

**Ward** Dunkeswell And Otterhead

**Reference** 25/0039/FUL

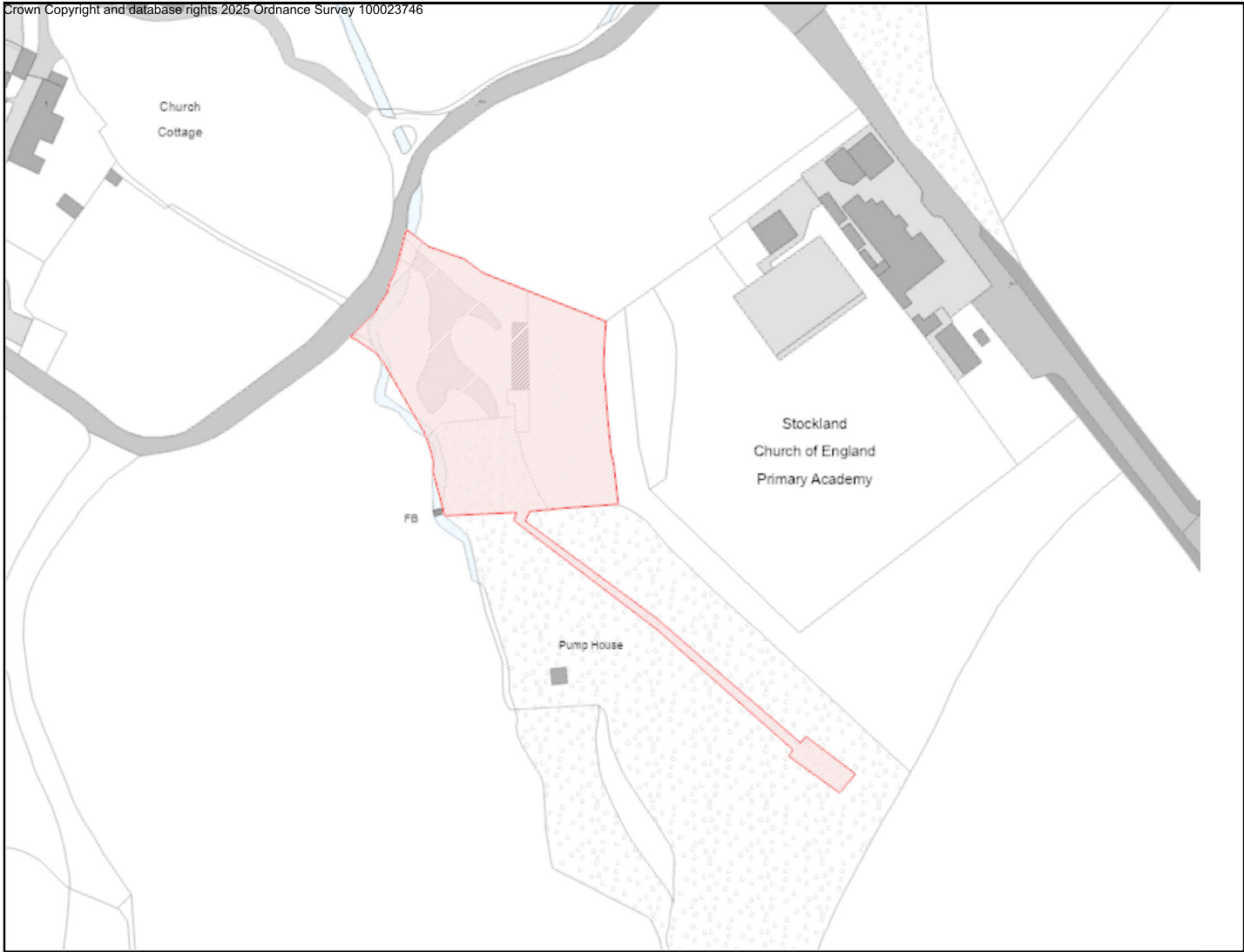
**Applicant** Mr and Mrs Emma and Nigel Parris

**Location** Land Adjoining Stockland C Of E Primary Academy Stockland EX14 9EF

**Proposal** Proposal to reinstate historic barn with extension to form 1no dwelling, with associated works



**RECOMMENDATION: Refusal**



		<b>Committee Date: 15.07.2025</b>
<b>Dunkeswell And Otterhead (Stockland)</b>	<b>25/0039/FUL</b>	<b>Target Date: 19.03.2025</b>
<b>Applicant:</b>	<b>Mr and Mrs Emma and Nigel Parris</b>	
<b>Location:</b>	<b>Land Adjoining Stockland C Of E Primary Academy Stockland</b>	
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**RECOMMENDATION: Refusal**

#### **EXECUTIVE SUMMARY**

**This application is before Committee as the officer recommendation is for refusal, contrary to the views of the Ward Members.**

**The proposal is the re-building of a former building (used as a sawmill) and its use as a dwelling. The building would be constructed overlapping the footprint of a smaller barn, which is a remaining part of the original sawmill building (currently in agricultural use). It would be larger than the existing barn or the original sawmill building and partly subterranean, with the design of the non-subterranean part seeking to replicate the appearance of the original sawmill building. The proposed dwelling would be single storey and would have an associated garden, driveway and parking area.**

**In the absence of a structural survey indicating that the existing barn is capable of conversion or information suggesting that any part of the existing building would be incorporated within the re-instated building, the proposal does not represent a conversion, which might otherwise draw support from Local Plan Policy D8 (Re-use of Rural Buildings Outside of Settlements) in principle. The proposal is therefore considered to be a new building. The site is on the edge of the settlement of Stockland which does not have a Built Up Area Boundary and is thus in the open countryside. There is no specific policy support for the principle of the proposed dwelling, either through the Local or Neighbourhood plan.**

**It is acknowledged that the sawmill building existed but what remains of it is not a designated or non-designated heritage asset hence there is no heritage justification for the proposed re-instatement of that building.**

The site is within the Blackdown Hills National Landscape, within the setting of the Grade 1 listed St Michaels and All Angels Church and visible from the conservation area. The existing barn is a simple small scale open sided building with an agricultural character. The proposed dwelling is larger than the existing barn in all dimensions and it would incorporate features which are not present within the existing barn, such as extensive glazing, a different roof material and shutters. The Parish Council object to the large windows on the western elevation of the dwelling, highlighting that these fail to adhere to the Blackdown Hills Design Guide for houses. Whilst it is understood that the window design seeks to reference the character of the existing barn, the result of this is an extensive area of glazing which, together with the building's increased scale, its driveway, garden and the introduction of domestic paraphernalia, will result in the building appearing prominent and both the building and its setting appearing domestic.

As a result it is considered that the proposal fails to conserve the natural beauty of the National Landscape, contrary to the requirements of Strategy 46 (Landscape Conservation and Enhancement and AONBs). Historic England raise no objection to the proposal, however, the conservation officer raises several concerns, concluding that the proposal would harm the setting and thus the significance of heritage assets, contrary to the requirements of Local Plan Policy EN9 (Development Affecting a Designated Heritage Asset).

Whilst Stockland has some limited facilities and services to serve residents, occupants of the dwelling would be likely to heavily rely on car journeys to meet their everyday needs, contrary to the requirements of Local Plan Strategy 5B (Sustainable Transport) and Policy TC2 (Accessibility of New Development).

The dwelling is outside of high risk flood zones, however, the vehicular access to the site crosses flood zones 2 and 3. Whilst an alternative pedestrian access is available outside of these zones, no safe access to the site for emergency vehicles would be available during a flood event, contrary to the advice in planning practice guidance and the proposal fails the sequential test for flooding and conflicts with LP Policy EN21 (River and Coastal Flooding).

