

# PLANNING APPLICATION REPORT

**Case Officer:** Alex Sebbinger

**Parish:** South Pool **Ward:** Saltstone

**Application No:** 48/2450/15/F

**Agent/Applicant:**

Type Studio Ltd  
Redhill Barn  
Blackawton  
Totnes  
Devon  
TQ9 7DA

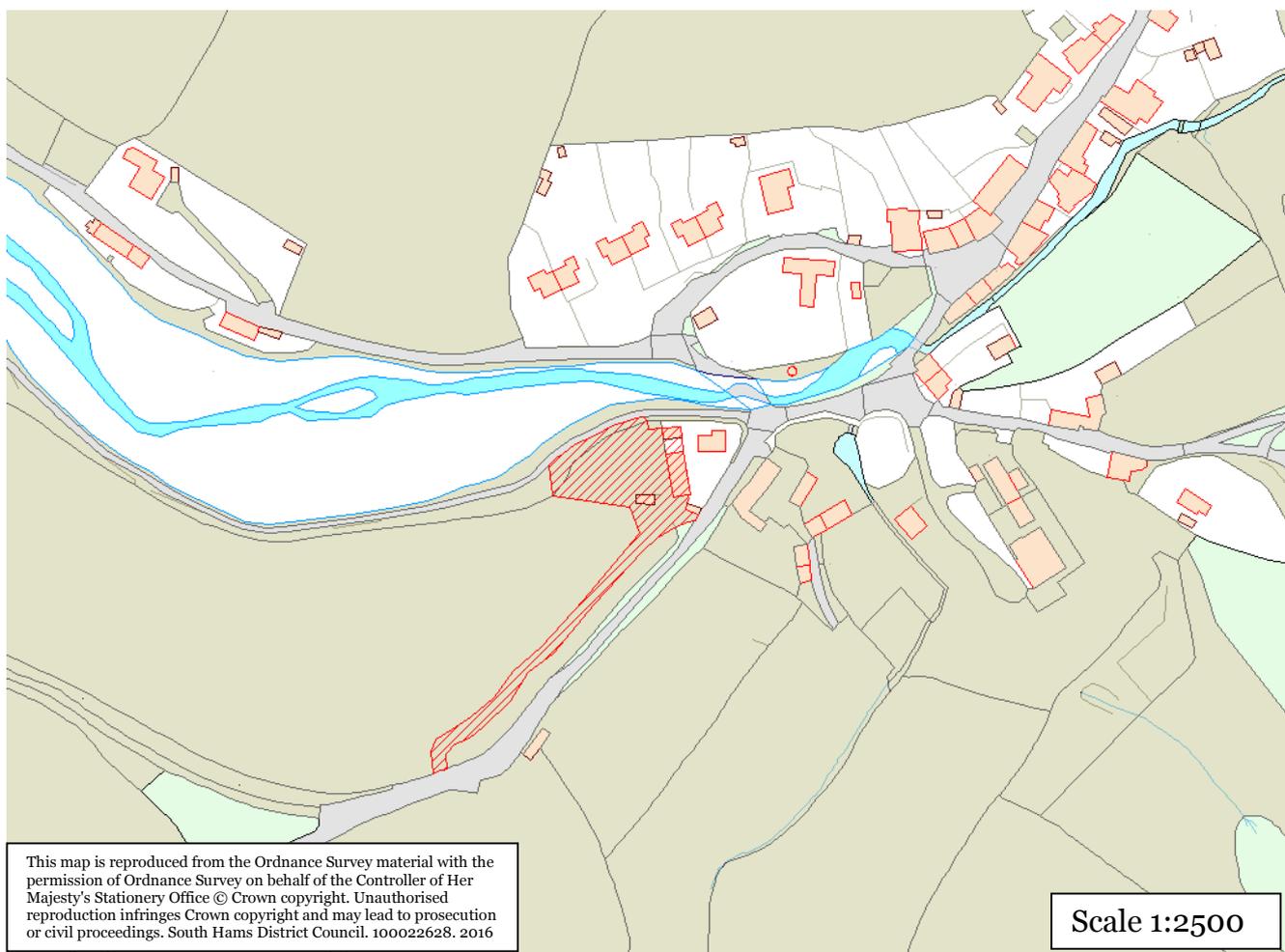
**Applicant:**

Mr & Mrs G Leith  
Dunstone Farm  
Chillington  
Kingsbridge  
Devon  
TQ7 2LW

**Site Address:** Proposed Development Site At SX 773 400, Prowse Barn, South Pool, Kingsbridge

**Development:** Alterations, conversion and change of use of traditional stone barn to a two bedroom dwelling with detached home office

