

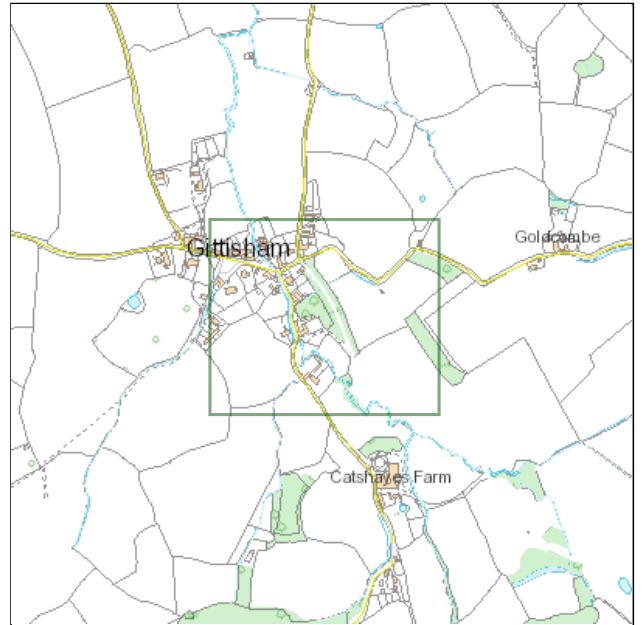
Ward Feniton

Reference 22/1197/FUL

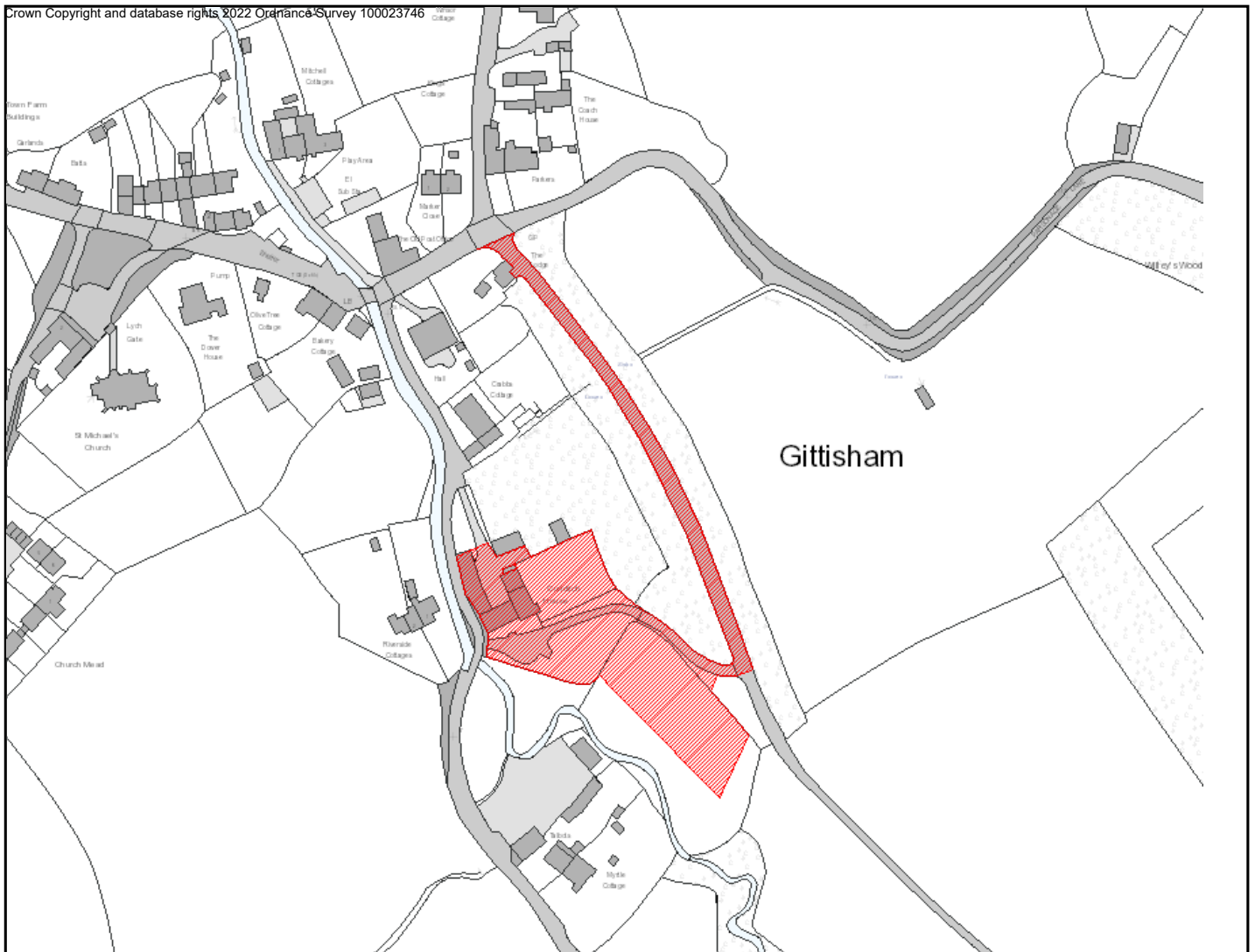
Applicant Mr Robin Hutson

Location Curlditch House Gittisham Honiton EX14 3AE

Proposal Proposed siting of 5 no. Shepherd's Huts in the field southeast of Curlditch House.



RECOMMENDATION: Approval with conditions



		Committee Date: 20.12.2022
Feniton (Gittisham)	22/1197/FUL	Target Date: 01.08.2022
Applicant:	Mr Robin Hutson	
Location:	Curlditch House Gittisham	
Proposal:	Proposed siting of 5 no. Shepherd's Huts in the field southeast of Curlditch House.	

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY

This application is before Members as the officer recommendation is contrary to the views of the Ward Member.

Planning permission is sought for the siting of five shepherds huts on land to the east of Curlditch House to be used as holiday lets.

The site is located outside any built up area boundary and is considered to be in the open countryside. The site is adjacent to the Conservation Area for Gittisham whilst Curlditch House is a grade II listed building. It is also adjacent to two other grade II listed buildings and a grade I listed building. The site is also located within the East Devon Area of Outstanding Natural Beauty.

As the site is located within the countryside Strategy 7 applies. This states that development must have a Local Plan or Neighbourhood Plan policy to support the development to be acceptable.

Policy E16 allows for the provision of holiday accommodation provided that it meets certain criteria. Although the policy states that outside the built up area boundaries the policy only applies to the conversion of existing buildings, the shepherd huts would meet the definition of a caravan and therefore are not considered buildings.

The scale and intensity of the development is considered acceptable and would not have a detrimental impact upon the character and appearance of the area as they would be screened from public views. The huts would not result in a loss of amenity for any neighbouring residents and parking would be provided for each hut. The site is not easily accessible on foot and public transport is limited however, there are links to Honiton which is nearby and has a good standard of public transport. It is not considered that the proposal would harm safe use of

the highway network. Therefore the application is considered to comply with Policy E16.

