

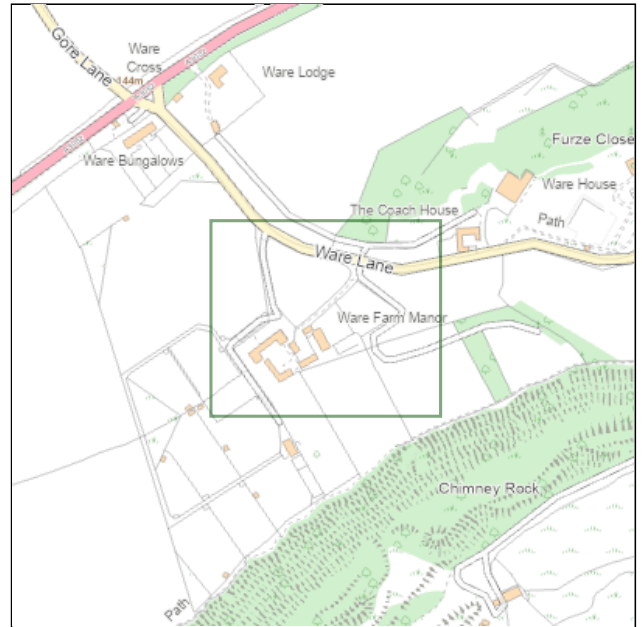
Ward Trinity

Reference 25/2165/FUL

Applicant Mrs R Boser

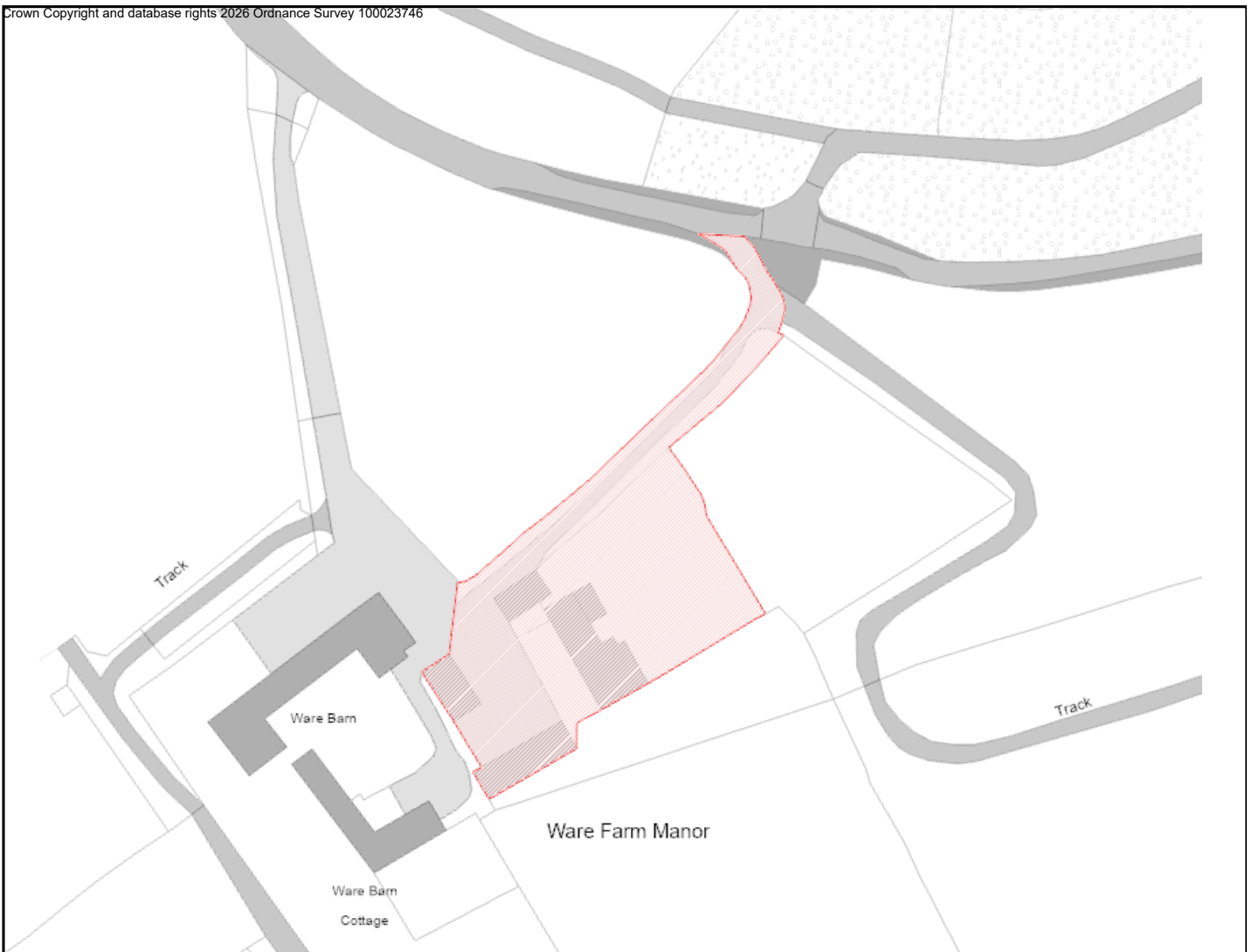
Location Ware Farm Manor Ware Lyme Regis Devon
DT7 3RH

