

PLANNING APPLICATION REPORT

Case Officer: Adam Williams

Parish: Totnes **Ward:** Totnes

Application No: 3818/19/FUL

Agent/Applicant:

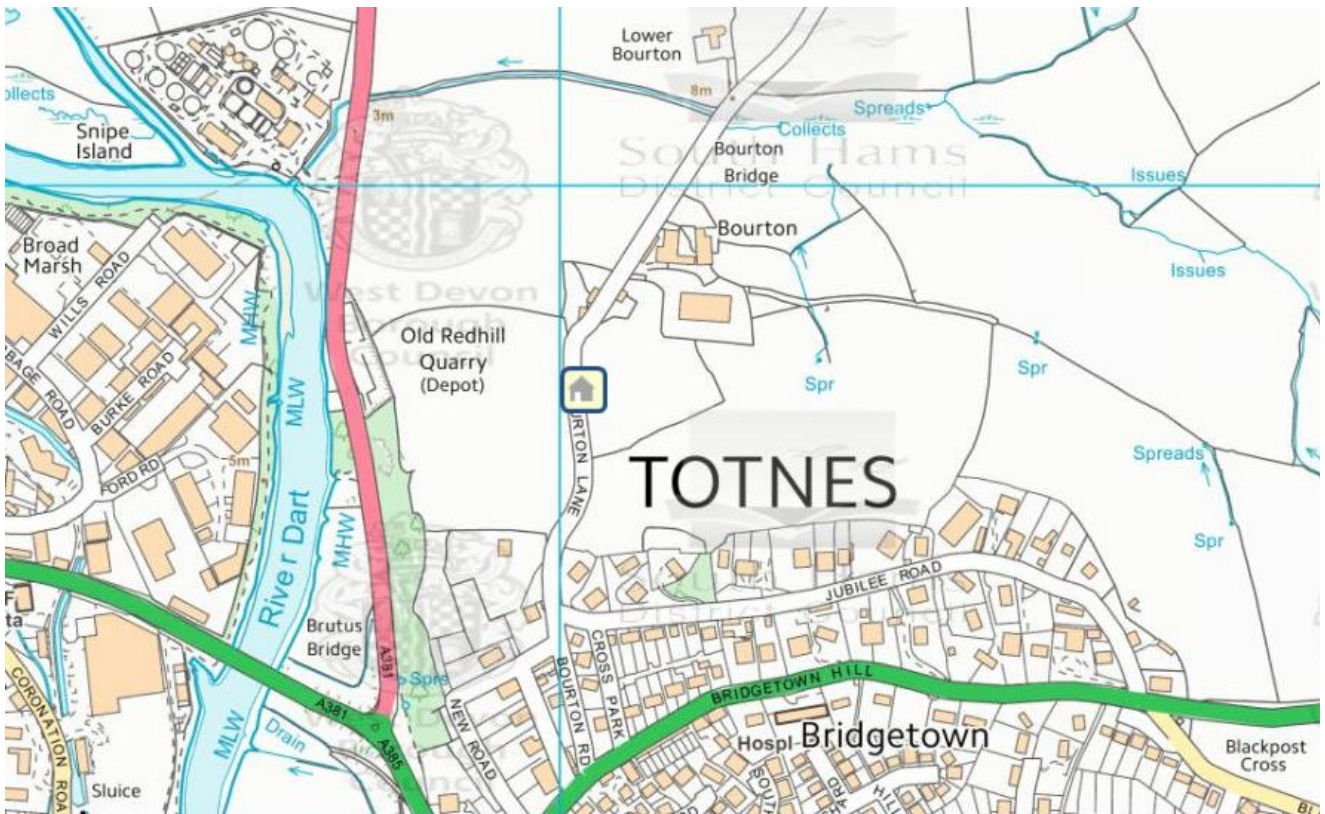
Mr Mark Evans - Mark Evans Planning Limited
Cedar House
Membland
Newton Ferrers, Plymouth
PL8 1HP

Applicant:

The Trustees of Lord Seymours 1971
The Estate Office
Shadrack
Totnes
TQ9 6LR

Site Address: Bourton Linhay, Bourton Lane, Totnes, TQ9 6LA

Development: Conversion of redundant agricultural barn to dwelling plus extension



Reason item is being put before Committee Cllr Sweett

The proposal development will detrimentally alter the visual environment and also visually impact the John Musgrave trail.

