

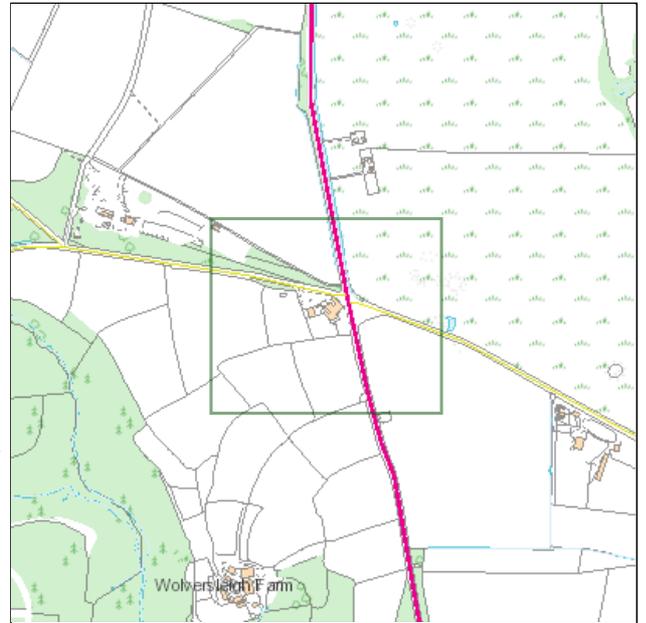
**Ward** Sidmouth Rural

**Reference** 22/1407/FUL

**Applicant** Mr J Birch (Heartstone Inns Limited)

**Location** Hare And Hounds Inn Putts Corner Sidbury  
Sidmouth EX10 0QQ

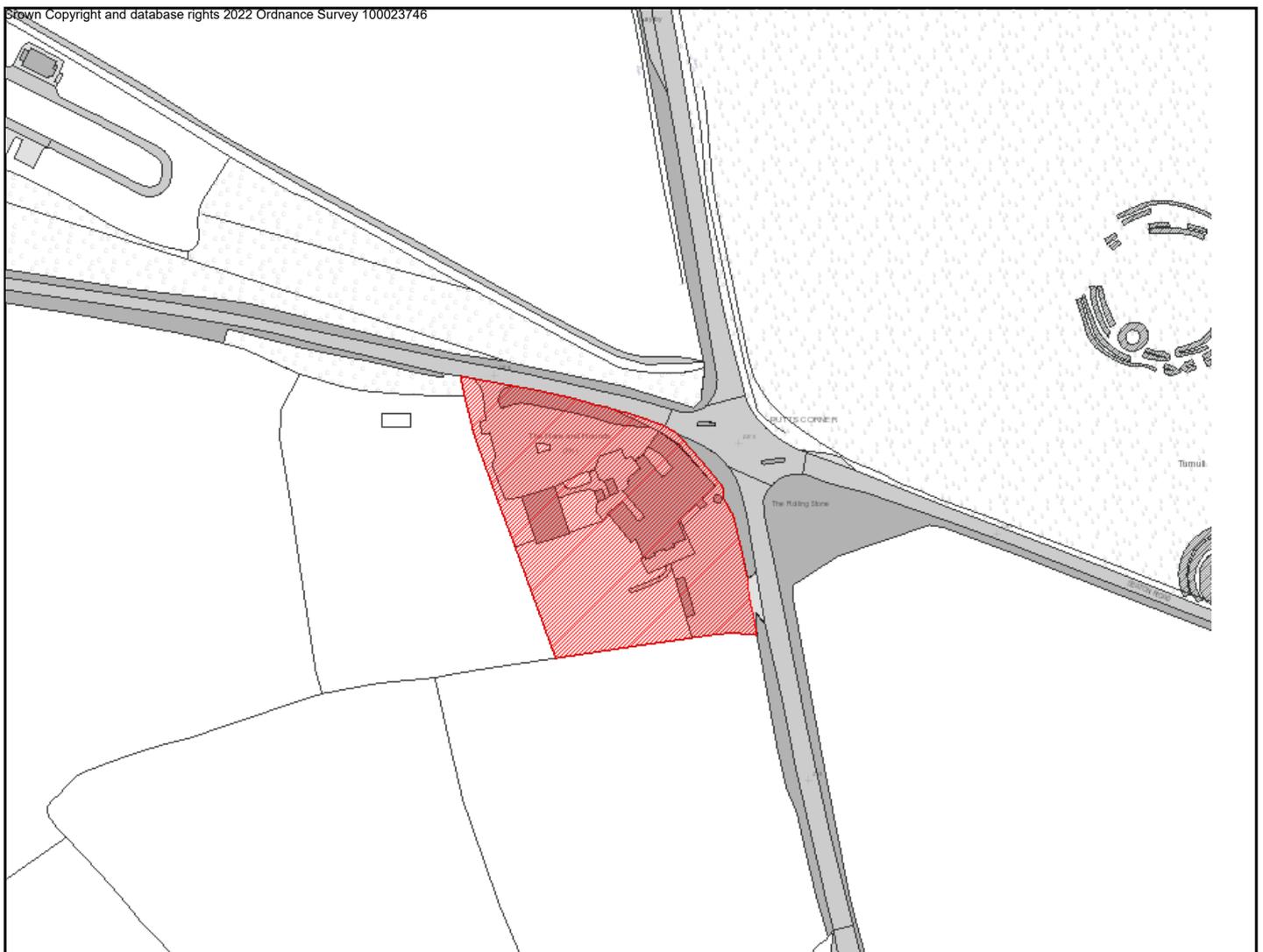
**Proposal** Proposed demolition of barn and the erection of  
an extension to provide 11no. guest bedrooms  
and associated landscaping and car parking.



