

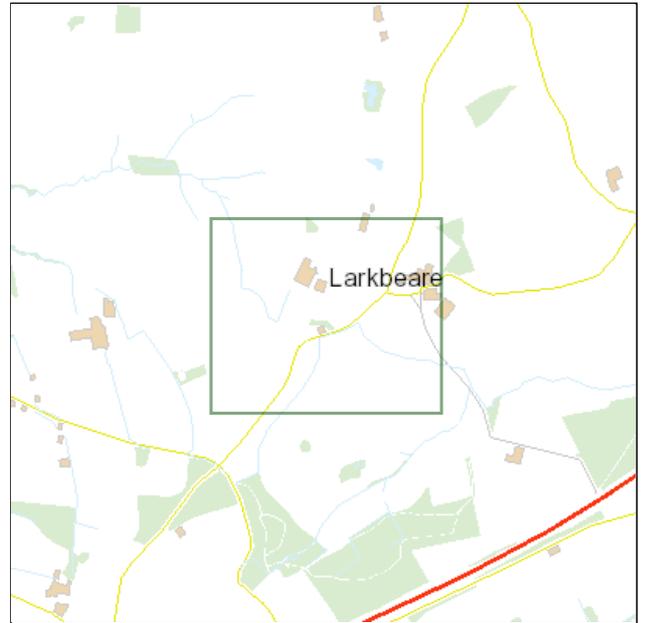
**Ward** Tale Vale

**Reference** 22/0302/FUL

**Applicant** Mr and Mrs Hutchings

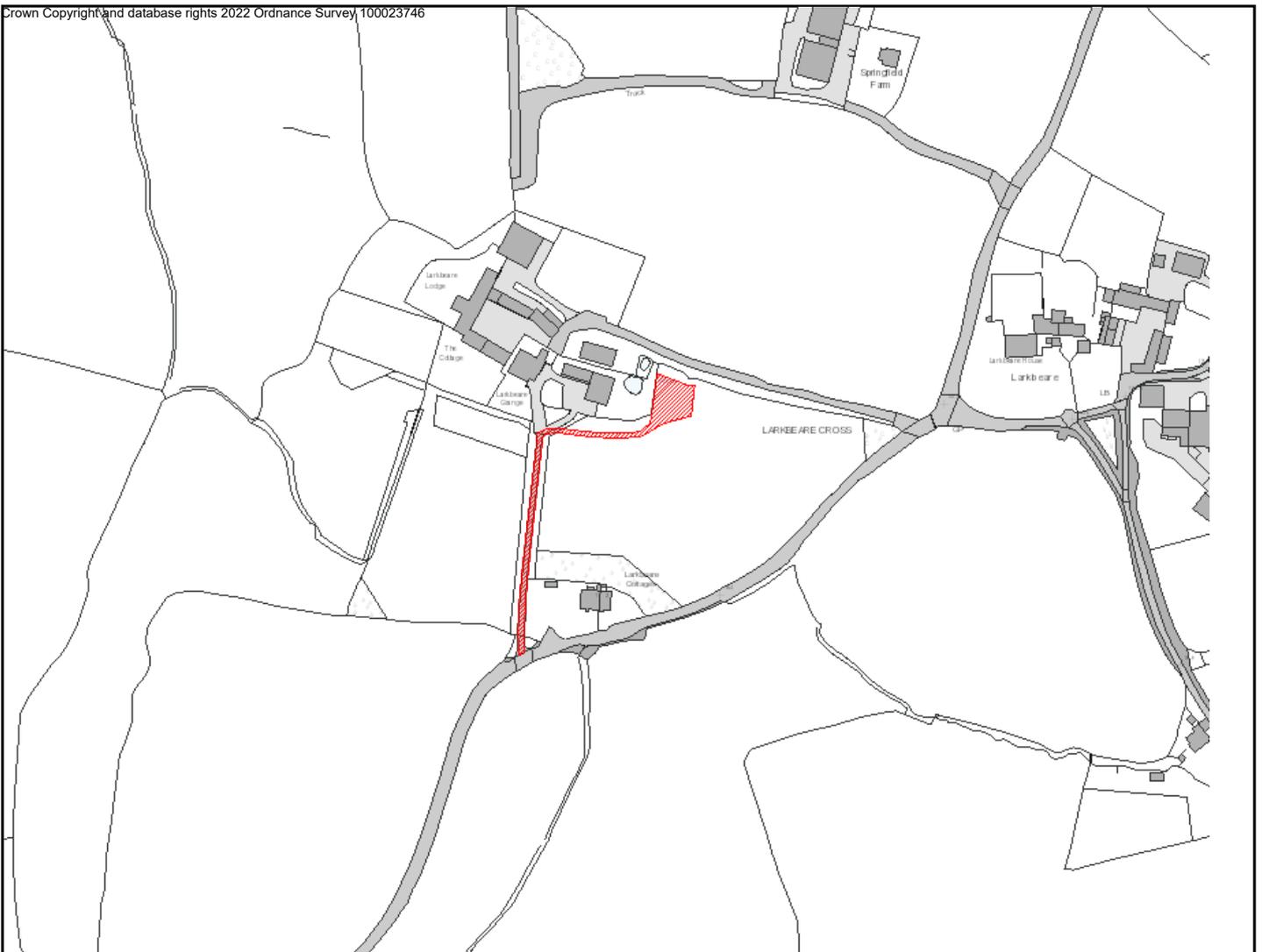
**Location** Larkbeare Grange Talaton Exeter EX5 2RY