Recommendation: Conditional Approval

Conditions

1. Time limit for commencement

2. Accord with plans
3. Surface water
4. Foul drainage
5. Unexpected contamination
6. Joinery
7. Materials
8. Stone work
9. Boundary planting
10. Accord with ecology report

Key issues for consideration:

Principle of residential development; impacts upon the character of the site and surrounding area; residential amenity; highways

Site Description:

Bourton Linhay is a stone built barn adjacent Bourton Lane and is approximately half a mile from Totnes town centre. The barn occupies a large area of agricultural land and is located adjacent to the entrance gate alongside Bourton Road. The existing barn is constructed from stone with blocked up openings. The roof is a 'lean-to' corrugated sheet roof with open roof lights. The surrounding landscape is characterised by open field and mature hedging with residential dwellings on the approach to the site.

The Proposal:

The proposal amounts to a partial conversion and new build of the existing stone barn. The roof is to be replaced with a similar corrugated style roof. A single storey extension is proposed to the north side of the existing barn

Consultations:

- County Highways Authority – standing advice
- Town/Parish Council - Support, but the Planning Committee would prefer to see natural slate used as a roofing material, as it is more in keeping with neighbouring properties.

Representations:

8 letters of objection were received raising the following materials planning issues

- Building has been used to shelter lambs, planning should include leanto for lambs
- doesn't support essential needs or agriculture or forestry interests
- It doesn't meet the essential and exceptional local development needs of a settlement which cannot be met within development boundaries
- It is not redundant as it provides shelter for lambs and sheep in stormy weather
- The application does not conserve or enhance the character of the landscape
- It doesn't demonstrate in detail what's been done to address the sequential approach and secure economic reuse

- Its not well related to an existing farmstead or group of buildings . It is on land of a tenant farmer but the proposal is for a separate residential building which has no links to the farm
- creates unneeded traffic to rural setting

some other letters were received from those have already commented correcting the policies they were referring to i.e swapping LDF policies with Joint Local Plan policies

Relevant Planning History

2064/18/FUL

Conversion of existing redundant agricultural barn to new dwelling Withdrawn
Bourton Linhay Bourton Lane Totnes Devon TQ9 6LA 22 June 2018

ANALYSIS

Principle of Development/Sustainability:

For the purposes of Joint Local Plan Policies, the site is outside a settlement boundary but within a hamlet of dwellings supported by no services. The Joint Local Plan seeks to steer development to sustainable settlements. SPT2 states

The LPAs will apply the following principles of sustainable linked neighbourhoods and sustainable rural communities to guide how development and growth takes place in the Plan Area. Development should support the overall spatial strategy through the creation of neighbourhoods and communities which:

- 1. Have reasonable access to a vibrant mixed use centre, which meets daily community needs for local services such as neighbourhood shops, health and wellbeing services and community facilities, and includes where appropriate dual uses of facilities in community hubs.*
- 2. Provide for higher density living appropriate to the local area in the areas that are best connected to sustainable transport, services and amenities, as well as appropriate opportunities for home working, reducing the need to travel.*
- 3. Have high levels of digital connectivity, supporting local communities and businesses and enabling data to be open, shared and used to better understand the area.*
- 4. Have a good balance of housing types and tenures to support a range of household sizes, ages and incomes to meet identified housing needs.*
- 5. Promote resilience to future change by ensuring a well balanced demographic profile with equal access to housing and services.*
- 6. Are well served by public transport, walking and cycling opportunities.*
- 7. Have a safe, accessible, healthy and wildlife-rich local environment, with well designed public and natural spaces that are family friendly and welcoming to all.*
- 8. Have services and facilities that promote equality and inclusion and that provide for all sectors of the local population.*
- 9. Have the appropriate level of facilities to meet the identified needs of the local community, including provision of education and training opportunities, employment uses, health care, arts, culture, community facilities, open space, sport and recreation, and places of worship.*
- 10. Provide a positive sense of place and identity, including through the recognition of good quality design, unique character, the role of culture, and*

the protection and enhancement of the natural and historic environment.

11. Explore opportunities for the use of renewable energy, including community energy schemes where appropriate, and reduce the use of energy through design and energy efficiency.

12. Provide positive outcomes in relation to the characteristics, aspirations and measurable standards set out through any supplementary planning document linked to this plan.

Policy TTV1 outlines the hierarchy of sustainable settlements and policy TTV2 supports development proposals in the Thriving Towns and Villages Policy Area which reinforce the sustainable settlement hierarchy.

