

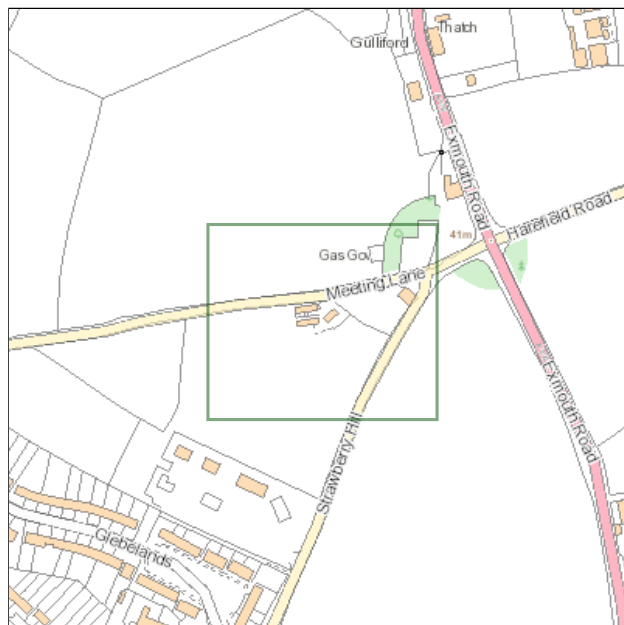
Ward Woodbury And Lympstone

Reference 21/3077/FUL

Applicant Ashley and Lisa Taylor

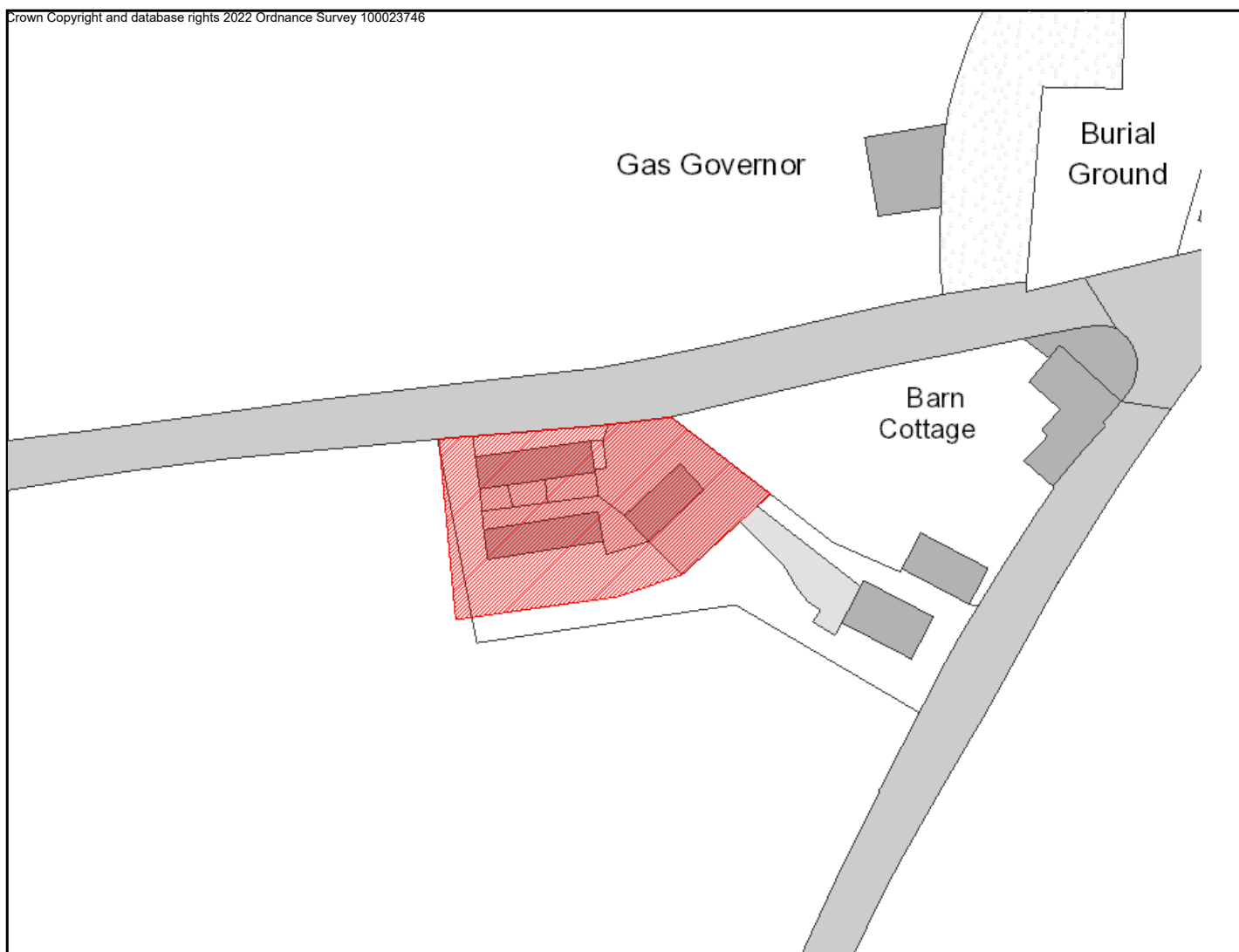
Location Higher Stables Meeting Lane Lympstone
Exmouth EX8 5JJ