**Proposal** Two detached buildings for use as holiday accommodation



**RECOMMENDATION: Refusal**

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		<b>Committee Date: 14<sup>th</sup> June 2022</b>
<b>Tale Vale (Talatan)</b>	<b>22/0302/FUL</b>	<b>Target Date: 11.04.2022</b>
<b>Applicant:</b>	<b>Mr and Mrs Hutchings</b>	
<b>Location:</b>	<b>Larkbeare Grange Talaton</b>	
<b>Proposal:</b>	<b>Two detached buildings for use as holiday accommodation</b>	

**RECOMMENDATION: Refusal**

#### **EXECUTIVE SUMMARY**

**This application is before Committee as the officer recommendation is contrary to the view of the Ward Member.**

**Planning permission is sought for the construction of two holiday lodges, to be operated in conjunction with an existing bed and breakfast and a further holiday lodge at Larkbeare Grange.**

**The proposal would provide some economic benefit relating to the expansion of an existing business and construction works, 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 and that there are very limited shops and services in the immediate locality that visitors might help sustain through their patronage.**

**Weighed against this are the environmental impacts that would result from the development. In this respect it is acknowledged that the proposal would have a very limited visual impact outside the immediate site and no substantive impact on the wider landscape. However in terms of the location of the site, this 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.**

**Whilst the Local Plan acknowledges the importance of tourism to the local economy, it stresses that tourism development must take place in a sustainable manner. In this case the limited benefits that would arise from the proposal in economic terms are considered to be outweighed by the conflict with development plan policies and the harm arising from the unsustainable location of the site and reliance of future occupiers on private transport. The proposal is**

**found to conflict with Strategies 5B, 7 and 33 and Policies, E16 and TC2 of the Local Plan as well as relevant national planning policies and guidance and as such is recommended for refusal.**

## **CONSULTATIONS**

### **Local Consultations**

#### Parish/Town Council

The PC fully supports this application.

Safety concerns were raised about the proximity of the units to the nearby oak tree, one of which is proposed to be positioned beneath the canopy but we understand from the applicant that this matter is being addressed by the consideration of removing limbs and dead wood from the tree, which is owned by a neighbour.

We are particularly impressed with the green credentials of the application.