**RECOMMENDATION:**

- 1. Adopt the Appropriate Assessment**
- 2. Approve with conditions**

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		<b>Committee Date: 29.11.22</b>
<b>Sidmouth Rural (Sidmouth)</b>	<b>22/1407/FUL</b>	<b>Target Date: 24.08.2022</b>
<b>Applicant:</b>	<b>Mr J Birch (Heartstone Inns Limited)</b>	
<b>Location:</b>	<b>Hare And Hounds Inn Putts Corner</b>	
<b>Proposal:</b>	<b>Proposed demolition of barn and the erection of an extension to provide 11no. guest bedrooms and associated landscaping and car parking</b>	

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**EXECUTIVE SUMMARY**

**This application is before members as there is no direct policy support for development within the East Devon Local Plan or Sid Valley Neighbourhood Plan. The application is therefore a departure from the Development Plan and is required to go before members.**

**The application proposes the construction of a two storey extension off the south west elevation to facilitate the provision of 11 guest rooms. Owing to the site's countryside location within the Blackdown Hills AONB, there is no policy within the Local Plan or Neighbourhood Plan that would provide support for the development. However, the overarching objectives of the Local Plan acknowledge the importance of holiday accommodation to support the district's tourism economy and the need to enable successful businesses to expand and diversify. This is further reflected within the National Planning Policy Framework at paragraph 84 and, to a lesser extent, 85.**

**The application site is located opposite a bus stop where the regular No. 9 service runs between Exeter and Sidmouth. Additionally, being located on the crossroads where the A375 and B3174, the site is accessible via public and private modes of transport. The distance from Ottery St Mary, Honiton and Sidmouth provides realistic opportunities for prospective occupants of the holiday accommodation to cycle or, for those willing, walk to nearby settlements, to access everyday services and facilities that the pub does not already offer.**

**The extensions would undoubtedly add to the overall bulk of built form of the Hare and Hounds pub which has gradually increased overtime which is reflected**

within the planning history listed later within the report. The submitted south east elevation on plan 016 A communicates how the proposals would add to the sprawling appearance of the building. Despite this, the design approach does ensure the build would work with the topography of the site which falls away to the south west resulting in the ridge height of the extension sitting below that of the adjacent dining room building. Additionally, the overall extent of the south east elevation is largely obscured from public view from those approaching the site from Sidmouth along the A375 due to the existing hedgerow and the restaurant building.

Long distance views of the site from Chineway Head and Pigeon Hill are largely obscured due to undulating landform and dense vegetation and woodland. Where distant views are available, these are restricted to a few glimpsed views where the extension would be viewed in the context of the existing build at the site. Despite this, the extent of glazing and balustrading, particularly on the south west elevation, could lead to potential light spill and glare. With regards to the subsequent impact on the Blackdown Hills AONB, it is the position of officers that development would neither conserve nor enhance landscape character of the area as required by Strategy 46.

However, the resulting impact is considered to be low and has been balanced against other material considerations including the location of the site in relation to the existing public transport network and the economic benefits of providing 11 guest houses at the site.

In this case development would provide economic benefits to the local tourism industry whilst generating a modest level of employment through the day to day management of the guest accommodation. The accommodation would also secure an additional revenue stream to assist in the long term sustainability of an established business. Overall, taking the above into consideration, it is considered that the planning balance weighs in favour of the scheme and therefore the application is recommended for approval.

## **CONSULTATIONS**

### **Local Consultations**

Parish/Town Council  
SUPPORT

There was concern over light pollution and members would like to see mitigation measures introduced to reduce light pollution from external building and car park lighting as well as measures to reduce light from the large bedroom windows after dark.

The new build rooms should be tied to the main building for temporary hotel/tourism occupancy only.

## **Technical Consultations**

### EDDC Trees

No arb concerns.

### National Highways

Council's Reference: 22/1407/FUL

National Highways Ref: 95652

Referring to the notification of a planning application dated 25 July 2022 referenced above, relating to the proposed demolition of a barn and the erection of an extension to provide 11no. guest bedrooms and associated landscaping and car parking at the Hare and Hounds Inn, Putts Corner, Sidbury, Sidmouth, EX10 0QQ, notice is hereby given that National Highways formal recommendation is that we:

a) offer no objection (see reasons at Annex A);

Highways Act 1980 Section 175B is not relevant to this application.<sup>1</sup>

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via [transportplanning@dft.gov.uk](mailto:transportplanning@dft.gov.uk) and may not determine the application until the consultation process is complete.

<sup>1</sup> Where relevant, further information will be provided within Annex A.

Annex A National Highways recommended no objection

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Highways England was renamed National Highways in August 2021. Prior to April 2015 the organisation was known as the Highways Agency. National Highways is a government owned company responsible for operating, maintaining and improving the SRN.

### Statement of Reasons

The application is seeking planning permission for the proposed demolition of a barn and the erection of an extension to provide 11no. guest bedrooms and associated landscaping and car parking at the Hare and Hounds Inn, Putts Corner, Sidbury,

Sidmouth, EX10 0QQ. The development site is located approximately 3.8km from the A30 carriageway.

Based on the location and scale of the proposal we do not consider that the application will result in a severe or unacceptable impact on the SRN.

Recommendation

National Highways has no objections to application 22/1407/FUL.

Cllr John Loudoun

Thank you for this draft report. I thought that I had submitted comments upon this application but I note that nothing is recorded on the planning portal nor can I find anything that I might have sent within my email system. My apologies therefore for not having previously responded.

My comments would have centre around the potential light pollution that the proposals would cause as well as requiring a tie of the new building to the existing pub. As I see that both of these points have been included in the report's recommendations, I am content with all of this. I also agree with the report that the benefits of the proposals to the existing business and the local economy outweigh any disbenefits that the proposal would cause to the local area.