Proposal Demolition of three stable buildings and
construction of new dwelling.



RECOMMENDATION: Approval with conditions

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		Committee Date: 13th April 2022
Woodbury And Lympstone (Lympstone)	21/3077/FUL	Target Date: 27.01.2022
Applicant:	Ashley and Lisa Taylor	
Location:	Higher Stables Meeting Lane	
Proposal:	Demolition of three stable buildings and construction of new dwelling.	

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY

This application is before Members as the proposal is a departure from the Local Plan.

This application seeks planning permission for the demolition of the existing stable buildings and the construction of a new dwelling and associated parking and amenity area.

The proposal has been submitted as an alternative proposal for a new dwelling on a site which benefits from an extant permission for the conversion of the existing stable buildings on the site. Whilst not benefiting from Local Plan policy support, it is accepted that previously approved conversion represents a realistic fall-back position, which, subject to other issues being acceptable, is a material consideration in the determination of the application.

The proposed design is of a scale which is commensurate with that approved, and whilst occupying a slightly different configuration, is considered to present the appearance of three modest linked rural buildings. It would allow modern building techniques and improved thermal and energy efficiencies to be incorporated, resulting in a dwelling which is of better design and layout than the fall-back position and which would appear appropriate within its rural context.

Subject to conditions the application is considered to be acceptable and recommended for approval.

CONSULTATIONS

Local Consultations

Woodbury And Lympstone - Cllr Geoff Jung
21/3077/FUL

I have viewed the documents for planning application 21/3077/FUL for the demolition of three stable buildings and construction of new dwelling at Higher Stables Meeting Lane Lympstone Exmouth EX8 5JJ

There is a long history to this site, with an approved application for a conversion of a stable to a dwelling being approved. This was a full planning application and not a change of use application and therefore there is a presumption that development can take place on this site. Although the demolition of a building is not "carbon friendly", I feel on balance this proposal is better than the previous application which was making a dwelling out of a stable.

I support the application, but I reserve my final views on the application until I am in full possession of all the relevant arguments for and against.

Further comments:

Thank you for your report and recommendation which I support

Woodbury And Lympstone - Cllr Ben Ingham

Because of the history of this site, I support this application.

Parish/Town Council

Recommendation: Support

Other Representations

Five representations have been received, 4 raising objections, 1 in support. The issues raised are summarised below

Objections

- Proposal is not a conversion but new build
- Increase in surface water run off/flooding
- New development in the countryside
- New dwelling will be very visible
- Increased light from new dwelling
- Loss of privacy

Support

- Design sympathetic to surroundings
- Scale of building low impact
- Materials reflect agricultural style
- Replacement of unsuitable, unused building with a home

PLANNING HISTORY

Reference	Description	Decision	Date
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19/2208/FUL	Conversion of two barns/ stables to form one dwelling with a link extension (resubmission of application 18/0869/FUL	Approved	08.01.2020
18/0869/FUL	Conversion of two barns/ stables to form one dwelling with a link extension, and use of remaining buildings for domestic purposes	Refused Appeal Dismissed	08.10.2018 09.08.2019

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 7 (Development in the Countryside)

Strategy 27 (Development at the Small Towns and Larger Villages)

Strategy 44 (Undeveloped Coast and Coastal Preservation Area)

D1 (Design and Local Distinctiveness)