Proposal Installation of 1no. door on north elevation and
galvanised anti-chew bars/lining to stable doors
(retrospective)



RECOMMENDATION: Approval retrospective (no conds)

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|-------------------------|--|-----------------------------------|
| | | Committee Date: 27.01.2026 |
| Trinity (Uplyme) | 25/2165/FUL | Target Date: 24.12.2025 |
| Applicant: | Mrs R Boser | |
| Location: | Ware Farm Manor Ware | |
| Proposal: | Installation of 1no. door on north elevation and galvanised anti-chew bars/lining to stable doors (retrospective) | |

RECOMMENDATION: Retrospective Approval (no conds)

EXECUTIVE SUMMARY

This application is before the Committee because the recommendation is contrary to the view of the Ward Member.

This application seeks retrospective permission for minor variations to a 2013 approval, comprising reinstatement of a stable door and addition of galvanised anti-chew bars and linings to timber doors. Listed Building Consent has already been granted for these works. The Conservation Officer advises that the changes cause only minor, reversible harm and overall preserve the significance of the curtilage-listed building and its setting. Public benefits include safeguarding historic timber fabric and maintaining the building's viable use.

Concerns about noise and equestrian activity have been raised by the Ward Member, Parish Council, and neighbours; however, these matters relate to use rather than the physical works and fall outside the scope of this application.

The proposal complies with heritage policy and causes no demonstrable harm to amenity from the works themselves. Approval is therefore recommended.

CONSULTATIONS

Local Consultations

Trinity - Cllr Susan Westerman
Ware Farm Manor

19 Planning Applications over the years.

Historical Planning Application 13/2043/FUL

The 'Existing Combined Plans' and the 'Proposed Combined Plans' show the previous 'Milking Parlour' when it was a working farm. The 'Location Plan' shows the area pertaining to the application in red. The thicker blue line shows the boundary of house and curtilage of Ware Farm Manor. The thinner blue/red line shows the eastern boundary of Ware Barn and the thick blue line the boundary to the east. Ware Farm Manor and Ware Barn have been separate properties since the early 2000s (, I have been unable to ascertain the exact date). Legislation shows that a stable block should be a certain distance from the property boundary, varying depending on whether it is on land that is 'garden' or 'agricultural'. The application for changes to the 'Milking Parlour' was including in the application for major changes to the farm house. Although the delegated report (part 1) from the planning officer does reference the 'Milking Parlour'. There is no mention of a change of use application. An extra door was added to the building without permission.

Current Planning application 25/2165/FUL

This application is for retrospective planning permission for the extra door. Recently the 'stable' was used and created a 'noise nuisance' to the owners of Ware Barn during the night.

I, therefore, object to this application due to nearness of the building to its neighbours, lack of change of use application, and the noise nuisance.