The dwelling is located within the catchment of the River Axe Special Area of Conservation where a proposal for a new dwelling must demonstrate nutrient neutrality. Although information has been provided in relation to this issue the Council's ecologist advises that it fails to demonstrate that nutrient neutrality would be achieved and as such the proposal conflicts with Local Plan Policy EN21 (River and Coastal Flooding).

Although the proposal would make a small contribution towards housing supply and would offer minor social and transient economic benefits through supporting local services and generating construction activity, as indicated above, permanent environmental and social harms would also arise from it. It is not considered that the public benefits outweigh the identified harms and as such it is recommended that the application be refused.

## **CONSULTATIONS**

### **Local Consultations**

Parish/Town Council 15/3/25

Stockland Parish Council have reviewed this application at our meeting on 25th February 2025. While there was not a complete consensus, we have made a number of positive observations, but also raise a few concerns:

- 1) We acknowledge the application's efforts to consult with Historic England at the pre-application stage and the consideration given to responding to their recommendations.
- 2) We acknowledge that the subterranean elements of the house that are outside of the existing footprint of the barn (such as the car port, lobby and bathroom) are a consolidated effort to minimise the visual impact of the new build, particularly when covered by the proposed grass meadow roof.
- 3) We acknowledge other efforts of the design to minimise the impact of the natural environment, which include the shape of floor plan allowing clearance from a neighbouring tree, and the intention to maintain hedgerows / Devon bank, by not altering the width of the driveway opening.
- 4) We have concerns about the design and extent of the floor-to-ceiling glazing on the west elevation of the proposed dwelling for two reasons. Firstly, the design of the windows is not in keeping with the Blackdown Hills AONB Design Guide For Houses, which is embraced by Stockland Neighbourhood Plan. This is particularly important since the proposed site is directly adjacent to the churchyard, which is a crucial element of Stockland's registered conservation area. Secondly the scale of the glazing facing the churchyard presents a privacy issue for any mourners attending the graveyard. Although we acknowledge that the overhanging flat roof is an effort to reduce the impact of the glazing, we recommend that the design and extent of the glazing be reviewed.
- 5) We do not consider the sliding louvres to be any mitigation to the concerns regarding the glazing, since these are not under the operation of the people who would be impacted. Furthermore, the louvres are not in keeping with the Blackdown Hills AONB Design Guide For Houses.
- 6) Although there were concerns about the pitch and height of the roof being higher than the current derelict barn, we acknowledge that the new design does match the roof of the historic saw mill it is trying to emulate.
- 7) Concerns were raised about congestion in the lane and the need for passing places. However, these concerns were not considered significant, with the entry ways to the property and the churchyard offering opportunities to passing.
- 8) Concerns were raised regarding the environmental impact and the method of removal for the large amounts of spoil removal, but a number of councillors did not feel this was a planning issue.

### **Dunkeswell And Otterhead**

Cllr Yehudi Levine

14/4/25

I would only like to say that I am happy to consider arguments running counter to my stated opinion.

26/3/25

Update for my previous comments:

I would like to clarify that the comments about the vernacular and view from the church are superfluous in this case; just the caveats I usually make. And I would like you to disregard them. I have now visited the site and found these are not concerns as the design in my view is sympathetic and fits with the area.

I would therefore like to reiterate my support and ask for the application to go to committee in case of disagreements.

(additional comments reiterate comments made on 17/2/25)

17/2/25

This looks to me like a well thought out proposal with consideration for the historic aspects of the site. I can support the application if the buildings conform to the local vernacular and do not affect the general view of the nearby church.

Dunkeswell And Otterhead

Cllr Colin Brown

28/3/25

I fully appreciate this is a late comment.

Reference the above planning number, at the present time I am in support of the Application to restore a historical barn into a habitable dwelling, if the planning officer is of a different opinion I would like it to go to committee where I will keep an open mind until I have heard all of the comments both for and against.

### **Technical Consultations**

Historic England

3/3/25

(Summary below, full responses are provided at Appendix 1.)

The site is in proximity to, and can be viewed from, the Grade I listed Church of St Michael which is of exceptional special interest. Historic England have provided pre application advice to the applicant and note that some of the advice they offered has been adhered to, e.g. the choice of roof covering, the inclusion of shutters, reduction to the subterranean element and extent of the driveway. The removal of the previously proposed timber posts from the exterior of the western elevation is considered regrettable, however, as these replicated the existing openings of the saw pit building. It is recommended these be reintroduced to minimise the impact and respond to the former building. The choice of materials should ensure the building will harmonise with the existing materials palette within the area and should be secured by condition.

17/04/25

The amended proposal is noted and the reinstatement of the timber posts is welcomed, which addresses our previous comments.

Historic England has no objection to the application on heritage grounds.

Conservation Officer

11/6/25

(Summary below, full response is provided at Appendix 2).

Site is directly outside the boundary of the Stockland Conservation Area. Directly to the north-west of the site boundary on the opposite side of a narrow lane is the Grade I listed St Michael's and All Angels Church which dates to the 13th century and is set within a churchyard with stone boundary walls. The existing structure is directly within the setting of the churchyard. In its current poor state it makes a negative contribution to this setting, while its function makes a neutral contribution.

In terms of design, the glazing of the proposed dwelling creates a domestic appearance which will appear quite prominent when viewed from the churchyard directly opposite the site. This has been addressed to some extent by recessing the windows and introducing timber posts in front of the glass to break up the elevation and broadly reflect the historic character of the existing open sided bays, although the original posts appear from archive images to have been more substantial masonry piers which would be more authentic. The proposed external timber sliding louvres will obscure the glazing when (and if) they are closed but I am unconvinced that they will sufficiently hide the domestic nature of the building. The standing seam sheet roof is quite industrial in nature and a corrugated sheet roof or natural slate covering would be more traditional in this context. The parking is at the rear of the building where vehicles will be hidden from view. The proposed driveway will also change the character of the site although it is quite a sensitive surface treatment.

In terms of the impact on setting, elements of the proposal are felt to be well-considered, with the rear of the building set into the hillside to minimise its impact and the main range following the line of the original building, however, I have concerns about the change in character of this site to residential, with the dwelling and particularly the west elevation prominent in context with both the churchyard and conservation area because of its proximity and hillside location. I do not consider that the proposal preserves or enhances the setting of these heritage assets, that it preserves views out of the conservation area or the submitted justification to be clear and convincing. The level of harm is less than substantial.

DCC Historic Environment Officer

17/2/25

(Summary below).

The proposed development impacts upon a building shown on the mid-19th century Tithe Map and is recorded as "Podgelake House and Garden" and the application area also lies in close proximity to scatters of worked prehistoric lithics, in proximity to the Grade I Listed 13th century Church of St Michael (List Entry No. 1098406) and close to the historic settlement core of Stockland. As such, groundworks have the potential to expose and destroy archaeological and artefactual deposits. The impact of development upon the archaeological resource should be mitigated by a programme of archaeological work that should investigate, record and analyse the archaeological evidence that will otherwise be destroyed by the proposed development. A Written Scheme of Investigation (WSI) setting out a programme of archaeological work to be undertaken in mitigation for the loss of heritage assets with archaeological interest should be provided, based on national standards and guidance and approved by the Historic Environment Team. If this is not submitted prior to determination it should be secured by planning condition.

23/4/25

Following re-consultation, no additional comments offered to those already made.

Environment Agency  
(Summary below)

9/4/25

No objection subject to the inclusion of a condition regarding the management of possible contamination at the site.

