

Ward Dunkeswell And Otterhead

Reference 21/2522/FUL

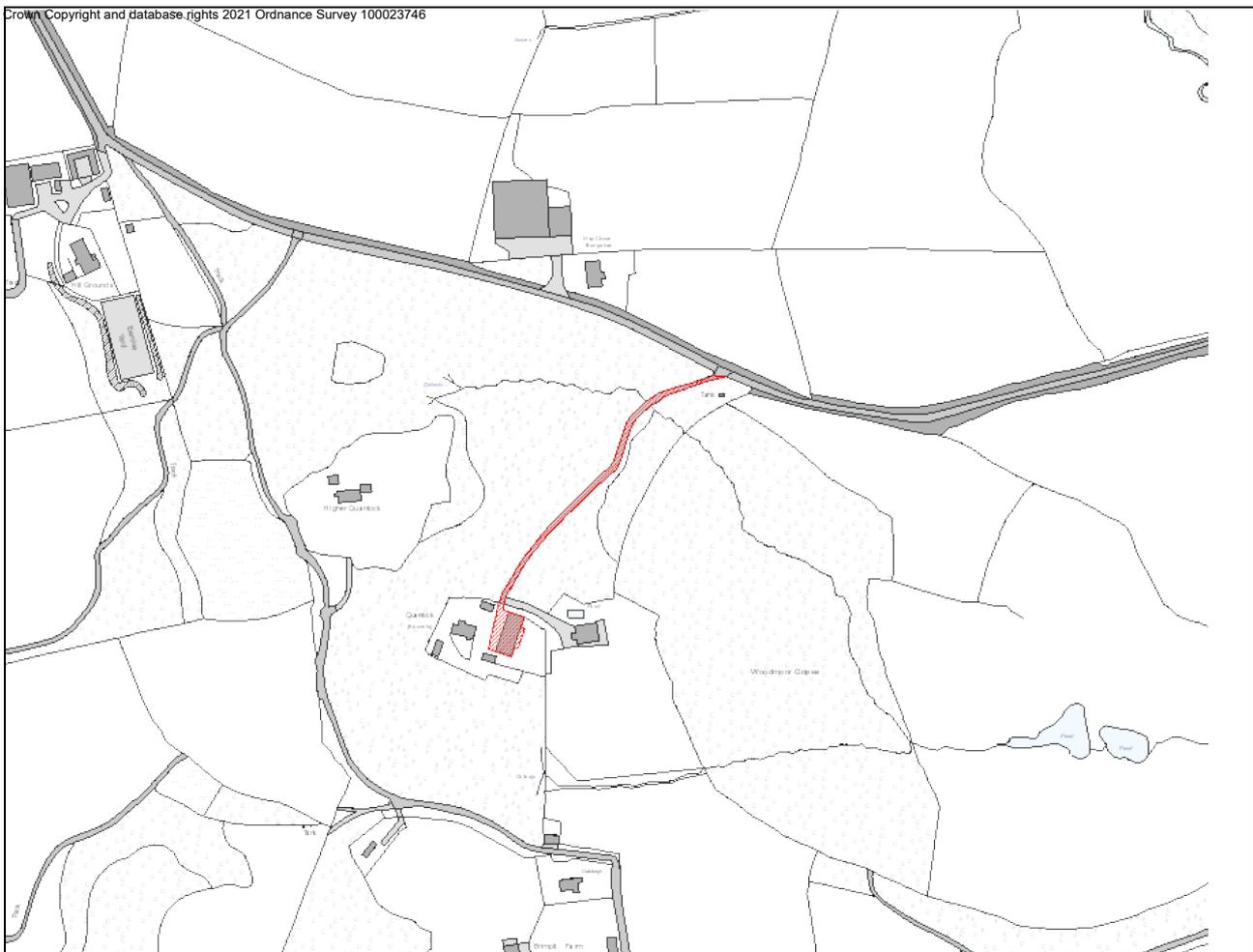
Applicant Ian Edwards

Location Quantock Stockland Honiton EX14 9DX

Proposal Change of use of artist studio/workshop, approved under permission 20/2439/FUL, for use as a dwelling (for holiday accommodation purposes) and associated works.



RECOMMENDATION: Approval with conditions



		Committee Date: 15th December 2021
Dunkeswell And Otterhead (Stockland)	21/2522/FUL	Target Date: 17.11.2021
Applicant:	Ian Edwards	
Location:	Quantock Stockland	
Proposal:	Change of use of artist studio/workshop, approved under permission 20/2439/FUL, for use as a dwelling (for holiday accommodation purposes) and associated works.	