Due to the presence of listed buildings and the nearby conservation area, the site has strong heritage value. However, it is well screened from any public views by existing trees and would not be significantly visible from the conservation area or in relation to any of the listed buildings. It is therefore considered that any heritage impact would be less than substantial and is outweighed by the public benefits detailed in this report. Therefore, it is considered that the application would comply with Policies EN9 and EN10 of the East Devon Local Plan.

An ecology survey has been submitted with the application and its recommendations are considered necessary for the application to comply with Policy EN5 of the East Devon Local Plan.

Accordingly, the proposal is considered to be acceptable and is therefore recommended for approval.

CONSULTATIONS

Local consultations

Parish/Town Council

Gittisham Parish Council would like to express concerns about the proposed Shepherd Huts at Curlditch House, as part of the Pig Hotel. These concerns have been voiced by parishioners and the Council has also encouraged them to make their own comments on the planning application.

Curlditch House and the cottages at Riverside are part of the Conservation Area and are particularly noted in their Listing (Listed Buildings) for their character and setting as a group of buildings. Disruption to this should not happen and the addition of mobile holiday accommodation in the grounds of Curlditch would affect the character of this area and their setting. The close proximity of the proposed holiday accommodation to the Conservation Area would have an adverse effect on the character and setting. The main house at Curlditch currently enjoys an open view to the grounds in front of it and the proposal would include planting to screen the house from the holiday homes. The Parish Council suggest that the proposed mobile holiday homes could be incorporated within the main area of the Pig Hotel at Combe House, where there are already garden buildings and car parks.

The Parish Council is always aware of the impact of any development on Climate Change. These units will be available year-round and yet there appears to be little to minimise the impact on the climate of heating them. There will hopefully be electric car charging points at the car parks, which is good to hear.

