

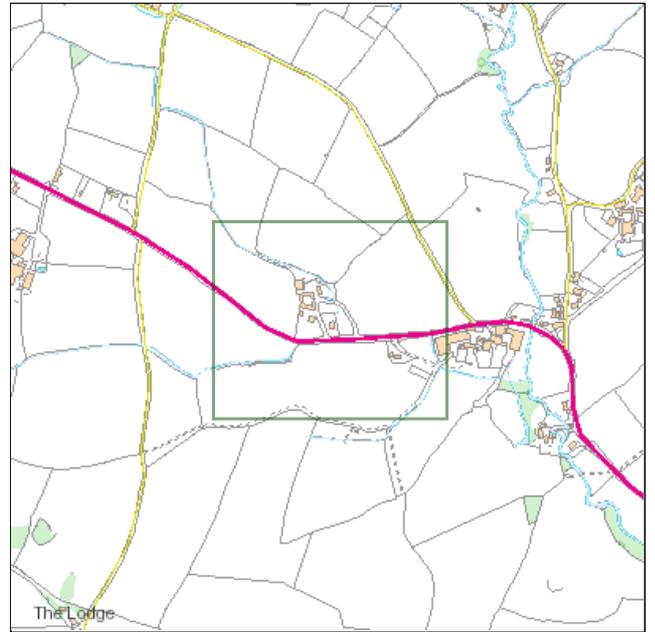
**Ward** Dunkeswell And Otterhead

**Reference** 21/0030/FUL

**Applicant** Mr & Mrs S Cannon

**Location** Hunthayes Barn Hunthays Farm Awliscombe  
EX14 3QB

**Proposal** Conversion of existing brick barn and stone  
barns to form one dwelling



**RECOMMENDATION: Refusal**

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		<b>Committee Date: 7<sup>th</sup> April 2021</b>
<b>Dunkeswell And Otterhead (Awliscombe)</b>	<b>21/0030/FUL</b>	<b>Target Date: 08.03.2021</b>
<b>Applicant:</b>	<b>Mr &amp; Mrs S Cannon</b>	
<b>Location:</b>	<b>Hunthayes Barn Hunthays Farm</b>	
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#### **EXECUTIVE SUMMARY**

**This application is brought before the Committee because the officer recommendation differs from the view of a ward member.**

**The proposal involves the conversion, with associated alterations, of part of a connected range of former agricultural buildings at Hunthayes Farm, to the north west of Awliscombe, to form a four bedroom dwelling. The site, which is within the designated Blackdown Hills Area of Outstanding Natural Beauty, is part of a small complex of buildings, including three other residential properties. Two of these have been formed from conversions approved 25-30 years ago, with one of the two (The Olde Dairy) having been created from the conversion of another part of the same range of buildings.**

**The buildings are essentially arranged around almost the entirety of a central courtyard, excepting for a single point of access. The proposals involve conversion of structures along the western and eastern sides, and the whole of the southern side, of the courtyard.**

**The principal policy provisions that are material to assessment of the proposal are those of Policy D8 (Re-use of Rural Buildings Outside of Settlements) of the adopted Local Plan. In regard to these, it is thought that there are a number of areas of conflict.**

**First, in facilitating residential conversion schemes, there is an emphasis placed upon their location being close to a range of accessible services and facilities to meet residents' everyday needs. In this case, the site is close to a mile from Awliscombe, the nearest settlement, with no connecting footway/cycleway or street lighting along the A373, thereby reducing the convenience and attractiveness of use of non-car means to access the village. Moreover, the village**

itself offers very little in the way of services and facilities that could be regarded as meeting 'everyday' needs, the greater likelihood being that potential occupiers of the development would travel into Honiton.

Another of the key criteria for residential conversion schemes is that there is an opportunity to enhance the setting of the application building(s) through, for example, removal of modern extensions and/or other farm buildings or outside storage or through the introduction of appropriate landscaping. This reflects one of the exceptions to the general presumption against the development of isolated homes in the countryside set out in paragraph 79 of the National Planning Policy Framework.

However, setting aside the question as to whether the site could be regarded as being 'isolated' for the purposes of applying this policy, there is very little scope for enhancement of the setting of the buildings in this case owing to their proximity to the former Hunthayes Farm house and a shared access driveway. Furthermore, while part of the proposal involves change of use of a portion of a field directly bordering the building along the western side of the complex in order to create an area of domestic curtilage for the dwelling, this would appear to be incorporated solely for this purpose rather than as a means of seeking to positively enhance its setting.

