

# PLANNING APPLICATION REPORT

**Case Officer:** Lucy Hall  
Gifford

**Parish:** Churchstow **Ward:** Loddiswell and Aveton

**Application No:** 1383/19/FUL

**Agent/Applicant:**

BBH Chartered Architects Ltd  
BBH Chartered Architects Ltd  
Creek House  
1 Island Street, Salcombe  
TQ8 8DP

**Applicant:**

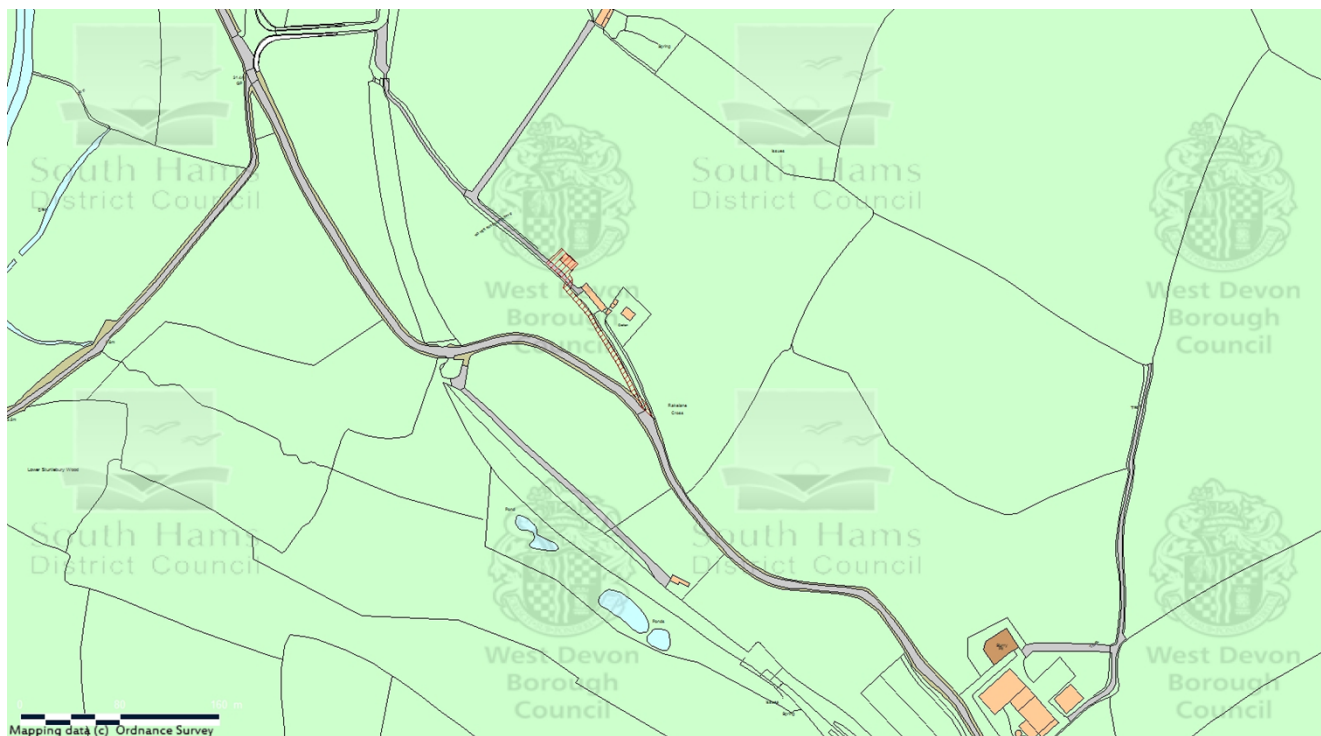
Mrs E Perraton  
C/O Agent

**Site Address:** Redundant Barn, Gratton Farm, Loddiswell, Devon, TQ7 4DA

**Development:** Associated operational development to allow for change of use of building to flexible use (C1), following 0565/18/PAU