The additional 5 cars visiting the hotel is also significant and the people staying in the huts will want to drive their cars to the hotel to get meals, use the spa facilities, etc.

Sewage capacity has been a problem since the hotel expanded from Combe House Hotel to The Pig. There has been an ongoing sewage leak problem by the village bridge. It is under control now but there is a sensor at the manhole there.

The planning application talks about the area being in use at the moment as access across the area from the staff car park via a footbridge. This is incorrect and implies that there is already regular use of this area, as well as the chickens. There is no staff car park and no footbridge here.

Although the lighting at the huts has been recommended to be restricted because of bats, there will be outside lights and also inside the vans. The village is special in having no street lights and the skies here are jaw droppingly dark. Any extra lighting is a shame.

If the development were to go ahead, the Council would like to see some apple trees planted in that area, as it used to be an orchard.

Parish/Town Council

Gittisham parish council has no further comment to make, following the addition of the heritage statement. The parish council's position remains as before.

Feniton - Cllr Alasdair Bruce

There are many parallels with statements from planning on this application that were raised at another recent application APP/U1105/W/22/3298314 that planning objected to but was won on appeal. So my argument is that if the reasons around access and public transport, to name but two, that are raised in this application were good enough to object to the earlier application nearby in Gittisham (3298314), why are these same reasons not good enough for planning to object to this application. There is a clear lack of consistency here which I would like recognised.

Technical Consultations

Historic England

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

Historic England

Thank you for your letter of 27 July 2022 regarding further information on the above application for planning permission. On the basis of this information, we do not wish

to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

Conservation – 05.07.2022

CONSULTATION REPLY TO PLANNING CENTRAL TEAM
PLANNING APPLICATION AFFECTING SETTING OF LISTED BUILDING

ADDRESS: Curlditch House, Gittisham, Honiton, EX14 3AE

GRADE: II

APPLICATION NO: 22/1197/FUL

BRIEF DESCRIPTION OF HISTORIC CHARACTER

Curlditch House is grade II listed including the walls of the walled garden. The house is late medieval origin remodelled in the late 17th/early 18th centuries. It is likely constructed of cob and stone and has been rendered with a thatched roof. Outbuilding north East of Curlditch, gII is part of the historic building group with Curlditch House.

Riverside Cottages is grade II listed of rendered rubble with thatch.

To the south and built close to the road is Talbots and Myrtle Cottage, grade II Combe House is grade I and stables gII the proposed huts lie to the west of the approach drive to Combe House.

Curlditch House lies within the Gittisham Conservation Area boundary, however the conservation area boundary to the east of the building group does not follow the historic boundary of the holding and the site proposed lies outside the conservation area.

HOW WILL PROPOSED DEVELOPMENT AFFECT HISTORIC CHARACTER

Planning permission is sought for the proposed siting of 5 no. Shepherd's Huts and plant room in the field south-east of Curlditch House. The location is close to the approach drive to Combes House grade I listed. There is no heritage statement to accompany the application nor any viewpoints to show how these huts will affect the setting of Curlditch and the experience of arrival at Combe House nor the designated assets above. Although there are well established hedgerows around the site views of the huts with Curlditch House will be harmful to its setting and the experience of the asset. There may be views along the Combe House drive as well.

There is no objection to the design of the shepherds huts.

POLICY

Listed Buildings and Conservation Areas Act 1990 section 66 and 72

National Planning Policy Framework 2021 section 16

New East Devon Local Plan (2013-2031)

Policy EN9 - Development Affecting a Designated Heritage Asset

RECOMMENDATION - PROPOSAL

Holding objection through lack of a heritage statement in accordance with NPPF para 194.

194. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation

Conservation – 25.11.2022

Significance and Setting of Curlditch a Grade II Heritage Asset

Curlditch including walls of walled garden to the east.

Late medieval origin; substantially remodelled circa late C17/early C18. C20 alterations. A large, handsome traditional house of medieval origins, with attached walled garden to the east, forming part of a good group with Crabbs Cottage and Riverside Cottage to the west.

In addition, there is an outbuilding immediately north east - of Curlditch, which is probably late C19 and Grade II listed in its own right. Rectangular outbuilding to the rear (north) of the north-east wing of Curlditch, end on to the courtyard to the north of the house. Included as providing group value with Curlditch.

In setting Curlditch House now hotel and associated group lies within the Gittisham Conservation Area.

