97/3 - Residential conversion to form seventeen dwellings additional to two existing. Withdrawn: 04 Feb 98

23/1742/98/F94 - Renewal of permission 9/23/1836/98/F for conversion of part of workshop to form single residence. Conditional approval: 10 Dec 98

23/0944/09/F - Conversion of part of existing building from workshop & retail use to two bedroomed dwelling with workshop & retail use (Work/live unit) Conditional approval: 16 Jul 09. Fine Pine.

## ANALYSIS

Principle of Development/Sustainability:

The principle of the development falls to be considered against Policy CS1 Location of Development. This policy identifies those settlements that can accommodate additional development. The site lies within the development boundary for Harbertonford and so as such in principle is accepted under CS1.

The other in principle policy consideration is with regard to the loss of employment space, which is covered by Policy DP14 Protection of Employment Land. Also of relevance is Policy CS5 Previously Developed land.

Policy DP14 seeks to protect employment land from changes of use, unless it can be demonstrated that the employment use of the site is no longer viable, and there is no prospect of it becoming so; there is sufficient supply and variety of alternative available employment sites; the use is no longer appropriate in its context and there is a suitable alternative site available locally; the nature of the employment use is not of strategic importance to the wider economy nor has locational requirements that could not be met elsewhere.

If the change of use is acceptable then the policy requires that where possible a mixed use will be sought.

In this case the planning history is of relevance to the consideration of this proposal. In 2009, planning consent was given for the conversion of this building and the adjacent fine pine building to residential use and a workshop (live work unit). (App. No. 23/0944/09/F). At the time the proposal was considered against the relevant policies in place at the time. Whilst there is mention in the report of

employment protection policies (the site not being in an area covered by such a policy) The actual policy itself is not made reference to. However the fundamental issue is that the application was approved and so as such the loss of some of the employment space and the change of use of some of it to a dwelling was accepted at that time.

With regard to the employment loss issues, the applicants planning statement suggests:

*“The Fine Pine business will become more viable as a result of occupying a premises more suited to the current market, reducing overheads and stabilising income. There are residential uses immediately adjacent to the site to east and west, with the remainder of allocated site RA16 due to create more dwellings in the vicinity, creating a predominantly residential area that is well located to access local services and facilities.”..... “the renovation of Fulling Mill is enabling Fine Pine to continue as a viable business, as the business cannot viably sustain such a large premises. The location of the business will remain the same, albeit on a smaller footprint, and will continue to make a valuable contribution as a small rural enterprise and employer.”*

The statement has established that the Fine Pine business is no longer viable in the larger premises and a smaller premise with the rest being converted to a dwelling, will allow the business to continue in this small village. There is no need in this case to provide alternative sites for the employment use as it is still able to use the rest of the unit in a viable way. Over the last few years the site as a whole has gradually changed from employment based to residential, with the conversion of the end unit of this block and the wholesale conversion of the Mill building . As a consequence it must be questioned as to whether the remaining unit (Fine Pine) is now in an appropriate location. If utilising the smaller space allows for the continuation of the employment use and for it to sit comfortably within the now residential setting, then there is still some retention of employment uses.

The site is not of strategic importance in relation to employment uses, but rather a site where a small scale rural business has operated for many years. If the proposal now allows for that business to continue and be more viable albeit on a smaller scale then it can be considered to be the retention of that use. It is considered in light of the previous approval and in light of the fact that the rural business can continue to operate viably by reducing its floor space, that the change of use of part of the building to residential can be supported in relation to policy DP14.

#### Design/Landscape:

The proposal retains the existing openings and adds two new openings at the rear of the building, however the location of a lintel and window quoins indicate that there may have been an opening in that location at some point in the past. The proposal indicates the addition of roof lights in the roof slopes, solar PV panels and a new metal flue.

The solar panels are proposed on the rear elevation and number 11 in total. Two new roof lights are also proposed in the rear elevation. These are longer than the other roof lights to allow for more light to enter the building. A consistent approach to the roof additions is required which can be subject to a planning condition if necessary.

Neighbour Amenity: The nearest neighbour is the residential properties in The Mill building and the residential dwelling at the other end of the building. The proposal will not result in the loss of privacy to any other property and in fact the regeneration of this aspect of the building would lead to an improvement of the area.

The immediate neighbour will be the pine workshop, which may involve noise and dust, however the applicant is taking on this project with full knowledge of this fact.

Highways/Access: Access to the building will be via Woodland Road and the access drive which currently serves the workshop and the other residential dwelling at the northern end of the building. The applicant has indicated on the plans that a parking space will be available at the front of the proposed dwelling. This will still allow for vehicles to use the access road to and from the pine workshop and the other dwelling.