I am supportive of the report and its recommendations.

Devon County Highway Authority

Observations:

The site proposed has the benefit of two accesses/egresses and in on the County Road of Sidmouth Road which has good access to both Sidmouth and Honiton.

Though the guest house represents 11 new holiday units, it is hoped that some of the trip generation will be already accounted for by attendance of the adjoining inn.

Our road collision data, a rolling 5 year period of recorded collisions, shows one recorded collision within this vicinity in the last 5 years, though there is no direct correlation to this establishment.

The site layout allows for sufficient space to turn off-carriageway and the additional parking spaces proposed under this planning application, should more than mitigate any potential 'on-street' parking to be likely.

I would recommend the provision of secure cycle storage to help mitigate vehicular trip generation and to accommodate for leisure cyclists.

Recommendation:

THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, MAY WISH TO RECOMMEND CONDITIONS ON ANY GRANT OF PLANNING PERMISSION

1. No development shall take place until details of secure cycle/scooter storage facilities have been submitted to and approved in writing by the County Planning Authority. The development shall be implemented in accordance with the approved details.

REASON: To promote sustainable travel in accordance with the East Devon Local Plan 2013-2031.

EDDC Lanscape Architect

## 1 INTRODUCTION

This report forms the EDDC's landscape response to the full application for the above site.

The report provides a review of landscape related information submitted with the application in relation to adopted policy, relevant guidance, current best practice and existing site context and should be read in conjunction with the submitted information.

## 2 LOCATION, SUMMARY PROPOSALS, SITE DESCRIPTION AND CONTEXT

### 2.1 Site location and summary of proposals

The application site is situated behind the Hare and Hounds pub on the A375 Honiton-Sidmouth road at Putts Corner. The proposals comprise the erection of 9 small holiday lodges (glamping pods) and associated parking area within a small field immediately to the west of the pub gardens and car park. Access is from the existing car park off the Ottery St Mary road.

### 2.2 Site description and context

The site is situated in an elevated position at an altitude of 240m AOD to the southwest of Gittisham Hill which rises to 250m AOD. It comprises a small field extending to 0.8Ha at the head of the Sid Valley which runs southwards. The site itself is moderately sloping with a southwesterly aspect and an overall level change of 11m from its northeast to southwest corners.

The site is bounded by a mature tree belt to the north and Devon hedgebanks to the west and south neither of which appears to have received much maintenance in recent years, and the western boundary hedge in particular is somewhat gappy. The eastern boundary is more open and abuts the pub car park and gardens and a large timber clad storage shed between the two. A timber field gate in the northeast corner give direct access to the Ottery St Mary road.

The field has not been used for agricultural production for many years and consists of rank grassland with bramble and common perennial wildflowers including some bluebells to the southwestern corner.

A sewage treatment plant serving the pub is situated in an enclosure adjacent to the northern boundary and a further post and wire enclosure around a well pump is

situated towards the southeast corner. Overhead powerlines traverse the site in an east-west direction some 10m off the southern boundary.

Surrounding land use is predominantly agricultural. The Hare and Hounds pub and grounds are situated to the east adjacent to the A375 and the minor county road to Ottery St Mary runs adjacent to the northern boundary. Beyond that is an established small caravan park. Gittisham Hill, an area of lowland heath and access land, lies the north east.

There are a few scattered farms and dwellings in the vicinity, mostly discreetly tucked away. The nearest settlements are Honiton 4km to the north, Ottery St Mary 4.1km to the west and Sidbury 4.5km to the south.

There is no public access within the site itself but there are a number of public rights of way and areas of designated access land in the vicinity. These include Gittisham Hill access land to the northeast, The East Devon Way, passing 1km to the southeast, Sidmouth footpath 68, 360m to the southeast and access land in the vicinity of Pigeon Hill 1.7km to the west.

Views from the site to the north and east are very limited by landform, trees and the pub building complex but there are extensive views to the south down the Sid valley to the sea through breaks in the southern boundary hedgerow and to the west across the Sid valley to the East Hill ridge.

The principle public views to the site are from the Ottery St Mary road to the north and from access land in the vicinity of Pigeon Hill on the East Hill ridge to the southwest. There are more distant (3-4km) views from points to the south and southwest but at this distance the visual effects of the proposal are likely to be negligible.

## 2.3 Opportunities and constraints

### 2.3.1 Landscape and Conservation designations

The site lies within the East Devon AONB where, in accordance with NPPF policy, great weight should be given to conserving and enhancing landscape and scenic beauty.

Gittisham Hill County Wildlife Site (CWS) lies 200m to the north east and Pin Hill Farm CWS which comprises a mosaic of small fields, woodland and mire lies 850 to the southwest.

There is significant archaeological interest in the form of bronze-age earthworks to the southeast, including Farway Castle scheduled monument site 1.7km distant.

There are no listed buildings or other conservation designations within the immediate vicinity of the site.

### 2.3.2 Opportunities

The roadside frontage to the existing car park adjacent to the Ottery St Mary road is largely open, excepting a couple of yellow leylandii trees, allowing views over the car park to a dilapidated line of sheds and close-boarded fencing. There is an opportunity to improve this frontage by providing a new native hedge line along the northern edge of the car park to screen the cars and clutter beyond from the road as well as enhance biodiversity value of the verge.

There is similarly opportunity to improve screen planting along the eastern site boundary in views from public access land to the west. Appropriate management of the field and surrounding hedgerow and trees in accordance with a Landscape and Ecology Management Plan could increase the bio-diversity value of the site.

