

OTTERHEAD  
(Stockland)

09/0787/FUL

Target Date: 11.06.2009

Applicant: Messrs T and N Patch  
Location: Stable Cottage, Heathstock, Stockland  
Proposal: Replacement Dwelling

**CONSULTATIONS**

County Highway Authority

No comment

**TOWN/PARISH COUNCIL**

Supports the application and notes the support of the immediate neighbours to these proposals. The proposed changes will significantly improve the visual amenity of the residents of The Old Cider House and the overall visual aspect of the hamlet.

**WARD MEMBER**

The initial comments of the Ward Member(s) are -

“ The application has several advantages that the dwelling will be moved closer to the main farm enterprise and can have a tie put on it.. All neighbours are in favour for reasons of views and tidier site. “

In the event that this application comes to Committee I would reserve my position until I am in full possession of all the relevant facts and arguments for and against.

**REPRESENTATIONS**

Support

Two letters have been received raising the following points:

- Current dwelling looks directly at neighbours
- To replace the dwelling would be of benefit to all.

**RELEVANT PLANNING HISTORY**

<b>App.No:</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
88/P2468	Conversion of barn to dwelling	Approved	21.12.88

## **PLANNING POLICIES**

### **Government Guidance**

PPS 7 :Sustainable Development in Rural Areas

### **Devon Country Structure Plan (2001-2016)**

Policy ST1 - Sustainable Development  
Policy CO3 – Areas of Outstanding Natural Beauty  
Policy CO6 - Quality of New Development

### **East Devon Local Plan (1995-2011)**

Policy S5 - Countryside Protection  
Policy D1 – Design and Local Distinctiveness  
Policy EN1 - Areas of Outstanding Natural Beauty  
Policy H11 - Replacement of Existing Dwellings in the Countryside

## **SITE LOCATION AND DESCRIPTION**

The premises comprise a small former agricultural cart shed and stable converted to a dwelling on the west side of the narrow lane leading through Heathstock. The converted dwelling lies immediately opposite The Old Cider House and alongside Beaumont, two residential properties, in this tightly knit isolated hamlet. It remains within the ownership of Heathstock Farm to the north and comprises a residential curtilage measuring some 38m x 32m between the farm buildings and the lane. Vehicular access is from Dencroft Lane, the track which gives similar access from the lane to the farm itself.

## **PROPOSED DEVELOPMENT**

The proposal involves the demolition of the existing converted barn and its replacement with a dwelling 13m to the north within the existing residential curtilage. The existing building contains accommodation on the ground floor only comprising living/dining area, kitchen, bathroom and bedroom. The gross floor area of the existing accommodation is approx 59 sq m and this includes a small lean-to addition at the rear erected after planning permission was granted. Whilst it is the intention to demolish the existing dwelling the applicant's plan shows it clearly outside the application site with a small area of garden to the rear and separate from the site of the proposed dwelling.

The plan shows that the proposed dwelling would be erected behind an existing hedge 2.5m from the carriageway and end on to the road. It would comprise a two-storey structure measuring 10.2m x 6.0m with a single storey lean-to at the rear measuring 6.4m x 2.1m. Accommodation would include living/dining room, kitchen plus cloaks and utility on the ground floor with 3 bedrooms and bathroom above with the gross floor area amounting to some 137 sq m. The design is cottage-style with a rendered finish and slate roof with one end hipped and other gabled. Two chimneys would be incorporated into the design.

The existing vehicular access would be used for the new dwelling. Where the existing converted barn is demolished the existing hedgerow would be extended across the site frontage.

## **CONSIDERATIONS AND ASSESSMENT**

### **Background**

The original building comprised a small rectangular barn with a lean-to side extension which projected slightly forward on the road side frontage. Permission was granted for the conversion of the building to a small one bedroom dwelling under ref 88/P2468 with vehicular access onto the track serving the farmhouse. There was no restriction on the use of the dwelling nor were permitted development rights removed. From the report it is clear that the conversion accorded with the current Policy at that time.

Since the late 70s planning policies in respect of barn conversions have evolved gradually at national and local level and now fall to be considered under Policy D10 of the Local Plan. It is only in recent years that permissions have been restricted to employment uses/holiday lets. Farming practices were broadly changing and the stock of disused or redundant buildings was increasing. These vernacular buildings were seen to be an essential part of the rural scene and their ultimate loss would have harmed significantly the character and integrity of the countryside. Planning Policies reacted to the pressure for change by evolving policies which found new uses for these buildings without compromising their character. With the restrictive policies for new housing in the countryside the greatest pressure was, and still is, for residential use. The application under ref 88/P2468 was considered under Policy SE9 of the First Alteration to the Devon Structure Plan as follows:

“ To permit, in certain cases, the alteration or conversion to a dwelling of a suitable disused or redundant building, providing that the building is worthy of conservation, does not give rise to major extension or reconstruction and can be provided with public services without undue public expenditure”

### **Principle of Development and Policy Considerations**

In the East Devon countryside there have been, and still are, an extensive range of locally distinctive vernacular buildings deserving of retention. The majority of these are simple buildings which reflect the character of the area without being individually significant in their own right. The root of national barn conversions policy is to retain these buildings in their own right to safeguard the character of countryside and as such they deserve to be conserved as part of the local scene. The building to be demolished is one such building. To permit the replacement of this building with a new house, however well designed, is likely to seriously undermine the integrity of the barn conversion policy.