**Reason item is being put before Committee** *This application is before Committee at the request of Cllr. J. Brazil, mindful of the representations received.*



**Recommendation:**  
Conditional Consent

**Conditions:**

Time limit for commencement  
In accordance with plans  
Details of materials  
Submission of landscape scheme  
Implementation of tree protection in accordance with Arboricultural Impact Assessment.  
Submission of Arboricultural Method Statement for Track  
Permitted development restrictions  
Sewage treatment plan to be sited at least 30m from the Salcombe to Kingsbridge Estuary SSSI.  
Unsuspected Contamination  
Notwithstanding submitted plans, details of three bat and six bird boxes to be submitted  
Works to be timed outside of bird nesting season, unless the site has been checked and young birds have fledged.

**Key issues for consideration:**

The main issues with this application are the acceptability of the principle of converting this rural building into a dwelling, the design and appearance of the conversion, any impacts upon the AONB, the character and appearance of the Conservation Area, any impact on neighbouring properties and highway issues.

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**Site Description:**

The application site comprises a detached stone barn located on the set to the west of Albert Cottage, which is on the western side of the lane heading southwards out of South Pool. The site is located in a countryside location, outside of any development boundary and is within the AONB. The site lies close to the Creek, which is to the north of the site and also lies within the South Pool Extended Conservation Area.

**The Proposal:**

This application is for the conversion of an agricultural barn into a residential dwelling, with an ancillary detached home office.

**Consultations:**

- Natural England – No objections subject to conditions.
- Drainage – No objections.
- Environment Agency – No objections. Although the northernmost barn is in Flood Zone 3, the building is well elevated above the watercourse and would not be at risk of flooding.
- Landscape Specialist – No objections subject to landscaping condition.
- AONB Unit – Site falls below threshold for the AONB Office to be involved.
- Ecologist – No evidence of bats but some evidence of nesting birds. No objections subject to ecology conditions.

- Environmental Health – Recommend Unsuspected Contamination condition.
- Parish Council – Objection: 1) The curtilage is not defined. 2) These are not redundant agricultural buildings and have been used this year. 3) Visual impact of access road and car park will be detrimental to the whole of the village, the AONB and the conservation area. 4) Footpath was adopted in 2004; concern for walkers with vehicles using the car park and turning area. 5) Prowses Field is a Green Space of Importance contained in South Pool Area Conservation Area Appraisal Document. Whole application goes against the South Pool Conservation Area Management Plan Item 4 and Item 9. The application is within an AONB, SSSI, undeveloped coast area.

### **Representations:**

Around 15 letters of objection and 17 letters of support received making the following broad points, presented in no particular order:

#### Objections:

- Overlooking of Albert Cottage and loss of privacy.
- Overshadowing of Albert Cottage.
- Impact on AONB.
- Impact on Conservation Area
- Design not in keeping
- Refusal of previous proposals to convert into a dwelling
- Land stability issues
- Increased light pollution
- Impact on ecology
- Contrary to planning policies
- Does not accord with Conservation Area Management Plan
- Impact on views from the Creek
- Impact on landscape through new drive.
- Barns are not redundant
- Contrary to SHDC's Barn Guide.
- Introduction of domestic paraphernalia into the countryside.

#### Support:

- There is a housing shortage
- Sympathetic restoration of derelict building
- Will not have any impact on South Pool
- Access much safer than current one.
- Will fit comfortably into the landscape
- Do not meet modern farming requirements
- Skilful design minimises visibility.

### **Relevant Planning History**

48/0586/79/1 – Conversion of barn to dwelling.  
Refused planning permission on 17/07/1979.

48/0600/84/3 – Conversion of barn to dwelling.  
Refused planning permission on 15/05/1984.

48/0964/14/PREMIN – Pre-application enquiry for proposed subdivision of agricultural land and change of use from agricultural building to residential including access, landscaping, utilities and alterations to footpath.

Partial support offered on 09/06/2014.

48/1587/14/PREMIN – Pre-application enquiry for conversion of agricultural barn to dwelling with home office for business use, associated access and landscaping.

Partial support offered on 21/04/2015.