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY

The application is before committee as it represents a departure from the development plan and has been advertised as such.

The proposal seeks to change the use of an existing and recently constructed building to a large holiday let unit. Planning permission has previously been granted (20/2439/FUL) for the retention of the building, which replaced former dog kennels, and its use as an artist's studio/workshop in connection with the applicant's sculpting business. However, it is advised that the impacts of the Covid-19 pandemic have affected the extent and nature of the applicant's work and that as a result the building is no longer required for these purposes. The applicant already operates another holiday let from the site and has been advised that there is a strong market for large holiday rentals.

The conversion would require very limited external changes to the appearance of the building, these would be limited to fenestration changes and car parking could be contained close to the building where it would be screened from wider view. As a result, in terms of visual and landscape impact the proposal would have a negligible impact conserving the natural beauty of the surrounding Area of Outstanding Natural Beauty.

In addition, the proposed use would be in character with adjoining development and would be acceptable in amenity terms.

The approved use of the building is a sui generis use and whilst such a use has the potential to be 'employment generating', in this instance the applicant was the only person working from the building and its loss is not considered to result in harm to business or employment opportunities in the area, the close relationship

with the main dwelling house and existing holiday let would also reduce the potential for employment re-use.

The site is however poorly located in sustainability terms and users of the holiday let are likely to be reliant on private transport for the vast majority of journeys, this weights against the proposal. Such impacts though need to be considered in light of the traffic generation associated with the former use of the site as a boarding kennel and the benefits to the tourism economy likely to arise from the proposal.

In this instance and weighing all of the issues in the balance it is considered that overall the proposal is acceptable and subject to the conditions set out at the end of the report is recommended for approval.

CONSULTATIONS

Local Consultations

Dunkeswell And Otterhead - Cllr David Key

I object to the conversion to a dwelling but would agree to the conversion to a Holiday building tied to the main dwelling and so not for sale as an independent property.

Further comments:

Nothing further to add.

Parish/Town Council

The Council supported this application only for a Holiday Let and on condition that it remains part of the curtilage of the main building and comes under scrutiny of EDDC's Holiday Lets policies.

Technical Consultations

Blackdown Hills AONB Project Partnership

Thank you for seeking comments from the Blackdown Hills AONB Partnership on this application.

I can confirm that we do not wish to comment on this occasion; the AONB Partnership supports its local planning authorities in the application of the planning policy framework in order to ensure that any development in the AONB conserves and enhances natural beauty, and as such would look to the planning authority to apply national planning policy and its own development plan policies to the consideration of this proposal.

Other Representations

None received

PLANNING HISTORY

Reference	Description	Decision	Date
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17/1686/FUL	Change of use of boarding kennels and associated land to domestic use ancillary and incidental to the residential use	Approval with conditions	14.09.2017
18/2398/FUL	Conversion of building to holiday accommodation	Approval with conditions	27.11.2018
20/2439/FUL	Demolition of dog boarding kennels building and construction of artist studio and workshop including raised decking (retrospective application).	Approval with conditions	26.01.2021

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 7 (Development in the Countryside)

Strategy 32 (Resisting Loss of Employment, Retail and Community Sites and Buildings)

Strategy 33 (Promotion of Tourism in East Devon)

Strategy 46 (Landscape Conservation and Enhancement and AONBs)

D1 (Design and Local Distinctiveness)

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

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

TC2 (Accessibility of New Development)

TC7 (Adequacy of Road Network and Site Access)

TC9 (Parking Provision in New Development)

Stockland Neighbourhood Plan (Made)

Government Planning Documents

NPPF (National Planning Policy Framework 2021)

National Planning Practice Guidance

Site Location and Description

Quantock is a detached residential property located on a west facing hillside and largely surrounded by mature tree planting. To the immediate west of the property is a parking area beyond which a single storey timber clad building has been constructed. This building is the subject of the application. Beyond the outbuilding the land slopes away to an adjoining open paddock area. There is a further agricultural style barn, converted to residential use, located at the north-eastern end of the paddock.

There are a number of isolated residential properties and farms in the vicinity of the site which lies in open countryside approximately 1 ¼ mile to the northwest of Stockland.

