

Committee Date: 28.07.2009

FENITON & BUCKERELL
(Buckerell)

09/0690/FUL
09/0717/LBC

Target Date: (04.06.2009)

Applicant: Mr Philip Halse

Location: Combehayes Farm
Buckerell
EX14 3ET

Proposal: Conversion of farm buildings into two holiday lets, games room, with replacement multi-purpose agricultural building, open lincay/garage, new tennis court, pool, glasshouse/garden store and creation of garden area

CONSULTATIONS

County Highway Authority

This application requires Standing Advice

Natural England

11.05.09 - Natural England believe at this point in time the survey information provided (from Acorn Ecology Ltd) is insufficient to establish the effect the proposal may have on bats and as such we have no option but to object to the application at this stage. We would like to see a the results of the recommended bat emergence surveys, including any appropriate mitigation before a decision is made.

If this further information is submitted then Natural England will be happy to make comment.

22.06.09 - Thanks for reconsulting Natural England with the proposal outlined below. There has been no further information regarding protected species and therefore, Natural England's response is the same as our previous response on 11th May (see below).

If further survey information is received, Natural England will be happy to make comment

24.06.09 – Based on the new information provided Natural England now have no objection to the proposed development subject to the inclusion of our recommended conditions and the proposal being carried out in strict accordance with the details of the application.

TOWN/PARISH COUNCIL

Following a site visit and consideration at our meeting of 18th May 2009, Buckerell Parish Council has no objection to the proposals set out in the above planning application.

WARD MEMBER(S)

No comments received

REPRESENTATIONS

No letters of objection or support have been received.

RELEVANT PLANNING HISTORY

None relevant to current applications

PLANNING POLICIES

Government Guidance

PPS 7 – Sustainable Development in Rural Areas

Devon Country Structure Plan (2001-2016)

Policy CO6 - Quality of New Development

Policy C07 - Historic Settlements and Buildings

East Devon Local Plan (1995-2011)

Policy D1 – Design and Local Distinctiveness

Policy S5 - Countryside Protection

Policy D10 - Re-use of rural buildings outside settlements

Policy E5 - Rural Diversification

Policy EN 9 - Extension, alteration or change of use of buildings of special architectural and historic interest

Policy TA7 – Adequacy of road network and site access

Policy T01- Proposals for Holiday or Overnight Accommodation and Associated Facilities

SITE LOCATION AND DESCRIPTION

The site relates to the former farm yard and buildings associated with Combehayes farmhouse. The farm house itself is grade II listed and features rendered elevations under a slate roof, it is situated at the western end of the site. To the west of the farmhouse on the opposite side of the farm track that runs through the site is an existing cottage/annexe attached to a modern portal farm building. The cottage is constructed from stone under a slate roof with some brick detailing and at the northern end is an attached open fronted part of the building accessed from the adjoining modern barn. Further to the east of the modern farm building is a separate detached smaller scale metal clad storage building

To the south of the modern farm building (on the same side of the farm track as the house) is a single storey, brick built barn with a metal sheeting roof, with to the west of this a large free standing agricultural building/cattle shed. To the south of the brick barn is a concrete yard enclosed partly by a stone wall beyond which the levels fall to the vegetable garden to the main house. To the west of the brick barn building is an area of level open land before the boundaries of the yard and the surrounding fields are formed by hedge/tree line.

The site lies in open countryside to the northwest of Honiton. It is accessed via a concrete drive that runs down from the local road to the west of the site, a separate unmade track runs from the same access point to the eastern end of the site. The levels on the site itself fall from northeast to southwest. There is good tree screening along parts of the northeast and much of the southwest boundary.

PROPOSED DEVELOPMENT

The application proposes the redevelopment of the former farmyard, which is now largely redundant for agricultural purposes. The complex comprises of a number of modern and traditional farm buildings arranged to either side of the farm track that runs southeast from the farmhouse before turning to the north and returning through the adjoining field to meet the concrete access that serves as the domestic access to the farmhouse.

