

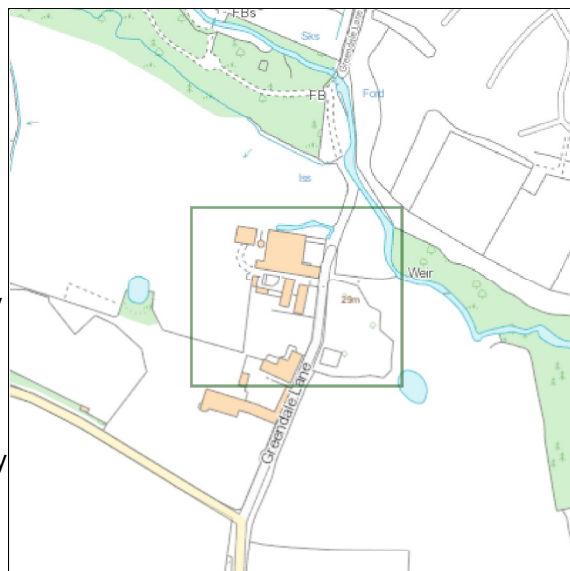
Ward Clyst Valley

Reference 19/0784/FUL

Applicant Mr Terence Adams

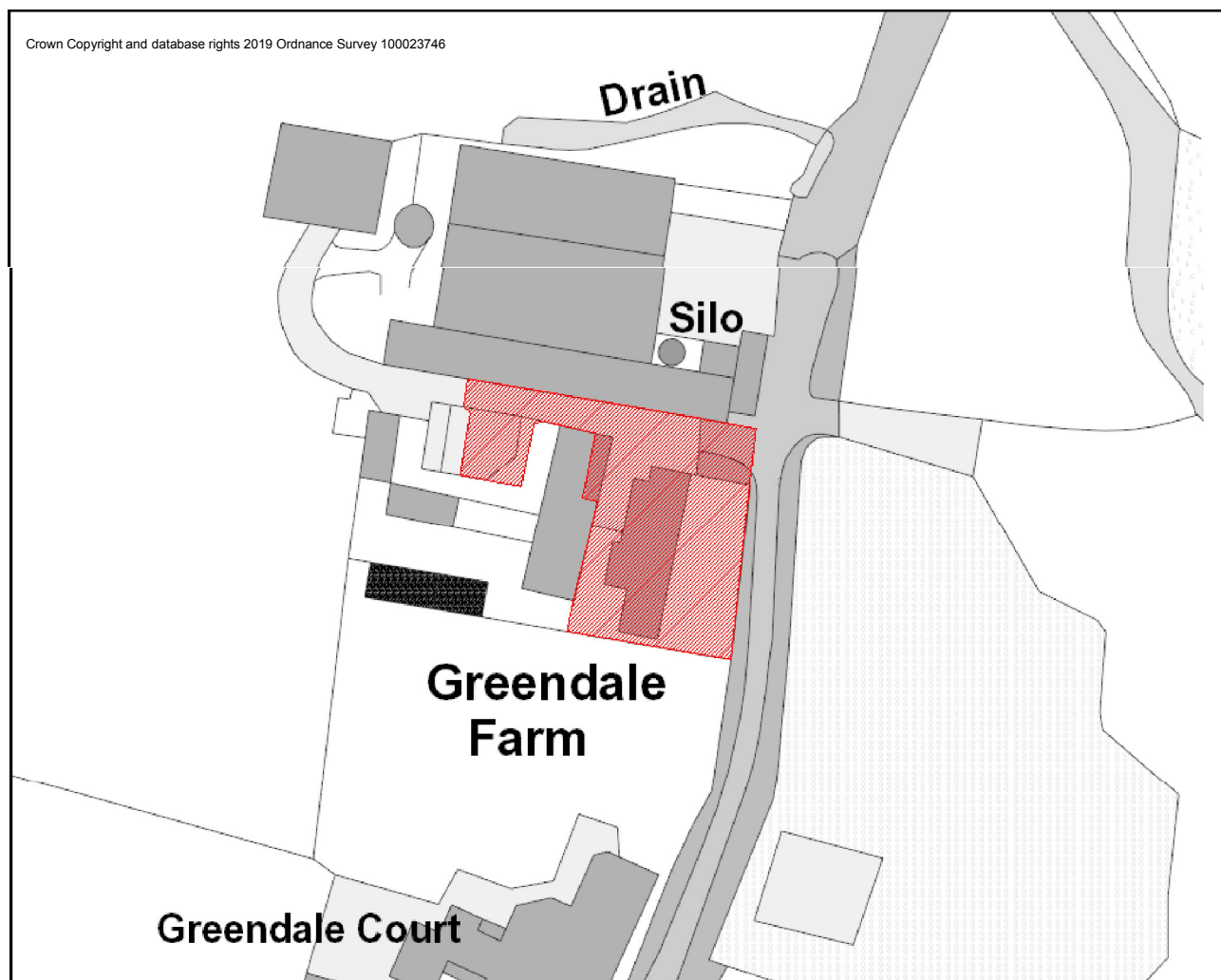
Location Greendale Farm Greendale Lane Clyst St Mary Exeter EX5 1AW