A public footpath, Stockland footpath No. 16 runs east to west across the adjoining field to the south/southeast of the site.

The site lies within the designated Blackdowns Hills Area of Outstanding Natural Beauty.

Proposed development

The application seeks permission for the change of use of the building from its current permitted use as an artist's studio/workshop (approved under permission 20/2439/FUL) to use as a dwelling (for holiday accommodation purposes) and associated works.

Background

Prior to the construction of the existing building on site, the site previously housed a commercial boarding kennels but permission was granted in 2017 (17/1686//FUL) for the change of use of the kennels and associated land to domestic use. Subsequently in 2018 permission was granted for the conversion of a separate building to holiday accommodation (18/2398/FUL).

Most recently (20/2439/FUL) planning permission was granted for the construction of the existing building on site, in place of the former kennels, and its use as an artist's studio and workshop. At the time, the supporting information advised that the applicant was a professional artist and sculptor and that the application building was constructed to enable him to complete his art works. In addition it was advised that the applicant ran a sculpting academy via online course and that whilst he had previously intended to run art/sculpting courses from the building he had, as a result of the coronavirus pandemic, decided to only run online courses. Conditions on the previous permission restricted the use of the building to an artists/workshop only and prevented public access to the building for the purposes of retail sales or attendance at courses/lessons run from the site. At the time of that application the supporting information indicated that the applicant was the only employee in the business.

The supporting statement with the current application advises that the continued impacts of Covid-19 has led to a reduction in commissions for his work and as a consequence he no longer has a need for a large studio/workshop but does need to

find means of generating additional income. Having given consideration to various options for the re-use of the building, including commercial re-use, long term residential lettings and short term holiday lets the applicant has concluded that short term holiday rentals is likely to provide the best return.

ANALYSIS

The main issues in the determination of the application are as follows:

- Principle and policy compliance
- Design, suitability for conversion and impact on the character and appearance of the area
- Accessibility of the site
- Other Issues

The proposal does not seek to extend the envelope of the building and the design changes relate solely to fenestration changes to the building, as a result it is not considered that the proposal would give rise to any additional landscape changes and as such the natural beauty of the landscape would be conserved and enhanced in accordance with Strategy 46 of the Local Plan.

Principle and policy compliance

The development plan for the area consists of the East Devon Local Plan 2013-2031 (EDLP) and the Stockland Neighbourhood Plan 2014-2031 (SNP).

The site lies in open countryside where Strategy 7 of the EDLP applies. This policy restricts development other than where explicitly permitted by another policy of the Local, or where relevant, neighbourhood plan and where the development is acceptable in other regards.

In terms of the EDLP, Policy D8 (Re-use of redundant rural buildings) potentially offers support for such development, subject to a number of criteria relating to the design and method of conversion; structural condition of the building; impact of traffic movements, parking and storage and on the viability of any existing agricultural enterprise. These details are considered in further detail in the subsequent section of the report.

In relation to proposals for tourism accommodation there is support in principle for sustainable tourism schemes to be found in Strategy 33 of the EDLP and for conversion of buildings into self-catering accommodation, where in close proximity to the main farm/country house, under policy E16 of the Local Plan.

Strategy 32 of the Local Plan is relevant where a proposal involves the loss of sites/buildings used for employment generating or community and social gathering purposes. It states that in such circumstances permission will not be granted where it would harm, in this case, business and employment opportunities in the area unless a number of listed criteria are met, including that options for the retention of the existing/similar use have been fully explored through the appropriate marketing of the site. However, those criteria only need be applied in situations where harm could arise.

The existing building is restricted to a specific use as an artist's studio/workshop and where it is in the same ownership as and physically closely related to the applicant's dwellinghouse. At the time of the previous application the submitted information indicated that the applicant was the only employee. The case is presented that as a result of the ongoing impact of the Covid-19 pandemic that demand for the artist's work has fallen away to the extent that the building is no longer required for that purpose. Given that the proposal would not result in the loss of any 'employment generating' space and that the location of the site and proximity to existing residential uses is likely to preclude uses for alternative business uses it is not considered that the proposal would result in harm and as such there is no need to apply the other criteria listed under Strategy 32.

In terms of the Stockland Neighbourhood Plan this contains a policy, EE2 – Conversion of Agricultural Buildings, that supports the conversion of agricultural buildings to business or business-related purposes where this supports farm diversification. However in this instance the proposal is not a farm diversification project and nor is the building an agricultural building as such the proposal finds no support in this regard.