Prior to determination, your Authority will also need to be content that the flood risk Sequential Test has been satisfied unless (or until) a site-specific flood risk assessment demonstrates that no built development within the site boundary would be located on an area that would be at risk of flooding now and in the future, in accordance with paragraph 175 of the NPPF Dec 2024. Whilst the proposed building is located within flood zone 1 (low risk), the access and egress are within flood zone 2/3. The following is standard guidance regarding access and egress in flood zones:

Access and egress during a flood event :

Paragraph 7-038-20140306 of the Planning Practice Guidance and paragraph 167 of the NPPF are clear that access and egress needs to be part of the consideration of whether new development will be safe. Paragraph Reference ID: 7-039-20140306 provides further guidance. We advise that a flood plan is prepared which outlines how occupants will respond in a flood event. Where no safe access and egress route exists the LPA will need to consider the hazards and advice from their emergency planners and take a view on whether a safe refuge above the design flood level is a suitable alternative.

EDDC District Ecologist  
(Summary below, full response at Appendix 3)

9/6/25

The proposed scheme is in the River Axe Special Area of Conservation (SAC) catchment and must demonstrate nutrient neutrality. The application proposes that a package treatment plant would be used and that would be classed as meeting the Interim Guidelines on Small Scale Thresholds. The stated reason for a package treatment plant being proposed is "The existing public sewer network is full, and unable to take any further capacity", however, this conflicts with national guidelines which indicate that a connection to the sewer network must be proposed where it is feasible to connect to mains sewerage. No map showing the local sewer network has been provided to demonstrate connection is not feasible. Other nutrient mitigation measures (i.e. to those proposed) will be required where a proposal connects to mains sewerage.

Notwithstanding the above, in considering compliance with the Interim Guidelines, the submitted report states " There are no known discharges to ground within 200 metres of the drainage field". Given that there are at least six other dwellings and a school within 200 m of the site, which presumably have non-mains discharges to

ground, this criterion cannot be claimed. Nutrient mitigation will be required to offset the development impacts.

In addition to the above points no nutrient budget calculator is provided.

Therefore, I would currently object to the proposal as there is insufficient information to rule out a Likely Significant Effect (LSE) on the River Axe Special Area of Conservation.

#### Environmental Health (Summary below)

12/2/25

The site is close to nearby residents who may be impacted during the construction process. Construction working hours shall be 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no working on Sundays or Bank Holidays. There shall be no burning on site. We would request the applicant to consult and follow the council's Construction Sites Code of Practice prepared by Environmental Health and adopted by the council in order to ensure that any impacts are kept to a minimum, as available on the council's website.

#### EDDC Trees (Summary below)

The submitted tree survey, TCP, AIA, TPP and AMS show that the proposals should have little impact on the retained trees and therefore no arboricultural concerns are raised subject to conditions as recommended.

#### Blackdown Hill National Landscapes (Summary below)

4/3/25

We do not wish to submit detailed comments but would note that matters such as materials, colour and lighting, as well as works to create a domestic curtilage, access and parking, are important considerations in how readily such proposals for redevelopment will be assimilated into the wider landscape and immediate setting.

#### Other Representations

4 representations in support of the proposal have been received making the following points

- The proposed dwelling, due to its design, materials and use of landscaping, would echo the barn which it replaces and blend with the landscape and improve the site;
- The proposed dwelling would not encroach upon the churchyard;
- The proposed garden will add to biodiversity.

### **PLANNING HISTORY**

Reference	Description	Decision	Date
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None available

## **POLICIES**

### Adopted East Devon Local Plan 2013-2031 Policies (LP)

Strategy 5B (Sustainable Transport) Adopted

Strategy 7 (Development in the Countryside) Adopted

Strategy 46 (Landscape Conservation and Enhancement and AONBs) Adopted

Strategy 47 (Nature Conservation and Geology) Adopted

D1 (Design and Local Distinctiveness) Adopted

D2 (Landscape Requirements) Adopted

D3 (Trees and Development Sites) Adopted

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

EN5 (Wildlife Habitats and Features) Adopted

EN9 (Development Affecting a Designated Heritage Asset) Adopted

EN10 (Conservation Areas) Adopted

EN13 (Development on High Quality Agricultural Land) Adopted

EN14 (Control of Pollution) Adopted

EN16 (Contaminated Land) Adopted

EN19 (Adequacy of Foul Sewers and Adequacy of Sewage Treatment System)  
Adopted

EN21 (River and Coastal Flooding) Adopted

EN22 (Surface Run-Off Implications of New Development) Adopted

TC2 (Accessibility of New Development) Adopted

TC7 (Adequacy of Road Network and Site Access) Adopted

TC9 (Parking Provision in New Development) Adopted

### Draft East Devon Local Plan 2020-2042 Policies (eLP)

The following policies of the emerging local plan are relevant to the proposal but currently have limited weight in planning decision making:

Strategic Policy SP06 (Development beyond Settlement Boundaries) Draft

Strategic Policy OL01 (Landscape features) Draft

Strategic Policy OL02 (National Landscapes (Areas of Outstanding Natural Beauty) Draft

Strategic Policy OL07 (Contaminated Land) Draft

Strategy Policy OL09 (Control of Pollution) Draft

Strategic Policy OL10 (Development on high quality agricultural land) Draft

Strategic Policy DS01 (Design and local distinctiveness) Draft

Policy PB02 (Protection of regionally and locally important wildlife sites) Draft

Policy PB03 (Protection of irreplaceable habitats and important features) Draft

Strategic Policy PB04 (Habitats Regulations Assessment) Draft

Policy PB07 (Ecological enhancement and biodiversity in the built environment) Draft

Policy PB08 (Tree, hedges and woodland on development sites) Draft

Strategic Policy AR01 (Flooding) Draft

Policy HE02 (Listed buildings) Draft

Policy HE03 (Conservation Areas) Draft

Strategic Policy HE01 (Historic environment) Draft

Strategic Policy TR01 (Prioritising walking, wheeling, cycling, and public transport) Draft

Policy TR04 (Parking standards) Draft

Strategic Policy CC02 (Moving toward Net-zero carbon development) Draft

Strategic Policy CC06 (Embodied carbon) Draft

Policy HN06 (Sub-dividing or replacing existing buildings and dwellings) Draft

Stockland Neighbourhood Plan (NP)

Stockland Neighbourhood Plan 2014-2031 (SNP)

NE1 Retaining and Enhancing the Natural Beauty of our Parish

NE3 Preserving Tranquillity and Our Dark Skies

BHE1 Protecting Our Values Archaeological and Heritage Assets in Stockland Parish

BHE3 Maintaining the Built Character of Our Parish through High Quality Design

TRA1 Off-road Car Parking

TRA2 Vehicular Access and Egress Arrangement

EE3 Farming and other rural businesses

### Government Planning Documents

National Planning Policy Framework 2024 (as amended) (NPPF)

National Planning Practice Guidance

### Other documents

Blackdown Hills National Landscape Management Plan 2019-2024

Historic England Advisory Note on the Reconstruction of Heritage Assets, available here: <https://historicengland.org.uk/content/docs/guidance/draft-reconstruction-of-heritage-assets-apr16-pdf/>

### **Site Location and Description**

The site is located to the south of the village of Stockland outside of any defined settlement boundary and is thus in the open countryside. It is within the Blackdown Hills National Landscape. The site is currently occupied by a single storey open fronted barn with a shallow, mono-pitch roof of corrugated sheeting, supported on a timber framework. The barn has rubble stone walls at both its northern and southern ends and on its eastern (rear) side. Its front elevation is open and divided into a number of bays by supporting timber struts. The barn is partially cut into sloping ground on its eastern side. It is currently used for log storage. The site also comprises adjoining agricultural land to the immediate east, west and south of the barn which is currently used for grazing. The site area is partially enclosed by native hedge with some mature trees within/adjacent to the hedgerow and watercourse bounding the site to the west. The land within the site slopes up from west to east, with the lowest part of the site falling within Flood Zones 2 and 3 and being susceptible to surface water flooding. There is an existing field gate in the northwest corner of the site which provides access onto an unclassified public highway. Traveling 122 m northeast on this highway leads to junction with a C-classified highway from which the centre of the village of Stockland can be reached, travelling approximately a further 200m northwest. To the northwest of the site, on the

opposite side of the unclassified highway, lies the grade I listed St Michaels and All Angels Church and its graveyard. Other listed buildings (all grade II) also lie within the vicinity of the site including The Old Vicarage to the north, and Churchstyle Farm and Church Cottage to the northwest. The site is outside of but close to the conservation area, which runs along the edge of the churchyard, which is closest to the site. The site lies with the catchment of the River Axe Special Area of Conservation (SAC), which is also designated as a Site of Special Scientific Interest (SSSI) and overlies land which is classified as Grade 3 agricultural land.