The main elements of the proposal are set out below and as indicated on the site plan:

- i. Demolish all existing steel and concrete portal farm buildings
- ii. Renovate northern end of existing two storey cottage/annexe building and convert to holiday let unit
- iii. Convert traditional single storey brick barn to games room and holiday let unit
- iv. Construct lean-to glasshouse and store
- v. Create swimming pool
- vi. Erect timber farm/machinery/storage building
- vii. Level land and create tennis court

CONSIDERATIONS AND ASSESSMENT

Members of the committee are advised that this application is brought before committee as the applicant is the son of Councillor Halse. The application is accompanied by a Listed Building Consent application 09/0717/LBC refers.

Background

Combehayes Farm comprises of 52.4 ha and is a former Dairy Farm which changed to arable cropping during the 1980's. It is understood that the current occupiers let a portion of the farm, to neighbouring farmers, for seasonal grazing and cropping and that the existing farm buildings are therefore largely redundant.

It is considered that the main issues in the determination of the application relate to the principle of the development and the intended uses; the capability of conversion of the traditional buildings to be retained; The impact on the setting of the main farm house and curtilage listed buildings; landscape impact and Highway safety issues. These matters are considered below.

Principle of development and intended uses

In relation to the proposed holiday accommodation this is one of the uses that is generally considered acceptable by policy D10 of the Local Plan as a use which would be likely to add some value to the local economy. The principle acceptability is though subject to a number of specific criteria, of these criterion 2 states:

(ii) The building must be structurally sound and capable of conversion without substantial alteration, reconstruction or extension.

The application is supported by a structural survey and whilst it is apparent that some repair work would be required, particularly to the single storey shippon. It is considered that this could be carried out without the need for substantial alteration or reconstruction. The same is also considered the case for the traditional barn, north of the existing cottage. The proposal to use part of the shippon building as ancillary accommodation to the main house is not a use specifically referred to in policy but the building is clearly redundant and unsuitable for modern agricultural purposes. In the case of both buildings there overall form would remain unaltered and the buildings would be renovated and brought into a viable use that would assist in ensuring their long term maintenance. There is therefore no objection to the principle of converting these buildings to their intended uses.

The modern agricultural buildings to be removed appear to have no viable use for agricultural purposes as the farm is no longer in operation as such. Whilst there is the potential that these buildings could be let with the land for use by a neighbouring farmer this is unlikely to be acceptable due to their close relationship with the farmhouse and the intended holiday let uses. Furthermore the removal of these buildings in such close proximity to the traditional (listed) buildings would clearly be of benefit to the overall appearance of the site and the setting of these buildings and there is no objection to their removal.

The proposed greenhouse and store are set at a lower level to the other buildings on site and would abut the extended stone wall to the yard south of the shippon. These would serve as domestic outbuildings to the farmhouse and are considered to be of an appropriate design and materials to respect the setting of this building. They are also located within the context of the existing building and their scale is such that they would have a minimal landscape impact when read in conjunction with other buildings on the site. The same is true of the proposed garaging/store building which would replace an existing metal sheet clad store on a similar footprint. Whilst the use of this building would extend further into the farmyard the domestic use of the site the building would have a simple appearance not inappropriate for its location and would replace existing dilapidated buildings of a similar scale.

A replacement farm building is also proposed in place of the existing farm building at the south eastern end of the farmyard. This building would have a reduced footprint and height and would utilise Yorkshire cladding to the upper elevations and sheet roofing.

The land associated with the farm is all let on a seasonal basis to neighbouring farmers whose respective farm buildings are between 1-2 miles away. It is suggested that the replacement farm building is required to service livestock for veterinary purposes or isolation. It is also suggested that during extended periods of inclement weather the building would be used for the sheltering of livestock and would be likewise utilised by the applicant for the rearing of any livestock for their own purposes. There is no objection in terms of the building's design, appearance or siting, which again would represent an improvement on the existing building. The justification for the building is considered to be somewhat limited however particularly for a building of the scale proposed and considering the farm is no longer operational. Nevertheless, it is accepted that the applicant is proposing to demolish two larger agricultural buildings to allow for the redevelopment scheme, these could of course be retained for agricultural purposes. It is therefore considered that the benefits that would accrue from the loss of the existing farm buildings and the redevelopment of the site are sufficient justification to permit the erection of the new farm building.

