

BUDLEIGH  
(Budleigh Salterton)

08/0734/FUL

Target Date: 30.05.2008

Applicant:

Mr M Farley

Location:

2 Kersbrook Farmhouse  
Kersbrook  
Budleigh Salterton

Proposal:

Change of use of barn/store into two independent dwellings including alterations

## **CONSULTATIONS**

### County Highway Authority

The proposal seeks change of use from barn/store to two dwellings. As a consequence, the development would lead to additional traffic being generated. While it could be argued that the barn in its present state could generate traffic, the nature of the journeys and trip patterns resulting from a residential use would be very different. Trips involving access to education, employment, retail, health, recreation, and trips by visitors, servicing and deliveries, have to be considered.

The site is remotely located where the use of private vehicles is likely to prevail and the use of more sustainable modes of transport is unlikely to be an option. The roads leading to the site are narrow and poorly aligned.

In transport and highway safety terms the development proposal is objectionable for the reasons given below. However, I am mindful that there may be other Development Plan policies that support this proposal, and therefore I believe it must be largely a planning matter as to whether or not this is an appropriate location for this type of development, in the light of balancing the policies and government guidance in respect of this development proposal. If there are over-riding policies and support for the development proposal then the highway objection to these particular aspects would be withdrawn.

The access to the site is substandard in that the visibility to the north is restricted by roadside boundaries, however this visibility may be improved to provide a clear sight line of 2.4m x 25 m to the nearside road edge to the junction of Copp Hill Lane and Kersbrook Lane with some trimming back of the hedge and some small alterations to the wall beneath.

### Recommendation

#### Refuse

1. The proposed development would be located where it is remote from adequate services, employment, education, public transport etc., and would therefore increase the need for travel by private vehicles contrary to Policies TR2 and TR5 of the Devon County Structure Plan.

### Environment Agency

The site of the proposed development is located in flood zone 2. Under the terms of PPS25, Table D.1 this proposal should be accompanied by a flood risk assessment (FRA). No FRA has been submitted and we recommend refusal of the proposal on this basis.

## **TOWN/PARISH COUNCIL**

Approve

**WARD MEMBER(S)**

No comment received

**REPRESENTATIONS**

Objections

3 letters have been received raising the following points:

- Overdevelopment to two dwellings
- Precedent – encourage development of rest of barn
- Drainage
- Lack of parking
- Poor access
- Flooding
- Design

**RELEVANT PLANNING HISTORY**

<b>App.No:</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
02/P1677	Erection of conservatory	Approved	11.09.2002

**PLANNING POLICIES**

Government Guidance

Planning Policy Statement 3 - Housing  
Planning Policy Statement 7 - Sustainable Development in Rural Areas  
Planning Policy Statement 25 – Development and Flood Risk

Devon County Structure Plan (2001-2016)

Policy ST1 – Sustainable Development  
Policy ST16 – Local Centres and Rural Areas  
Policy CO3 – Areas of Outstanding Natural Beauty  
Policy C06 – Quality of New Development  
Policy C010 – Protection of Nature Conservation Sites and Species  
Policy TR2 – Co-ordination of Land-Use/Travel Planning  
Policy TR5 – Hierarchy of Modes

East Devon Local Plan (1995-2011)

Policy S5 – Countryside Protection  
Policy D1 – Design and Local Distinctiveness  
Policy D2 – Sustainable Construction  
Policy D10 – Re-Use of Rural Buildings Outside Settlements  
Policy EN1 – Developments Affecting Areas of Outstanding Natural Beauty  
Policy EN6 – Wildlife Habitats and Features  
Policy EN19 - Private Sewerage Treatment Systems  
Policy EN20 – River and Coastal Flooding

Policy RE3 – Open Space Provision in New Housing Developments  
Policy TA1 – Accessibility of New Development  
Policy TA7 – Adequacy of Road Network and Site Access  
Policy TA9 – Parking Provision in New Development

## **SITE LOCATION AND DESCRIPTION**

The site is located in the open countryside in the small hamlet of Kersbrook some 350 metres from the nearest settlement of Budleigh Salterton to the south. The existing barn is rendered with tiled roof, two existing rooflights on the west elevation and a small area of land to the west.