## **Proposal**

It is proposed to erect a 2 bedroomed self-build dwelling partly on the footprint of the existing barn, which is the only building remaining of a former larger building known as 'Joyce Sawpit at Podgelake'. To the immediate south of the barn lie the remains of other walls of that original building. Information submitted with the application indicates that Joyce Sawpit was originally a sawmill, thought to be constructed in the mid to late 19<sup>th</sup> century. It is understood from the submitted information that the original sawpit building had a larger footprint than the current barn and that it had a pitched roof (which has been replaced at some point by the current mono-pitched roof). The supporting information also explains that the proposal seeks to replicate the mass and form of the original single storey Joyce Sawpit building.

The proposed dwelling would essentially comprise 2 elements: a barn-like building, erected on and beyond the footprint of the existing barn, which would have a duo pitched roof including a small projecting hipped roof element (this barn-like building being intended to replicate the original sawpit building) and a (partially) subterranean extension to the east of this, which would provide additional accommodation space and a car port. It is noted that the original sawpit building which the proposal seeks to replicate did not include the eastern extension element.

The proposed barn-like building would have stone and timber clad walls, a sheet metal roof, full height glazing on its western elevation (which appears to be intended to replicate the openings of the original barn), timber sliding louvres capable of covering some of those west facing windows and a small projecting flat roof above most of the west facing windows. The subterranean extension would have rooflights and a green roof. The proposed dwelling would be on one level to enable it to function as a 'lifetime home'. It is stated that the building is designed to be low energy, maximising solar gain, minimising overheating and enabling passive ventilation with heating being provided by a low energy system such as a ground source heat pump (although no details of the location/form any external structures required in connection with a ground source heat pump system have been provided).

In the north/northwest area of the site a surfaced access, parking and turning area would be provided, linking to the existed gated access to the northwest of the existing barn. Existing trees and hedgerows within the site would be largely retained, with a small section of hedge to the south of the site being removed to create an access gateway. A garden would be created around the dwelling which would include a patio on its western side and a retaining wall with planting beds on the northern side of the driveway/turning and parking area to the north. Landscaping would also include the creation of a green roof with adjacent wildflower area to the

subterranean part of the dwelling and the creation of a flowered lawn and low planting beds to the west of it.

Since the application was initially submitted revisions to the design have been made including the addition of vertical timber posts on the western elevation.

The application is supported by an ecological appraisal, phosphate reports, arboricultural report and a flood risk assessment

## **ANALYSIS**

The main issues for consideration include the principle of the development, amenity impacts, visual impact and impact on heritage assets, archaeological impact, flooding and surface water drainage, ecological impact, impact on trees, travel, parking and highway safety.

### **Principle of Development**

East Devon Local Plan (LP) Strategy 7 resists development in the countryside except where this is explicitly permitted by other LP or Neighbourhood Plan (NP) Policy although as the Council are currently unable to demonstrate a 5 year housing supply this strategy is considered to be 'out of date' in accordance with paragraph 11 of the NPPF, so carries less weight when sustainable development is proposed.

LP Policy D8 supports the re-use and conversion of rural buildings, including for use as dwellings, but only where certain provisos are met. No details have been provided to clearly demonstrate that the proposed dwelling is a conversion of the existing structure on site, rather, the evidence indicates that it is a new build and as such the development is not supported by Policy D8.

Para 84 of the NPPF states the following:

Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- d) the development would involve the subdivision of an existing residential building; or
- e) the design is of exceptional quality, in that it:
  - i. is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
  - ii. would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

The proposed development meets none of the NPPF criteria above and does not accord with the provisions of the development plan. The principle of the development is therefore contrary to local and national planning policy.

## **Amenity**

There are no neighbouring dwellings close to the site and therefore no adverse impacts on residential amenity are likely to arise. Taking into account nationally described space standards the floorspace of the proposed dwelling is considered to be adequate and given that the dwelling would provide a large outdoor amenity space and sufficient space for storage of bins and bicycles it is considered that it would provide adequate amenity for future occupants and comply LP Policy D1 in this regard.

The Parish Council's concern regarding the potential for mourners in the graveyard to be overlooked from the dwelling is understood, however the graveyard is a space which can be used by different individuals or parties of visitors at the same time and it is therefore not considered that any visitor can reasonably expect privacy within that space.

The environmental health officer's recommended condition to control construction impacts is recommended to be imposed on any permission granted.

Issues regarding amenity are considered to be acceptable.

## **Heritage and Visual Impact**

The site and existing barn is visible from the churchyard and the proposed dwelling would be similarly visible. Setting aside for one moment, the identified conflicts with proviso 2 of LP Policy D8, proviso 1 of that policy requires that a re-used or converted dwelling enhances the character of the building and its rural setting and the character of its surrounding area.

The open sided barn that remains of the original sawmill building has a simple, utilitarian, rustic, agricultural character. It is not prominent in public views and is largely surrounded by fields. When viewed from the churchyard to the northwest, which is only a few metres away from the edge of the site (although it is approximately 40 m away from the barn building itself), the existing barn appears to sit quietly within the surrounding agricultural landscape, the only built development visible near it being the top of Stockland school buildings, which appear slightly separate from the barn, which is also set at a lower level.

Supporting information submitted with the application indicates that the proposal seeks to reflect the design and mass of the previously existing sawpit building. It is not demonstrated however that the previous sawpit building was of any special architectural or historic merit. Whilst the proposed stone walls, timber posts and metal sheet roof broadly reflect the materials and design of the existing barn, the proposed dwelling would incorporate features and materials not used within the existing barn, including timber cladding, rooflights, extensive glazing and timber louvre panels.

The conservation officer points out that archive images of the original saw mill building suggest that dividing masonry piers were likely to have been present on the western elevation rather than the proposed timber posts and she also considers that

the standing seam metal roof (illustrated on the proposed elevations) does not appear to accurately replicate the original material of the barn roof, suggesting that “a corrugated sheet roof or natural slate covering would be more traditional within this context”. Taken together the above observations suggest that the proposed reconstructed barn is not an accurate replication of the original sawmill building.

Furthermore, no scaled drawings of the original building have been provided with the application so it is not possible for the Council to assess whether the scale of the proposed new barn element of the dwelling is the same as that of the original building. Even if it were demonstrated that this is the case, the original sawmill building is no longer present and historic photograph and map evidence suggests that it has not been present for many years (the original form was not present in 1999, although it appears to have been present in 1975) such that arguably, a building of the scale and form of the original building is no longer an established feature within the site or this part of the Blackdown Hills National Landscape.