The application also proposes a number of additional leisure facilities for use by the applicants and also holiday accommodation guests, these comprise of a swimming pool and a tennis court. The swimming pool would be located within the walled courtyard to the south of the shippon building and would therefore be largely screened from view, as such there are no objections to this which is likely to provide a considerable draw for potential guests. The tennis court is proposed to the east of the replacement farm building. This proposal would also require some considerable cut and fill to provide the level playing surface required. The tennis court would be surrounded on all sides by 2.75 metre high chain link fencing. This element of the application is considered to be acceptable. It is located within close proximity of the main farmhouse and proposed replacement farm buildings and in the wider landscape would be viewed as part of this complex. If justification for the farm building can be given it may be appropriate to look to relocate the tennis court on the proposed site of this and relocate a farm building (potentially of smaller scale) at the western end of the site where it can be accessed separately from the existing agricultural track.

Design of and Capability of conversion of the traditional buildings to be retained

Barn (adjoining existing cottage)

At present this is unused and is formed by three outside walls with a mixture of blockwork, cob and brick with a slate roof and has an open frontage facing east supported by a central pier. The structural survey indicates that the building is in reasonable condition and is capable of conversion. In terms of design detail the application proposes enclosing the existing open frontage with the provision of two brick piers (to replace the existing concrete one) and timber cladding. It is also proposed to introduce one new opening at ground floor level in the existing northwest elevation. One rooflight is proposed in each of the existing roof slopes. The overall design approach is considered appropriate and whilst the appearance would be quite domestic in

relation to the scale of the building and the adjoining conversion this is not considered to be unacceptable.

Shippon

There is no objection in principle to this conversion and the re-introduction of a slate roof is welcomed. The structural survey again indicates that the building has a sound shell, although there are areas of concern, namely the roof structure, the southwest wall and the west corner. There are no internal features worthy of retention and the shippon would appear to be capable of conversion bearing in mind the modifications suggested by the structural engineer.

In terms of detail the northeast elevation remains similar to the existing, but with some new windows and rooflights. A new opening has been introduced on the northwest gable end (NW) and a new window at the southeast end. The southwest elevation shows the most change/alteration with the introduction of new glazing (or enlargement of existing openings) and 3 no. rooflights. These have though been reduced from original proposals and are now considered to provide for a relatively sympathetic conversion.

Impact on the setting of the main farm house and curtilage listed buildings

Overall the works proposed are considered to be beneficial to the setting of the listed building primarily through the removal of the utilitarian modern farm buildings. The method of conversion is also generally considered to be appropriate (subject to comments above).

Landscape impact

In the most part the proposals are considered to have a beneficial landscape impact through the removal of the large agricultural buildings currently on site. However, in the case of the tennis court this is considered to have a negative impact by extending the domestic nature of the site further away from the farmhouse and incurring into the adjoining field. The removal of the modern farm buildings is not considered to provide sufficient benefit or justification to support this and unless removed from the scheme or relocated more appropriately within the boundaries of the existing site would warrant refusal of the application.

Highway Safety Issues

The site is served by two access tracks, these both join the local road to the west at the same point, where visibility in both direction is reasonable. One track (concreted) leads due west to serve the farmhouse and the other (unmade) southwest to serve the south eastern end of the farmyard.

The proposal is likely to give rise to additional traffic movements to and from the site through the holiday let uses. This traffic would need to be balanced against the benefits to the rural economy of this use and also considered against the traffic formerly associated with the site as a working farm.