Proposal Demolition of existing farmhouse and replacement with 3no. cottages and associated car parking, landscaping, bin store and ancillary works



RECOMMENDATION:

1. That the application be **APPROVED** subject to the completion of a legal agreement to prevent the further implementation of the extant consents and subject to conditions;
2. That the Habitat Regulations Appropriate Assessment forming part of the report be adopted;



		Committee Date: 6th August 2019	
Clyst Valley (Clyst St Mary)	19/0784/FUL	Target 19.06.2019	Date:
Applicant:	Mr Terence Adams		
Location:	Greendale Farm Greendale Lane		
Proposal:	Demolition of existing farmhouse and replacement with 3no. cottages and associated car parking, landscaping, bin store and ancillary works		

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EXECUTIVE SUMMARY

This application is before Members because it represents a departure from the Local Plan.

The application seeks planning permission for the demolition of a farmhouse and replacement with 3 cottages on the site, together with parking and landscaping.

The farmhouse, vacant farm buildings and part of the wider countryside at Greendale Farm have been the subject of a previous planning consent, which has been implemented and remains extant for the relocation of the farmhouse, and conversion of the farm buildings to form 6 holiday cottages.

It is considered that whilst there are no policies within the local plan that would explicitly permit the development, there is policy support within the National Planning Policy Framework (Paragraph 79) which supports the subdivision of existing dwellings in the countryside, and this represents a realistic fall-back position for the applicant to apply to convert the farmhouse to 3 open market dwellings. This fall-back position is material to this application.

In support of the application a draft legal agreement in the form of a Unilateral Undertaking has been submitted whereby the applicant agrees not to further implement the extant planning permissions relating to the site if planning permission were granted for the current proposal. Effectively this means that should planning permission be granted for this application the previous

permission will no longer be extant. This would result in fewer dwellings on the site, and no further development in the countryside as the approval for the relocated farmhouse would be removed.

The proposed dwellings are considered to be of an appropriate design and scale for the site, and subject to further details of materials and landscaping, the development is considered to be acceptable.

On the basis of the presence of a fall-back position to convert the farmhouse to 3 dwellings, and given the legal agreement not to implement the previous consent, the application is considered to be acceptable despite the lack of local plan policy which supports the proposal.

Overall the application is considered to be acceptable and is therefore recommended for approval.

CONSULTATIONS

Local Consultations

Parish/Town Council

To be reviewed at a later date - comments to follow.

Adjoining Parish/Town Council - Farringdon

Farringdon Parish Council has no concerns

Adjoining Parish/Town Council - Woodbury

NOT SUPPORTED. Would only support a replacement if it was a single dwelling.

Technical Consultations

Devon County Archaeologist

I refer to the above application. The proposed development involves the demolition of a historic farmhouse that is thought to date from at least the early 19th century but could have earlier fabric present. The farmhouse itself is likely to have been sited on the early settlement at Greendale - replaced by the construction of Greendale House to the south in the 19th century - so there is potential for the presence of below-ground archaeological and artefactual deposits associated with the early settlement here. There is a late 13th century documentary reference to a borough and market being established at Greendale. As such, demolition work and groundworks for the construction of the proposed development have the potential to expose and destroy previously concealed historic building fabric as well archaeological and artefactual deposits associated with the early settlement at Greendale. 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.