## **ANALYSIS**

### Principle of Development/Sustainability:

The application site lies within a countryside location, and Policy DP16 states that proposals for the conversion or reuse of a building within the countryside will be permitted where it gives priority to economic uses, is complementary to and does not prejudice any viable agricultural operations on a farm or existing viable uses, the form of the building is in keeping, the building is structurally sound and does not need extension or rebuilding and does not harm the fabric of any traditional building. The Policy also states that for residential use the building must be traditional of architectural or historic merit.

The existing building is of permanent and substantial construction, and the proposals for the main barn do not require any substantive alteration or extensions other than the insertion of conservation rooflights and reinstating some window openings. Other than the reinstatement of a historic “lean to”, no other additional built form is proposed on the site (with the exception of the provision of a courtyard between the existing building and an outbuilding.

Two outbuildings are to be converted (one to the north of the main barn and another to the west) into ancillary accommodation and a home office. A condition will ensure that these buildings are used for purposes ancillary to that of the main dwelling and not sub-divided or occupied separately.

It is acknowledged that (aside from the home office) no economic-based use is proposed, however it is considered that in light of the recent changes in legislation to permit the change of use of rural outbuildings into dwellings as permitted development, that the policy requirement for a sequential test is outdated when considered in light of Paragraphs 14 and 55 of the NPPF.

Overall, it is now considered that the development is acceptable in principle, and subject to other development control criteria no issues are considered to arise.

### Design/Landscape:

The external appearance of the buildings will remain largely unaltered except for the insertion of conservation style roof lights and window openings. The outbuildings and existing lean to are to be converted in a similar manner and no additional footprint is to be constructed. Although concern has been raised regarding the impact upon the Conservation Area, the modifications to the building itself are not considered excessive and will not result in the creation of additional built form within this location. A condition can ensure that materials match the existing building. The conversion is considered to be proposed in a manner that is sympathetic to the character of the existing barn, and in design terms is acceptable and will not harm the character and appearance of the Conservation Area.

Although concern has been raised regarding the proposed access track, this will run parallel with the existing hedge screening on the eastern boundary of the site. Landscape Specialists state that this minimises the overall impact and the solution of a single track with grass down the centre would limit the overall impact.

In terms of the conversion itself, Landscape Specialists are of the view that this will have limited impact given the location close to the settlement of South Pool. They are content with the boundary treatments and proposed planting of an orchard.

The site is within a highly sensitive landscape, being designated AONB and a public footpath crosses the site. Landscape Specialists advise that visual receptors at this point are high sensitivity however the wider impact is limited given the surrounding topography and intervening vegetation. Overall, the design and conversion respond to the location and the wider impacts are considered as being moderate/slight and is therefore acceptable. No objections to the proposal in wider landscape terms subject to the submission of a detailed landscaping scheme and adherence to the arboricultural impact assessment.

#### Neighbour Amenity:

The nearest and only property likely to be affected by the development is Albert Cottage, which is to the north-east of the site. As no window openings are proposed to the building facing that property, and no extensions are proposed it is not considered that any undue impacts would occur on that property. Whilst the use of the site as a residence may increase noise in relation to the existing use, the surrounding area is residential and levels of noise would be a matter that would be very difficult to defend in the event of an appeal. Other surrounding properties opposite are considered far enough away to ensure that any impacts arising from the development are not excessive.

#### Highways/Access:

In terms of highway safety, the lane leading to the site is private, and will serve only the converted barn and the ancillary buildings. The new access will have satisfactory visibility and the existing entrance will be retained to allow the public footpath route to continue uninterrupted. Given the established previous agricultural use of this building it is not considered that residential use would give rise to any situations that would be unacceptable in terms of highway safety.

#### Flooding/Drainage:

The site lies adjacent to Flood Zone 3, however the Environment Agency raise no objections stating the fact that due to the height of the site there are very limited opportunities for the site to become flooded.

#### Conclusion:

The application is considered to be acceptable and is recommended for APPROVAL.

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

#### **Planning Policy**

##### ***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  
DP2 Landscape Character  
DP3 Residential Amenity  
DP4 Sustainable Construction  
DP5 Conservation and Wildlife  
DP6 Historic Environment  
DP7 Transport, Access & Parking

DP15 Development in the Countryside  
DP16 Conversion and Reuse of Existing Buildings in the Countryside

***South Hams Local Plan***

SHDC 1 Development Boundaries

**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.