The proposed re-instated barn element of the proposal alone would be much larger scale than the existing barn building, being just over 2 m taller to the ridge of its roof, over 9 m longer, and 1.9 m wider<sup>1</sup>, such that it would appear more prominent than the existing barn building due to its scale. In conjunction with this, the introduction of the extensive area of glazing proposed on the building’s western elevation together with the creation of the domestic garden, the laying of new surfaced driveway, turning and parking area and introduction of domestic paraphernalia (including car parking, which it is not considered could be reasonably be restricted to take place solely within the car port), would alter the character of the building and its setting, making it appear more domestic.

Due to these factors, notwithstanding that the design and mass of the building may to some degree replicate that of a previously existing building, it is not considered that the proposal would enhance the building’s character or its rural setting. The Parish Council also raise a concern regarding the building’s design in relation to the large west facing windows and louvres, highlighting that these features do not adhere to the Blackdown Hills Design Guide for Houses (which makes no reference to the use of external shutters being locally distinctive and indicates that houses within the Blackdown Hills area tend to have small windows with multi-paned frames), however it is understood that when an agricultural building is converted, adherence to the scale and pattern of existing openings is usually necessary to help retain the character and appearance of the original building, and why the large windows have been proposed in this instance. Given that the windows are large, it is also understood why louvres are proposed to cover them, although the Parish Council’s point that these may not be routinely closed is considered to be a valid one. Notwithstanding that the reasons for the large windows and shutters are understood, concerns remain that the proposed building would not conserve the character of the existing building or the immediately surrounding area.

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<sup>1</sup> The roof of the existing barn slopes down along the length of the building but has a maximum height of 84.6 m AOD whereas the ridge height of the re-instated barn would be approximately 86.7 m AOD (estimated from the terrace height and measurements from the proposed elevation). The length of the existing barn building, taking the building to be the part which has a roof, is 17.1 m whereas the length of the re-instated barn element would be 26.4 m. The width of the existing barn building is 4.6 m whereas the width of the re-instated barn element would be 6.5m. ,

Whilst it is proposed to retain existing trees, most of the existing hedge and a wildflower lawn and meadow areas would be created it is not considered that the new planting would mitigate the visual impact of the proposal as it would be low level and not visually screen the development. Overall, taking all the forgoing points into account, it is considered that the proposal would conflict with LP Policy D8 in relation to its visual impact and that it would fail to conserve and enhance the natural beauty of the National landscape, in conflict with the requirements of LP Strategy 46 and the Council's duty to further the statutory purposes of protected landscapes, which are reflected in LP Strategy 46.

With regard to impacts on heritage assets it is important to note that the remains of the sawmill building proposed to be rebuilt is not a designated or a non-designated heritage asset that is required to be safeguarded. Even if it were, Historic England advice (listed under 'Other Documents' above) indicates that reconstruction or a heritage asset will not always be appropriate. Whether or not it is depends on a number of specific circumstances, including whether a good record of the asset prior to damage is available to enable accurate reconstruction rather than speculative recreation. Whilst it is unclear whether a sufficient record to enable accurate reconstruction of the sawmill building is available in this case, given that the remaining barn is not a heritage asset there appears to be no justification for its replication anyway. It is also noted that Historic England advice indicates that in some circumstances, the fact of loss of damage of a heritage asset may itself be of high significance, for example where the primary value of a site comes from the potential to provide evidence about past human activity. Their advice goes on to suggest that in such circumstances it may not be appropriate to undertake reconstruction work, although as stated above, given that the remains of the original sawmill do not constitute a heritage asset its retention in its current form is not safeguarded.

Historic England have been consulted on the proposal with regard to impact on the setting of the adjacent Grade 1 listed church, including its revised design and raise no objection.

The Council's conservation officer advises that the existing building is within the setting of the churchyard of the nearby Grade I listed church and that it currently makes a negative contribution to its setting due to its poor state, although its function is considered to make a neutral contribution. She notes the extensive glazing proposed on the west elevation and provides the following comments on this: "The glazing creates a domestic appearance which will appear quite prominent when viewed from the churchyard which is directly opposite it. This has been addressed to some extent by recessing the windows and introducing timber posts in front of the glass to break up the elevation. These will broadly reflect the historic character of the existing open sided bays, although the original posts appear from archive images to have been more substantial masonry piers which would be a more authentic treatment for the elevation. External timber sliding louvres with horizontal slats are set in front of the masonry when open and will obscure the glazing when (and if) they are closed". Although these design features will go some way towards hiding the expanse of glazing, the officer is unconvinced that they will sufficiently hide the domestic nature of the building, which is predominantly a new construction, and does



not feel that it will preserve or enhance the setting of the listed church or preserve views out of the conservation area. With regard to the roof, the conservation officer advises as follows: “the roof is a standing seam sheet with a flat roofed overhang to the front” “This is quite industrial in nature and I feel that, if the application is supported, a corrugated sheet roof or natural slate covering would be more traditional in this context.” Whilst the conservation officer acknowledges that elements of the proposal are well considered she has concerns about the change in the character of the site to residential “with the proposed dwelling and particularly the west elevation prominent in context with both the churchyard and conservation area because of its proximity and hillside location”. Overall, the officer does not consider that the proposal preserves or enhances the setting of heritage assets or that the justification for it is clear and convincing and moreover, it is identified that the proposal would cause less than substantial harm.

Although Historic England offer no objection to the proposal neither do they express the view that the development of the site would enhance or better reveal the significance of nearby heritage assets. If it was considered that the proposal would achieve this, this would weigh in its favour, in accordance with LP Policy EN9.

It is the opinion of officers that the proposed development will result in harm to the setting of designated heritage assets and in accordance with LP Policy EN9, less than substantial harm to the significance of a heritage asset must be weighed against the public benefits of the proposal and this is addressed under ‘planning balance’ below.

In the case that the application is approved the conservation officer advises that conditions be imposed to control the materials used.

### **Archaeological Impact**

Devon County Council’s Historic Environment Officer indicates that ground works for the development have the potential to expose and destroy deposits of archaeological interest. He therefore advises that a pre-commencement condition be imposed to require that archaeological evidence be investigated and recorded and that post investigation assessment also be carried out, in accordance with a written scheme of investigation, agreed with the Local Planning Authority in advance. It is recommended that in the case that permission is granted the officer’s recommended condition be imposed. With that condition in place the proposal would accord with the requirements of LP Policy EN6.

### **Flooding and Surface Water**

The submitted flood risk assessment indicates that investigative work to assess whether infiltration would provide suitable surface water drainage has not yet been carried out but that this would need to be undertaken at a detailed design stage. Given that the site is currently occupied by a building with an impermeable roof, that the reinstated barn element would be partly on the footprint of the existing building, that the extended element would incorporate a green roof (which would reduce water run off rates) and that permeable gravel driveway and parking areas are proposed it is not considered that significant additional surface water drainage capacity would be

required for the development, nevertheless in the case that permission is granted it is recommended that a pre-commencement condition be imposed to require details of surface water drainage.

With regard to flood risk, the submitted flood risk assessment indicates that parts of the site would be at risk of flooding due to surface water and fluvial flooding. Although the dwelling itself would be outside of flood the high risk flood zones 2 and 3 and its floor level would be above the estimated flood level from any source, the vehicular access to the site crosses both those high risk flood zones and therefore, in accordance with paragraph 175 of the NPPF the sequential test needs to be applied. Given that it is not considered essential, in terms of heritage interests, that the pre-existing sawmill building be re-built (as indicated under the heading 'Visual Impact and Heritage' above) and that alternative locations for a new dwelling outside of flood zones 2 and 3 are reasonably available within the East Devon District area, it is not considered that there is overriding justification for the proposed dwelling and it is therefore not considered that the proposal passes the sequential test. Where the sequential test is not passed the exception test should not be applied.