In any event, it is thought that this itself represents an incursion into an open undeveloped area that, albeit relatively minor in impact, weighs further against the proposal as opposed to meeting this policy test.

It is also thought that certain elements of the conversion scheme itself would fail to meet other requirements set out in Policy D8 that stipulate that conversion should avoid substantial alteration, any such alterations should protect or enhance the character of the building and its setting and should be in keeping with its surroundings, local building styles and materials. In particular, the incorporation of the proposed half dormer feature to the taller of the buildings on its southern elevation and two pairs of large glazed patio doors in the west elevation, alongside the general number of proposed interventions to the buildings, the unacceptable proportions and design of windows and the intended use of aluminium framing in their construction are all considered to represent unacceptable elements of the proposal.

Although much emphasis appears to be given by the parish council, ward member and interested third parties, in expressing support for the proposal, to the potential occupation by a local family that the development would enable, in the absence of any substantive broader planning grounds upon which to restrict its occupancy or make any grant of permission personal to the applicants (which could not be justified in planning terms) it is thought this itself can be given very little weight.

## **CONSULTATIONS**

### **Local Consultations**

### Parish/Town Council

The Parish Council would like to express their full support for this application. We need to encourage our young local families to remain in the village. It not only provides support for our village school and other amenities, it is essential for the future sustainability of the community. In addition it makes excellent use of redundant farm buildings.

### Dunkeswell and Otterhead - Cllr David Key

I fully support the application which prevents a good structural barn to be brought into a very useful condition owing to it being a disused agricultural building for several years, Also it will enable a local family to remain in the Parish they were born and lived in.

Further comments:

This is the conversion and use of a disused farm building mingled in with other barn conversions and has public transport passing at the end of the drive.

This is a young local couple wanting to return to their place of birth with the barn being Owned by a parent to enable this.

I still fully support this application.

### **Technical Consultations**

None.

### Other Representations

Two representations of support have been received.

### Summary of Grounds of Support

1. Design appears to be sympathetic to the existing location/surroundings.
2. Approve of creating a dwelling out of the existing buildings rather than having a new build
3. The scheme will render the existing structure safe as parts are currently in a poor condition.
4. The conversion will provide accommodation for a young family with existing strong family ties to the community who would otherwise be unable to continue to be part of the village.
5. The conversion will not have any negative impact on neighbouring property.
6. Will positively contribute to the aesthetics of the courtyard and the approach to The Old Dairy.
7. Close proximity of family members would aid and support sustainability of independent living.

### **PLANNING HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>
95/P0562	Conversion Of Farm Buildings To Holiday Let And Annexe	Approval with conditions	08.06.1995

89/P1127	Barn Conversion	Approval with conditions	20.12.1989
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## **POLICIES**

### Adopted East Devon Local Plan 2013-2031 Policies

Strategy 5B (Sustainable Transport)

Strategy 7 (Development in the Countryside)

Strategy 46 (Landscape Conservation and Enhancement and AONBs)

Strategy 50 (Infrastructure Delivery)

D1 (Design and Local Distinctiveness)

D8 (Re-use of Rural Buildings Outside of Settlements)

EN5 (Wildlife Habitats and Features)

EN14 (Control of Pollution)

EN19 (Adequacy of Foul Sewers and Adequacy of Sewage Treatment System)

EN22 (Surface Run-Off Implications of New Development)

TC2 (Accessibility of New Development)

TC7 (Adequacy of Road Network and Site Access)

TC9 (Parking Provision in New Development)

### Government Planning Documents

NPPF (National Planning Policy Framework 2019)

## **Site Location and Description**

The site comprises part of a linked range of single and one and a half storey former farm buildings, incorporating a pair of monopitch-roofed block-constructed stables, which loosely form a square arranged around a central courtyard that is located to the immediate north of the former Hunthayes Farm house.

Both the former farm buildings and the dwelling are part of a small, loosely clustered group of buildings positioned close to, and accessed from, the A373 approximately 1.2 km. to the north west of Awliscombe (measurement taken 'as the crow flies' from the Greenway Lane junction) within the designated Blackdown Hills Area of Outstanding Natural Beauty (AONB). The A373 forms part of its boundary at this point.