The Historic Environment Team recommends that this application should be supported by the submission of 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. The WSI should be based on national standards and guidance and be approved by the Historic Environment Team.

Please note that the Written Scheme of Investigation submitted in support of the planning application is some nine years old and does not conform to current professional standards for archaeological and historic building recording work.

If a Written Scheme of Investigation is not submitted prior to determination the Historic Environment Team would advise, for the above reasons and in accordance with paragraph 199 of the National Planning Policy Framework (2018) and Policy EN6 (Nationally and Locally Important Archaeological Sites) of the East Devon Local Plan, that any consent your Authority may be minded to issue should carry the condition as worded below, based on model Condition 55 as set out in Appendix A of Circular 11/95, whereby:

'No development shall take place until the developer has secured the implementation of a programme of (i) historic building recording and (ii) archaeological work in accordance with a written scheme of investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority.

Reason

'To ensure, in accordance with Policy EN6 (Nationally and Locally Important Archaeological Sites) of the East Devon Local Plan and paragraph 199 of the National Planning Policy Framework (2018), that an appropriate record is made of the historic building fabric and archaeological evidence that may be affected by the development'

This pre-commencement condition is required to ensure that the archaeological works are agreed and implemented prior to any disturbance of archaeological deposits by the commencement of preparatory and/or construction works.

I would envisage a suitable programme of work as taking the form of:

- (i) The monitoring and recording of all demolition works to supplement the historic building recording already undertaken, and
- (ii) The archaeological supervision of all groundworks associated with the construction of the proposed development to allow for the identification, investigation and recording of any exposed archaeological or artefactual deposits.

The results of the fieldwork and any post-excavation analysis undertaken would need to be presented in an appropriately detailed and illustrated report, and the finds and archive deposited in accordance with relevant national and local guidelines.

I will be happy to discuss this further with you, the applicant or their agent. The Historic Environment Team can also provide the applicant with advice of the scope of the works required, as well as contact details for archaeological contractors who would be able to undertake this work. Provision of detailed advice to non-householder developers may incur a charge. For further information on the historic environment and planning,

and our charging schedule please refer the applicant to:
<https://new.devon.gov.uk/historicenvironment/development-management/>.

Conservation

CONSULTATION REPLY TO WEST TEAM PLANNING APPLICATION AFFECTING LISTED BUILDING

ADDRESS: Greendale Farm, Greendale Lane, Clyst St Mary

GRADE: Adj II setting APPLICATION NO: 19/0784/FUL

PROPOSAL: Demolition of existing farmhouse and replacement with 3no. "workers' cottages" and associated car parking, landscaping, bin store and ancillary works

BRIEF DESCRIPTION OF HISTORIC CHARACTER/ ARCHITECTURAL MERIT:

See listing description and information on file. Greendale House to the south is listed Grade II.

HOW WILL PROPOSED ALTERATIONS AFFECT HISTORIC CHARACTER OF BUILDING AND ITS SETTING:

The impact on the setting of the nearby listed building, Greendale House, is minimal due to its location, and the surrounding buildings and mature vegetation in between the two properties.

The Architectural & Archaeological Analysis submitted with the application is very detailed, but please note that this is dated 2008 and may need to be updated, see comments by DCC Archaeology. The principle of the demolition of the farmhouse has already been approved under 10/1767/FUL & 07/2094/FUL, but the Conservation Team were not consulted on either of these former applications. The comments below, therefore only relate to the overall design and appearance of the 3no. proposed cottages.

The scale, height and footprint of the cottages is far greater than the existing farmhouse with the overall increase in width from 3m to 5m. This will result in a much larger structure, albeit three properties and there is concern relating to how this will sit adjacent to the existing farm buildings, currently of similar scale and proportions to the existing farmhouse. The overall length of the development is similar.