#### Ward Member – Cllr P Skinner

As per our conversation a little while ago, I would be SUPPORTING this application and therefore want to very much be a part of the delegated meeting.

### **Technical Consultations**

#### EDDC Trees

No arboricultural concerns.

#### Environmental Health

I have considered the application and do not anticipate any environmental health concerns.

#### Economic Development Manager

Planning have not sought direct consultation from our Economic Development service in respect of this application and having read the submitted documents, notably both the Business and Planning Statements, I'm confident my planning colleagues have a good general understanding of the likely economic and employment implications. They will also have noted the support you have locally for the proposed developments.

It wouldn't be appropriate for us to offer support to an application that Planning hadn't invited our view on, though I will make it known to the relevant officer that you've invited us to comment should they feel our input would inform their assessment.

On that subject, were you to submit to the relevant officer more tangible evidence of the economic benefits in terms of the number of direct new jobs and secondary employment delivered by these proposals, along with the average wage levels and associated GVA increase, this *may* prove helpful in quantifying the positives mentioned in your Business Statement.

I should caveat this by highlighting that there may be specific planning issues I'm not aware of which weigh more heavily than a favourable economic impact assessment.

### Other Representations

Three representations have been received all in support of the proposal and raising the following issues

- The business is well run
- No residential amenity impacts

### **PLANNING HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>
13/1312/FUL	Demolition of barn and construction of detached building to accommodate a two-bedroom holiday unit	Approved	25.07.13

### **POLICIES**

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

Strategy 5B (Sustainable Transport)  
Strategy 7 (Development in the Countryside)  
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)

E16 (Proposals for Holiday or Overnight Accommodation and Associated Facilities)  
E19 (Holiday Accommodation Parks)

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

### **Site Location and Description**

The application site comprise part of a field adjacent to a cluster of dwellings and holiday accommodation at the former farm complex of Larkbeare Lodge. The site is outside of any Built-up Area Boundary, and within open countryside to the south Talaton. The site is accessed off the minor C class road between Beacon Cross and Larkbeare Cross, from the private driveway which serves Larkbeare Grange and the existing associated holiday accommodation.

Larkbeare Grange is a large detached former farmhouse which operates as a luxury bed and breakfast, together with The Granary offering further holiday accommodation in a two bedroom bespoke single storey property which offers full disabled access.

### **Proposed Development**

Planning permission is sought for the construction of two further units of holiday accommodation on land to the east of The Granary. The design of the buildings is reflective of the style of the existing accommodation, although more modest, with each having a single bedroom. They have been designed to offer full wheelchair access and movement with open plan accommodation comprising a living/kitchen area, wet room and large double bedroom, arranged in an L shaped form.

Materials include the walls having vertical timber cladding, with dark grey aluminium windows and doors. A covered porch is proposed in the recess to the front area under a low mono-pitched dark grey roof.

No vehicular access is proposed to the units with a level path leading from the parking area to the front of The Granary to the lodges, with a golf buggy providing transport for visitors and luggage.

### **ANALYSIS**

The main issues to be considered in the determination of this application relate to principle and policy considerations; design and impact on the character and appearance of the area; highway and sustainability issues; economic benefits; impact on residential amenity; trees; and any other matters.

#### **Principle**

Strategy 7 (Development in the Countryside) of the Local Plan states that development in the countryside will only be permitted where it is in accordance with a specific Local or Neighbourhood Plan policy which explicitly permits such development and where it would not harm the distinctive landscape, amenity and environmental qualities within which it is located. In this instance, there is no 'made' neighbourhood plan.

Strategy 28 (Sustaining and Diversifying Rural Enterprises) seeks to support developments that help sustain and diversify agricultural and related rural enterprises and promotes the re-use of redundant buildings for business uses. This strategy policy is primarily focused on providing diversification of existing agricultural and land based businesses to help support those existing enterprises and as such offers very limited weight in support of the proposal.

