

PLANNING APPLICATION REPORT

Case Officer: David Jeffery

Parish: Exbourne **Ward:** Exbourne

Application No: 2927/21/FUL

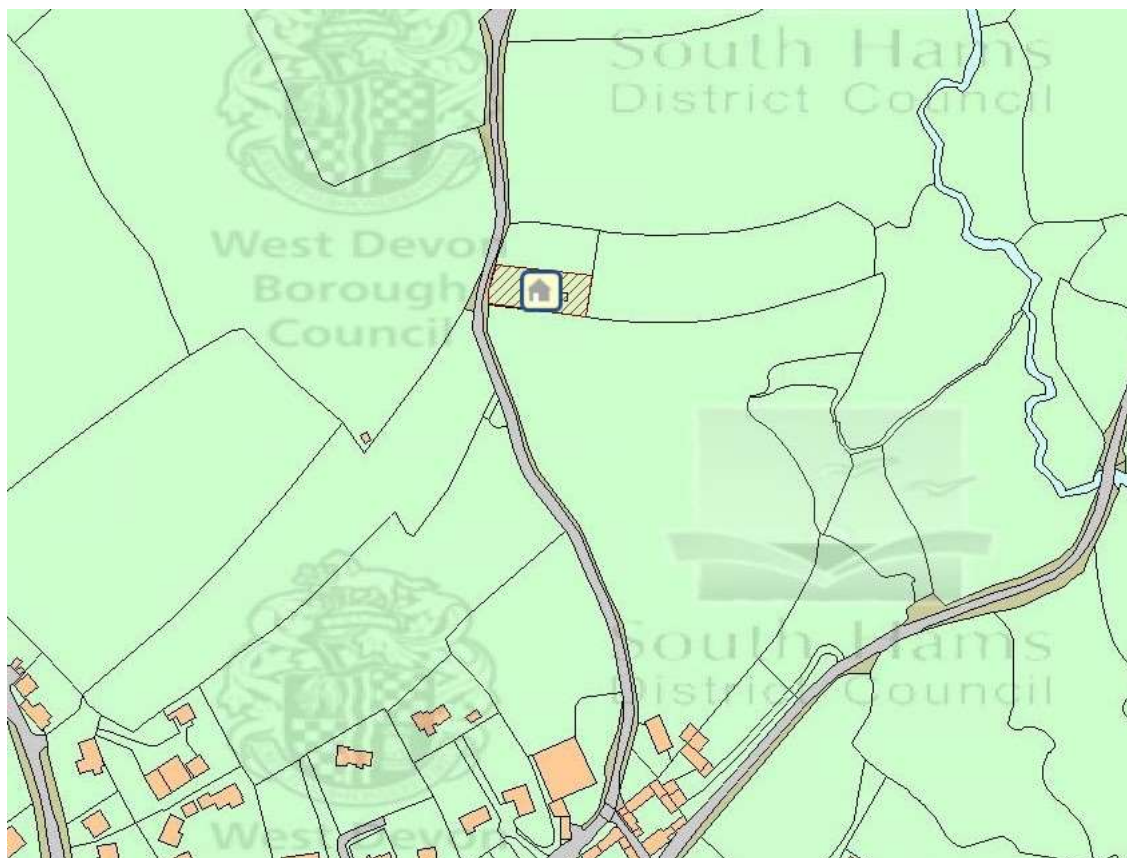
Agent/Applicant:

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Applicant:

Mr & Mrs I & S Haithwaite
C/O Agent

Site Address: Land Adjacent To Hayfield Road, Road From Townsend Farm To Waterhouse Farm Lane, Exbourne, Devon



Development: Change of use of land and conversion of building to provide holiday accommodation.

Reason item is being put before Committee

Cllr Ratcliffe has called the application before committee for the following reason: *“The case is finely balanced because of its proximity to Exbourne and needs further consideration”.*

Recommendation: REFUSE PERMISSION

Reason

The site is poorly related to nearby settlements and is not served by a satisfactory and safe pedestrian connection that will discourage use of private vehicles. As such the location of the proposed holiday accommodation would rely heavily on car use and represents an unjustified and unsustainable intrusion into this Countryside location which would set an undesirable precedent. The proposed use, catering for equine holidays, is also likely to give rise to further pressure for development on the site. As such, the proposal fails to meet policy objectives and policies SPT1, SPT2, TTV1, TTV25, TTV26 and DEV15.

Key issues for consideration

- Principle of Development/Sustainability
 - Design/Landscape
 - Neighbour Amenity
 - Highways/Access
 - Trees/Ecology
 - Other issues
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Site Description

The application site comprises an agricultural field approximately 0.25 miles (400m) north of the village of Exbourne. The field is well enclosed by mature hedgerows and includes a small field shelter/stables in its south west corner (approved 2002), which is now proposed as part of the current application for use as a holiday let. The application site relates to a section of the field in the south west corner which encompasses the existing agricultural building.