Proposed works within the setting

The development works as proposed through this application is for the siting of a plant room and 5 no. Shepherd's Huts in the field located southeast of Curlditch House and the walled garden, the site currently used as a chicken run with 2no chicken houses and perimeter fencing.

Assessment of harm

In considering the development site falls outside the conservation area and setting is not a heritage asset the following assessment has taken into account Para. 206 of the NPPF21.

Local planning authorities should look for opportunities for new development within ... the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

In context of the proposal, the identified site is found south of the vehicular access road to the heritage asset, enclosed by mature vegetation to the east, south and west with open views towards Curlditch House and garden wall, located to the north. In character and appearance the site is open in nature and currently in use as a chicken run including two chicken houses, which are proposed to be removed to accommodate the development.

The proposed development is to introduce a plant room and five sheppard's huts along the eastern boundary in a linear formation, set within mature vegetation and

accessed separately via an existing gravel lane off the main drive to the south and east of Curlditch House (Hotel).

The handmade traditionally designed sheppard's huts are presented as timber clad, set on cast iron wheels with a curved corrugated profile metal roof, set within individual paved areas with planted screening, following the contours of the landscape which increases in height to the south.

Justification for the huts is as new guest accommodation will be used in conjunction with the hotel to promote tourism in the local area.

In considering the associated harm of the development proposal on the surrounding heritage assets in particular Curlditch House, there will be a visual relationship between the heritage asset and site through direct views from the south of the asset and main drive. In assessing the visual harm through this relationship, this is considered slight when balanced against the existing character and appearance of the site, the alignment, use of materials and form of the proposed huts which will integrate into the mature vegetation along the eastern boundary, with limited visibility of the paved terrace areas which will be screened with planting.

In considering how the heritage asset will be experienced as a result of the activity associated with the use of the sheppard's huts, this is balanced against the current use and relationship of the heritage asset as a hotel and the sheppard's huts both of which are transient in nature.

In summary the development of 5 No. sheppards huts to the south of Curlditch House now hotel, would result in visual harm in respect of views from the heritage asset, however this harm is slight when balanced against the orientation, form and siting of the individual huts, and treatment of the individual plots. In addition, the existing function and transient experience of the heritage asset as a hotel would be similar to that proposed through the sheppards huts, as alternate guest accommodation.

The development works as proposed through this application is therefore considered slight as it continues to preserve the contribution the setting makes to the historic and architectural interest of the heritage asset, satisfying para. 206 of NPPF21. Recommend approval subject to landscape and screening conditions.

Other Representations

One letter of objection has been received. The letter objects to the application on the following grounds

- The proposal is not in keeping with the Gittisham Parish Plan or East Devon Local Plan
- The proposal would be visually detrimental to the natural and built environment
- Significant increase in traffic
- Loss of amenity for neighbours

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 7 (Development in the Countryside)

Strategy 46 (Landscape Conservation and Enhancement and AONBs)

D1 (Design and Local Distinctiveness)

EN8 (Significance of Heritage Assets and their setting)

EN9 (Development Affecting a Designated Heritage Asset)

EN10 (Conservation Areas)

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

EN5 (Wildlife Habitats and Features)

Government Planning Documents

NPPF (National Planning Policy Framework 2021)

National Planning Practice Guidance

ANALYSIS

Relevant Planning History

There are several applications related to Curlditch House, however, none are considered relevant to the determination of this application.

Site Location and Description

The site refers to a parcel of land located to the south east of Curlditch House. Curlditch House is a grade II listed building located at the southern end of the village of Gittisham. The land is sandwiched between an unnamed road which connects Gittisham to Bellview Plantation to the south and the access track from Gittisham to Combe House.

The site is located outside any built up area boundary as defined within the East Devon Local Plan or the Villages Plan DPD. Curlditch House is a Grade II listed building and is also within the Gittisham Conservation Area, however, the plot of land is located outside it. Adjacent to the land is Myrtle Cottage which is a grade II listed building. The site is also adjacent Combe House is Grade I listed and is designated a Historic Park or Garden. The site is also located within the East Devon Area of Outstanding Natural Beauty.

The south western boundary of the site is bordered by the River Gitt which is located within Flood Zones 2 and 3, however, the development site is located outside it.

Proposed Development

This application seeks planning permission for the siting of five shepherd's huts which would be used in connection with Curlditch House which provides accommodation as three guesthouses.

The shepherd huts would have a traditional appearance with a raised access and on wheels. The external materials are to be black timber cladding and profile roof sheets. Internally the huts contain a bedroom and a bathroom.