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

EN5 (Wildlife Habitats and Features)

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 2021)

National Planning Practice Guidance

Lympstone Neighbourhood Plan

Policy 2 - development in the countryside

Policy 3 - development in Green Wedge and Coastal Protection Area

Policy 4 - range of housing

Policy 7 - design of new development

Policy 8 - energy efficiency

Policy 11 - parking

Policy 12 - minimising energy consumption

Policy 13 - renewable energy

Policy 14 - flood risk

Site Location and Description

The site comprises two single storey timber clad stable blocks with a concrete yard between them and a detached garage. The stables are accessed off Meeting Lane just north of Lympstone and are orientated east-west and sit parallel to Meeting Lane.

In planning terms, the site is located in the countryside, outside of the built-up area boundary of Lympstone as defined within the Lympstone Neighbourhood Plan. The site falls within an area designated as a Coastal Preservation Area.

Proposed Development

Planning permission is sought for the demolition of the existing buildings on the site and the construction of a new single storey four bedroom dwelling.

The layout of the site has been amended with the position of the building adjacent to Meeting Lane remaining unchanged, but with the further new building being rotated to form an L shaped building. The land enclosed by the new building to the north and east would form a garden area. A new carport is indicated, attached to the south eastern part of the dwelling, in lieu of the third barn.

The design of the building has been kept simple, with the overall form similar in scale to the existing structures. The palette of materials is also similar with timber cladding used on the walls, under a profiled sheeting roof. Public views of the site have been designed to be reflective of that existing with the windows facing onto Meeting lane, being shielded by timber louvres.

Externally the existing yard area would be used for parking and turning.

ANALYSIS

The main issues to be considered in the determination of this application relate to the principle of the development, the design of the development, and any impact of the proposal on the character and appearance of the area, on highway safety, residential amenity, heritage impact, ecology or drainage.

Policy Context

The National Planning Policy Framework (NPPF) states that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The Council formally adopted the East Devon Local Plan 2013-2031 on the 28th January 2016 and the policies contained within it are those against which applications are being determined and carry full weight. The Lympstone Neighbourhood Plan which covers the area is made and carries full weight alongside the Local Plan.

Principle of the Development

The application site lies in the open countryside where Strategy 7 (Development in the Countryside) states that new development in the countryside will only be permitted where it is in accordance with a specific local or neighbourhood plan that explicitly permits such development and where it would not harm the distinctive landscape, amenity and environmental qualities within which it is located.

Residential development in an open countryside location, outside of any established settlement would usually be considered contrary to policies intended to restrict new

residential development in such locations on the basis that the proposal would be considered unsustainable and therefore deemed to be unacceptable in principle.

Whilst the site is located within the countryside as defined by the East Devon Local Plan and the Lymington Neighbourhood Plan, it does benefit from planning permission for the conversion of two barns/stables to form one dwelling with a link extension under planning ref 19/2208/FUL.

Planning permission was granted on the basis that it was for the conversion and re-use of an existing building which was considered to comply with Policy D8 (Re-use of Rural Buildings Outside of Settlements) of the Local Plan and Policy 2 of the Neighbourhood Plan. The principle of development insofar as it relates to the re-use of the existing building for residential purposes has therefore been established.

This application, however, seeks permission for the demolition of the existing buildings on the site and the construction of a new dwelling. Whilst there is policy support for the replacement of dwellings in the countryside, there is no specific policy support, either within the local or neighbourhood plan for the replacement of other rural buildings. As such the proposal represents a departure from the development plan.

Fall Back Position

Generally planning permissions that have been granted following Class Q conversion approvals as a 'fall back' position have been done so on the basis that the existing buildings were not aesthetically pleasing and that there would be a betterment through a revised scheme to the character and appearance of the area. Such fall back permissions are usually granted on the basis that the floor area of the existing buildings remains the same and that the residential curtilage is not unreasonably increased in size.

This application does not rely on a permitted development Class Q situation, but on a full planning application which was permitted on the basis that a previous application for a dwelling in this location was found to be sustainably located, and that the proposed alterations and extension to the buildings were sensitive and appropriate to the site's rural context.

The current proposal seeks to provide a betterment to the conversion of the existing buildings, by constructing a more energy efficient building using sustainable materials and foundations, rather than working with buildings that were not designed for residential purposes.