The site is not within any landscape protection designation but is located within landscape character type 3A Upper farmed and wooded valley slopes.

The Proposal

Change of use of land and conversion of an existing agricultural building/stables into a holiday lodge.

Consultations

- County Highways Authority – No highways implications
- Exbourne and Jacobstowe Parish Council - Support

Representations

Two letters providing comments have been received, which are classed as 'undecided'. These letters make the following comments:

- Ongoing management of the shed and the land will be necessary to ensure the place does not become a neglected.
- Good that this proposal does not displace village accommodation that could be a permanent dwelling.
- A subsequent owner of the field may want to erect a building, leading to more urbanisation.
- This development should remain as a holiday let and not as a stepping stone to gain permission for a permanent dwelling in the future.

- Access to the site is along Hayfield Road from The Square (passing the Village Hall which has a 3.3m overhang) or through the narrow lane between Stone Farm and Townsend Farm. Large horse trailers could cause damage to the Village Hall, properties in Hayfield Road (which includes two listed buildings) Townsend Farm house and Stone Farm buildings.

Relevant Planning History

3345/2002/OKE - Haybarn/Field Shelter - Conditional Approval - 09/09/2002

ANALYSIS

Principle of Development/Sustainability

The principle of establishing a holiday let in this location will need to be considered against Joint Local Plan policies to determine whether it can be considered a sustainable development. Although there are no specific tourism policies in the Joint Local Plan, Policy SPT1 sets out how development and change will be managed in accordance with the principles of delivering a sustainable economy, a sustainable society and a sustainable environment. Policy SPT2 provides more guidance on achieving sustainable rural communities, indicating that these should be well served by public transport, walking and cycling opportunities; should have a safe and accessible local environment; and should have an appropriate level of services and facilities to meet local needs.

These matters are further elaborated upon by Policies TTV1 and TTV2, which set out the development strategy for the Thriving Towns and Villages and which aim to prioritise growth through a hierarchy of sustainable settlements and deliver sustainable development. Policy TTV1 of the JLP sets out the Council's development strategy across the Thriving Towns and Villages Policy Area.

For the purposes of Policy TTV1, the site is located in the Countryside where development will be permitted only if it can be demonstrated to support the principles of sustainable development and sustainable communities (Policies SPT1 and 2) including as provided for in Policy TTV26.

Policy TTV26 of the adopted Joint Local Plan sets a set of criteria for allowing development in the countryside, and states that it will only be permitted in exceptional circumstances. Given the application site would not constitute 'isolated development', sub-paragraph TTV26 (2) is engaged. This states, *Development proposals should, where appropriate:*

- i. Protect and improve public rights of way and bridleways.*
- ii. Re-use traditional buildings that are structurally sound enough for renovation without significant enhancement or alteration.*
- iii. Be complementary to and not prejudice any viable agricultural operations on a farm and other existing viable uses.*
- iv. Respond to a proven agricultural, forestry and other occupational need that requires a countryside location.*
- v. Avoid the use of Best and Most Versatile Agricultural Land.*
- vi. Help enhance the immediate setting of the site and include a management plan and exit strategy that demonstrates how long term degradation of the landscape and natural environment will be avoided.*

As the proposals do not respond to an occupational need that requires a countryside location TTV26.2 (iv), Officers consider that the proposals are contrary to Policy TTV26. The small timber stable proposed for conversion is not considered to represent a 'traditional building' with heritage value which would gain support for conversion under TTV26.2 (ii).

It is acknowledged that the site is around 0.25 of a mile (400m) from Exbourne, which is named as a 'Sustainable Village' where development to meet locally identified needs and to sustain limited services and amenities will be supported. Although, the JLP reinforces that development outside of the 'built up area' of such settlements (para 5.5) should be considered under TTV26, it could be argued that proposals for visitor accommodation close to a Sustainable Village would find some support from Policy DEV15 'Supporting the Rural Economy'.

Policy DEV15 states that '*support will be given to proposals in suitable locations which seek to improve the balance of jobs within the rural areas and diversify the rural economy*' and that (7) '*Camping, caravan, chalet or similar facilities that respond to an identified local need will be supported, provided the proposal is compatible with the rural road network, has no adverse environmental impact and is not located within the Undeveloped Coast policy area*'. DEV15 also requires that proposals such as this are supported by evidence of the need for the type of accommodation and also a Sustainable Travel Plan which demonstrates how the impacts of additional traffic movements in a rural location have been understood, with an appropriate strategy to both minimise associated movements, and mitigate for its carbon impact.

Although the submitted Sustainable Travel plan details positive measures to mitigate private vehicle use, Officers consider that the key requirement of Policy DEV15, that development is in a 'suitable location', has not been satisfied. Although the site's proximity to a Sustainable Village is acknowledged, its degree of detachment from Exbourne means that the site must be characterised as being in a Countryside location. Furthermore, the lane which connects the site and Exbourne, which is narrow with no footway or lighting, is likely to discourage its use by pedestrians and contribute to an overreliance on private vehicles.