### 3 RELEVANT PLANNING POLICY

The following local plan policies are applicable to the proposal in terms of landscape and green infrastructure:

#### Strategy 3 - Sustainable Development

The objective of ensuring sustainable development is central to our thinking. We interpret sustainable development in East Devon to mean that [inter-alia] the following issues and their inter-relationships are taken fully into account when considering development:

- a) Conserving and Enhancing the Environment - which includes ensuring development is undertaken in a way that minimises harm and enhances biodiversity and the quality and character of the landscape.
- b) Prudent natural resource use - which includes minimising fossil fuel use therefore reducing carbon dioxide emissions. It also includes minimising resource consumption, reusing materials and recycling. Renewable energy development will be encouraged
- c) Promoting social wellbeing - which includes providing facilities to meet people's needs such as health care, affordable housing, recreation space and village halls.

#### Strategy 7 - Development in the Countryside

Development in the countryside will only be permitted where it is in accordance with a specific Local or Neighbourhood Plan policy that explicitly permits such development and where it would not harm the distinctive landscape, amenity and environmental qualities within which it is located, including:

1. Land form and patterns of settlement.
2. Important natural and manmade features which contribute to the local landscape character, including topography, traditional field boundaries, areas of importance for nature conservation and rural buildings.
3. The adverse disruption of a view from a public place which forms part of the distinctive character of the area or otherwise causes significant visual intrusions.

#### Strategy 46 - Landscape Conservation and Enhancement and AONBs

Development will need to be undertaken in a manner that is sympathetic to, and helps conserve and enhance the quality and local distinctiveness of, the natural and historic landscape character of East Devon, in particular in Areas of Outstanding Natural Beauty.

Development will only be permitted where it:

1. conserves and enhances the landscape character of the area;
2. does not undermine landscape quality; and
3. is appropriate to the economic, social and well-being of the area.

#### D1 Design and Local Distinctiveness

Proposals will only be permitted where they:

1. Respect the key characteristics and special qualities of the area in which the development is proposed.
2. Ensure that the scale, massing, density, height, fenestration and materials of buildings relate well to their context.
3. Do not adversely affect inter alia:
  - Important landscape characteristics, prominent topographical features and important ecological features.
  - Trees worthy of retention.
4. Have due regard for important aspects of detail and quality and should incorporate inter alia:
  - Use of appropriate building materials and techniques respecting local tradition and vernacular styles as well as, where possible, contributing to low embodied energy and CO2 reduction.
  - Appropriate 'greening' measures relating to landscaping and planting, open space provision and permeability of hard surfaces.

#### D2 Landscape Requirements

Landscape schemes should meet all of the following criteria:

1. Existing landscape features should be recorded in a detailed site survey, in accordance with the principles of BS 5837:2012 'Trees in Relation to Construction' (or current version)
2. Existing features of landscape or nature conservation value should be incorporated into the landscaping proposals and where their removal is unavoidable provision for suitable replacement should be made elsewhere on the site. This should be in addition to the requirement for new landscaping proposals. Where appropriate, existing habitat should be improved and where possible new areas of nature conservation value should be created.
3. Measures to ensure safe and convenient public access for all should be incorporated.
4. Measures to ensure routine maintenance and long term management should be included.

5. Provision for the planting of trees, hedgerows, including the replacement of those of amenity value which have to be removed for safety or other reasons, shrub planting and other soft landscaping.
6. The layout and design of roads, parking, footpaths and boundary treatments should make a positive contribution to the street scene and the integration of the development with its surroundings and setting.

### D3 Trees and Development Sites

Permission will only be granted for development, where appropriate tree retention and/or planting is proposed in conjunction with the proposed nearby construction. The council will seek to ensure, subject to detailed design considerations, that there is no net loss in the quality of trees or hedgerows resulting from an approved development. The development should deliver a harmonious and sustainable relationship between structures and trees. The recommendations of British Standard 5837:2012 (or the current revision) will be taken fully into account in addressing development proposals.

No building, hard surfacing drainage or underground works will be permitted that does not accord with the principles of BS 5837 or Volume 4 National Joint Utilities Group (NJUG) Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees - Issue 2 (or the current revision or any replacement) unless, exceptionally, the Council is satisfied that such works can be accommodated without harm to the trees concerned or there are overriding reasons for development to proceed.

The Council will as a condition of any planning permission granted, require details as to how trees, hedges and hedge banks will be protected prior to and during and after construction. The Council will protect existing trees and trees planted in accordance with approved landscaping schemes through the making of Tree Preservation Orders where appropriate or necessary.

Planning permission will be refused for development resulting in the loss or deterioration of ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.

### E19 - Holiday Accommodation Parks

Outside of designated landscape areas, proposals for new sites and extensions of existing sites will be permitted where they meet the following six criteria:

1. The proposal relates sensitively in scale and siting to the surroundings and includes extensive landscaping and visual screening to mitigate against adverse impacts. They do not affect habitats or protected species.
2. They are within, or in close proximity, to an existing settlement but would not have an adverse impact on the character or setting of that settlement or the amenities of adjoining residents.
3. They would not use the best and most versatile agricultural land.
4. They will be provided with adequate services and utilities.

5. Traffic generated by the proposal can be accommodated safely on the local highway network and safe highway access to the site can be achieved.
6. The development will be subject to the provisions of plan policy in terms of sustainable construction and on site renewable energy production.

## 4 REVIEW OF LANDSCAPE RELATED DOCUMENTS

### 4.1 Landscape and visual impact assessment (LVIA)

The LVIA fails to consider a view over the site from the Ottery St Mary road through the existing field gate in the northeast corner. However, it is proposed to close off this access and extend the hedgebank across which would close off the view.

The LVIA finds that by virtue of its scale and siting the landscape and visual effects of the proposed scheme are of a minor nature. I would concur with these findings. The greatest visual impact will be on completion of the works from the Ottery St Mary road adjacent to the existing carpark and existing field gate but within 5-10 years with the establishment of appropriate screen planting the impact is likely to be neutral to slight beneficial.