In relation to national policy paras. 77 - 79 of the NPPF cover rural housing. In this regard paragraph 77 indicates that support should be given to developments that reflect local needs, placing particular emphasis on affordable housing; paragraph 78 states that in rural areas housing should be located where it would enhance and maintain the vitality of rural communities; and paragraph 79 seeks to restrict isolated homes in the countryside, setting out the circumstances in which their provision is acceptable.

As the proposed development would not meet a specified local need, and would not provide affordable housing, it would not help to deliver either of the objectives set out in paragraph 78 of the Framework. In relation to paragraph 79 of the Framework, future occupants of the development would need to travel to Honiton or Axminster as the nearest 'designated' settlements with a range of services and as such would provide little benefit in terms of support of the immediate community. In terms of para. 80 some support could be found under criteria c) as the proposal would include the re-use of a redundant or disused building. Policy D8 however provides a more detailed framework against which to assess such proposals and the proposal is considered against the criteria of that policy below.

The proposed holiday let unit would find some in principle support under para. 84 of the NPPF which seeks to support the sustainable growth and expansion of all types of businesses in rural areas.

On the matter of principle there are policies in the Local Plan that potentially support the principle of development subject to meeting the specific criteria of those policies, these are considered further below.

Design, suitability for conversion and impact on the character and appearance of the area

Policy D8 of the Local Plan provides a framework by which to consider the suitability of the proposed conversion scheme. It seeks to support proposals for the re-use of redundant rural buildings where a number of criteria are met. Those criteria are set out below followed by consideration of the proposal against them and other relevant policies of the development plan where applicable.

1. *The new use is sympathetic to, and will 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 or lead to a dispersal of activity or uses on such a scale as to prejudice village vitality.*

The proposed use would result in only minor changes to the appearance of the building, mainly through changes to fenestration, these changes together with the use of the building would represent a change to the character of the site but this change would be in keeping with the wider residential use of the site. It is not considered that the proposal would represent any enhancement to the setting of the building but equally no harm to this would arise.

In terms of travel the location of the site is such that future occupiers are likely to be highly reliant on private transport for the vast majority of their journeys. Nonetheless, the existing lawful use of the building and the former use of the site as a dog's kennel would have generated a degree of traffic and the scale of the development and nature of the use is not such to represent significant increased traffic movements or to prejudice village vitality. Further consideration is given to the matter of sustainability and accessibility below.

2. *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 building is only recently constructed as a replacement for the kennels building that were previously on the site and the alterations proposed do not adversely affect its character.

3. *The form, bulk and general design of the building and its proposed conversion are in keeping with its surroundings, local building styles and materials;*

As above.

4. *The proposed use would not harm the countryside by way of traffic, parking, storage, pollution or the erection of associated structures;*

The proposed use would generate traffic and on-site parking demands, but the site has historically been used as a boarding kennels and therefore traffic levels are likely to be similar and where the access to and approach roads serving the site are capable of accommodating this. The approved use of the building as an artist's workshop/studio would also have generated a certain level of traffic associated with deliveries to and collections from the site. Similarly, parking could be provided immediately adjacent to the building where it would be

viewed in close relation to the building and where the building itself would screen this from any wider range public views.

5. *The proposal will not undermine the viability of an existing agricultural enterprise or require replacement buildings to fulfil a similar function.*

There is no agricultural business operated from the site and it is advised that the building is no longer required for its originally intended purpose.

The additional criteria of policy D8 relating to residential proposals require that a) the building is no longer required for agricultural use or diversification purposes, b) that the conversion would enhance its setting, and; c) the site is located close to a range of accessible services and facilities to meet the everyday needs of residents.

In relation to a) this is discussed above, with regards b) it is considered that the proposal would have a neutral impact on the building's setting. Criteria c) of policy D8 is also reflected in criteria 4 of policy E16, which requires that the proposal is accessible on foot, by bicycle and public transport and will not impair road safety or the free flow of traffic. Policy TC2 and Strategy 5B of the EDLP have similar aims and the accessibility of the site is discussed separately below. In relation to the other criteria of policy E16 these are considered to be met.