Notwithstanding this, if the application of the exception test were to be considered, the guidance at paragraph 079 of Planning Practice Guidance (specifically Table 2) is relevant, as this sets out the circumstances where the exception test should be applied and the circumstances where development should not be permitted, taking into account both the flood risk vulnerability of a development and the flood zone in which it is located. The proposal is a dwelling which is classed as 'more vulnerable' to flooding and given that the Council's Strategic Flood Risk assessment indicates that the site falls within flood zone 3b, table 2 of paragraph 079 indicates that development should not be permitted.

The proposal is therefore considered to conflict with LP Policy EN21. In the case that permission were to be granted, however, it is recommended that a condition be imposed to ensure that certain recommendations of flood risk assessment be adhered to, namely that the site owners sign up to receive flood warnings and that a flood evacuation plan be submitted to and approved by the local planning authority, prior to the building being occupied.

### **Ecological Impacts**

As a self build development the proposal is exempt from Biodiversity Net Gain requirements.

The site is within the catchment of the River Axe SAC and in March 2022, Natural England advised the Council that this SAC is in unfavourable condition due to phosphate pollution. Given that the proposed development is the erection of a dwelling, the proposal has the potential to have a harmful impact on the SAC and in accordance with advice from Natural England, in order to be considered acceptable, the proposal must demonstrate nutrient neutrality and be subject to a Habitats Regulations Assessment. The Council have published advice for applicants which indicates that where the criteria set out within Interim Advice on Small Scale Thresholds are met, then it is likely that a proposal within the catchment can be screened out of the need to carry out such an assessment. A report has been

provided with the application in relation to the Small Scale Thresholds and having assessed this, the Council's ecologist advises that some points have not been satisfactorily addressed, namely there is a lack of information to demonstrate why connection to mains sewerage is not feasible (which must be considered in the first instance in accordance with National Planning Practice guidance) and no nutrient budget calculator has been provided. In addition, where there are other non-mains discharges to ground within 200m of a proposed discharge then a proposal does not fall below the small scale threshold. The ecologist considers it doubtful that there are no other non-mains discharges to ground within 200m of this site, as is claimed, since other properties and a school lie within 200m of it, presumably with non-mains discharges to ground. The ecologist objects to the proposal on the basis that insufficient information has been provided to rule out a likely significant effect on the River Axe SAC. Given the identified potential impact, it is considered that on the basis of the information submitted, the proposal would potentially affect a habitats site, in conflict the requirements of LP Strategy 47.

The submitted ecological report includes measures to avoid and mitigate for impacts on wildlife/habitats and for wildlife enhancement and notwithstanding the identified conflict with LP Strategy 47, in the case that permission is to be granted the imposition of a condition is recommended to ensure that these measures are adhered to, which would ensure that the development accords with LP Policy EN5.

### **Impact on Hedges and Trees**

It is noted that a small section of hedgerow (less than 5 m) is to be removed in the vicinity of a proposed new gateway to the south of the dwelling however as the extent of removal is small this is not considered to represent a significant landscape harm. The tree officer is satisfied that the proposal would have little impact on trees and has suggested a condition be imposed to ensure tree protection. It is recommended that in the case that permission is granted the recommended condition be imposed, to ensure the proposal accords with LP Policy D3.

### **Travel, Parking and Highway Safety**

Although the site is within reasonable walking distance of some facilities within Stockland (e.g. a primary school, church, village hall and public house) the walking routes are unlit and do not have pedestrian footways. Stockland does not have the full range of services required to support the everyday needs of residents, hence the LP does not define a built-up area boundary for it and neither is Stockland served by public transport. Therefore future occupiers of the dwelling would be likely to be heavily reliant on private transport for their every day needs, which would conflict with the requirements of LP Strategy 5B and Policy TC2, which seek to locate development where it is well related to compatible land uses and promotes the use of sustainable transport modes, so as to minimise the need to travel by car. Overall therefore, the location of the proposed dwelling is not considered to be sustainable or to comply with the above referenced policies.

No comment has been received from the highway authority in relation to the proposed access to the dwelling or the impact the dwelling would have on the safe and satisfactory operation of highway network. Given that the lane serving the site is

a no through road it is likely to be lightly trafficked, such that the use of the proposed access point is considered unlikely to present a risk to highway safety. The additional traffic associated with the proposed dwelling is likely to be modest it is not considered that the proposal would be likely to adversely affect the highway network. Sufficient parking would be available within the site for parking for the scale of the dwelling proposed. The proposal is therefore considered to comply with LP Policies TC7 and 9.

### **Other issues**

The site is on grade 3 agricultural land but it is not known whether or not the land is grade 3a (best and most versatile). If it is on grade 3a land, however, given that the proposal would only involve the sterilisation of a small area of agricultural land (discounting the area occupied by the existing barn building) it is considered that in the case that the proposed dwelling is considered acceptable in all other respects, the loss of this small amount of higher grade agricultural land would be outweighed by the benefit of the provision of a dwelling, such that the proposal would accord with the requirements of LP Policy EN13.

The Environment Agency advise that a condition be imposed to deal with any contamination identified. It is recommended that in the case that permission is granted, the recommended condition be imposed in order to comply with the Environment Agency advice and the requirements of LP Policy EN16.

### **Planning balance**

Given that LP Strategy 7 is considered to be 'out of date' the proposal has been considered against the three overarching objectives which contribute to achieving sustainable development, as set out within the NPPF, i.e. the social, economic and environmental objectives. It is acknowledged that the provision of a dwelling at this site would make a minor contribution to housing supply, that it would make a temporary contribution to economic activity whilst it is being constructed and that it would make a minor contribution to the village vitality through occupants' support of local services and facilities, such that it would offer some degree of support to social and economic objectives. At the same time, however, the proposal would cause occupants to rely heavily on the use of a private car to meet their day to day needs (thus failing to help mitigate climate change), it would fail to conserve the natural beauty of the Blackdown Hills national landscape, it would harm the significance of a heritage asset and it would harm a habitat site, such that it would fail to support the environmental objective and also the social objective (noting that the latter incorporates the aim to foster beautiful places and support communities' 'cultural well-being'). It is not considered that the less than substantial harm to the heritage asset is outweighed by public benefits of the proposal in this case, given that these are very limited. On balance, therefore, the proposal is not considered to represent sustainable development.

Even if the proposal were considered to represent sustainable development, paragraph 11 of the NPPF indicates that where a proposal conflicts with the policies within the NPPF which protect areas or assets defined as of 'particular importance'

(which include National Landscapes, habitats sites or designated heritage assets and areas at risk of flooding), such that there is strong reason for refusing development, the presumption in favour of sustainable development does not apply.

With regard to policies protecting assets and areas of particular importance paragraph 189 of the NPPF indicates that great weight should be given to conservation and enhancing landscape and scenic beauty in National Landscapes and requires that adverse impacts be avoided or minimised, and the proposal is considered to conflict with that policy.

It is also considered that the proposal conflicts with NPPF policies set out in paragraphs 208 through to 215 which require that the impact of a proposal on the significance of a heritage asset be considered and that any conflict between a proposal and an asset's conservation should be avoided or minimised, with great weight being given to the asset's conservation.

The proposal is also considered to conflict with paragraphs 173 through to 175 of the NPPF, as it fails the sequential test for flooding, and paragraph 193 of the NPPF which indicates that development on land within or outside of an SSSI, which is likely to have an adverse effect on it (alone or in combination with other developments), should not normally be permitted.