This group includes three further residential properties; Orchard Croft, Threshayes and The Olde Dairy, the latter two having been formed within the past 20-30 years through the conversion of former farm buildings.

Indeed, The Olde Dairy and its associated garaging have been formed through the conversion of the single storey range of buildings along the northern side of the courtyard as well as those along part of the eastern return side to the north of the courtyard entrance; this being the only break in the building complex. In addition, a former open fronted stock shelter along the western side of the courtyard has been converted to form a five bay garage/car port.

The planning permission (95/P0562) for these conversions also included proposals for the conversion of the building to the south of the entrance - an open fronted single storey barn - to create a 3 bed holiday letting unit together with the conversion of the taller storey and a half height building (which, along with the stables, forms the southern 'side' of the courtyard) to form a games room for guests with the block-constructed stables removed. However, this element of the scheme has never been carried out.

The 'outer' elevation walls of these parts of the complex are of natural stone construction with brick corner quoins. They are largely devoid of openings save for a pair of modest size openings in the south elevation, single openings within the western gable end elevation of the southern building and the southern end gable elevation of the eastern building and a full height door in the rear elevation of the garage/car port.

As such, while the converted parts of the buildings exhibit considerable alterations to the inner courtyard and 'outer' elevation walls, the remaining buildings have been largely kept unaltered.

### **Proposed Development**

The current application proposals involve the conversion of these former barns, the stables and the present garage/car port, and attendant operational development, to form a four bedroom dwelling. In addition, it is proposed that an area of land within a field immediately to the west of the building range be incorporated as a garden area for the dwelling and a new hedged boundary with the remainder of the field created.

The submitted details show the accommodation comprising, in addition to the bedrooms, a living room, dining room, kitchen, utility room, en suite facilities for two of the bedrooms, a bathroom, playroom/snug, office, store, games room/gym, entrance hall and, at either end of the development, integral single vehicle car ports. In addition, it is proposed that a mezzanine floor, to be used as a storage platform, be formed within part of the slightly taller building.

Within the courtyard, the associated alterations to the buildings would principally consist of infill timber boarding to two of the three bays of the open fronted barn to the south of the courtyard entrance and four of the five bays of the garage/car port (the retained single bays within each being kept open to form the two car ports) with two doors and a window incorporated - in total - within each. The concrete wall to the stables would be replaced with a series of four three light windows of full wall height

to provide light to an internal 'bedroom corridor'. However, the specification of the external wall finish for the non-glazed areas of this elevation is not clear from either the application or the plans.

It is envisaged that the 'outer' wall elevations would accommodate a number of windows and doors throughout, including pairs of large glazed sliding windows in the west elevation to provide access from the proposed living and dining rooms to a patio within the garden.

These aside, new windows would mainly comprise two light casements - all with horizontal glazing bars, with those in the east elevation also sub-divided vertically - set within openings with brick quoins and heads.

The south elevation would see the introduction of a gabled half dormer feature housing, in part, a 'false' 'stable' door above a ground floor level door of identical design along with a pair of roof lights to serve a vaulted ceiling to the living room and a flue for a log burner within the same space. A further roof light is proposed for the courtyard elevation of this building to provide light to the entrance hall.

It is also intended that a part glazed, part panelled timber screen be formed within the east elevation to provide a large window to the proposed games room/gym. This would also be served by 2no further roof lights within the courtyard elevation.

The west elevation would also incorporate the inclusion of a door at the rear of the car port that would provide access to a bin/recycling storage area.

It is relevant to note that due to the location of the site within the AONB, the buildings do not benefit from any fall-back consent under the Prior Approval process.

### **Considerations/Assessment**

The main issues for consideration are the principle of development and its visual impact.

### **Principle/Policy**

The site occupies a location within the open countryside outside of any defined Built-up Area Boundary where the provisions of Local Plan Strategy 7 (Development in the Countryside) apply. These only permit development where it is in accordance with a specific Local or Neighbourhood Plan policy and where it would not harm the area's distinctive landscape, amenity and environmental qualities, including, among other things, important man made features which contribute to the local landscape character, such as rural buildings.