## **PROPOSED DEVELOPMENT**

The proposal is to change the use of part of the existing barn into two two bedroom dwellings with parking for two vehicles for each unit.

## **CONSIDERATIONS AND ASSESSMENT**

### Background

The existing building is used as a store area with a garage and car port area to the southern end of the building in separate ownership. The proposal is to build a solid wall to separate off the garage and car port and to convert the rest of the building into two units of residential accommodation. The site is within the open countryside where development is strictly controlled. Policy D10 of the Adopted East Devon Local Plan does allow the conversion of rural buildings subject to satisfying qualifying criteria.

### Flooding

The site is within Flood Zone 2 an area of medium flood risk. A flood risk assessment was requested from the applicant and some information received which confirmed that electrical sockets would be 800mm above floor level and flood gates to be provided however the proposal is seeking a change of use from a less vulnerable use to a more vulnerable use as two dwellinghouses. In addition the proposal seeks to drop the existing floor level in order to provide sufficient head height. With these matters in mind the information submitted is considered to be insufficient to ensure that the flood risk is reduced and the Environment Agency recommend refusal.

### Economic Justification

In the first instance the preference for the conversion of rural buildings is for an economic or employment use in order to boost the rural economy. No information relating to any other proposed uses or why they are not deemed suitable for this site have been put forward to justify why this building should instead be considered for residential conversion.

### Design and Appearance

The purpose of conversion policy is to maintain buildings which are considered to be of some architectural or historic merit and through conversion provide a use which will not only financially support the building but also preserve its character and appearance. The existing building is of simple form with few openings and a large steep pitched roof. The existing building whilst attractive does not appear to be under threat of loss through a lack of use. It is currently well used by the main house for ancillary storage. This proposed design of the conversion if approved, would be likely to result in the loss of any architectural or historic character the building may have had.

The proposal includes many new openings for windows and doors of domestic appearance which are considered to detract from the simple form and character of the existing building. Two dormer windows are proposed on both the west and east elevations and will be highly visible from the road. The design of the windows and use of fan lights is a modern feature as is the use of upvc as a material for the doors to the rear of the property. The creation of four new door and window openings on the west elevation again would result in the loss of the vernacular integrity of the building. The proposed design is considered to detract from the character and appearance of the building and is therefore recommended for refusal on this basis.

### Structural Survey

Much of the building couldn't be assessed for the structural survey due to ivy on the walls and the storage of materials inside the building such that the walls could not be clearly viewed. Of the areas that could be assessed the building appeared to be of reasonable condition with some cracking. A new wall is proposed to be constructed to separate off the southern most dwelling from the rest of the building which is in separate ownership. In order to increase headroom of the ground floor the proposal includes the removal of the existing floor and to re-lay it at a lower level. The submitted structural report recommends a further detailed survey of the building to confirm the structural suitability of the building for the proposed conversion works such as the additional weight from dormer windows and inspection of foundations it is therefore not clear exactly how much reconstruction the proposal will involve. Such detail could be required by condition if minded to approve.

### Wildlife Survey

A habitats survey was submitted with the application which concludes that the barn is not used by bats and owls for roosting. It was not possible to conclude whether nesting birds use the barn however any such works could be timed to ensure it does not occur during nesting season.

### Parking and Access

The submitted drawings indicate the provision of two parking spaces for each proposed dwelling however two of the parking spaces would appear to be outside the red line of the site on the other side of the private access road. This area is within the same ownership as the site and is currently used for parking it would appear for the main farmhouse. It is not clear from the submitted drawings whether there is sufficient capacity for car parking given the current and proposed use. Policy TA9 however sets maximum parking standards. The preference in planning terms would be to keep car parking within the planning unit to the rear of the existing building rather than encroach any further into the field opposite. The Highways Authority have not raised any objection to the level of parking however they do comment that the access is substandard in terms of visibility which could be improved through some trimming of the hedge etc. In principle however the Highways Authority state that the site is unsustainable being in a location remote from employment, education, health and public transport and the provision of two additional dwellings would lead to an increase in traffic attracted to the site and the need to travel by private vehicles and is therefore contrary to policy.