Lastly the proposal is considered to conflict with policy contained within paragraph 195 of the NPPF which specifically indicates that unless an appropriate assessment concludes that a project will not affect the integrity of a habitats site, (alone or in combination with other projects) the presumption in favour of sustainable development does not apply. Given that the proposal conflicts with the NPPF policies referred to above it is not considered that the presumption in favour of sustainable development applies in this case.

### **Conclusion**

The proposed dwelling offers minor benefits through contributing to housing supply, future occupants supporting the limited services within Stockland and by providing economic activity during its construction, however these minor benefits are outweighed by the harm to the significance of a heritage asset, the adverse impact on the Blackdown Hills National Landscape, the lack of support for sustainable modes of travel, conflict with the sequential approach to development within areas at risk of flood and harm to the River Axe SAC. Overall, therefore the proposal is considered to be contrary to local and national policy and it is recommended that the application be refused.

### **RECOMMENDATION**

REFUSE for the following reasons:

1. The development is for the construction of a dwelling in the countryside partly on the site of an existing agricultural barn. On the basis of the information submitted, the extent of extension, alteration and reconstruction to create the dwelling is substantial, such that the development does not draw support from Local Plan Policy D8 (Re-use of Rural Buildings Outside

of Settlements) and there is no other Local or Neighbourhood Plan Policy that would support it. The development would result in a new dwelling in the Countryside remote from a range of services and facilities, with occupants being reliant upon the use of private motor vehicles to meet their day to day needs and as such the proposal represents environmentally unsustainable development contrary to Strategy 5B (Sustainable Transport) and Policy TC2 (Accessibility of New Development) of the East Devon Local Plan and paragraphs 115 to 117 of the National Planning Policy Framework.

2. In the absence of a safe vehicular access route outside of high risk flood zones 2 and 3 and outside of an area at risk of surface water flooding, the proposal fails the sequential test and is therefore contrary to the advice contained in paragraph 47 of Planning Practice Guidance, Policies D1 (Design and Local Distinctiveness) and EN21 (River and Coastal Flooding) of the East Devon Local Plan and paragraphs 173 through to 175 of the National Planning Policy Framework.
3. Due to its character and appearance it is considered that the proposed dwelling would be harmful to the setting and therefore the significance of the adjoining Grade I listed St Michael's and All Angels Church and whilst this harm would be less than substantial, the public benefits that would arise from providing a dwelling in this unsustainable location do not outweigh that harm. In addition, the site currently has an agricultural character and appearance and due to the domestic character and appearance of the dwelling and its garden and the likely introduction of domestic paraphrenia to the site in connection with the dwelling use, the proposal would fail to conserve and enhance the natural beauty of the Blackdown Hills National Landscape. Therefore the proposal conflicts with the requirements of Policy EN9 (Development Affecting a Designated Heritage Asset) and Strategy 46 (Landscape Conservation and Enhancement and AONBs) of the East Devon Local Plan, paragraphs 189 and 210 through to 215 of the National Planning Policy Framework and Policies BHE1 (Protecting Our Valued Archaeological and Heritage Assets in Stockland Parish), BHE3 (Maintaining the Built Character of Our Parish through High Quality Design) and NHE1(Retaining and Enhancing the Natural Beauty of our Parish) of the Stockland Neighbourhood Plan.
4. The site is within the catchment of the River Axe Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC) which is in unfavourable condition and where development proposals must demonstrate nutrient neutrality and in the absence of information demonstrating otherwise, the proposed dwelling would have a harmful impact on that SSSI and SAC , in conflict with the requirements of Strategy 47 (Nature Conservation and Geology) of the East Devon Local Plan and paragraphs 193 and 195 of the National Planning Policy Framework.

#### 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 proactively and positively with the applicant to attempt to resolve the planning concerns the Council has with the application. However, the applicant was unable to satisfy the key policy tests in the submission and as such the application has been refused.

Plans relating to this application:

157/110 C	Proposed Floor Plans	17.03.25
157/120 B: North and West	Proposed Elevation	17.03.25
157/111	Proposed roof plans	09.01.25
157/121A: S/E	Proposed Elevation	09.01.25
157/130 B : proposed site	Sections	02.04.25
157/001 B	Location Plan	02.04.25
157/100 F	Proposed Site Plan	02.04.25
157/103 B : proposed site drainage	Other Plans	02.04.25

List of Background Papers

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

## **Statement on Human Rights and Equality Issues**

### **Human Rights Act:**

The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

### **Equality Act:**

In arriving at this recommendation, due regard has been given to the provisions of the Equality Act 2010, particularly the Public Sector Equality Duty and Section 149. The

Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.



## **APPENDIX 1**

### **Full comments from Historic England**

17/04/25

Thank you for your letter of 8 April 2025 regarding further information on the above application for planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the application.

#### Historic England Advice

Historic England has provided several letters of pre-application advice, as well as a previous letter of advice in relation to this planning application. This letter should be read in conjunction with our previous advice.

The application site is located on sloping topography, adjacent to the village of Stockland, which is modest in size and has a distinctly rural character. The most significant building within the village is the Grade I listed parish Church of St Michael, the graveyard of which is separated from the application site by hedging.

In our most recent correspondence we recognised the positive steps that had been taken to minimising the visual impact of the proposals in the landscape and provide a character of development that responds to the building's historic function.

We did also express our regret regarding the removal of the timber posts on the western elevation, and recommended that your authority work with the applicant to explore the feasibility of their reintroduction into the scheme.

Since that time the proposals have been amended. We are pleased to see that the timber posts have been reinstated, which has addressed our previous comments.

The materiality of the stone walling and hardstanding has not been included within the latest submission, and we therefore recommend that your authority should secure these details via appropriate worded conditions attached to any consent.

#### Recommendation

Historic England has no objection to the application on heritage grounds.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess & section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

Yours sincerely  
Harish Sharma  
Assistant Inspector of Historic Buildings and Areas

3/3/25

Dear Sir/Madam

**T&CP (Development Management Procedure) (England) Order 2015  
& Planning (Listed Buildings & Conservation Areas) Regulations 1990  
LAND ADJOINING STOCKLAND C OF E PRIMARY ACADEMY STOCKLAND  
EX14 9EF**

**Application No. 25/0039/FUL**

Thank you for your letter of 11 February 2025 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Historic England Advice

The significance of the Church of St Michael

The application site is located on sloping topography, adjacent to the village of Stockland, which is modest in size and has a distinctly rural character. The most significant building within the village is the parish Church of St Michael, the graveyard of which is separated from the application site by hedging.

The church dates substantially to the 13th century, with later additions including the 15th century tower, and sits comfortably in its rural setting. There are views from the graveyard in the direction of the application site to the south-east, as the landscape rises and becomes the rural hinterland of the village.

There was previously a sawmill at the site, known as Joyce Saw Pit. Map regression and historic images show a linear building with a pitched roof, terminating in a hipped feature at the southern end. To the north of the hipped feature the western elevation had a series of openings separated by timber posts that provided a regular bay rhythm and reflected the building's function.

The Church of St Michael [NHLE 1098406] is listed at Grade I which denotes its very high level of architectural and historic significance. Only 2.5% of listed building achieve this highest grade, which denotes the buildings exceptional special interest.

The impact of the proposals on the Church of St Michael

It is proposed to establish a dwelling on the site of Joyce Saw Pit. Part of the historic building would be re-constructed orientated north to south. Ancillary and circulation functions and a garage would be positioned to the east, in a subterranean addition, which would be covered in turf.

The principle of a dwelling at this site should be agreed with your authority, and we make these comments within our statutory remit regarding the potential impact of the proposals on the setting of the Grade I listed Church of St Michael.