### 4.2 Reports and surveys

Tree survey - Findings and recommendations of the tree survey are summarised below:

The survey area is in a field to the west of the Hare and Hounds, comprising of one Category A tree, the three individual and two groups of Category B trees and three individual and four groups of Category C trees

Recommendations are given in this report to use a no-dig cellular confinement system in the construction of the overspill carpark and to close the existing field gate beneath T4. These recommendations are given to better protect the trees on the site. If changes to the proposed plan accommodate these recommendations, there will be minimal impacts to the trees on this site

If the proposed extension gains planning permission, an Arboricultural Method Statement (AMS) and a Tree Protection Plan (TPP) will be required to outline suitable tree protection measures for the protection of the trees during construction.

Notwithstanding the recommendations for no-dig construction methods to be adopted for the construction of the car park there is scope to make minor amendments to the car park layout to completely avoid encroachment on the RPA of tree T4 which would be preferable (refer section 4.3 below for further detail).

Ecological assessment - Not provided. An extended phase 1 habitat survey should be provided prior to determination of the application.

### 4.3 Design and Layout

The proposals retain and reinforce the historic field boundaries in keeping with local landscape character.

The proposed lodges are small, the largest measuring 5.2 x 6.6 x 2.m high, and are timber clad in keeping with rural surroundings with main windows orientated to the south minimising glare effects.

As noted above the proposed car park encroaches on the RPAs of trees T1, T2 and T4. Trees T1 and T2 are leylandii with an expected life of less than 20 years and could be removed without adverse landscape impact. However, the car park could be moved away from tree T4 and slightly reconfigured to avoid the RPA of tree T4 completely which is better arboricultural practice. Figure 1 below shows how this could be done retaining car park capacity and with no adverse effect on the layout of the pods. Otherwise the proposed site layout keeps development well away from existing trees and hedgerow.

Figure 1 - Reconfiguration of car park to avoid RPA of tree T4( see diagram online)

The opportunities for further screening of existing buildings and boundaries and bio-diversity enhancement as noted at section 2.3.2 above should be noted and appropriate measures included in the scheme proposals.

No details are provided of proposed utilities connections, surface water drainage or lighting and details should be provided as a condition of approval. The area is noted for its dark night skies and external lighting should be kept to a minimum with appropriate controls and design to minimise light spill.

#### 4.4 Green infrastructure

The scheme should include measures for secure covered cycle storage for touring cyclists.

There is potential for the installation of solar pv panels in front of the sewage treatment plant which would increase the sustainability credentials of the scheme in line with local plan policy E19 (6) and strategy 3(b).

## 5 CONCLUSION & RECOMMENDATIONS

### 5.1 Acceptability of proposals

The proposed scheme is minor in terms of scale and effect and has potential to provide some visual and bio-diversity enhancement. As such it could be considered acceptable in terms of landscape and visual impact subject to minor design changes as noted above.

### 5.2 Conditions

In the event that satisfactory amended information as noted above is provided prior to determination and approval is granted, the following condition(s) should be imposed:

1) No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority; such a scheme shall include the following:

A Green infrastructure statement describing the various types of proposed planting and features, and how they tie into the local landscape character and other elements of the proposed development.

Measures for protection of existing perimeter trees/ hedgerows/ undisturbed ground during construction phase in accordance with BS5837: 2012. Approved protective measures shall be implemented prior to commencement of construction and maintained in sound condition for the duration of the works, together with an arboricultural method statement.

Detailed layouts based on a detailed topographic survey covering the application site and existing car park and providing the following information:

- Planting proposals.
- Hard or soft boundary treatments.
- Hard surface treatments.
- Proposed external lighting scheme in compliance with Guidance note 08/18 - Bats and Artificial Lighting in the UK, Institute of Lighting Professionals/ Bat Conservation Trust, 2018.
- Existing and proposed levels and extent of proposed earthworks.
- An ecological enhancement and mitigation plan indicating the extent and locations of measures as recommended in the submitted ecological assessment together with copies of any further surveys required.

Soft landscape proposals shall be accompanied by a specification detailing the proposed species, their planting size, the density at which they will be planted, any specific planting matrices, the number of plants of each species and notes describing how the scheme will be implemented.

Hard landscape proposals shall be accompanied by a material specification.

If the scheme has significant level changes, sections shall be provided showing how the proposed development will integrate into the existing context.

Construction details of any proposed walls, fences and other boundary treatments

The various tree pits and/or Devon bank construction details. Devon bank construction should be in accordance with Devon Hedge Group guidance, see: Hedge-Creation-1.pdf

The landscaping scheme shall be carried out in the first planting season after completion of the groundworks and the building construction works or prior to first occupation whichever is the earliest unless otherwise 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 - In the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Strategy 3 (Sustainable Development), Strategy 5 (Environment), Policy D1 (Design and Local Distinctiveness) and Policy D2 (Landscape Requirements) and Policy D3 (Trees in relation to construction) of the East Devon Local Plan. The landscaping scheme is required to be approved

before development starts to ensure that it properly integrates into the development from an early stage.)

2) A 10 year Landscape and Ecology Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape/ habitat areas shall be submitted to and approved in writing by the Local Planning Authority prior to any development taking place. The plan shall include the following:

Extent, ownership and responsibilities for management and maintenance.

Inspection and monitoring arrangements for existing and proposed trees and hedgerows

Detailed schedules covering management and maintenance of the following:

- Trees and hedgerow.
- Grass areas.
- Measures for enhancement of biodiversity value.
- Management and maintenance of any boundary structures, drainage swales and other infrastructure.

