

WHIMPLE
(Whimble)

05/1958/FUL
(FULL)

13 September 2005

Applicant:

Mr Luck

Location:

5 The Farm (Land At)
Exeter
Devon
EX5 2UB
(NGR: 303593 97231)

Proposal:

Retention of former agricultural land as domestic garden

Consultations

County Highway Authority
Does not wish to comment

Environment Agency
No comments

South West Water
No objections

Planning History

App. No	Year	Proposal	Date of Decision
P0032	2003	First Floor Rear Extension, Rear Porch & Internal Alterations	07.03.2003. Approved

Representation

None.

Parish Council

The Parish Council have no objections. If refused the Parish Council do not recommend enforcement.

Ward Member

No comments received

Location

5 The farm is a property located to the east of the village of Whimble. The property, which is located within a former farm complex, is accessed from Whimble by means of a rural lane that passes along the side of the main Exeter to Waterloo rail line. At the property there is a traditional courtyard that is partly enclosed by the former farm buildings. The site is bordered by the rural lane that passes along side the range of buildings and agricultural land.

The Proposed Development

The application, which has been submitted retrospectively, seeks to obtain planning permission for the change of use of an area of land located immediately opposite the farm buildings and only split from them by the rural lane. The area is immediately adjacent a small triangular parcel of land that has traditionally been used for garden/ domestic purposes.

The land in question, which measures 62.5mx 62.0m, is an agricultural field that is flat in nature but raised above the road level. It is bordered from the lane by means of a traditional hedge bank. The other three sides are protected by a post and rail fence. Some domestication of the land has already taken place and this includes the re seeding of the field, the fencing of a vegetable plot, the erection of sheds, and a greenhouse and the provision of play equipment.

Planning Policy

Devon Structure Plan 2001 to 2016

- ST5 Development Strategy

East Devon Local Plan Revised Deposit September 2003

- S3 Development within Built up Area Boundaries
- S4 Countryside Protection
- D1 Design and Local Distinctiveness

Observations

The main issues with the application concern the impact that the change of use for this parcel of land to domestic garden land has on the character of the area and the integrity of the open countryside.

The site the subject of this application is a field in open countryside. Planning policy provides a high level of protection for the countryside and this is embodied within Nation Planning Guidance, and policies within both the Country Structure Plan and the Local Plan.

Such proposals are judged on the following criteria:

- Size and scale of parcel of land
- Relationship with buildings
- Whether apparent in landscape

In this instance, the land is in a very open and rural landscape and its use for domestic purposes is both apparent and visually intrusive.

Conclusion/Summary

The application represents a large scale encroachment into the open countryside where it undermines the character and appearance of the rural landscape. The retrospective application is therefore considered contrary to planning policy.

Recommendation

REFUSE for the following reason:-

Reason

The change of use of the large area of agricultural land constitutes development in open countryside. This sporadic development is a significant encroachment and significantly harms the character and appearance of the countryside. The development is therefore contrary to national guidance and Policy ST5 (Development Strategy) of the Devon Structure Plan and Policies S3 (Development within Built up Area Boundaries) and S4 (Countryside Protection) of the emerging East Devon District Local Plan Revised Deposit September 2003.

FURTHER RECOMMENDATION

- (1) That the Chief Executive be authorised to take such legal action as is considered necessary to remedy the alleged breach of planning control. It being expedient to do so because change of use that has occurred represents an intrusion into open countryside which is contrary to planning policy and harms the character and appearance of the area.

Compliance period 3 months

List of Background Papers

The file containing all letters, consultations, and documents referred to in the report.