

PLANNING APPLICATION REPORT

Case Officer: Tom French

Parish: Sourton **Ward:** Bridestowe

Application No: 2456/16/FUL

Agent/Applicant:
Mr Geoffrey Cawse
Summerfield
Exeter Street
North Tawton
EX20 2HB

Applicant:
Mr & Mrs Alan Langman
East Bowerland Farm
Okehampton
EX20 4LZ

Site Address: East Bowerland Farm, Okehampton, EX20 4LZ

Development: Extension of existing dog training arena, replacing existing timber structure.

Reason item is being put before Committee: Referred by Cllr Mott to address concerns raised by objectors



Recommendation: Conditional approval

Conditions

Time limits

Accord with plans

Details of internal acoustic cladding and acoustic roof lights to be approved

Equestrian/canine use only

Doors shown on plan to be installed prior to completion/first use, whoever is soonest

Hours of use restriction

Boundary treatments/landscaping to be agreed

Key issues for consideration:

Principal of the development, visual impact, highway implications, neighbour amenity

Site Description:

East Bowerland Farm is a former agricultural holding that has holiday cottages and an associated dog training business. There is a farmhouse with attached barns that have been converted to holiday lets. The site is accessed via a long country lane that also services a nearby farm and a couple of dwellings. The nearest neighbouring property is approximately 60 metres to the south west of the building, which this application seeks to modify

The application site lies within land designated as countryside.

The Proposal:

The replacement of the existing barn structure to extend the dog training arena, which is attached to the south west end of the dog training building, given consent under 00648/2013

Consultations:

- County Highways Authority: No highway implications
- Environmental Health Section: No objection subject to condition requiring details of acoustic cladding and acoustic roof panels
- Sourton Parish Council: Objection on following grounds;
 - Highway access
 - Loss of amenity
 - Noise to adjacent properties
 - Removal of hedgebank
 - No application for change of use has been obtained

Representations:

Multiple comments received both in objection and support of proposed scheme, summarised as;

Objection

- Impact on bridleway

- Highway safety issues
- Noise and disturbance
- Current unauthorised use on the site
- Removal of hedgebank

Support

- Valued local business providing employment
- Positive impact on other local services
- Assists in promotion of West Devon

Relevant Planning History

Application 1433/17/VAR is under consideration by Planning and Licensing

The most recent application was for the Erection of building for use as dog exercise pool and health facilities, which was given consent under 00055/2015

A previous application for the erection of a building over the existing sand school for equestrian and dog training purposes was approved (application reference: 00648/2013).

Additionally, permission has previously been granted for the replacement of a building with a new indoor animal exercise area (application reference: 01356/2011).

Consent has also previously been granted for the change of use of the barns to holiday lets (application reference: 12066/2008/OKE)

ANALYSIS

Principle of Development/Sustainability:

This application seeks to replace the existing barn and extend the building given consent under 00648/2013 to which the barn is connected. The existing building is 11.5 metres wide, 18 metres deep, with a ridge height of 4.6 metres. The replacement building will be 12 metres in length, 20 metres deep, with a ridge height of 7.7 metres. The current building was within the red line area for application 00648/2013 and therefore there is no proposed change of use to the building as it was already within the area, which has consent for dog training and equestrian use. The proposal is therefore considered in accordance with policy SP10 of the Core Strategy.

A separate application is being considered concerning the use of the building for dog training classes unrelated to the principal dwelling and holiday lets.

Design/Landscape:

The design of the proposed building is the same as the existing building to which it will be connected. It was concluded that due to the buildings agricultural appearance, the limited public views of the building and the natural screening it did not result in harm to the wider landscape. The proposed extension is of a modest size when compared to the existing building and therefore it is considered that it does not harm the wider landscape and the design is acceptable.

Neighbour Amenity:

The nearest residential property to the development is Bowerland Cottage, which is sited approximately 60 metres to the southwest of the proposal. Pegasus Way, a former railway line, which is now in use as a footpath and bridleway separates the application site from Bowerland Cottage.

The proposed building would have solid walls. It is proposed to apply planning conditions requiring acoustic cladding for the interior walls of the building and the use of acoustic roof panels for the 'rooflight' style panels. This will improve the existing acoustic environment for nearby occupiers.

Environmental Health have offered no objections subject to these conditions, which the applicants have agreed to

This would also reduce the potential impact from the building on the nearby bridleway as this is the section of building, which is closest to the bridleway.

Highways/Access:

The county highways engineer has raised no objections to the proposal. As the building operations are to replace an existing structure with a slightly larger building, the overall floor space is only marginally increased and the highway access from the A386 remains unchanged.

Other Matters:

A condition requiring boundary details to be approved in order for replacement planting to be undertaken to ensure the hedging that was removed is re-instated.

Planning Balance:

The proposed replacement building serves an established rural business, does not result in harm to the landscape and offers a modestly larger footprint than the building it replaces. The design of the building and conditions recommended result in a better acoustic environment in respect of noise transmission from the building. Therefore, the proposal is considered acceptable and is recommended for approval subject to conditions.

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

SP5 – Spatial Strategy

SP10 – Supporting the Growth of the Economy

SP11 – Rural Regeneration

SP17 – Landscape Character

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

BE13 – Landscaping and Boundary Treatment

ED16 – Development for Employment in the Countryside

ED17 – Farm Diversification

ED21 – Rural Diversification

PS2 – Sustainable Urban Drainage Systems

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)

SPT2 Sustainable linked neighbourhoods and sustainable rural communities

TTV31 Development in the Countryside

DEV1 Protecting amenity and the environment

DEV2 Air, water, soil, noise and land

DEV15 Supporting the rural economy

DEV24 Landscape character

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 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 permitted shall be carried out in accordance with the approved plans and documents to be listed on the decision notice.

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. Prior to the completion or first use of the development hereby approved, whichever is soonest, full details of the acoustic roof lights and internal acoustic cladding shall be submitted to and approved in writing, the approved details shall be installed prior to the use of the building commencing and maintained permanently thereafter.

Reason: To safeguard the residential amenities of adjoining residential properties

4. The building hereby permitted shall be used only for equestrian and canine use.

Reason: In the interest of protecting the amenities of the site and locality.

5. Prior to the completion or first use of the development hereby approved, whichever is soonest, the doors shown on plan 130129-P3 B shall be installed in accordance with the plan details and maintained permanently thereafter.

Reason: To safeguard the residential amenities of adjoining residential properties

6. The premises shall not be used outside the hours of 7am to 10.30pm.

Reason: To safeguard the residential amenities of adjoining residential properties.

7. Prior to the completion or first use of the development hereby approved, whichever is soonest, full details of a Landscape Plan shall have been first submitted to and approved in writing by Local Planning Authority. The Plan shall include:

- (a) the location, number, species, density, form and size of all proposed tree and hedge planting and approved means of enclosure;
- (b) the method of planting, establishment, protection, management and maintenance of all retained and new tree, hedge and shrub planting for a minimum period of 25 years;
- (c) boundary treatments

All elements of the approved Landscape Plan, including the approved timetable, shall thereafter be implemented and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of public amenity and local landscape character.