A plant room is also proposed. This would have the same external materials as the huts and would contain water heaters and tanks for the huts.

Consideration and Assessment

Strategy 7 is an overarching strategy for all development outside of a built up area boundary as defined within the local plan and villages plan. As the site is fully outside any built up area boundary and is therefore in the countryside in planning terms therefore this strategy applies. The strategy states that "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"

Policy E16 of the East Devon Local Plan supports the provision of holiday accommodation and associated development subject to a number of criteria. Although the policy states that outside the built up area boundaries the policy only applies for the conversion of existing buildings, the shepherd huts would meet the definition of a caravan and therefore they are not considered to be buildings. The criteria are listed below with analysis of the proposal against these criteria.

1. The scale, level and intensity of development is compatible with the character of the surrounding area, including adjoining and nearby settlements.

The character of the area is of a rural village characterised by detached and semi-detached cottages. The proposed shepherd's huts are located approximately 40 metres to the south east of Curlditch House in an open field.

The huts would be sited close together which is more intense than the existing grain of development in the area. However, due to their small size in terms of height, width and depth, it is not considered that this would be sufficiently out of character to refuse planning permission as the overall openness of the site would remain.

In addition, the huts would not be largely visible from public viewpoints. The nearest public highway is the unnamed road which links Gittisham to Bellview Plantation. At the nearest point to this road the site is screened by a series of trees and hedges. These are not proposed to be removed as part of the application and therefore would enable the huts to not have a negative impact upon the character or appearance of the area.

The site is also located within the East Devon Area of Outstanding Natural Beauty (AONB). Strategy 46 of the East Devon Local Plan states that development will only be permitted if it conserves and enhances the landscape character of the area, does not undermine landscape quality and is appropriate to the economic, social and well-being of the area. Due to its lack of visibility as described above it is considered that the development would preserve the landscape character and would not undermine the landscape quality of the area. In addition the provision of holiday lets would be

appropriate to the economic and social well-being of the area as it attracts tourists to the area. Therefore it is considered that the proposal is supported by strategy 46.

2. The proposal does not harm the amenities enjoyed by the occupiers of neighbouring properties.

The site is some distance from any neighbouring properties, the nearest being Talbots Cottage and Myrtle Cottage which are over 60 metres from the application site. Therefore, the proposal is not considered to result in a loss of amenity for any neighbouring properties.

3. On-site servicing and parking facilities are provided commensurate with the level and intensity of the proposed use.

The proposed site plan indicates that parking spaces would be provided for each shepherd hut. These have been provided as two spaces near the first shepherd's hut and the other three by the third shepherd's hut. Due to the shepherd's hut only providing one bedroom it is considered that one parking space for each hut is considered acceptable.

4. The proposal is accessible on foot, by bicycle and public transport and will not impair road safety or the free flow of traffic.

Due to its rural and remote location there is not a large range of public transport readily available close to the site. There is a bus stop within the village of Gittisham linking the village to Exeter and Feniton, however, the service is infrequent and not overly reliable. Although, the site does not have easy public transport links it is proximate to Honiton where there is a train station and other modes of transport such as taxis or bicycle. This would enable visitors to access the site by other means than private car.

The use of private car would not have a detrimental impact on the safety of the site or the surrounding highway network. The site is accessed off a private track which links Combe House with Parsonage Lane which is the public highway. Although Parsonage Lane is a classified C road it is lightly trafficked and the trip generation by the development is not considered to be significant that the proposal would have a detrimental impact on the safety of the public highway network. In addition, the private track enables vehicles to turn within the site and re-enter the public highway in a forward gear.

Due to the above it is considered that the proposal would be compliant with the provisions of Policy E16

Impact on the Conservation Area and Heritage Assets

The site is located adjacent to the Conservation Area for Gittisham and adjacent to Grade I and II listed buildings. Therefore the site has significant heritage value.

Policy EN10 of the East Devon Local Plan states that development which affects the setting or views in or out of the area, will only be permitted where it would preserve or enhance the appearance and character of the area.

The site is well screened by vegetation from public views in and out of the conservation area. In addition, due to the traditional appearance of the shepherd's huts it is not considered to harm views in or out of the conservation area. Therefore, the character of the conservation area would be preserved and the proposal complies with policy EN10.

Policy EN9 of the East Devon Local Plan states that development which results in significant harm to a heritage asset or its setting will not be permitted. Development which results in less than substantial harm will only be supported if there are significant public benefits which outweighs the harm.