In the absence of any made or emerging neighbourhood plan for Awliscombe parish (and no permitted development rights for conversion to residential use), it is considered that the main development management policy provisions in the Local Plan that are material to consideration of the proposal in this case are those of Policy D8 (Re-use of Rural Buildings Outside of Settlements). These permit the re-use of buildings in the countryside where, among other criteria: the building is structurally

sound and capable of conversion without the need for substantial extension, alteration or reconstruction and any alterations protect or enhance the character of the building and its setting; the new use would be sympathetic to, and would enhance the rural setting and character of, the building and surrounding area, and is in a location which will not substantively add to the need to travel by car, and the form, bulk and general design of the building and its proposed conversion are in keeping with its surroundings.

It also states that, for residential proposals, it must be established that; the buildings' conversion would enhance its setting, for example through removal of modern extensions and materials, outside storage, landscaping, etc., and that development is located close to a range of accessible services and facilities to meet the everyday needs of residents. These therefore essentially reflect the more general provisions set out above.

In regard to these key criteria it is felt that the proposal presents issues of concern.

In considering the issue of the location of the site and its proximity to a 'range of accessible services and facilities', it is noted that the site is close to a mile from the nearest village, Awliscombe, with no safe or convenient pedestrian connection to it. The A373 alone connects the two and, aside from not being especially convenient or desirable to walk or cycle along, has no footways or street lighting that could improve this situation.

Moreover, although the A373 forms part of a route for a bus service, neither the frequency nor convenience of the service is sufficiently satisfactory as to be likely to encourage a significant modal shift that could be regarded to weigh in favour of the principle of the development in this case. Hunthayes is not close to any bus stops within ready, safe or convenient walking distance while the service itself is infrequent.

Furthermore, the range of facilities and services within Awliscombe itself could not reasonably be regarded as meeting the everyday needs of residents, who would more likely travel to Honiton to fulfil these. In order to do so, it is equally likely that the proposed development would add to the number of journeys that are necessary by private car.

As such, it is thought that the addition of a further dwelling in the open countryside at Hunthayes Farm would result in an additional contribution towards a dispersed pattern of housing provision that would be contrary to the underlying objectives of Strategy 7 and Policy D8.

Although relating to an application and subsequent appeal considered close to 20 years ago, it is also thought that there are valid comparisons to be made with a proposal to remove a holiday occupancy restriction condition attached to 2no holiday cottages, to enable unrestricted permanent occupation as dwellings, at nearby Godford Land Farm during 2001/02.

Whilst not directly alongside, and accessed from, the A373, this site is a similar distance from Awliscombe.

The Council had imposed the condition principally on the grounds that the grant of planning permission for a dwelling in the open countryside would be contrary to the Local Planning Authority's approved policies and refused its removal on the grounds of it resulting in inappropriate development within the AONB and that it was 'tantamount to the creation of two new residential dwellings in the rural countryside divorced from any settlement'.

In his consideration of the appeal, the Inspector identified, among three main issues, 'whether the proposed development would increase the need to travel'. In his findings on this, he opined as follows:

"The range of facilities within Awliscombe, which includes a primary school and a public house, are limited and in my opinion would not meet the basic needs of residents of the units. In combination with the remoteness of the site from employment centres, shopping and leisure facilities, the proposal would increase the need to travel. Although at present holidaymakers could be expected to make their way to and from the site by car and travel during their stay, I consider that in comparison to the likely travel patterns of residents the proposal would result in a significant increase in the need to travel. In particular, permanent residents would be likely to travel regularly for employment, social, leisure and domestic purposes, including medical and educational purposes. Holidaymakers would also in my opinion be far less likely to receive visitors who could also be expected to arrive by car."

He went on to consider the infrequency of bus services to be likely to have any meaningful impact on reducing the need to travel and "furthermore, the distance of the site from Awliscombe, the horizontal alignment of the A373, and the lack of footways and street lighting along this stretch of the main road would also in my opinion deter more sustainable forms of travel such as walking and cycling. I therefore conclude (sic) that the proposal would increase the need to travel."

Although the current proposal does not relate to the removal of a holiday occupancy restriction, the effect is essentially identical insofar as it would create an unrestricted residential dwelling in an unsustainable location. Moreover, it is the case that very little has changed, in terms of the accessibility of that site to Awliscombe and the range of services and facilities that the village offers, since the time of the appeal decision. As such, taken together with its very similar distance from the village to that of Hunthayes, it is felt that the conclusions reached can be equally applied in this case and that they carry very similar weight in the context of the relevant criterion of Policy D8.