Outside of the sustainable settlements listed in Policy TTV1, a site is deemed as being within the countryside where Policy TTV26 applies

TTV26.1 relates to isolated development, applying the ordinary dictionary meaning of the word isolated, the site cannot be said to be isolated given the existence of other barns and farm building immediately nearby.

TTV26.2 would otherwise apply to this proposal in this location then, it 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.

Here, the proposal seek to re-use a traditional building, Here, the proposal seeks to re-use a traditional building, from officers own observation, it is believed to be structurally capable of conversion without significant enhancement or alteration, albeit one with a more modern addition, which is evaluated below.

Design/Landscape:

Rural buildings must capable of conversion and/or re-use without significant alteration or rebuilding or an increase in the use of surrounding land for ancillary purposes. In considering what is 'significant' the overall aim is to conserve and enhance the character of the landscape, whilst retaining as far as possible the rural character and appearance of the building itself and the setting within which it is located. In this instance the proposals do feature alterations in the form on an extension, however there is a visual break between the two elements in the form of a glazed link which will both preserve the character of this Non Designated Heritage Asset (consistent with Policy DEV21) and also provide legibility between the old and new.

Within the context of policy TTV26 'significant' alterations are taken in the context within the aims to 'conserve and enhance the character of the landscape' together with policy DEV23. It

is considered that the alterations complement the appearance of the existing barn and would therefore not detriment the landscape in that regard. In terms of materials, the proposals feature new stone to enclose open sections, It is proposed to replace the existing mono pitched corrugated roof with a new insulated corrugated roof to reflect its present form, maintaining the existing ridge and eaves levels at their highest point. The extension will sit lower than the barn and comprise dark corrugated cladding material which will respect its agricultural setting. In principle these materials are acceptable however a condition will be attached to seek samples and detail to ensure an appropriate finish.

There will be changes to landscape through domestication with its domestic paraphernalia and curtilage however the boundary treatments proposed in the form of new hedgebanks are befitting of the area and a condition will be used to ensure the boundary treatments are carried out in accordance with the details shown on the proposed site plan. A condition will be applied to seek landscaping details and a maintenance and management scheme.

The overall finished form will appear proportionate and be read as a fairly modest dwelling on this site and retain design features of the original vernacular style of a Devon barn and will retain the appearance of the barn from the road frontage. Travelling north of the site along Bourton Lane other examples of farm dwellings and converted barns become noticeable, these exhibit a variety of the styles and massing, the newly converted barn of Bourton Barn at Lower Bourton for instance is relatively large within the context of the surrounding landscape, its primarily finished in stone and the building has extension features, namely its round house barn design projection

Overall, the proposals will preserve the character of the surrounding area through the use of high quality materials, vernacular design features and improved landscaping. The building will be read in its landscape context among other converted buildings nearby.

Neighbour Amenity:

Due to its size, design and location in relation to neighbouring properties it is considered that the proposal would have no significant impact upon the residential amenities of the occupiers of these properties through any overbearing relationship, overshadowing or overlooking.

Highways/Access:

The proposals seek to use an existing access which has sufficient visibility. The site will include ample area to allow for park and turning to ensure vehicles can enter and exit the lane in forward gear, the proposals will not run contrary to policy DEV29.

Other Matters:

The site is just outside the boundary of South Hams SAC - Greater Horseshoe Bat, the ecology report has assessed the impact and the design includes bat tube, although the report is dated July 2017, it concluded that No bats or evidence of bats was found by the survey, and no potential roost features (prf's) for bats were identified, the barn does not appear to be suitable for roosting bats. As It had no roost features or deemed to be suitable, given the character of the building, its unlikely this would have changed.

Conclusion

Principally the proposals relate to the conversion of a traditional building in a non-isolated location and as such policy TTV26 supports such proposals, the proposals do not feature any new unsympathetic openings or alterations. The proposals feature the removal of part of a modern structure attached to the traditional barn which will better reveal its character and amounts to a benefit in this regard. Overall on balance the proposals are recommended for

approval and there are no significant impacts which would otherwise lead officers to recommend 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
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
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
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). Additionally, the following planning documents are also material considerations in the determination of the application:

Neighbourhood 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.