Accessibility of development

The site is located where it is remote from services and facilities likely to be required in association with the residential use of the site. In addition there are no public transport services serving the site. Whilst the A30/A303 and strategic road network are within 1 ½ miles of the site options to access it by alternative modes of transport are extremely limited. Although the site can physically be accessed via foot, or cycle, the distances to the nearest settlements with any level of shops or services that might serve the proposed use (Honiton 10 km, Chard and Axminster approximately 12 km) are such that these modes are largely unfeasible for the vast majority of journeys.

In determining the earlier application it was recognised that the former use of the site as a kennels would have generated a degree of traffic but no details of the type and volume of traffic were provided, at the time. Equally, no details were provided of envisaged traffic movements likely to arise from the proposed artist's studio/workshop use. However, supporting information with application 18/ 2398/FUL suggested the kennel licence had permitted up to 40 dogs on site for both long and short term (including daily) boarding. It was concluded on the most recent application for the studio/workshop that with courses restricted to online only and no on-site attendance that the artist's studio/workshop would be unlikely to result in any significant traffic implications which would warrant objection to the proposal.

In relation to the current application, again there are no details provided of the likely traffic movements associated with the proposed use, however it is noted that this is a large holiday let unit and would be capable of accommodating up to 12 people at a time. Although there are options for shared journeys there is the potential for 6+ cars per booking, as the principle means of accessing the site. As a result the site is not considered to be sustainable in accessibility terms, or to meet the requirements of

criteria 4 of policy E16, criteria c) of policy D8, or Strategy 5B and policy TC2 of the EDLP insofar as they variously seek to promote sustainable modes of transport, minimise the need to travel by private car and ensure that development is located close to a range of accessible services and facilities to meet the everyday needs of residents. In this regard the proposal is contrary to policies of the development plan. Whilst para. 84 of the NPPF recognises that sites to meet local business needs may have to be found in locations that are not well served by public transport it remains the case that this is not considered to be a sustainable location in accessibility terms and this weighs against the proposal. Nonetheless it is acknowledged that taking into account the historical use of the site as kennels that traffic movements associated with the proposed use are likely to be similar to/or less than the former use as a kennels and this reduces the degree of harm likely to result from the site's location.

Economic Benefits

The proposal would result in the creation of 1 no. new holiday unit where it is recognised that the Covid-19 pandemic has significantly suppressed the international tourism market and led to a growth in demand for holiday stays within the UK. There is also an acknowledged market for larger holiday units capable of accommodating extended families or larger groups of friends.

The proposal would therefore be likely to find a market and to give rise to some economic benefits to the wider rural economy through increased visitor spend on tourism related businesses in the local area and beyond.

The application form confirms that the proposal would not result in creation of any specific jobs for local people, however, there would be some limited benefits to the construction industry associated with employment involved in the conversion of the building. Whilst such benefits are recognised and weigh in favour of the scheme they would be small in scale and temporary in nature.

Other Issues

The site is located where the nearest unrelated neighbouring residential property is located approximately 125 metres away, with the existing dwelling house and established woodland planting in between. There is no reason to consider that the use of the building would generate a level of noise/activity that would make it unacceptable in terms of amenity impact.

In terms of drainage the application form indicates that a new non-mains drainage system in the form of a package treatment plant is proposed. No details of this have been included with the application but a non-mains drainage form has been completed. There is sufficient land associated within the applicant's control to provide drainage for a new system the details of which would be required under building regulations. With regards to surface water run-off no additional impermeable areas are proposed. The proposal is therefore considered to be acceptable in relation to the requirements of policies EN19 and EN22 of the Local Plan.

There is adequate space available within the site to provide parking provision to serve the proposed holiday let unit to accord with policy TC9 of the Local Plan. In relation to

site access this would be via private access road which is lightly trafficked and where turning provision is afforded so that vehicles joining the public highway could do so in forward gear. Visibility at the junction of the access track with the public highway is reasonable and the proposal is unlikely to result in an unacceptable impact on highway safety, particularly taking into account historic use of the site, as such the requirements of policy TC7 of the Local Plan would be met.

Refuse and recycling storage could be provided on site and left out for collection in a pre-arranged location on the allotted day, such arrangements are common for rural properties.

One of the ward members has indicated that they would object to the use of the building as an independent dwelling but not to use as a holiday let, provided this was not sold off separately to the main house. The supporting information indicates that the intention is to retain ownership of the building in association with the main house although there is no policy requirement for this, or reason why the same restricted use in a different ownership would not be acceptable, as such a condition requiring this is not proposed.