It is considered that the extant approval for the conversion and extension to the existing buildings represents a valid fall-back position in terms of establishing that the site is not isolated or remote, and that it is in a sustainable location for development. It is further considered that there is a realistic possibility of the extant permission being implemented should the current application be found to be unacceptable. With this in mind it is considered that the fall-back is a material consideration, and that the impacts of replacing the rural buildings with a new building must be judged carefully.

Design, Scale and Form

The application proposes to demolish all of the existing buildings and to rebuild a bespoke new dwelling. The position, scale and form of the building to the west of the site, running parallel with Meeting Lane would replicate that existing, with the further new building linked by a flat-roof glazed porch extending to the east to form an L shaped building. A further open sided linked car port would project from this to the north, in the general position of the existing open sided storage building.

The use of the glazed links between the three main buildings provides visual separation between the structures, particularly when seen from the road, giving the impression of a collection of buildings rather than an overtly domestic property. This impression is reinforced by the limited fenestration within the east elevation and the use of timber louvres shielding the window openings from public views on the north elevation.

Whilst there are greater areas of glazing on the western elevation, the orientation of the building is such that these would not be visible from external vantage points, with the impact of the glazing largely shielded by the proposed timber pergola extending beyond the eaves of the building.

The footprint of the proposed buildings is slightly reduced from that previously approved, and the overall height has been maintained, by slightly lowering the ground level. As such the overall form, albeit not the same as that currently on site, is considered to be consistent with a group of modest rural structures, and appropriate within this countryside location.

Character and Appearance

In terms of impact, the appearance of the scheme is considered to be sympathetic to its rural setting due to its modest scale and use of traditional materials, with timber boarding under a profiled steel roof, such that it would not appear prominent within the landscape or visually intrusive.

The new building may be visible in wider views from the properties to the south, beyond the intervening field, however it is some distance away, in excess of 120m, and the scale and orientation the building is such that any visual impact would be minimal. In this respect it is not considered that the new dwelling would be more conspicuous than the conversion of the existing buildings. The proposed garden/amenity area to the south of the building is screened from public views, however the introduction of domestic paraphernalia or new structures within this space has the potential to increase visibility of the site from southern viewpoint across the field. The removal of permitted development rights, together with appropriate boundary planting, would reduce the impact of domesticity to an acceptable extent.

The application site lies within the Coastal Protection Area, where Strategy 44 (Undeveloped Coast and Coastal Protection Area) where new development will not be allowed if it would damage the undeveloped/open status of the land. It is not considered that the replacement of existing buildings by those of a similar scale form and position would result in any damage to the open status of the land such that it would be contrary to this policy.

Overall it is considered that the new development would not have an adverse impact on the character and appearance of the area and that design, scale and position of the building would accord with the provisions of Strategy 7 (Development in the Countryside) and Policy D1 (Design and Local Distinctiveness) of the Local Plan.

Highway Safety, Access and Parking

It is not anticipated that the residential use of the site would generate significant traffic movement, and would be commensurate with that associated with the former equestrian use. Sufficient parking and turning space is provided within the site to accommodate any traffic generated.

In addition the site access has a good level of visibility and it is therefore considered that the proposal complies with the provisions of Policy TC7 (Adequacy of Road Network and Site Access) and TC9 (Parking Provision in New Development) of the Local Plan.

Residential Amenity

The proposed development is not considered to have any material impact on any nearby residents, with the nearest property, Barn Cottage, being located around 40 metres to the north east of the site, although their associated driveway and garaging abuts the boundary. Whilst some disruption may occur during any construction period, it is not considered that the proposed use of the site for residential purposes will result in the loss of any residential amenity for the occupiers of this property.

Heritage Impact

The Council's Conservation Officer has advised on the previous proposals that it would result in little or no harm to nearby heritage assets (grade II listed Boundary Cottage and the Burial Ground) within the immediate and wider area. The same view is shared in respect of the current application and no objection is raised on these grounds.

Ecology

The application is accompanied by an ecological survey which has been prepared by a suitably qualified ecologist. The report has surveyed the buildings which are to be removed and confirms that they do not support a bat roost and that the new construction would not result in any harm or disturbance to bats. The report advises that a total of 18 former swallow nests were identified within the stables and that it is likely that bird nest sites could be provided in the new development in the form of swallow nesting cups located within a covered area such as the store or car port.