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 by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall in all respects accord strictly with drawing numbers

1578 / 01B – received by the Local Planning Authority on 10/01/2020

1578 / 05C – received by the Local Planning Authority on 10/01/2020

1578 / 06C – received by the Local Planning Authority on 10/01/2020

1578 / 07C – received by the Local Planning Authority on 10/01/2020

1578 / 08C – received by the Local Planning Authority on 10/01/2020

1578 / 09C – received by the Local Planning Authority on 10/01/2020

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. Notwithstanding the submitted details, Prior to the installation of any part of the surface water management scheme full details of drainage scheme for the surface water must be submitted to and approved in writing by the LPA. The drainage scheme should follow the drainage hierarchy with soakaways as the first choice. Only if soakaways are not feasible will an alternative scheme be considered. Design steps as below

- Percolation testing in accordance with DG 365 will be required to support the use of soakaways, or justify an alternative option. The report should include the trial logs and calculate the infiltration rate.
- Soakaways to be designed for a 1:100 year event plus an allowance for climate change. (Currently 40%)
- If the ground conditions are not suitable then a controlled discharge to a water course or Sewer can be considered. The surface water should be attenuated for a 1:100 year event plus 40% for climate change. The discharge must be limited to the green field run off rate. If the site is within a Critical Drainage Area then any surface water leaving the site must be limited to the 1:10 year green field runoff rate.
- If discharging to the sewer written permission from SWW will be required and produced to the Local Planning Authority.

a. If the Local Planning Authority concludes that the method of drainage approved as part of this permission is undermined by the results of the percolation tests, a mitigating drainage alternative shall be agreed with the Local Planning Authority prior to installation.

b. The drainage scheme shall be installed in strict accordance with the approved plans, maintained and retained in accordance with the agreed details for the life of the development.

Reason: To ensure surface water runoff does not increase to the detriment of the public highway or other local properties as a result of the development.

4. Notwithstanding the submitted details, Prior to the installation of any part of the foul drainage scheme details of the works for the disposal of sewage must be submitted to and approved in writing by the Local Planning Authority, and the dwelling shall not be occupied until the approved works have been completed to the satisfaction of the Local Planning Authority. Details to include written permission from SWW if connecting to public sewer or a completed FDA1 form and justification for private foul system, please note that a treatment plant should be used rather than a septic tank.

Reason: In the interests of the prevention of pollution.

5. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

6. Prior to the occupation of the development hereby approved, details of the hedgerow as shown on Site Plan 1578 / 05C and received by the Local Planning Authority on 10/01/2020 must be submitted and approved in writing by the Local Planning Authority. Details shall include;

a) the location, number, species, density, form and size of proposed hedge and shrub planting;

b) the method of planting, establishment and protection of tree, hedge and shrub planting;

c) maintenance schedules for the establishment of new planting and its ongoing management

Reason: in the interest of protected species and the enhancement of wildlife features in accordance with policy DEV26 of the Plymouth and South West Devon Joint Local Plan.

7. Prior to their installation full details of all new joinery shall have been first submitted to and approved in writing by the Local Planning Authority. Such details shall be at full or half scale and shall include cross-sections, profiles, reveal, surrounds, materials, finish and colour in respect of new windows, rooflights, doors and other glazed or timber panels. The work shall thereafter be carried out in accordance with the approved details and shall thereafter be permanently retained in that form unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the appearance of the development and the surrounding area.

8. Prior to their installation details / samples of materials, including facing materials, roofing materials; joinery details and rainwater goods to be used in the construction of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with those samples as approved.

Reason: In the interests of visual amenity.

9. All alterations and repairs to the existing walls shall be carried out to match the existing stonework with any repairs in lime mortar to match the colour and texture of the existing. New stone walls shall be constructed to match the existing stone walling of the development. The stonework shall be laid on its natural bed and pointed in a lime mortar recessed from the outer face of the stone. Machine cut or sawn faces shall not be used in the wall or for quoin stones.

Reason: To ensure that the finishes and colours are appropriate to the locality.

10. Notwithstanding the details set out on the submitted drawings, the development hereby permitted shall be carried out in accordance with the comments and recommendation set out in the Preliminary Ecological Appraisal by Green Lane Ecology Report #07517/GLE dated July 2017 with strict adherence to the measures in section 4.0 of the report.

Reason: To safeguard the welfare of a protected species of wildlife, in the interests of the amenity of the area and the Conservation (Natural Habitats) Regulations 1994 and the 1981 Wildlife and Country Act (as amended) and in accordance with Policy DEV26 of the Plymouth and South West Joint Local Plan