Impact on protected species

The submitted wildlife survey indicates that both traditional buildings are likely to serve as bat roosts and that there are nesting sites for birds elsewhere on the site including within buildings proposed for removal. The report suggests that further emergence surveys are required to ascertain the level of activity of species on site. These have confirmed that the barn and shippon are both used as roosting sites by bats and as a result a European Protected Species Licence will be required to dismantle these buildings and disturb the roosts. The submitted reports include details of proposed mitigation measures which it is suggested will to a certain extent provide better conditions for roosting bats. The views of Natural England have been sought regarding the findings of the emergence surveys and they have lifted their previous objections to the scheme subject to the imposition of conditions.

Other issues

The proposed uses include proposals for two units of holiday accommodation. Such uses add to the tourist offer within the district and as a whole the tourism industry plays an important role in helping to support the rural economy. The provision of additional tourist accommodation is therefore supported in principle.

CONCLUSIONS

The proposals look to redevelop the site to provide two units of holiday accommodation, a replacement agricultural building of a smaller scale and additional leisure facilities in the form of a tennis court and swimming pool as well as an additional glasshouse and store for domestic purposes related to the main farmhouse. The proposed development would result in a general improvement in the appearance of the site through removing the large modern agricultural buildings and the renovation of the traditional farm buildings for a viable new use. The proposed tennis court and swimming pool would sit within existing or proposed replacement buildings and would therefore have a minimal landscape impact and certainly a reduced impact over the existing buildings. Subject to the conditions as set out below the proposal is recommended for approval.

RECOMMENDATION

Application 09/0690/FUL

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.
(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 be used for holiday purposes only; and shall not be occupied as a person's sole, or main place of residence; and the owners/operators shall maintain an up-to-date register of all guests/occupiers of individual units, and of their main home addresses, and shall make this information available at all reasonable times to the local planning authority.
(Reason – The site is unsuitable for permanent residential accommodation due to its location, proximity to the main house and lack of amenity space.)
3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To ensure that the materials are sympathetic to the character and appearance of the area.)
4. The replacement farm building shall be used only for agricultural purposes related to the holding or purposes ancillary to the residential use of the site and for no other purpose.
(Reason – The building is only justified for the purposes of agriculture as it is located in an unsustainable rural location where planning policy aims to restrict unnecessary development)
5. No development shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority; such a scheme to include:

- Further details of additional/supplementary tree and hedge planting to the southwest and northeast boundaries of the site;
- Details of the finished surface material of all areas of hardsurfacing including footpaths, parking areas and forecourts;

The landscaping scheme shall be carried out in the first planting season after commencement of the development unless otherwise agreed in writing by the Local Planning Authority and shall be maintained for a period of 5 years. Any trees or other plants which die during this period shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

(Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area.)

6. All new barge boards, soffit boards, fascia boards and external cladding shall be in timber only and no other materials and their final finished appearance shall be previously agreed in writing with the Local Planning Authority before development commences.
(Reason - To ensure that the materials are sympathetic to the character and appearance of the area and the buildings.)
7. All new windows, doors and external joinery indicated on the approved plans shall be made of timber only and no other materials, and be painted or stained, unless the written consent of the Local Planning Authority is obtained to any variation. The actual colour shall be submitted to and agreed in writing with the Local Planning Authority.
(Reason - To ensure that the materials are sympathetic to the character and appearance of the area and the buildings.)
8. Where new windows have been permitted within existing walls these shall be recessed in the wall.
(Reason – In the interests of retaining the character and appearance of the buildings.)
9. The new casement windows shall be traditionally constructed in painted or stained timber, with side hung opening lights, flush with the frame when closed.
(Reason – In the interests of retaining the character and appearance of the buildings.)
11. Prior to the initial use of the units of holiday accommodation hereby permitted further details of the design and specification of the proposed sewage treatment plant shall be submitted to and approved in writing by the Local Planning Authority.
(Reason - To ensure that the method of dealing with Foul Drainage is adequate in the interests of the prevention of pollution of the water environment)
12. The development shall be carried out in strict accordance with the recommendations as set out in Conclusions and Mitigation Plan sections of the Emergence Survey Reports carried out by Acorn Ecology Limited on 20th May and 11th June 2009, or any alternative mitigation measures as may previously have been agreed in writing by the Local Planning Authority.
(Reason - In the interests of the protection of protected species and to ensure the development complies with the provisions of The Wildlife and Countryside Act 1981.)