Historic England has provided several letters of pre-application advice in relation to these proposals.

We are pleased to see that the points raised in our most recent letter have been addressed within the submission. The choice of roof covering, the inclusion of timber shutters on the western elevation, amendments to the subterranean element and to the extent of the driveway will all minimise the impact of the building in the landscape

and provide a character of development that responds to the building's historic function.

Since our last letter of advice, the proposals have also been amended to remove the timber posts that were proposed for the exterior of the western elevation. This is regrettable, as they served to replicate the existing openings on this elevation of the saw pit building, reflecting its regular bay rhythm and breaking up the elevation.

The precise materiality of the paving, gravel and stone walling will have a substantial impact on the presence of the building in the landscape. These choices will need to be made to allow the proposals to harmonise with the existing material palette within the settlement.

#### Policy context

National Planning Policy Framework (NPPF) paragraph 208 outlines that it is the duty of your authority to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a

heritage asset), and take this into account when considering the potential impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 210 (c) makes it the duty your authority to take account of the desirability of new development making a positive contribution to local character and distinctiveness.

#### Historic England's Position

Historic England welcomes the inclusion of our pre-application advice and recommendations within the proposals. These amendments have gone some way to minimising the impact of the proposals on the setting of the Church of St Michael. (NPPF 208).

In our view, the reintroduction of the timber posts on the western elevation would be beneficial in breaking up the elevation, further minimising the impact and responding to the historic openings of the former saw pit building. (NPPF 208).

The precise materiality of the hardstanding and stone walling should be selected to respond to the locality. These details could be clarified in a submission prior to the determination of the application or secured by an appropriately worded condition attached to any consent. (NPPF 210c).

#### **Recommendation**

We recommend that your authority seeks amendments to the western elevation in line with our advice above. Further information in respect of the materiality of the hardstanding and stone walling should be sought either before the determination of the application, or by appropriately conditions attached to any consent.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess & section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Yours sincerely

Harish Sharma  
Assistant Inspector of Historic Buildings and Areas  
E-mail: [harish.sharma@historicengland.org.uk](mailto:harish.sharma@historicengland.org.uk)

## **APPENDIX 2**

### **Full comments of the Council's Conservation Officer**

#### **Significance and background**

The proposal site is on a small hillside on the edge of the rural settlement of Stockland and is directly outside the boundary of the Stockland Conservation Area. The existing building on the site is set into the hillside and is an open sided single-storey structure with a corrugated flat roof and some masonry walls which appears to be in a semi-derelict condition and is currently in use as a woodshed. The historic map of 1888-1890 shows a longer structure which extends further to the south, and archive images show a single storey barn with a pitched roof, although a large section of the original building is no longer extant.

Directly to the north-west of the site boundary on the opposite side of a narrow lane is the Grade I listed St Michael's and All Angels Church which dates to the 13th century and is set within a churchyard with stone boundary walls. Although hidden from view from the church to some extent by mature trees within the churchyard, the structure is directly within the setting of the churchyard. In its current poor state it makes a negative contribution to this setting, while the existing function is not unusual in this context and makes a neutral contribution.

#### **Assessment**

The application proposes to broadly replicate the historic barn in its previous form as evidenced in archive images, with the addition of a flat roof along the front elevation and a rear extension set into the hillside, along with external landscaping and a gravel driveway from the lane to the west.

In terms of design, the proposed dwelling is a linear single storey structure constructed in natural stone with extensive glazing on the west elevation and a rear extension set into the hillside. The glazing creates a domestic appearance which will appear quite prominent when viewed from the churchyard which is directly opposite the site. This has been addressed to some extent by recessing the windows and introducing timber posts in front of the glass to break up the elevation and broadly reflect the historic character of the existing open sided bays, although the original posts appear from archive images to have been more substantial masonry piers which would be a more authentic treatment for the elevation. External timber sliding louvres with horizontal slats are set in front of the masonry when open and will obscure the glazing when (and if) they are closed. Although these design features will go some way towards hiding the expanse of glazing, I am unconvinced that they will sufficiently hide the domestic nature of the building which is predominantly a new construction, and I do not feel that it will preserve or enhance the setting of the listed church or preserve views out of the conservation area.

In terms of other elements of the proposal, the roof is a standing seam sheet with a flat roofed overhang to the front is proposed. This is quite industrial in nature, and I feel that if the application is supported, a corrugated sheet roof or natural slate covering would be more traditional in this context.

Roof lights are located on the rear pitch where they are hidden from view from the conservation area and church, and the rear extension is set into the hillside and has a

green roof so that it blends into the landscape. A car port is incorporated into this rear structure and the parking is at the rear of the building where vehicles will be hidden from view. A driveway is proposed, leading from the lane to the west and running alongside the hedge on the northern boundary of the site. This will also change the character of the site by introducing a new surface, although it is quite a sensitive surface treatment in this context.

In terms of the impact on setting, elements of the proposal are felt to be well-considered, with the rear of the building set into the hillside to minimise its impact and the main range follows the line of the original building which was intact until the late 20th century. However, I have concerns about the change in character of this site to residential, with the dwelling and particularly the west elevation prominent in context with both the churchyard and conservation area because of its proximity and hillside location. On balance I do not consider that the proposal preserves or enhances the setting of these heritage assets or the submitted justification to be clear and convincing. The level of harm is less than substantial and there are clearly private benefits, however the public benefits are not considered to outweigh this harm.

The proposed development would directly impact on statutorily designated heritage assets (the Grade-I listed church and the conservation area), and has been assessed on heritage grounds, particularly with regards to our statutory duties under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, policies EN8 and EN9 of the East Devon Local Plan and paragraphs 213, 215 and 219 of the NPPF (December 2024 as amended). It has also been assessed in relation to emerging policies HE01 and HE02 of the East Devon Local Plan 2020-2042 Regulation 19 Publication Draft February 2025.

Recommendation: Concerns as harmful to the setting of the heritage assets -assess as part of the wider planning balance.

#### Recommended conditions

If the application is supported, the following conditions should be applied.

- o Roof covering to be corrugated sheeting, not standing seam.
- o External material samples to be submitted for approval, to include stonework and pointing, timber louvres, roof covering. These should include colour and finish.
- o Pointing shall be flush, sample panel to be submitted for approval.

Sue Brooks  
Conservation Officer  
11 June 2025

## APPENDIX 3

## **Full comments of the Council's Ecologist**

9/6/25

I have reviewed the application and further information is required.

The proposed scheme is in the River Axe Special Area of Conservation (SAC) catchment and must demonstrate nutrient neutrality. The application is supported by an Interim Guidelines on Small Scale Thresholds Report, which proposed that the site would classify for meeting the small-scale thresholds. However, the following points are not addressed satisfactory.

-Appendix F (FD1 Form) states "The existing public sewer network is full, and unable to take any further capacity" as to why a package treatment plant (PTP) is proposed. However, there is no map from South West Water to show the local sewer network or demonstrate why a connection to the mains sewer is not feasible. If there are mains sewers nearby and it is feasible to connect to it a connection must be proposed in accordance with national guidelines. If this is the case, other nutrient mitigation measures will be required.

-The report states " There are no known discharges to ground within 200 metres of the drainage field". However, there are at least six other dwellings and a school within 200 m of the site, presumably with non-mains discharges to ground. If so, then this criterion cannot be claimed, and nutrient mitigation will be required to offset the development impacts.

-No nutrient budget calculator is provided.

Therefore, I would currently object to the proposal as there is insufficient information to rule out a Likely Significant Effect (LSE) on the River Axe Special Area of Conservation.

Kind regards

William Dommett MSc MCIEEM  
District Ecologist