Strategy 33 (Promotion of Tourism in East Devon) seeks to support and facilitate high quality tourism that promotes a year round industry and is responsive to changing demands. However it states that growth should be sustainable and not damage the district's natural assets. Whilst this offers more support for the development proposed again it does not 'explicitly permit' such development.

Policy E5 (Small Scale Economic Development in Rural Areas) supports such development in villages and rural areas where they are designed to provide jobs for local people and subject to a number of listed criteria including: adequacy of road network and site access to accommodate associated traffic safely and there being no adverse impact on neighboring amenity, wildlife, landscape or historic interests. This policy potentially offers support for the proposal as the proposed development could be considered to represent an expansion of the existing established tourist accommodation business.

Submitted details indicate that the existing holiday accommodation employs local people and that their hours would increase as a result of the proposed development, however no additional jobs would be created by the new units.

Policy E16 (Proposals for Holiday or Overnight Accommodation and Associated Facilities) is a criteria based policy which primarily relates to hotel development, conversion of dwellings into self-catering accommodation, guest houses and upgrading of existing holiday accommodation within the Built-up Area Boundaries of towns and villages, but in rural areas only supports conversion or use of existing buildings for small scale holiday accommodation uses. It does not make provision for new units such as that proposed. This policy would therefore offer no support for the proposal.

Policy E19 deals with holiday accommodation parks, permitting proposals for new sites and extensions of existing sites where a number of criteria are met. These include; scale in relation to surroundings and ability to mitigate landscape or ecological impacts; proximity to a settlement; impact on use of best and most versatile agricultural land; availability of services and utilities; traffic generation and safety, and; sustainability/renewable energy criteria.

Whilst some of the above criteria are met and whilst it is acknowledged that there are existing buildings close to the site, it is not located close to an existing settlement, and is therefore located in an unsustainable location and the site cannot be argued to be a holiday park.

Policy E4, relates to rural diversification proposals and could potentially offer support to proposals that are of an appropriate scale and location and subject to a number of other listed criteria. For a proposal to find support under this policy it must be complementary to or compatible with agricultural operations in the area and be operated as part of an overall farm holding. This is not the case with the current proposal.

Policy TC2 Accessibility of New Development states that new development should be located so as to be accessible by pedestrians, cyclists and public transport and also

well related to compatible land uses so as to minimise the need to travel by car (discussed below).

It is not considered that the proposal derives any explicit support from any policies of the Local Plan, as required by Strategy 7, and as such is considered as a departure from the Local Plan.

Para. 2 of the National Planning Policy Framework (NPPF), confirms that applications for planning permission are required to be determined in accordance with the development plan, unless material considerations indicate otherwise.

Para. 84 of the NPPF states planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas and support sustainable rural tourism which respect the character of the countryside. Para. 85 recognises that sites to meet '*local business and community needs*' may have to be found outside existing settlements but where this is the case it is important they should, amongst other things, '*exploit opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport).*'

Whilst the NPPF does potentially offer some support for rural tourism proposals they need to be demonstrated to be sustainable and to comply with other policies of the NPPF taken as a whole, the issue of the site's sustainability is considered in further detail below.

### **Character and Appearance**

Policy D1 (Design and Local Distinctiveness) seeks to ensure that developments are not harmful to their surroundings; this could be taken in a variety of contexts but, in this instance is considered to relate to the visual impact of the proposal on the rural landscape. The proposed lodges are modest in scale and seen within the context of the former farm buildings on the site and the new holiday accommodation. There are no wider views of the buildings and it is not considered that the development will have any detrimental impact on the character and appearance of the surrounding countryside.

### **Highways, Access and Sustainability Issues**

Policy TC2 (Accessibility of New Development) and Strategy 5B (Sustainable Transport) requires development to be located so as to be accessible by pedestrians, cyclists and public transport. The surrounding highway network is not conducive to walking or cycling due to the narrow alignment, lack of footpaths and lighting, and no public transport alternatives. Further, the distances to get to the nearest services or facilities at Talaton, Feniton and Ottery St. Mary are considered to be a significant deterrent to alternative transport than a private vehicle. In this respect the site is considered to be located in an unsustainable location.