Where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, the harm will be weighed against the public benefits of the proposal.

The heritage statement which supports the application indicates that the huts would largely not be viewed in connection with Curlditch House. It states that views from the house would be centred towards Talbots and Myrtle Cottage and therefore there would be no impact upon the significance of the listed building.

However, the heritage statement does not cover the impact to Talbots Cottage, Myrtle Cottage or Combe House.

Talbots Cottage and Myrtle Cottage are two semidetached cottages dating from the mid-17th Century. The significance of the building relates to their rarity as a purpose built cottages in the mi-17th century. The proposal would be located on land to the rear of these dwellings with the River Gitt and a number of trees intervening. Due to the distance and the natural screening, it is not considered that the positioning of the shepherd's huts would result in any harm to the significance of these buildings or their setting.

In regards to Combe House, this is a Grade I listed building and historic garden and park. The significance of this building is its medieval origins and the subsequent alterations through the 17th, 18th and 19th century. The building is situated in large gardens which contribute to its significance. The development would be accessed off the existing access track which leads to Combe House. However, the site is otherwise well screened from the building and its setting such that it is considered that there would not be any harm to its significance.

The Council's Conservation Officer has considered the Heritage Statement submitted by the applicants and has concluded that:

"In summary the development of 5 No. sheppards huts to the south of Curlditch House now hotel, would result in visual harm in respect of views from the heritage asset, however this harm is slight when balanced against the orientation, form and siting of the individual huts, and treatment of the individual plots. In addition, the existing function and transient experience of the heritage asset as a hotel would be similar to that proposed through the sheppards huts, as alternate guest accommodation."

Due to the above, it is considered that the proposal would result in less than substantial harm to the significance of the adjacent listed buildings and would therefore only comply with Policy EN9 where there are significant public benefits. In this case the proposed tourist accommodation provides clear economic benefits while also supporting the economic use of the main hotel and the guest cottages at Curlditch House helping to secure their future.

Other Matters

A number of other concerns have been raised by Gittisham Parish Council and the points they have raised are assessed below.

Climate change

In regards to climate change, as stated above, it is considered that there are sufficient links to the site without the needs for all users to use a private motor vehicle. Although, some of these alternatives would also use fossil fuels, there would be an overall reduction in carbon emissions if these methods were used. Additionally, there would be electric car chargers on site to allow the use of electric vehicles. It is not considered that the impact to climate change would be significant and a sufficient reason to refuse planning permission on this alone.

Sewage capacity

Although no comments have been received from South West Water, it is known that they review submissions to the council and only comment where necessary. Given that the units are for holiday accommodation it is considered that they would not be in permanent use or generate the same amount of waste water as a full time residential unit. Therefore, it is not considered that the proposal would significantly reduce the capacity of the sewerage network such that planning permission could be refused.

Current use of the land as a car park

These comments are noted and during the site visit, the land did not appear to be used as a car park. However, it is considered that the use of the land does not have any bearing on the determination of the application.

Addition of lights

The units would have electricity which could give the potential for light spill. However the units are small and largely surrounded by trees which would screen most light spillage. Due to the small scale of the units, it is not considered that there would be a large amount of light generated by the development and given that there are nearby dwellings it is not considered that there would be a significant increase in light that would harm the character of the area.

Additional trees to be planted.

Comments have requested that further trees are planted should any approval be forthcoming. Although these comments are noted, it is considered that the trees currently on site are of good quality and provide adequate screening of the site from public views. Therefore it is considered that it would not be reasonable to request further trees on site.

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 units 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 unit 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 reflect the permission sought and as an independent use would be inappropriate due to the close relationship with and proximity to adjacent dwellinghouses, in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)
4. The development shall be carried out in accordance with the recommendations and mitigation measures contained within the Ecological Impact Assessment carried out by OLC Ecological Services dated May 2021.
(Reason - In the interests of ecology in accordance with Policy EN5 (Wildlife Habitats and Features) of the East Devon Local Plan.)

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.

Plans relating to this application:

Block Plan

30.05.22

1000A	Location Plan	30.05.22
1001 A	Proposed Site Plan	30.05.22
1102A	Sections	30.05.22
2001A	Proposed Combined Plans	30.05.22
2002A	Proposed Combined Plans	30.05.22
3001A	Proposed Elevation	30.05.22
3002A	Proposed Elevation	30.05.22
MATERIALS SCHEDULE	Other Plans	30.05.22
6001A	Proposed Combined Plans	30.05.22

List of Background Papers

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