The overall appearance is traditional, but consideration should be given to using traditional materials, including natural slate, appropriate brick or perhaps render to match the farmhouse and timber windows rather than upvc. There are no details relating to the lintels over the windows and doors, a plinth or bargeboards and fascias. Better detailing is required and thought given to salvaging any materials from the farmhouse itself for use in the build or for boundary walls, paths etc.

PROVISIONAL RECOMMENDATION - PROPOSAL
ACCEPTABLE in principle

County Highway Authority

Observations:

The site is situated on the L426, Greendale Lane.

The proposed development will consist of dedicated off-carriageway parking for each of the three proposed dwellings.

Whilst I can appreciate that the 3 dwellings may incur slightly more vehicles than the existing farmhouse, the house as a single unit would likely incur more than the average vehicle count in any case.

The existing access is to be maintained and utilised. The demolition and proposed new dwellings may well alter the ground level in the vicinity, and therefore the finished ground level would need to be suitably drained as not to bring debris and surface water onto the highway.

Recommendation:

THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT

Other Representations

None received.

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 7 (Development in the Countryside)

D1 (Design and Local Distinctiveness)

D2 (Landscape Requirements)

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

EN5 (Wildlife Habitats and Features)

H6 (Replacement of Existing Dwellings in the Countryside)

TC2 (Accessibility of New Development)

TC7 (Adequacy of Road Network and Site Access)

Government Planning Documents

NPPF (National Planning Policy Framework 2019)

NPPG (National Planning Practice Guidance)

Site Location and Description

Greendale Farm is located to the north of Greendale Court and Greendale House within the open countryside. The farm comprises a mixture of older traditional brick buildings adjacent to the former farmhouse which is the subject of the application, and more modern farm buildings located to the north of this.

The site lies approximately 2.9 km to the south east of Clyst St Mary and around 1/5km to the north west of Woodbury Salterton and is accessed via a narrow lane to the south of the site. Beyond the farm to the north the road becomes a grassed lane which continues northwards with a pedestrian crossing over Grindle Brook beyond which the lane continues to the southern boundary of Crealy Great Adventure Park which lies to the north of the site.

The application site comprises the former farmhouse which has been vacant for some time and is in a semi-derelict state of repair, and part of the farmyard to the north and west of the house. The farmhouse is a two story traditionally constructed rendered building, with a walled garden fronting onto the lane.

Relevant Planning History

This site, as part of the larger Greendale Farm has an extensive planning history, however the most recent permission was granted under reference no. 10/1767/FUL which was granted by noticed dated 22 October 2010 for the renewal of permission 07/2094/FUL for the conversion of redundant buildings to 6 holiday lets and relocation of the farmhouse including revisions under permissions 08/0154/VAR and 08/2280/VAR.

Pre-commencement conditions relating to the permission granted under reference 10/1767/FUL were discharged and a material start was made on site such that the consent remains extant. This was confirmed in writing by EDDC by letter dated 4 March 2013.

Proposed Development

Planning permission is sought for the demolition of the farmhouse and the construction of a terrace of three cottages occupying the footprint, albeit somewhat deeper, than the existing building. The proposed dwellings are set closer to the lane than the front of the farmhouse, and are of a simple traditional design, being two storey brick buildings under a slate roof, with modest canopy porches, casement windows and wooden front doors.

Externally a modest front garden is suggested for each of the properties, with a communal courtyard to the rear and parking, and bin storage within the former farm yard.

Supporting information suggests that the cottages would be occupied by staff working at the Greendale Estate.

ANALYSIS

The main issues in the consideration of the application relate to the principle of the proposed development, design, scale and impact on the character and appearance of the area, and any impact on residential or other amenity, ecology, archaeology, or highway safety.