**Reason item is being put before Committee**

Small development which will benefit the local community by offering employment  
Development is sympathetic to the local environment  
Development will be screened by existing trees  
Building will deteriorate if not developed



## **Recommendation: refusal**

### **Reasons for refusal**

The conversion by reason of the introduction of glazed openings and additional built features including the terrace would depart from the agricultural character of the site causing harm the intrinsic rural quality of the landscape area and its surroundings, and thereby the character of the South Devon Area of Outstanding Natural Beauty contrary to policies SPT12, TTV26, DEV2, DEV20, DEV23, DEV25 of the Plymouth and South West Joint Local Plan (2014-2034), National Planning Policy Framework, including but not limited to paragraph 172 and the advice contained within the South Devon AONB Management Plan.

---

### **Site Description:**

The site is located off a private track to the north of Rakelane Cross, situated around 570m to the north west of Sorley and 440m south east of Aune Valley Meat. The site relates to an existing a pole barn, which is open on all sides, comprising of 8 upright poles and a steel roof. The site is located at the end of an existing drive, near to a neighbouring barn undergoing conversion into residential dwellings.

The site is located within the countryside and South Devon AONB.

### **The Proposal:**

The application seeks planning permission for operational development to allow for the change of use of the building to a hotel/guesthouse (use class C1) as consented under permitted development (0565/18/PAU).

The proposal involves cladding the whole building in dark standing seam metal sheeting and introducing a series of openings. The proposal also includes engineering works to the front of the building to provide a raised terrace, steps and ramp which would provide the main entrance to the building.

Accommodation would be provided over two levels with an open plan lounge/dining/bar area, kitchen/store, office/staff room and main lobby at ground floor. The open plan lounge would open onto a raised terrace which would be constructed off the south west elevation. Four bedrooms, all with en-suites are proposed at first floor.

A parking area for four vehicles would be provided to the front (south west) and side (north-west) of the building.

### **Consultations:**

- County Highways Authority                      no comments, refer to standing advice
- Environmental Health Section                      no comments received
- Parish Council                                      no comments received within statutory consultation period
- Landscape (verbal discussion)                      objection

## **Representations:**

The Council has received one letter of support for the proposal. The comments received can be summarised as follows:-

- Proposal will benefit the local economy by creating job opportunities
- Proposal is well designed and complimentary to the surrounding landscape/AONB
- Proposal will make good use of a tired and derelict agricultural building
- Proposal accords with local and national planning policy

## **Relevant Planning History**

0271/19/FUL, Associated operational development to allow for change of use of building to flexible uses following 0600/19/PAU, Redundant Barn, Gratton Farm – conditional approval

0600/19/PAU, Notification for prior approval for proposed change of use of agricultural building to flexible use (Class B1 and B8) (Class R), Redundant Barn, Gratton Farm – prior approval not required

0565/18/PAU, Application for prior approval for proposed change of use of agricultural building to flexible use (Class R) (resubmission of 4379/17/PAU), Redundant Barn, Gratton Farm – prior approval not required

4379/17/PAU, Application for proposed change of use of redundant agricultural barn to flexible use (class R), Redundant Barn, Gratton Barn – refusal

3604/17/FUL, Conversion of redundant agricultural barn to dwelling, Redundant Barn, Gratton Farm – refusal

## **ANALYSIS**

Principle of Development/Sustainability:

This proposal is to undertake the operational development required to support the change of use of the site to a hotel/guesthouse (use class C1) allowed under prior notification decision 0565/18/PAU. The principle of the use is therefore already established, and material to this application is whether the proposed operational development is acceptable in particular having regard to the location of the site within the South Devon AONB.

Design/Landscape:

The site is located within the South Devon Area of Outstanding Natural Beauty. AONB's are among the areas within the NPPF afforded the highest status of protection in relation to landscape and scenic beauty and this is reinforced through JLP. Policy DEV25 and subparagraph 8 of the policy requires within the protected landscape to amongst a number of other criteria 'conserve and enhance' the natural beauty of the protected landscape with particular reference to their special qualities and distinctive characteristics or valued attributes.