TC7 – Adequacy of Road Network and Site Access, states that permission will not be granted if the proposed access or traffic generated by the development would be detrimental to the safe and satisfactory operation of the local, or wider, highway

network. The proposal would use the existing access serving Larkbeare Grange which is considered to have adequate visibility with the existing highway network.

In terms of parking provision there are hard-surfaced parking area to both the front and north of the main house. The application does not proposed any additional parking provision but it is considered that sufficient parking spaces are available to serve to the proposed unit and to satisfy the requirements of policy TC9 of the Local Plan.

### **Economic Benefits**

It is recognised that the proposal has the potential to provide some economic benefits in terms of support to the existing tourist accommodation business, and that visitors to the lodges will, in many instances, use local facilities and visit tourist attractions although no specific details have been submitted. Some temporary and small scale benefits would also arise related to the construction of the lodges.

### **Residential Amenity**

The location of the units is such that the nearest residential properties are on the western side of Larkbeare Grange, and at the entrance to the main driveway serving the site. Whilst some additional traffic will be passing the cottages adjacent to the drive, this is unlikely to be significant and the distances from the existing dwellings is such that it is not considered that there will be any loss of amenity for the occupiers of existing dwellings from the occupation of the lodges.

### **Trees**

There is a mature oak tree located just beyond the north western corner of the site, and concern raised regarding any impact of this in relation to the positioning of unit 1. However it is understood that these concerns have been addressed such that no arboricultural concerns have been raised by the Council's Arboricultural Officer.

### **Other Issues**

It is proposed to connect the foul drainage to an existing sewage treatment plant that serves the site and the applicant has confirmed that there is sufficient capacity within this system.

### **Habitats Mitigation**

The nature of this application and its location close to the Exe Estuary and Pebblebed Heaths and its 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 would provide some limited economic benefit relating to the expansion of an existing business and construction works, 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 and that there are very limited shops, services in the immediate locality that visitors might help sustain through their patronage.

Weighed against this are the environmental impacts that would result from the development. In this respect it is acknowledged that the proposal would have a very limited visual impact outside the immediate site and no substantive impact on the wider landscape. However in terms of the location of the site, this is such that the occupiers of the building would be likely to be almost entirely reliant on private transport to access a range of 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.

Whilst the Local Plan acknowledges the importance of tourism to the local economy, it stresses that tourism development must take place in a sustainable manner. In this case the limited benefits that would arise from the proposal in economic terms are considered to be outweighed by the conflict with development plan policies and the harm arising from the unsustainable location of the site and reliance of future occupiers on private transport. The proposal is found to conflict with Strategies 5B, 7 and 33 and Policies, E16 and TC2 of the Local Plan as well as relevant national planning policies and guidance and as such is recommended for refusal.

## **RECOMMENDATION**

REFUSE for the following reasons:

1. The proposed development is located in the countryside outside of any designated settlement boundary where development is strictly controlled and where there are no policies of the development plan that provide explicit support for development of this nature and where occupants of the proposed holiday accommodation would be highly car dependent, as such the proposal would represent an unsustainable form of development contrary to Strategies 5B - Sustainable Transport and 7 - Development in the Countryside and Policies, E16 - Proposals for Holiday or Overnight Accommodation and Associated Facilities and TC2 - Accessibility of New Development of the East Devon Local Plan 2013-2031 and policy contained within the National Planning Policy Framework.

## NOTE FOR APPLICANT

### Informative:

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

### Plans relating to this application:

20.53 SP 01	Location Plan	10.02.22
20.53 P 01	Proposed Floor Plans	10.02.22
20.53 SP 02	Proposed Site Plan	10.02.22
	Proposed Site Plan	10.02.22

### List of Background Papers

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