### Sustainable Construction

The draft Regional Spatial Strategy for the South West outlines proposals and targets for reduced energy consumption in development including new housing. The Devon Structure Plan requires the incorporation of energy saving features into the design of new developments and Policy D2 of the adopted East Devon Local Plan on Sustainable Construction seeks the inclusion of energy saving measures, on site renewable energy or heat production and water saving devices. The Code for Sustainable Homes was published by government in December 2006. The Code for Sustainable Homes gives a measure of the sustainability performance of a home graded from 1 – 6. It includes standards for energy and water use at each level. From 1<sup>st</sup> May

2008 the Code for Sustainable Homes becomes mandatory and all new homes will have to be rated against it. No specific detail has been submitted with the application relating to sustainable construction or the proposed rating of the building.

### Public Open Space

Policy RE3 of the adopted East Devon Local Plan requires that all new dwellings contribute towards formal and informal play spaces in the locality to account for the additional demand that an additional household would place on them. This requirement can be met through a Section 106 or Unilateral Undertaking. A draft copy of the Unilateral Undertaking has been sent to the agent but at the time of writing no signed copy has been returned.

### **CONCLUSIONS**

The proposal is considered to be unacceptable in terms of barn conversion policy of the Adopted East Devon Local Plan. The site is in the open countryside where the creation of new dwellings is strictly controlled. The site is in an unsustainable location therefore sufficient justification would have to be made for any residential conversion. Insufficient information regarding the increased flood risk that would occur as a result of the change of use and steps to mitigate this risk has been submitted to allow favourable consideration of the proposal. Business and employment uses are more compatible in flood risk areas than residential uses however no information relating to any other proposed uses of the building have been submitted to justify conversion to a residential use. Finally the design is very domestic in nature and would detract from the character and appearance of the existing building. The proposal is therefore recommended for refusal.

### **RECOMMENDATION**

REFUSE for the following reason(s)

1. The site is located in flood zone 2 an area of high flood risk. Insufficient information regarding the flood risk assessment has been provided to give proper and favourable consideration thereto. The proposal is therefore contrary to Policy CO13 (Protecting Water Resources and Flood Defence) of the Devon Structure Plan 2001-2016 and Policies S4 (Development Within Built-up Area Boundaries) and EN20 (River and Coastal Flooding) of the adopted East Devon Local Plan 1995 -2011 and guidance contained in Planning Policy Statement 25.
2. The preference of Local Plan Policy is to require a business or employment generating use of rural buildings to ensure their long term maintenance and to maximise their potential to generate employment for the benefit of the local economy before residential conversion will be considered. The applicant has not provided sufficient evidence of proposed business or employment generating uses for the buildings or justification as to why such uses are not suitable. The Local Planning Authority is therefore not satisfied that every reasonable attempt has been made to secure a suitable business use for the buildings. The proposal is therefore contrary to Policy D10 (Re-Use of Rural Buildings Outside Settlements) of the adopted East Devon Local Plan 1995-2011 and advice contained in Planning Policy Statement 7.
3. The design of the proposed development by virtue of the excessive amount of additional openings, insertion of dormer windows and design and materials of the proposed windows will result in a development of domestic appearance to the detriment of the character and appearance of the existing buildings and at odds with the character of the surrounding countryside. The proposal is therefore contrary to Policy D1 (Design and Local Distinctiveness) and **D10 (Re-Use of Rural Buildings Outside Settlements)** of the adopted East Devon Local Plan 1995 – 2011 and advice contained in Planning Policy Statement 7.

4. The proposed development would be located where it is remote from adequate services, employment, education, public transport etc., and would therefore increase the need for travel by private vehicles contrary to Policies TR2 (Co-ordinating Land Use/Travel Planning) and TR5 (Hierarchy of Modes) of the Devon County Structure Plan 2001-2016 and Policies D10 (RE-Use of Rural Buildings Outside Settlements) and TA1 (Accessibility of New Development) of the adopted East Devon Local Plan 1995 -2011.
5. The creation of additional dwellings on the site generates demand for additional formal and informal open space facilities in the locality. The submitted application does not include any mechanism for the provision of such services and as a result is contrary to the requirements of Policy RE3 (Open Space Provision in New Housing Developments) of the adopted East Devon Local Plan 1995 -2011.

#### List of Background Papers

Application file, consultations and policy documents referred to in the report.