CONCLUSION

The proposal would involve the conversion of a redundant rural building resulting in limited external change to the building and where the building is structurally capable of such conversion without substantial alteration or reconstruction. In this regard the proposal finds some support under policy D8 of the Local Plan and therefore also Strategy 7. However, the proposal needs to be considered against all the criteria of that policy and against its accordance with other policies of the plan and their conformity with the NPPF.

In relation to the three dimensions of sustainable development the proposal would provide some limited economic benefit relating to the conversion works themselves and following this support of the rural economy through visitor spend. Such benefits would be limited by the scale of the development and it is noted that the proposal would not result in any direct job creation. There are also limited shops, businesses in the immediate locality that visitors might help sustain through their patronage, although local hostelrys in surrounding villages, Stockland, Rawridge, Dalwood etc. may see some benefit. The proposals would also result in some limited harm due to the loss of, or at least the reduction in scale of, the applicant's sculpture business, although this, it is advised, has been brought on by external factors. Overall on this issue, the benefits are considered to outweigh the harm as the proposal provides a viable re-use for the building where opportunities for other business re-uses, given the location of the site and proximity to other residential properties, are likely to be limited.

Weighed against the limited economic benefits are the environmental impacts that would result from the development. In this respect there are very limited changes to the buildings appearance and setting and the proposal would have a very limited impact outside the immediate site. In terms of accessibility though, the location of the site is such that the occupiers of the building would be likely to be almost entirely reliant on private transport to access services, shops, tourist attractions etc. This reliance on private transport, notwithstanding the holiday nature of the residential use and the

economic benefits arising, would weigh against the proposal and is contrary to specific criteria in development plan policies.

In this case the harm arising from the site's unsustainable location needs to be balanced against the limited economic benefits of the proposal. However, it is also relevant to take into account the traffic movements likely to arise from the historic and lawful use of the site and to recognise that alternative economic re-uses of the building are likely to be limited due to the close relationship with the main dwelling house and existing holiday let on the site. Taking all of these issues into account, and very much on balance, it is considered that in this instance the harm that would arise would be outweighed by the benefits of finding a suitable re-use for the building.

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. The unit of accommodation hereby approved:
 - (i) shall be occupied for holiday purposes only;
 - (ii) shall not be occupied as a person's sole, or main place of residence;
 - (iii) occupation of the unit must not exceed 60 consecutive days and there must be a minimum gap of 30 days before the units can be re-occupied by the same visitors.
 - (iv) the owners/operators shall maintain an up-to-date register of the names of all occupiers of the holiday accommodation and of their main home addresses, and shall make this information available at all reasonable times to the local planning authority.
(Reason - To ensure that the accommodation hereby permitted may not be used as a separate dwelling where occupiers of the site would be divorced from the services and facilities needed to support day to day living and where the development is only permitted for holiday use as the benefits of such use are considered to outweigh the harm arising from the unsustainable location of the site, in accordance with Strategies 3 - Sustainable Development, 5B - Sustainable Transport & 7 - Development in the Countryside and policy TC2 - Accessibility of New Development of the Adopted East Devon Local Plan 2013-2031.)
4. Prior to the initial occupation of the holiday let unit hereby approved, the operator/owner of the site shall prepare and submit for the written approval of

the Local Planning Authority a Travel Plan setting out the means by which sustainable modes of transport (including public transport, cycling and walking) will be promoted and occupiers of the holiday let unit actively encouraged to make use of such. Development shall proceed in accordance with the details as agreed and the Plan maintained and developed thereafter.

(Reason - In the interests of the promotion of sustainable means of transport in accordance with Strategy 5B- Sustainable Transport of the East Devon Local Plan and guidance in the National Planning Policy Framework and accompanying Planning Practice Guidance)

NOTE FOR APPLICANT

Informative: Confirmation - No CIL Liability

This Informative confirms that this development is not liable to a CIL charge.

Any queries regarding CIL, please telephone 01395 571585 or email cil@eastdevon.gov.uk.

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 works proactively with applicants to resolve all relevant planning concerns; however, in this case the application was deemed acceptable as submitted.

Plans relating to this application:

	Location Plan	22.09.21
EDWARDSSP50 0	Proposed Site Plan	22.09.21
EDWARDSPRO 3	Proposed Floor Plans	22.09.21
EDWARDSPRO 2	Proposed Combined Plans	22.09.21
EDWARDSPRO	Proposed Elevation	22.09.21

List of Background Papers

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