The proposal would also, in this regard, fail to comply with the provisions of Policy TC2 (Accessibility of New Development) of the Local Plan which require that new development should be located so as to be accessible by pedestrians, cyclists and public transport and also well related to compatible land uses so as to minimise the need to travel by car.

## **Visual Impact**

Turning to the matter of the extent to which the proposed scheme itself would protect or enhance the character of the building range and its setting, it is again considered that there are shortcomings in this regard.

As stated, one of the key Policy D8 criteria is that it should avoid substantial alteration and that any such alterations that are proposed should be sympathetic to the building.

In this case however, it is thought that the extent and nature of the alterations proposed to the buildings would result in their essential agricultural character being significantly compromised.

One of the more important elements of the character of the affected buildings is perceived to be the absence of a significant number of openings within their 'outer' western, southern and eastern elevations. While it is accepted that parts of the complex overall have been the subject of alterations during the course of the previous approved conversion works to create the property now known as The Olde Dairy, as well as its associated garaging and the five bay car port, it is not necessarily felt that these themselves are especially sympathetic and that they can reasonably be cited in support of any additional potentially damaging operations that could, both in themselves and cumulatively, be detrimental to the inherent form and character of the remaining buildings around the courtyard.

Indeed, it is thought that the present scheme would introduce elements that would, on both counts, be materially harmful.

First, it is considered that the fundamental number of interventions in the buildings would be excessive and that they could be reduced were modifications to the floor plan to be considered. Although the accommodation is quite extensive in nature, which is not necessarily an issue of concern in itself, it has resulted - in terms of the numbers of internal spaces that are proposed - in a need to provide windows, roof lights, etc. throughout the buildings that would be somewhat reflecting of this.

Furthermore, the nature of a number of the alterations is thought to be most unsympathetic to the form and character of the buildings. Elements in particular that are considered to be most damaging are the proposed gablet and false first floor level stable door in the south elevation, and the breaking of the continuous line of the existing roof eaves that would result, and the two sets of large glazed patio doors proposed alongside each other in the west elevation. This treatment in particular, is felt to be especially unfortunate, particularly given the prominence of this aspect of the complex in view from the A373 upon approach from the west and, to a lesser extent, a road extending north off it around 350 metres uphill from the site to the west. From these views, the undeveloped character of these former farm buildings and their wider agricultural setting is particularly apparent and the introduction of the treatment proposed to this aspect would be wholly damaging to this.

It would appear also that the number, arrangement and proportions of the proposed windows have taken those of The Olde Dairy as something of a design lead insofar as it is thought that, both individually (for the most part) and collectively, they appear unduly domestic in character. Whilst there is an acceptance that the sensitive design of new openings for walls that are largely devoid of any may present a challenge from a design standpoint, and that it might not be unreasonable to seek to replicate a treatment previously used, it is thought in this case that the resulting development

would appear unsympathetic to the agricultural form and character that is currently retained by the existing buildings.

Equally, while reference has already been made to the lack of clarity in regard to the materials to be employed in the construction of the proposed windows, it is essentially considered that the use of aluminium framing for any windows in a conversion of this nature should be avoided.

Although the intended treatment to the 'inner' courtyard elevations would appear rather more sympathetic, not least owing to their present appearance which exhibits either evidence of previous interventions or involves less characterful buildings, such as the stables, this fails to compensate for the perceived failure of the scheme to achieve a sensitive series of alterations to the 'outer' wall elevations.

Whilst not necessarily likely to be materially damaging to the character of the setting of the buildings given the relatively modest area of land involved and the intention to provide hedge screening to the 'new' boundary, the intervention into the adjacent field in order to create the proposed curtilage area for the dwelling also adds a further element of 'domestication' to the scheme. Although the lack of space elsewhere in which to create an ancillary garden space for the property is acknowledged, and the desire to provide the same wholly reasonable, it is not considered that it would positively protect or enhance the setting of the buildings to any extent that would meet the relevant test of Policy D8 or paragraph 79 of the NPPF.

Furthermore, there would be very little scope to actively enhance the setting of the buildings elsewhere given the arrangement of the buildings around a central courtyard, the absence of any later unsympathetic additions to their outer elevations and the close proximity of Hunthayes Farm house and its driveway to them.

The perceived failure to meet these tests also renders the proposal contrary to the more generic provisions of Local Plan Policy D1 (Design and Local Distinctiveness) which requires, fundamentally, that development respects the key characteristics and special qualities of the surrounding area and relates well to its context.