The ecological report sets out a number of appropriate measures to mitigate any impact arising from the development which can be secured through condition. It is not considered that the proposal would consequently give rise to any harm to species which are protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017 and the provision of Policy EN5 (Wildlife Habitats and Features) of the Local Plan.

Drainage

The application is for a single dwelling that is not located within an area identified as being at risk of flooding.

The proposal will be subject to the need to secure Building Regulations approval that will ensure that surface water and foul drainage are adequately dealt with.

Given the location of the site within the countryside, the proposal includes permeable surfacing and soakaways to deal with surface water run-off. Also, due to the rural location and lack of mains drainage in the vicinity it is proposed to install a packet treatment work, due to the lack of mains drainage in the vicinity of the site.

Habitat Mitigation

The nature of this application and its location close to the Exe Estuary and Pebblebed Heaths and their European Habitat designations is such that the proposal requires a Habitat Regulations Assessment. This section of the report forms the Appropriate Assessment required as a result of the Habitat Regulations Assessment and Likely Significant Effects from the proposal. In partnership with Natural England, the council and its neighbouring authorities of Exeter City Council and Teignbridge District Council have determined that housing and tourist accommodation developments in their areas will in-combination have a detrimental impact on the Exe Estuary and Pebblebed Heaths through impacts from recreational use. The impacts are highest from developments within 10 kilometres of these designations. It is therefore essential that mitigation is secured to make such developments permissible. This mitigation is secured via a combination of funding secured via the Community Infrastructure Levy and contributions collected from residential developments within 10km of the designations. This development will be CIL liable and the financial contribution has been secured. On this basis, and as the joint authorities are working in partnership to deliver the required mitigation in accordance with the South-East Devon European Site Mitigation Strategy, this proposal will not give rise to likely significant effects.

CONCLUSION

The proposal has been submitted as an alternative proposal for a new dwelling on a site which benefits from an extant permission for the conversion of the existing stable buildings on the site. Whilst not benefiting from Local Plan policy support, it is accepted that previously approved conversion represents a realistic fall-back position, which, subject to other issues being acceptable, is a material consideration in the determination of the application.

The proposed design is of a scale which is commensurate with that approved, and whilst occupying a slightly different configuration, is considered to present the appearance of three modest linked rural buildings. It would allow modern building techniques and improved thermal and energy efficiencies to be incorporated, resulting in a dwelling which is of better design and layout and which would appear appropriate within its rural context.

Subject to conditions the application is considered to be acceptable and recommended for approval

RECOMMENDATION

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 permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)
3. Before development above foundation level is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external walls and roofs of the proposed development shall be 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 in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)
4. No development above foundation level 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 the planting of trees, hedges, shrubs, herbaceous plants and areas to be grassed. The scheme shall also give details of any proposed walls, fences and other boundary treatment. The landscaping scheme shall be carried out in the first planting season after commencement of the development unless any alternative phasing of the landscaping is agreed in writing by the Local Planning Authority and the landscaping 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 - To ensure that the details are planned and considered at an early stage in the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 - Design and Local Distinctiveness and D2 - Landscape Requirements of the Adopted East Devon Local Plan 2013-2031.)
5. The development hereby permitted shall be carried out in accordance with the recommendations, mitigation and enhancement measures contained within the Preliminary Ecological Appraisal prepared by Orbis Ecology dated 11 November 2021, reference no: ORBHAC11.

(Reason - In the interests of biodiversity and ecology in accordance with the provisions of Policy EN5 (Wildlife Habitats and Features) of the East Devon Local Plan 2013-2031).

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no works shall be undertaken within the Schedule 2 Part 1 Classes A, B, or E for the enlargement, improvement or other alterations to the dwelling hereby permitted, other than works that do not materially affect the external appearance of the buildings, or for the provision within the curtilage of any building or enclosure, swimming or other pool, [other than any enclosure approved as part of the landscape management scheme] (Reason - The space available would not permit such additions without detriment to the character and appearance of the area or to the amenities of adjoining occupiers in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)

Plans relating to this application:

1146-31 REV L : South/West	Proposed Elevation	07.02.22
1146-30 REV L : North/East	Proposed Elevation	07.02.22
1146-05 REV J	Proposed Site Plan	24.11.21
	Location Plan	24.11.21
1146-10 REV H : Ground Floor	Proposed Floor Plans	24.11.21

List of Background Papers

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