Principle

The application site is located outside of any built-up area boundary as defined by the Villages Plan and therefore in planning terms is considered to be within the countryside. Strategy 7 (Development in the Countryside) of the Local Plan states:

"The countryside is defined as all those parts of the plan area that are outside the Built-up Area Boundaries and outside of site specific allocations shown on the Proposals Map. Development in the countryside will only be permitted where it is in accordance with a specific Local or Neighbourhood Plan policy that explicitly permits such development and where it would not harm the distinctive landscape, amenity and environmental qualities within which it is located, including:

- 1. Land form and patterns of settlement.*
- 2. Important natural and manmade features which contribute to the local landscape character, including topography, traditional field boundaries, areas of importance for nature conservation and rural buildings.*
- 3. The adverse disruption of a view from a public place which forms part of the distinctive character of the area or otherwise causes significant visual intrusions."*

Although Policy H6 (Replacement of Existing Dwellings in the Countryside) provides support for the replacement of an existing dwelling outside the defined built-up area boundaries subject to a number of criteria, this does not permit the replacement and subdivision to create more dwellings. As such, whilst this policy would support the replacement of the existing farmhouse with a new dwelling, it would not support the re-build to create 3 units.

As there are no other Local Plan policies that would support the replacement of the existing farmhouse with three open market dwellings on this site, the proposal is contrary to local plan policy and has been advertised as a departure.

It is however necessary to consider whether there are any material considerations that would apply the proposal to proceed and outweigh any harm from the lack of planning policy support.

A material consideration in this instance is paragraph 79 of the NPPF. Paragraph 79 states planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- 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;

- 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;
- the development would re-use redundant or disused buildings and enhance its immediate setting
- the development would involve the subdivision of an existing residential dwelling; or
- the design is of exceptional quality, in that it:
 - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help raise standards of design more generally in rural areas; and
 - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

Criteria 4 above is considered to be material to the decision in this instance.

There is an existing dwelling on the site which, although semi-derelict, could be brought back into a residential use through renovation and restoration. Where this to be the case, the principle of subdivision of an existing dwelling to 3 open market dwellings is supported by criteria 4 to paragraph 79 of the NPPF. No restrictions are suggested within Paragraph 79 as to the numbers of dwellings which could be created by the subdivision of an existing property. Bearing these factors in mind it is considered that there is a realistic fall-back position which would provide some support for the principle of three dwellings on this site as a conversion and extension of the existing building.

In addition, it is material to the decision that the application site forms part of the larger site which has an extant planning permission, granted under reference 10/1767/FUL, for the demolition of the existing farmhouse, and construction of a new farmhouse in an alternative location, together with the conversion of the traditional farm buildings to 6 holiday lets. This consent would result in new development further into the open countryside due the position of the relocated farmhouse, and the creation of 6 residential (holiday) units.

As part of the current application the applicant has submitted a Unilateral Undertaking stating that should planning permission be granted for this current application, no further works will be carried out in respect of the extant permission. Effectively this means that should planning permission be granted and implemented in accordance with this application there will be a total of three dwellings on the site, rather than seven (6 restricted holiday lets) previously approved.

Supporting information suggests that the new dwellings proposed as part of this application would be occupied by staff working at the Greendale Estate. However whilst this may be the case in reality, it is not considered that there is any planning justification for this to be conditioned, and that if the extant permission is effectively removed by the Undertaking, which has been considered by the Councils legal department and found to be sound, then the overall reduction in new dwellings and lack of incursion into the open countryside would be a reasonable planning gain.

In light of the above, it is considered that there are material considerations that support the proposal in principle despite the lack of a local plan policy that supports this development in this location.

Design, Scale and Character of the Area

The application site lies in the open countryside, the character of the surrounding area is particularly rural, with traditional and modern farm buildings to the north and west and an orchard to the east. The lane to the farm is narrow and lined with established hedging. Within this context the proposed dwellings, being of a simple vernacular style and scale would appear unobtrusive and would sit comfortably within the site and surroundings.

The proposed layout would suggest the removal of the front boundary wall which is considered to be regrettable as it is an attractive feature within this part of the lane and makes a positive contribution to the area. With this in mind it is considered that should the application be approved a new wall providing a similar sense of enclosure, and using the existing reclaimed bricks would be appropriate. This could be conditioned.

It is appreciated that the proposed dwellings have a slightly deeper footprint than the existing farmhouse, and are proposed to be brought forward slightly, but this is not considered to result in any visual or other harm.

Residential Amenity

There are no immediately adjacent neighbours to the site which would be affected by the proposed development.