Parish/Town Council

When considering this application, the Council were mindful of the objections of the near neighbour and the apparent deviation from the original consent of 2013. We have also been made aware of an active noise complaint lodged with EDDC, affecting the amenity of the area, and until the noise issues have been resolved, the Council cannot support this application.

Other Representations

Two objections have been received making the following points:

- Unauthorised works: New door, vent, and internal alterations to a Grade II listed building not covered by 2013 consent; contrary to Listed Buildings Act 1990.
- Material change of use: Building now functions as a professional equestrian facility; 2013 permission did not authorise equestrian use; historic stabling use long abandoned.
- Amenity harm: Documented early-morning noise, odour, and disturbance from stabling immediately on shared boundary; Environmental Health case (25-0299) confirms significant impact.
- Scale and character: Large, independent structure with specialist fit-out; not incidental to dwelling; conflicts with EN14, D1, and NPPF 130(f).
- Heritage impact: Alterations and intensified use erode historic character; no public benefit to offset harm; conflicts with NPPF 199-208 and EN7.
- Policy compliance: Application fails to address noise, odour, and management controls; cannot secure necessary conditions within scope of householder application.

- Requested outcome: Refusal of 25/2165/FUL; require full change-of-use application for proper assessment and mitigation.

Technical Consultations

Conservation

Supported on heritage grounds; works cause only minor, reversible harm and overall preserve and enhance the significance of the curtilage-listed stable block and the setting of Ware Farm Manor.

PLANNING HISTORY

| Reference | Description | Decision | Date |
|------------------|--|--------------------------|-------------|
| 13/2043/FUL | Construction of single storey extension to dwelling; repairs and alterations to outbuilding including changes to doors, windows and roof finish. | Approval with conditions | 24.10.2013 |
| 13/2047/LBC | Internal and external alterations including single storey extension, demolition of 2 storey wc extension, re-roofing, re-structuring of dormer windows, replacement windows to main house; alterations to outbuilding. | Approval with conditions | 24.10.2013 |
| 25/1743/LBC | Retention of the following works: internal partition; galvanised anti-chew bars/lining to stable doors and 1no. door on north elevation | Approval with conditions | 27.10.2025 |

POLICIES

Uplyme Neighbourhood Plan (Made)

Policy USD1 – Presumption in favour of sustainable development

Policy UEN1 – Historic character

Policy UEN2 – General design

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 7 (Development in the Countryside) Adopted

Strategy 46 (Landscape Conservation and Enhancement and AONBs) Adopted

D1 (Design and Local Distinctiveness) Adopted

EN9 (Development Affecting a Designated Heritage Asset) Adopted

EN14 (Control of Pollution) Adopted

Draft East Devon Local Plan 2020-2042 Policies

Strategic Policy SP06 (Development beyond Settlement Boundaries) Draft

Strategic Policy DS01 (Design and local distinctiveness) Draft

Policy HN07 (Householder annexes, extensions, alterations or outbuildings outside settlement boundaries) Draft

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

Policy HE02 (Listed buildings) Draft

Government Planning Documents

National Planning Policy Framework 2024 (as amended)

National Planning Practice Guidance

Site Location and Description

Ware Farm Manor is a Grade II listed farmhouse with associated curtilage-listed outbuildings forming part of a historic farmstead. Other former farm buildings forming part of a historic courtyard lie to the west and have been converted to residential use. These buildings are in separate ownership and are known as Ware Barn (a dwelling) and Ware Barn Cottage (a holiday let/ancillary accommodation/training facility as per 08/2623/VAR). The surrounding area is predominantly rural, characterised by open fields and scattered farmsteads and is part of the East Devon National Landscape.

ANALYSIS

Retrospective permission is sought for reinstating a stable door on the north elevation and adding galvanised anti-chew bars and linings to timber doors. These works represent minor variations to the 2013 approval for repairs and alterations to the outbuilding, and Listed Building Consent has already been granted under reference 25/1743/LBC. The application relates solely to operational development and does not seek to authorise or regularise any equestrian use.

In accordance with S66(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the main issue is whether the alterations preserve the building and any features of architectural or historic interest it possesses.