Overall therefore, notwithstanding the view that the scheme would meet the various other Policy D8 criteria - in relation to the structural soundness of the buildings to be converted, the absence of any harm to the countryside by way of traffic, parking, storage, pollution or the construction of any associated structures or any undermining effect upon the viability of an existing farm business likely to prompt the future need for replacement buildings - it is considered that the scheme would be contrary to the key tests identified.

### **Other Matters**

The submission includes a protected species survey report that sets out the results of both visual inspection and bat emergence surveys. These reveal the presence of day roosts for pipistrelle and brown long-eared bats within the buildings that would be lost as a result of the proposed development as well as potential disturbance, injury or killing of bats during works.

The survey also highlights the presence of both historic and active bird nesting sites.

Recommended mitigation measures (that would need to form part of a necessary protected species licence application to Natural England) include: the provision of an alternative roosting site for bats in the form of an enclosed bat loft above one of the proposed car ports; the minimising of potential disturbance to acceptable levels through the carrying out of works under an ecological watching brief to ensure that no bats are injured or killed, and the provision of four integrated bird nesting bricks on the northern and eastern elevations of the taller one and a half storey barn.

There are no issues of concern regarding the proposal from highways/access or drainage perspectives. It is intended to discharge of foul drainage via a mains sewer connection and surface water drainage by way of a sustainable drainage system, the details of which have not been provided. There is ample land within the courtyard and/or elsewhere within the site area for the provision and manoeuvring of vehicles while the entrance to the driveway to the site off the A373 has the benefit of the maximum visibility available both for, and of, emerging vehicles. No comments have been received regarding the proposal from the Highway Authority.

Notwithstanding these factors that might otherwise weigh in favour of the scheme, it is considered that the planning balance weighs against the proposed development in this case.

Furthermore, whilst the support expressed by the parish council and ward member on the basis of the opportunity that the development could provide to accommodate a local family is recognised, in the absence of any substantive grounds upon which to restrict occupancy of the proposed dwelling, make any permission personal to the applicants, and given that the property could be sold at any time to anybody, it cannot be given very much weight in the overall balance of considerations in this case.

## **RECOMMENDATION**

REFUSE for the following reasons:

1. The site is located outside of the built-up area boundary of any defined settlement or a strategic allocation within the adopted East Devon Local Plan 2013-2031 and is therefore within the open countryside where residential development is restricted. The proposal, by reason of its location in the countryside remote from essential services and facilities required for daily living, with inadequate provision for safe, desirable and convenient alternative means of access by walking, cycling or public transport, would result in an unsustainable form of development with reliance upon the use of the motor vehicle to access such services and facilities. It would also result in a development that would not be spatially or physically well related to the built form of any settlement. As such, the proposal would be contrary to the provisions of Strategy 7 (Development in the Countryside), Strategy 27 (Development at the Small Towns and Larger Villages) and Policies D8 (Re-use of Rural Buildings Outside of Settlements) and TC2 (Accessibility of New Development) of the East Devon Local Plan 2013-2031 and guidance as set out within the National Planning Policy Framework (2019).

2. In the opinion of the Local Planning Authority, the proposed conversion scheme would involve significant alterations to the existing buildings that would, by virtue of their nature and number and the use of inappropriate materials, be out of keeping with, and fail to protect or enhance, their rural agricultural character or appearance or the rural character of their setting. This would also be to the detriment of the wider landscape character and quality of the designated Blackdown Hills Area of Outstanding Natural Beauty in which the site is located. As such, the proposal would be contrary to the provisions of Strategy 46 (Landscape Conservation and Enhancement and AONBs) and Policies D1 (Design and Local Distinctiveness) and D8 (Re-use of Rural Buildings Outside of Settlements) of the adopted East Devon Local Plan 2013-2031 and guidance as set out within the National Planning Policy Framework (2019).

#### NOTE FOR APPLICANT

##### Informative:

In accordance with the aims of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 East Devon District Council seeks to work positively with applicants to try and ensure that all relevant planning concerns have been appropriately resolved; however, in this case the development is considered to be fundamentally unacceptable such that the Council's concerns could not be overcome through negotiation.

##### Plans relating to this application:

P1804:01	Location Plan	06.01.21
P1804:02	Combined Plans	06.01.21
P1804:03	Combined Plans	06.01.21
P1804:05	Proposed Elevation	06.01.21

##### List of Background Papers

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