#### Other Matters:

Ecology: A preliminary ecological survey was carried out on March 20<sup>th</sup> 2017. The results indicate that there were no bat roosts in the roof space, but there may be future opportunity, but that the conversion is unlikely to result in disturbance to, harm to or loss of roost for bats. It also concluded that the development will not impact on the greater horseshoe bat activity. In addition there was no evidence of nesting birds, although the wall top gaps are likely to be favourable for night time roosting. The recommendation of the report is that an appropriate planning condition is attached to any consent.

Conservation Area: Fulling Mill lies partly in and partly outside of the Harbertonford Conservation Area. The applicant has acknowledged this by making very few changes to the front (east) elevation of the building. The roof lights that already exist are to be replaced with conservation style roof lights. A sample of which will be required as part of a planning condition.

Flood risk

#### Planning Balance

The proposal is similar to a previous planning consent in 2009 in that an employment use is retained on the site, but at a reduced scale and part of the building is converted to residential development. The applicant has considered the scheme in a sympathetic way in relation to the Conservation Area and in trying to retain the integrity and character of the original building, whilst also trying to create a home which has very low/zero carbon emissions. In planning policy terms there is a slight loss of employment, however the nature of the area over the last few years has become more and more residential and so the use of the buildings for employment/light industrial purposes has become more and more untenable. It is therefore considered that the conversion of the building to residential can be supported.

***This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.***

#### Planning Policy

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The relevant development plan policies are set out below:

#### ***South Hams LDF Core Strategy***

CS1 Location of Development  
CS7 Design  
CS9 Landscape and Historic Environment  
CS10 Nature Conservation

#### ***Development Policies DPD***

DP1 High Quality Design  
DP3 Residential Amenity  
DP4 Sustainable Construction  
DP5 Conservation and Wildlife  
DP6 Historic Environment

DP7 Transport, Access & Parking

***South Hams Local Plan (please delete as necessary)***

SHDC 1 Development Boundaries

**Emerging Joint Local Plan**

The Plymouth and South West Devon Joint Local Plan (the JLP) will replace the above as the statutory development plan once it is formally adopted.

Annex 1 of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- For current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- For the JLP, which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at a relatively advanced stage of preparation. The precise weight to be given to policies within the JLP will need to be determined on a case by case basis, having regard to all of the material considerations as set out on the analysis above.

**PLYMOUTH AND SOUTH WEST DEVON JOINT LOCAL PLAN -: PUBLICATION  
(as considered by the Full Councils end Feb/Early March 2017)**

SPT1 Delivering sustainable development

SPT2 Sustainable linked neighbourhoods and sustainable rural communities

SPT3 Provision for new homes

SPT4 Provision for employment floorspace

TTV1 Prioritising growth through a hierarchy of sustainable settlements

TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area

DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area

DEV10 Delivering high quality housing

DEV14 Maintaining a flexible mix of employment sites

DEV19 Provisions for local employment and skills

DEV20 Place shaping and the quality of the built environment

DEV21 Conserving the historic environment

DEV22 Development affecting the historic environment

DEV34 Delivering low carbon development

DEV35 Renewable and low carbon energy (including heat)

**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.

**Proposed Planning Conditions**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. The development hereby approved shall in all respects accord strictly with drawing number(s) SHDC1 Site Location Plan; SHDC 2 Block Plan; FM09 Proposed Floor Plan; FM08 Proposed roof plan; FM11 Proposed roof plan; FM06 Proposed and existing north elevation; FM04 Proposed rear/west elevation; FM 05 Existing and proposed elevations; FM03 Proposed front /East elevation, received by the Local Planning Authority on .8<sup>th</sup> June 2017.

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

3. PRE-COMMENCEMENT CONDITION

No development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the details so approved.

Reason: To enable the Local Planning Authority to consider the details of the materials.

4. All new rooflights shall be of a conservation type, the exact type and size of which shall be agreed in writing with the Local Planning Authority prior to its fixing. The development shall thereafter be carried out only in accordance with the details so approved

Reason: To ensure that the development displays good design practice in respect of the age and character of the development and to allow the Local Planning Authority to assess the details of the rooflights to ensure that their character is maintained.

5. The new flue(s) shall be sited as indicated on the approved plans and finished in a matt black or grey colour. The height of the flue(s) shall not exceed that shown on the approved plans unless previously agreed in writing by the Local Planning Authority.

Reason: To ensure that the development displays good design practice in respect of the age and character of the development.