Ware Farm Manor is a Grade II listed farmhouse of 16th–18th century origin, forming part of a historic farmstead in the Lim Valley. Its significance lies in its vernacular architecture and its relationship with a group of functional outbuildings, including the building subject to this application. These outbuildings contribute to the legibility of the farmstead and its historic association with the surrounding agricultural landscape.

The works comprise reinstating a stable door where a window was previously approved and adding galvanised anti-chew bars and linings to timber doors. The applicant's justification, supported by the Conservation Officer, is based on equine welfare and the long-term protection of historic timber fabric. These changes were

introduced during repair works approved in 2013 and are intended to improve usability and safeguard the building's integrity.

The Conservation Officer identifies that the anti-chew bars introduce a visually prominent feature, resulting in a moderate level of less than substantial harm to the aesthetic value of the stable block. This harm is reversible and does not affect the building's historic fabric. The reinstated door reflects the historic layout and improves the legibility of the elevation, causing no harm to significance. The public benefits include the continued viable use of the building, protection of historic timber doors, and maintenance of the farmstead's functional character. These benefits support the long-term conservation of the heritage asset and reduce the risk of future deterioration.

In accordance with NPPF paragraphs 205–208, great weight must be given to the conservation of heritage assets. While the works introduce minor, reversible harm, this is outweighed by the benefits of preserving historic fabric and sustaining the building's use. The proposal therefore meets the statutory duty under Section 66(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 and complies with Policy EN9 of the East Devon Local Plan and Policy UEN1 of the Uplyme Neighbourhood Plan.

Other matters

Concerns raised about noise and equestrian activity relate to use rather than the physical works under consideration. Environmental Health confirms the previous noise complaint is closed, and there is no evidence that the door or linings themselves cause harm.

The proposal conserves the landscape and scenic beauty of the East Devon National Landscape.

CONCLUSION

The works are minor, reversible, and supported on heritage grounds, representing only small variations to the 2013 approval. The Conservation Officer has confirmed that they preserve the significance of the curtilage-listed building and are acceptable in heritage terms.

No demonstrable harm arises from the physical alterations themselves. While concerns about use and amenity have been noted, these relate to matters outside the scope of this application and cannot reasonably justify refusal.

Overall, the proposal sustains the historic character of the farmstead, causes no harm to heritage assets, and does not result in unacceptable amenity impacts from the works themselves. It accords with Policies EN9, D1, and EN14 of the East Devon Local Plan and relevant provisions of the NPPF.

RECOMMENDATION

APPROVE

1. 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.)

NOTE FOR APPLICANT

Informative:

In accordance with the aims of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 East Devon District Council works proactively with applicants to resolve all relevant planning concerns; however, in this case the application was deemed acceptable as submitted.

Biodiversity Net Gain Informative:

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 means that this planning permission is deemed to have been granted subject to "the biodiversity gain condition" (BG condition).

The Local Planning Authority cannot add this condition directly to this notice as the condition has already been applied by law. This informative is to explain how the biodiversity condition applies to your development.

The BG conditions states that development may not begin unless:

- (a) a Biodiversity Gain Plan (BG plan) has been submitted to the planning authority, and
- (b) the planning authority has approved the BG plan.

In this case the planning authority you must submit the BG Plan to is East Devon District Council.

There are some exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will **not require the approval of a biodiversity gain plan** before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply.

In this case exemption 2 from the list below is considered to apply:

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

(i) the original planning permission to which the section 73 planning permission relates was granted before 12 February 2024; or

(ii) the application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

(i) the application for planning permission was made before 2 April 2024;

(ii) planning permission is granted which has effect before 2 April 2024; or

(iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

(i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

(ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

(i) consists of no more than 9 dwellings;

(ii) is carried out on a site which has an area no larger than 0.5 hectares; and

(iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

Plans relating to this application:

| | | |
|-----------|---------------------|----------|
| C2525.05A | Proposed Elevation | 29.10.25 |
| C2525.01A | Location Plan | 22.10.25 |
| C2525.04A | Proposed roof plans | 29.10.25 |

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.