The applicant argues that the converted barn is an existing dwelling and therefore would comply with Policy H11 in that the principle of replacement is acceptable if certain criteria are met. It is considered that there are two criteria which the proposal does not meet.

The replacement dwelling must be of a similar size, scale height and mass to that of the existing dwelling. The two buildings are totally different in character. The existing building retains its agricultural character which is the essence of barn conversions policy as a simple building with raised single storey eaves and lean-to at the side. On the contrary the proposed dwelling on a different part of the garden is two storey and of a domestic form and design in render and slate. In itself, if the principle were acceptable, it would be an appropriate design in a rural setting but in the context of this case the focus is not on this aspect. The new dwelling is considerably higher and more dominant in the setting of the hamlet and, in respect of the accommodation provided has a gross floor area over twice the size of the converted barn. It is considered, therefore, that the proposal does not comply with criteria 3 of H11.

The dwelling to be replaced must not be of architectural importance (whether listed or not) or important in terms of contributing to landscape character or quality or local distinctiveness. The applicant suggests that the building is undistinguished and lacks architectural or historic merit. It has already been explained that the original permission was granted only because the building was considered worthy of conservation. If the proposal in 1988 had been to demolish the agricultural barn and erect a new dwelling nearby it would have been clearly against settlement policy. It is also pointed out that the terms “character” and “local distinctiveness” embrace the mundane and the ordinary as much as what might be termed special. Indeed it is argued that it is the mundane and ordinary that is at the root of defining local distinctiveness. In this context within the Blackdown Hills AONB it is strongly put forward that the proposal fails to comply with criteria 5 of H11.

### Other Issues

The applicant mentions other points which he believes support the proposal.

The existing dwelling suffers from dampness, lacks natural daylight and potential for thermal gain. Whilst this may be so it must be remembered that the vast majority of barn conversions potentially have the same drawbacks and is not considered a valid reason for granting a permission in this, or any other similar instance.

The applicant also suggests that the demolition will improve the amenity of neighbouring properties by demolishing the building and erecting the new house further away from them. Currently the barn is close to a property known as Beaumont and immediately opposite The Olde Cider House on the other side of the lane. It is undoubtedly true that the removal of the barn will improve issues of outlook and privacy especially for the second property. However, these issues were considered when planning permission was granted in 1988 and not felt to have a material impact on these neighbours to prevent the grant of planning permission for conversion. It is not considered that this is a sound argument to support the grant permission.

It is noted that the Parish Council supports the proposal on the grounds of improvement to residential amenity and visual amenity. Likewise the Ward Member suggests that the new dwelling has the advantage of being erected closer to the farm buildings and suggests an agricultural tie might be put on the new dwelling. It is drawn to the attention of the Committee that no mention is made in the application of possible occupation by an agricultural worker. This issue, therefore, appears irrelevant.

### **CONCLUSIONS**

The site lies in the isolated hamlet of Heathstock in the Blackdown Hills Area of Outstanding Natural Beauty where residential development would not normally be permitted. The principle of protecting converted barns from demolition and the erection of new houses in their place is of vital importance to safeguarding the integrity of the countryside and the Area of Outstanding Natural Beauty. In this case, too, the new building bears little relationship to the form, scale and character of the converted barn. Whilst each case must always be dealt with on its own merits it is considered that there are strong arguments to refuse permission in this instance. If permission were to be granted it is felt that this would undoubtedly set an unfortunate precedent making future similar applications difficult to resist the cumulative effect of which would further harm the essential character of the countryside and the Area of Outstanding Natural Beauty.

The Committee is, therefore, urged to refuse the application.

## **RECOMMENDATION**

REFUSE for the following reason(s)

1. The existing dwelling was granted permission under former Policy SE9 of the First Alteration to the Devon Structure Plan which sought to permit as an exception the alteration or conversion of a suitable disused or redundant building to a dwelling provided that the building is worthy of conservation. The proposal involves the demolition of the converted building and the erection of a new dwelling significantly larger in size, scale and mass in its place. The Local Planning Authority considers that the rural character of the countryside and the Area of Outstanding Natural Beauty is safeguarded in this context only by the retention of vernacular buildings and that where permission has been granted exceptionally for residential use such buildings shall be retained as part of the rural scene. Whilst the converted barn is not of architectural importance it is a simple building which retains much of its original agricultural form and character. The proposal is therefore considered contrary to Policies ST1(Sustainable Development), CO3 (Areas of Outstanding Natural Beauty) and CO6 (Quality of New Development) of the Devon Structure Plan 2001 to 2016 and Policies S5, (Countryside Protection),D1 (Design and local Distinctiveness), EN1(Areas of Outstanding Natural Beauty) and H11 (Replacement of Existing Dwellings in the Countryside) of the adopted East Devon Local Plan 1995 to 2011.

### List of Background Papers

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