Planning permission was refused in 2017 under application reference 3604/17/FUL for the conversion of the building to a dwelling. The proposal involved cladding the whole building in vertical natural larch timber cladding, designed to weather naturally allowing the building to gently assimilate itself into the landscape. A series of openings were proposed and internal accommodation was arranged over two levels. The subsequent appeal was dismissed on the grounds that the site was essentially considered to be unsustainable for the provision of a

new dwelling and because of the effect of the proposal on the character and appearance of the South Devon AONB. The latter was considered in detail in paragraphs 4 – 7.

*4. The area is a rolling landscape with wide, expansive views. The nearby settlement of Loddiswell and other larger settlements are generally hidden from views around the site and there is a scattering of farmsteads, of which Gratton is one. This gives the area an undeveloped agricultural character, dominated by the landscape.*

*5. Despite being raised on the hillside, the buildings at Gratton are not particularly visible at close range, the topography, trees and hedgerows screening most views from the road that passes the site entrance. However, there are views from the access towards the site where the barn is seen in the context of the farmhouse and a much lower concrete block barn that has permission to be converted to dwellings. The adjoining barn nestles against the hillside, whereas the appeal building, is taller and, when viewed from the site access, breaks the line of the hillside beyond. Even so, the open nature of the appeal barn gives it a lightweight and unobtrusive appearance. Whilst being somewhat dilapidated it does not detract from the character and appearance of the area being a clear part of the agricultural landscape. There is no substantive evidence that further decay, if the building were left unconverted, would significantly change this.*

*6. Whilst the proposed simple, utilitarian design and use of natural materials would retain some of the character of the existing building, it would become a considerably more solid structure that would be much more prominent in any views towards it, despite its modest size relative to some farm buildings. The architectural design and detailing is of a high standard and well-conceived, high quality materials could be secured through the use of conditions and integrated storage solutions may reduce the presence of domestic paraphernalia around the building. However, whether or not there would be significant light spillage at night, the design with expanses of glazing would be clearly residential and rather than enhancing its rural setting would be a fundamental, harmful change from the existing undeveloped, agricultural character.*

*7. The change in character would cause harm to the natural scenic beauty of the AONB which brings the proposal into conflict with Policy CS9 of the South Hams Core Strategy 2006 (CS) which seeks to ensure the conservation and enhancement of AONBs. It would also conflict with Policy DEV27 of the emerging Plymouth & South West Devon Joint Local Plan 2014-2034 (JLP) which shares these broad aims. Whilst there are limited views of the appeal site in the wider area, in accordance with paragraph 172 of the National Planning Policy Framework (the Framework), relating to the conservation and enhancement of AONBs, I must give this harm great weight in my decision.*

Planning permission has subsequently been allowed on the site for operational development in association with the use of the building for use classes B1/B8 (reference 0271/19/FUL). The use was allowed under permitted development and the operational development included the installation of insulated dark brown corrugated metal sheet panels on the elevations with dark-grey corrugated metal sheet panels with some translucent sheets on the roof. With regards to the impact of the proposal on the character and appearance of the AONB, the following extract is from the officer report: -

*It is considered that although the barn will be enclosed, the choice of materials will retain a modern agricultural appearance in the primarily agricultural setting. There are limited windows proposed, with two at ground floor level on the south west elevation and two (one at ground floor and one at first floor) on the south east elevation. It is considered that these*

*limited number of windows will not create significant impacts to the visual setting of the building. A large roller door and pedestrian entrance are proposed on the north-west elevation. This is considered acceptable, with the roller door being a feature that could readily be placed on an agricultural building. Although the appearance of the barn itself is changing, the design is attempting to retain the appearance of an agricultural building and will not be significantly harmful to the existing street scene, agricultural setting or the AONB in accordance with Policies TTV31, DEV2, DEV20, DEV23 and DEV25 of the Joint Local Plan.*