The proposals shall be carried out for the full duration of the approved plan.

(Reason - To ensure that the details are 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 East Devon Local Plan.)

Other Representations

None

**PLANNING HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>
08/0054/MOUT	Part demolition of existing public house and erection of extensions (part single storey, part two storey) to create additional restaurant areas, function room and other ancillary facilities. Relocate one access onto the B3174 and rearrange parking	Approval with conditions	27.03.2008
09/0820/FUL	Retention of Smoking shelter	Approval retrospective (no conds)	11.06.2009

10/2139/FUL	Renewal of consent for the retention of marquee (07/2905/FUL)	Temporary Approval	06.01.2011
11/0560/FUL	Construction of extensions to form enlarged kitchen and dining room, new plant room, toilets and staff accommodation, and replacement cold rooms and re-positioning of vehicular access from the B3174	Approval with conditions	27.04.2011
19/2765/FUL	Change of use of land with the stationing of nine Modulog lodges for holiday let use and the formation of associated car park and pathways.	Withdrawn	12.10.2020

## **POLICIES**

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

Strategy 7 (Development in the Countryside)

Strategy 46 (Landscape Conservation and Enhancement and AONBs)

Strategy 5B (Sustainable Transport)

Strategy 33 (Promotion of Tourism in East Devon)

D1 (Design and Local Distinctiveness)

D2 (Landscape Requirements)

D3 (Trees and Development Sites)

EN5 (Wildlife Habitats and Features)

EN14 (Control of Pollution)

EN22 (Surface Run-Off Implications of New Development)

E5 (Small Scale Economic Development in Rural Areas)

E7 (Extensions to Existing Employment Sites)

E16 (Proposals for Holiday or Overnight Accommodation and Associated Facilities)

E19 (Holiday Accommodation Parks)

TC2 (Accessibility of New Development)

TC9 (Parking Provision in New Development)

### Sid Valley Neighbourhood Plan (Made)

Policy 1 – Sid Valley Development Principles

Policy 7 – Local Distinctiveness

Policy 8 – Light Pollution

### National Planning Policy Framework

## **ASSESSMENT**

## **Site Location and Description**

The Hare and Hounds pub is located on Putts Corner, which is on the A375 in-between Sidmouth and Honiton. The site occupies a prominent position on the busy cross road within the East Devon Area of Outstanding Natural Beauty.

The principle elevation of the pub faces the crossroads and comprises of white painted render walls, a tiled roof punctuated by two chimneys and a series of bay windows with painted green frames.

To the rear of the principal building are a series of single storey and two storey extensions, approved under application 08/0054/MOUT, that provide additional restaurant space, function rooms and staff accommodation. The pub is also served by two parking areas accessed off of the A375 and B3174.

## **Proposed Development**

The application proposes the construction of a two storey extension that would extend off the south west elevation and occupy part of the existing beer garden. The submission also details the removal of a large agricultural building to the north west of the site to provide additional parking.

The 11 guest bedrooms would be contained within a pair of two storey extensions either side of a flat roof structure that would extend off of, and be accessed internally by, the existing dining area. Additional tree planting is proposed within the site and along the existing southern and western boundary lines.

## **Principle of Development**

Development within the open countryside is not acceptable in principle under Strategy 7 of the adopted East Devon Local Plan, unless other policy within the East Devon Local Plan or Sid Valley Neighbourhood Plan explicitly allows such development.

Policy E19 (Holiday Accommodation Parks) does permit new holiday parks but not in designated landscapes. E19 does allow for the extension of existing camping and caravan sites in designated landscapes but does not permit new permanent structures.

The East Devon Local Plan does support development for the creation of Holiday or Overnight Accommodation through the provisions of Policy E16 (Proposals for Holiday or Overnight Accommodation and Associated Facilities). The wording of the policy reflects the Council's position in steering such development towards the most sustainable locations and identifies the towns and villages of the District, as defined by those settlements with Built-up Area Boundaries, as best fulfilling this requirement. An exception applies to the use of existing buildings in the open countryside and to small-scale farm and rural diversification.

Policy E5 (Small Economic Development in Rural Areas) provides support for schemes that aim to promote employment diversification and reduce out commuting. Policy E7 (Extensions to Existing Employment Sites) of the Local Plan also supports

development outside Built-up Area Boundaries and supports the expansion of successful businesses to encourage economic development.

Whilst none of the above policies appear to provide direct support for the development, the overarching objectives of the Local Plan acknowledge the importance of holiday accommodation to support the district's tourism economy and the need to enable successful businesses to expand and diversify. This is further reflected within the National Planning Policy Framework at paragraph 84 and, to a lesser extent, 85.

Paragraph 84 reads:

“Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.”

The following report will assess the various material planning issues in the planning balance and conclude whether the development should be supported despite the lack of clear policy support from the East Devon Local Plan or Neighbourhood Plan.

### **Impact on Character and Appearance of the Area and the East Devon AONB**

Paragraph 176 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas. The weight attributed to conserving and enhancing AONBs as required by the NPPF is reflected within the provisions of Strategy 46 (Land Conservation and Enhancement and AONBs) of the Local Plan and Policy 1 of the Sid Valley Neighbourhood Plan.

Strategy 46 - Landscape Conservation and Enhancement of AONBs states that development must be undertaken in a manner that is sympathetic to and helps conserve the and enhance the quality and local distinctiveness of the natural and historic character of East Devon, in particular Areas of Outstanding Natural Beauty. Development will only be permitted where it:

1. Conserves and enhances the natural landscape

2. Does not undermine landscape quality
3. Is appropriate to the economic, social and wellbeing of the area.

The local landscape character of the area is described in the East Devon and Blackdown Hills Landscape Character Assessment (2019). The site is on elevated land and spans across steep wooded scarp slopes (LCT2A) and open inland planned plateaux (LCT1A).