Informatives

- The applicant is advised that the permission hereby granted does not permit the erection of any flood/external lighting in association with the approved tennis court. Any such proposals would require a separate application for planning permission and is likely to be resisted.

- The applicant is advised that the granting of planning permission does not absolve them from complying with the relevant law, including obtaining and complying with the terms and conditions of any licences required as described in Part IV B of the Circular 06/2005

Reasons for approval

1. The proposal complies with the Devon Structure Plan 2001-2016 Policy CO6 (Quality of New Development).
2. The proposal complies with the adopted East Devon Local Plan 1995-2011 Policies S5 (Countryside Protection), D1 (Design and Local Distinctiveness), D10 (Re-use of rural buildings outside settlements), EN9 (Extension, Alteration or change of use of buildings of special architectural and historic interest) and TA7 (Adequacy of road network and site access)
3. The proposal does not adversely affect the privacy and/or amenity of neighbouring properties.
4. The design and external appearance of the proposal does not harm the visual amenity of the site and surrounding area.
5. The additional holiday accommodation provision would benefit the local economy through adding to the number of visitors to the area and tourist spend within the district.

Approved plans

CN04: 0812.205, 0812.261, 0812.251, 0812.241, 0812.271

RECOMMENDATION

Application 09/0717/LBC

Approve subject to the following conditions

1. The works to which this consent relates must be begun not later than the expiration of three years beginning with the date on which this consent is granted.
(Reason - To comply with Sections 18 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.)
2. Before any work is undertaken to demolish any part of the building, the applicant shall take such steps and carry out such works as shall, during the process of the works permitted by this consent, secure the safety and the stability of that part of the building which is to be retained. Such steps and works shall, where necessary, include, in relation to any part of the building to be retained, measures as follows:-
 - a) to strengthen any wall or vertical surface;
 - b) to support any wall, roof or horizontal surface;
 - c) to provide protection for the building against the weather during the progress of the works, and
 - d) in the case of cob buildings, the details of cob repairs.
(Reason - To safeguard the architectural and historic character of the building.)

3. All external works of alterations in the existing fabric of the building shall be carried out in matching stonework or brickwork, as appropriate, and all work shall be made in matching stonework or brickwork. A trial area or a sample panel of a minimum 1 sq.m. shall be constructed on site for inspection and approval by the Local Planning Authority prior to commencement of the works. The works as may be agreed shall be carried out and completed in full in line with any specification or other written instructions from the Local Planning Authority.
(Reason - To safeguard the architectural and historic character of the building.)
4. The rooflights indicated on the approved plans shall be of a conservation design flush with the roof, the model specification of which shall be agreed and approved in writing by the Local Planning Authority prior to commencement of works.
(Reason - To safeguard the architectural and historic character of the building.)
5. In re-roofing where ventilation is necessary, ventilation should be provided at eaves level. Details of alternative means of ventilation shall be agreed and approved in writing by the Local Planning Authority prior to commencement of works.
(Reason - To safeguard the architectural and historic character of the building.)
6. All new windows and doors indicated on the approved plans shall be made of timber only and no other materials, and be painted or stained in a colour to be agreed, unless the written consent of the Local Planning Authority is obtained to any variation.
(Reason - To safeguard the architectural and historic character of the building.)
7. No works shall commence until the following details and specification have been submitted to and approved in writing by the Local Planning Authority.

Details of all new joinery including sections through casements, frames and glazing bars at a scale of 1:2 or 1:5.

The works as agreed shall be carried out in accordance with the approved details.
(Reason - In the interests of the architectural and historic character of the building.)

Reasons for approval

1. The proposal does not harm the character and appearance of the listed building.
2. The alterations to the listed building will not harm the integrity or special architectural and historic character of the building.

Approved plans

CN04: 0812.205, 0812.261, 0812.251, 0812.241, 0812.271

List of Background Papers

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