The proposal scheme which forms the subject of the current application by contrast would depart from the agricultural character and appearance of the barn. In the context of the extant approved scheme, the dark standing seam metal sheet cladding which would cover the external façade, is considered to be appropriate. However, the introduction of glazed openings combined with new built features including the terrace, steps and ramp area would be clearly residential features and rather than enhancing the rural setting would be a fundamental, harmful change from the existing undeveloped rural character which would neither conserve nor enhance the AONB, contrary to adopted policies. The introduction of the glazed openings and a terrace area which invites an evening dining use would negatively impact on the landscape setting of the site with the potential for light pollution. Rural tranquillity and dark skies are part of the vision (4.2) for the AONB as outlined within the Management Plan 2014-2019, and so the inevitable light spill would harm the existing dark landscape.

The proposal would also conflict with JLP Policy DEV2 which amongst a number of other criteria requires development proposals to limit the impact of light pollution on local amenity, intrinsically dark landscapes and nature conservation.

#### Neighbour Amenity:

No neighbour issues are envisaged and the separation distance between the nearest neighbour is considered to be adequate in the context that using the site for C1 has been accepted. The proposal could create an un-neighbourly relationship if the bar/dining area was open to non-paying hotel guests but this could be addressed with a planning condition that restricts the users of these areas.

#### Highways/Access:

While the response received from the Highway Authority on the proposal did not raise any comments and referred to standing advice, the case officer has subsequently discussed the proposal with the Highway Authority. In the context of the authorised B1/B8 use of the site the highway authority have not raised a highway safety objection to the proposed use of the site for C1 as a hotel/guesthouse. With regards to parking, the proposal allocates four parking spaces to the front and side of the building. Due to the site constraints and restrictive curtilage the parking spaces are positioned at an angle. On the basis that the Authority does not have any guidance on parking requirements for the proposed use the Highway Authority have advised that it would be unreasonable to refuse the application for a shortfall in parking provision.

#### Other Matters:

The site is not located within any specific ecological protection zones and the application was accompanied by a bat and bird nesting survey. The submitted survey advised very low possible for bats or birds to be found nesting within the existing building due to the exposed nature of its design. It was noted that there are potential nesting sites in any surrounding bramble patches. The report includes a number of recommendations and a condition could be applied to ensure they are adhered to.

The site is not within Flood Zone 2 and 3 and is not within a Critical Drainage area and is thus considered low risk. It is proposed to dispose of surface water via a sustainable drainage system and foul via package treatment plant. While the principle of this is acceptable the final design would need to be agreed via condition.

Recommendation – refusal

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

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

Following adoption of the Plymouth & South West Devon Joint Local Plan by all three of the component authorities, monitoring will be undertaken at a whole plan level. At the whole plan level, the combined authorities have a Housing Delivery Test percentage of 166%. This requires a 5% buffer to be 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 6.5 years at the point of adoption.

Adopted policy names and numbers may have changed since the publication of the Main Modifications version of the JLP.

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
- SPT3 Provision for new homes
- SPT4 Provision for employment floorspace
- SPT5 Provision for retail development
- SPT6 Spatial provision of retail and main town centre uses
- SPT7 Working with neighbouring areas
- SPT8 Strategic connectivity
- SPT9 Strategic principles for transport planning and strategy
- SPT10 Balanced transport strategy for growth and healthy and sustainable communities
- SPT11 Strategic approach to the Historic environment
- SPT12 Strategic approach to the natural environment
- SPT13 Strategic infrastructure measures to deliver the spatial strategy
- SPT14 European Protected Sites – mitigation of recreational impacts from development

PLY61 Strategic infrastructure measures.

TTV1 Prioritising growth through a hierarchy of sustainable settlements

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

TTV26 Development in the Countryside

DEV1 Protecting health and amenity

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

DEV15 Supporting the rural economy

DEV20 Place shaping and the quality of the built environment

DEV23 Landscape character

DEV25 Nationally protected landscapes

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to paragraphs 172 and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application: South Devon AONB Management Plan.

### **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.