The site is situated in an elevated position at an altitude of 250m AOD at the head of the Sid Valley which runs southwards. The site itself is moderately sloping with a south westerly aspect. The field to the west has not been used for agricultural purposes for many years and consists of rank grassland with bramble and wildflowers.

A sewage treatment plant serving the pub is situated in an enclosure adjacent to the northern boundary and a further post and wire enclosure around a well pump is situated towards the southeast corner. Overhead powerlines traverse the site in an east-west direction some 10m off the southern boundary.

Surrounding land use is predominantly agricultural. The Hare and Hounds pub and grounds are situated to the east adjacent to the A375 and the minor county road to Ottery St Mary runs adjacent to the northern boundary. Beyond that is an established small caravan park. Gittisham Hill, an area of lowland heath and access land, lies to the north east.

There are a few scattered farms and dwellings in the vicinity, mostly discreetly tucked away. The nearest settlements are Honiton 4km to the north, Ottery St Mary 4.1km to the west and Sidbury 4.5km to the south.

There are a number of public rights of way and areas of designated access land in the vicinity. These include Gittisham Hill access land to the northeast, The East Devon Way, passing 1km to the southeast, Sidmouth footpath 68, 360m to the southeast and access land in the vicinity of Pigeon Hill 1.7km to the west.

Views from the site to the north and east are very limited by landform, trees and the pub building complex but there are extensive views to the south down the Sid valley to the sea through breaks in the southern boundary hedgerow and to the west across the Sid valley to the East Hill ridge.

The principle public views to the site are from the Ottery St Mary road to the north and from access land in the vicinity of Pigeon Hill on the East Hill ridge to the southwest. There are more distant (3-4km) views from points to the south and southwest but at this distance the impacts are considered to be negligible.

Long distance views of the site from Chineway Head and Pigeon Hill are largely obscured due to undulating landform and dense vegetation and woodland. Where distant views are available, these are restricted to a few glimpsed views where the extension would be viewed in the context of the existing build at the site. Despite this, the extent of glazing and balustrading, particularly on the south west elevation, could lead to potential light spill and glare. Consequently, it is considered appropriate

to seek further details with regards to the type of glazing, materials for the balustrading and specification for the internal lighting prior to commencement of the development to mitigate such impacts.

The extensions would undoubtedly add to the overall bulk of built form at the application site. The submitted south east elevation on plan 016 A communicates how the proposals would add to the sprawling appearance of the building. Despite this, the design approach of the build seeks to work with the topography of the site and as a result the ridge height of the extension would sit below that of the adjacent dining room building. Additionally, the overall extent of the south east elevation is largely obscured from public view from those approaching the site from Sidmouth along the A375 due to the existing hedgerow and the restaurant building.

The north-west elevation would be visible upon approaching Putts Corner from Ottery St Mary direction. However, direct unobscured views of the build here are only available immediately north of the application site between the access for the overflow car park and the cross roads. In order to soften the visual impact of the build the applicant has considered comments from the Local Authority's landscape architect and provided additional details regarding tree and hedge planting around the site. The soft landscaping, most notably the hedging and planting around the guest parking area and service compound, would soften the impact of the proposed extension and existing build from views available immediately to the north.

The LVIA has sought to emphasize that the design approach seeks to reflect the site's rural context. This is evident from the build comprising of two elements with narrow and rectangular footprints and the predominant use of timber, stone and slate which are considered sympathetic to the immediate area.

Overall, for the reasons outlined above and, despite the notable scale of the proposed extensions, it is considered the development would not unduly harm the aesthetic qualities that underpin the Blackdown Hills Area of Outstanding Beauty.

However, criteria 1 of Strategy 46 requires proposals to demonstrate that development would conserve and enhance the landscape character of the area. The overall bulk, sprawling character of the build and potential light spill leads to a degree of harm which would be perceivable from public vantage points despite some screening afforded by the extensive planting proposed on the Landscaping Scheme.

As such, the proposals are not considered to meet the objectives of Strategy 46. This weighs against the scheme and will be factored into the planning balance at the end of this report.

### **Accessibility of Development**

The application site is located opposite a bus stop where the regular No. 9 service runs between Exeter and Sidmouth. Additionally, being located on the crossroads where the A375 and B3174 meet, the site is accessible via public and private modes of transport. The distance from Ottery St Mary, Honiton and Sidmouth provides realistic opportunities for prospective occupants of the holiday accommodation to

cycle or, for those willing, walk to nearby settlements, to access everyday services and facilities that the pub does not already offer.

Overall the transport links to the site weigh in favour of the scheme and goes some distance in addressing the underlying objectives of Policy TC2 (Accessibility of New Development) that seeks to ensure that development is reasonably accessible by all modes of transport.

### **Ecological Impact**

An existing barn would be removed in order to provide additional parking at the site. Owing to the potential for bats to be roosting within the structure an emergence survey was conducted in May 2022.

No evidence of bat use was found inside the barn. However, the barn offered suitable roosting provision for crevice dwelling bats in the ridge timbers, between roof sheets and behind timber cladding. As the site is surrounded by favourable bat foraging and commuting habitat due to areas of nearby woodland and hedges, and as low numbers of bats could roost in the barn opportunistically, the barn was considered to have low suitability for roosting bats.

Despite this, no bats emerged during the bat emergence survey. It is therefore considered unlikely that the barn is used by roosting bats. Given this its demolition will not require a European protected species licence from Natural England.

However, the demolition of the barn would result in the loss of a swallow nesting site and therefore it is recommended that a swallow nest cup and an integrated bird box are installed on the pub extension to provide alternative nesting opportunities for birds, as mitigation and ecological enhancement. It is also recommended to provide a bat box on the new extension to provide ecological enhancement.