In terms of whether the proposals respond to an '*identified local need*' (DEV15 para 7), the submitted business plan details a justification for the type of proposed accommodation including an overview of other locally available accommodation options. The primary justification for the accommodation appears to be to cater for visitors who wish to bring their horses on holiday. Officers consider that this justification is inadequate given that approving this application would result in the loss of a stable block and that no replacement provision is proposed to cater for the horses that visitors are proposed to bring. The proposals therefore fail to comply with paragraph 7 of DEV15, which specifically relates to new chalet type accommodation. Any benefits arising from the accommodation in terms of jobs and the local economy are not considered to significant enough to overcome the unsuitability of this Countryside location.

As no adequate justification has been provided for a self-contained holiday let in this unsustainable Countryside location, the proposals are considered to be contrary to Policies SPT1, SPT2 and TTV1, DEV15, TTV25, TTV26. As a result the development cannot be supported in principle.

Design/Landscape

Policy DEV20 'Place shaping and the quality of the built environment' states that development proposals will be required to meet good standards of design, contributing

positively to both townscape and landscape, and protect and improve the quality of the built environment. JLP Policy DEV23 'Landscape Character' states that '*development will conserve and enhance landscape, townscape and seascape character and scenic and visual quality, avoiding significant and adverse landscape or visual impacts*'.

The existing building proposed for conversion is a single storey stable building with dual pitch roof set on a concrete slab. It is proposed that the converted building will provide a double bedroom, separate shower room and a kitchen diner. The proposed standard of accommodation is also considered to be acceptable and in accordance with JLP Policy DEV8. As the proposals involve the conversion of an existing building, there is not considered to be any significant visual impacts associated with the application. The proposed materials include timber cladding and purpose made timber window and door frames. These materials are considered to be acceptable.

There seem to be few publicly accessible locations that would afford potential views of the site. The greatest potential visibility is from the public highway as it passes the site but along much of its length it is contained within Devon banks and hedgerows that are tight to carriageway. It is acknowledged that the use of the land as a holiday let, its amenity space and its enclosure with new hedgerows may result in a change in character of the land. However, the screening provided by the proposed native hedgerow planting will mitigate any residual visual whilst also benefiting biodiversity. Little physical change is proposed to the existing and as such the visual impacts of the proposals are considered to be acceptable and in accordance with JLP Policies DEV20 and DEV23 of the JLP.

Highways/Access

The development makes use of an existing highways access. Devon County Highways have been consulted and raise no objections. The proposals are considered to be in accordance with JLP Policy DEV29.

Neighbour Amenity

No neighbours or other sensitive uses in close proximity to the site. As such, the proposal would not lead to any materially harmful impact on residential amenity by way of loss of light, loss of outlook, loss of privacy or overbearing impact. It would therefore accord with JLP Policies DEV1 and DEV2 and the requirements of the NPPF.

Drainage

Although no increase in impermeable area is proposed as part of the application, surface water drainage is proposed via a soakaway. Foul drainage is proposed to be dealt with on site using a package treatment plant. The Council's drainage specialist has been consulted and raises no objections.

Conclusion

The proposed development represents the introduction of a self-contained residential unit in a countryside location without adequate justification. The site is neither well related to the nearby settlement of Exbourne nor served by a satisfactory pedestrian connection that will discourage use of private vehicles. In conclusion, the proposals are not supported by relevant JLP Policies and would result an unsustainable form of development contrary to planning policy.

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

Planning Policy

Relevant policy framework

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. For the purposes of decision making, as of March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts of South Hams and West Devon within Dartmoor National Park).

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG)* of their choice to monitor the Housing Requirement at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019 confirming the change. On 13th January 2021 MHCLG published the HDT 2020 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 144% and the consequences are "None".

Therefore a 5% buffer is applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 5.8 years at end March 2021 (the 2021 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2021 (published 12th November 2021).

[*now known as Department for Levelling Up, Housing and Communities]

The relevant development plan policies are set out below:

The Plymouth & South West Devon Joint Local Plan was adopted by South Hams District Council on March 21st 2019 and West Devon Borough Council on March 26th 2019.

SPT1 Delivering sustainable development

SPT2 Sustainable linked neighbourhoods and sustainable rural communities

TTV1 Prioritising growth through a hierarchy of sustainable settlements

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

TTV25 Development in the Sustainable Villages

TTV26 Development in the Countryside

DEV1 Protecting health and amenity

DEV2 Air, water, soil, noise, land and light

DEV10 Delivering high quality housing

DEV15 Supporting the rural economy

DEV20 Place shaping and the quality of the built environment

DEV21 Development affecting the historic environment

DEV23 Landscape character

DEV26 Protecting and enhancing biodiversity and geological conservation

DEV28 Trees, woodlands and hedgerows

DEV29 Specific provisions relating to transport
DEV31 Waste management
DEV32 Delivering low carbon development

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG).

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.