### **Habitat Mitigation**

The nature of this application and its location close to the Pebblebed Heaths and their European Habitat designation 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. 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 Pebblebed Heaths through impacts from recreational use. The impacts are highest from developments within 10 kilometres of the designation. 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 so will make its infrastructure contribution through this route. A financial contribution towards the non-infrastructure elements of the mitigation strategy has also been secured via a Section 111 undertaking under the Local Government Act.

### **Other Matters**

- 11 spaces and bike storage dedicated to the guest house would be provided.
- The County Highway Authority has reviewed the application and found the means of access and egress for private modes of vehicle acceptable.
- The application details that the development would utilise a Sustainable Urban Drainage Scheme to deal with additional surface water run off caused by the development. Details can be secured via condition prior to commencement of development.
- An existing sewage treatment plant within the field to the west is to be used to serve the new guest bedrooms. The agent has confirmed that this has sufficient capacity to accommodate any additional foul drainage output.

## **Conclusion**

The East Devon Local Plan and NPPF seek to support the expansion of successful rural businesses. In particular, the Local Plan highlights the importance of holiday accommodation in supporting the tourism industry and the district's economy. The proposals would meet these objectives and provide a degree of local employment. Furthermore the provision of B&B and guest house accommodation is a common offering from pubs enabling the business to diversify, provide additional revenue streams and secure financial sustainability.

Despite the application site's remoteness from nearby settlements, the Hare and Hounds pub is accessible via the A375 and local bus network whilst providing opportunities for prospective occupants to cycle or walk to and from the site. Prospective occupants would also have the services and facilities on offer within the existing pub.

The scale of the extension and potential for light spill will result in some localised visual impact. However, the design approach to keep the expanse of development tight to the existing built form of the existing pub ensures that the subsequent landscape harm is low. The applicant has sought to provide additional planting around the site to provide some screening of the proposed extensions and existing building whilst reinforcing landscape character. However, whilst the scheme would not lead to undue harm to the aesthetic qualities or tranquillity of the Blackdown Hills AONB, it is the position of officers that the development would not conserve or enhance the landscape quality of the AONB, which is the test set by Strategy 46.

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the anticipated economic benefits to the local tourism industry and level of local employment generated weigh in favour of the scheme when factored into the planning balance. As such, even in the absence of policy that explicitly supports development, it is the position of officers that, despite some localised visual harm, the application should be recommended for approval.

Approval would be subject to adoption of the Appropriate Assessment and a number of conditions listed below.

## **RECOMMENDATION**

1. Adopt the Appropriate Assessment included within this report.
2. APPROVE the application 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. The guest house hereby approved shall only be operated and managed in conjunction with the Hare and Hounds pub and shall be occupied for holiday purposes only. At no time shall the guest house be used for permanent residential accommodation. A register (including names and main addresses, arrival date and departure date) of all visitors to the site shall be collated and maintained by persons responsible for the management of the site, and this information shall be available to the Local Planning Authority upon request. Operation of the guest houses shall be ancillary to the Hare and Hounds pub. (Reason - The application lies within an unsustainable location for permanent residential occupation in accordance with Strategy 7 (Development in the Countryside) of the adopted East Devon Local Plan, as well as guidance contained within the National Planning Policy Framework.
  4. The development hereby approved shall be carried out in accordance with the recommendations set out in the submitted Ecological Impact Assessment submitted by Richard Green and dated June 2022. (Reason - In the interests of wildlife protection in accordance with Policy EN5 - Wildlife Habitats and Features of the East Devon Local Plan 2013 - 2031.)
  5. No development shall take place until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. Unless it is demonstrated that it is unfeasible to do so, the scheme shall use appropriate Sustainable Urban Drainage Systems. The drainage scheme shall be designed so that there is no increase in the rate of surface water runoff from the site resulting from the development and so that storm water flows are attenuated. The development shall be carried out in accordance with the approved scheme. (Reason: The details are required prior to commencement to ensure that they fit efficiently within the site layout, protect water quality and minimise flood risk in accordance with Policy EN22 - Surface Run-Off Implications of New Development of the Adopted East Devon Local Plan 2013-2031 and the guidance contained with the National Planning Policy Framework.)

6. No development above foundation level shall take place until details of materials to be used externally for the development, including samples, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be built in the materials approved.  
(Reason - To ensure that the materials are sympathetic to the character and appearance of the area in accordance with Strategy 46 - Landscape Conservation and AONB's and Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)
  
7. Notwithstanding the approved Landscaping Scheme, prior to development a Planting Schedule shall be submitted to and approved in writing by the Local Planning Authority. The Planting Schedule shall provide details of the hedging and trees including species mix, size, planting methodology, irrigation and maintenance. The landscaping scheme, informed by the approved planting schedule, 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.)
  
8. No development shall take place above foundation level until a scheme to minimise reflective glare and light spill has been submitted to and approved in writing by the Local Planning Authority. The building shall not be brought into use until the scheme has been implemented as approved and the approved measures shall thereafter be maintained in perpetuity.  
(Reason - To minimise the impacts of light pollution on the East Devon Area of Outstanding Natural Beauty in accordance with Strategy 46 (Landscape Conservation and Enhancement and AONBs) of the East Devon Local Plan 2013-2031.)

NOTE FOR APPLICANT

Informative:

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in determining this application, East Devon District Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved.

Plans relating to this application:

14C	Landscaping	04.10.22
010	Location Plan	23.06.22

014 C	Proposed Site Plan	23.06.22
015 A	Proposed Floor Plans	23.06.22
016 A	Proposed Elevation	23.06.22

List of Background Papers

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