The constraints of the site are such that a modest communal courtyard area is proposed to the rear with small front gardens, with bin storage provided within one of the existing barns. Whilst this level of amenity is limited, the existing buildings to the west of the site restrict the available space. However as the parking areas are removed from the courtyard and garden there is no conflict between users of this space which is overall considered to provide an acceptable level of amenity.

Ecology

The application is accompanied by a bat and protected species survey and bat emergence survey which found evidence that the farmhouse supports summer night roosting by Lesser Horseshoe bats and summer day roosting sites for Common Pipistrelle and Long-eared Bats. As such the demolition of the farmhouse will require a European Protected Species Licence prior to any works being undertaken. This will require appropriate mitigation and compensatory measures to be detailed and undertaken following the grant of a licence.

Mitigation measures and ecological enhancements are suggested within the survey which are considered to be appropriate to ensure that the demolition of the building and construction of new properties will result in an acceptable development and overall biodiversity gain.

Habitats Regulation Assessment and Appropriate Assessment

The nature of this application and its location close to the Exe Estuary and Pebblebed Heaths and their European Habitat designations is such that the proposal requires a Habitat Regulations Assessment. This section of the report forms the Appropriate Assessment required as a result of the Habitat Regulations Assessment and Likely Significant Effects from the proposal. In partnership with Natural England, the council and its neighbouring authorities of Exeter City Council and Teignbridge District Council have determined that housing and tourist accommodation developments in their areas will in-combination have a detrimental impact on the Exe Estuary and Pebblebed Heaths through impacts from recreational use. The impacts are highest from developments within 10 kilometres of these designations. It is therefore essential that mitigation is secured to make such developments permissible. This mitigation is secured via a combination of funding secured via the Community Infrastructure Levy and contributions collected from residential developments within 10km of the designations. This development will be CIL liable and the financial contribution has been secured. On this basis, and as the joint authorities are working in partnership to deliver the required mitigation in accordance with the South-East Devon European Site Mitigation Strategy, this proposal will not give rise to likely significant effects.

Archaeology

The application has been submitted with an Architectural and Archaeological Analysis appraisal which covers the whole of the traditional farm buildings and the farmhouse. This report was originally prepared in 2008 and there may have been a number of changes to the structural condition of the buildings since this time, and the methodology for preparing these documents has changed. Having said this the overall findings are likely to be similar and subject to an updated Scheme of Investigation, in accordance with current legislation, and where appropriate recording or other works, the proposal is considered to be acceptable. These details can be secured by condition.

Highway Safety

Greendale Lane is a single track lane extending from Oil Mill Lane to the south to Greendale Farm, beyond which it becomes a grassed pedestrian road. The lane is very lightly trafficked, and apart from the farm it only serves Greendale House, Greendale Court and a couple of other properties. There are three alternative access points onto Oil Mill Lane from the farm, two of which have reasonable visibility. The access to the south-east has poor visibility and the road quality is poor. The best access to Greendale House and Court (which is signposted from Oil Mill Lane) is taken from Greendale Cross which has sufficient visibility and provides a safe access to the site.

Whilst only 3 parking spaces are provided within the site, the nature and levels of traffic and availability of space off the driveway or elsewhere around the proposed dwellings should address this if it prove necessary.

CONCLUSION

It is considered that whilst there are no policies within the local plan that would explicitly support the development, there is policy support within the National Planning Policy Framework (Paragraph 79) which supports the subdivision of existing dwellings in the countryside. This provides a realistic fall-back position for the applicant to apply to convert the farmhouse to a number of open market dwellings. This fall-back position is material to this application.

In addition, in support of the application a legal agreement in the form of a Unilateral Undertaking has been submitted whereby the applicant agrees not to further implement the extant planning permission relating to the site if planning permission were granted for the current proposal. Effectively this means that should planning permission be granted for this application the previous permission will no longer be extant. This would result in fewer dwellings on the site, and no further development in the countryside as the approval for the relocated farmhouse would be removed.

The proposed dwellings are considered to be of an appropriate design and scale for the site, and subject to further details of materials and landscaping, the development is considered to be acceptable.

On the basis of the presence of a fall-back position to convert the farmhouse to 3 dwellings, and subject to a legal agreement not to implement the previous consent, the proposal is considered to be acceptable and is consequently recommended for approval, subject to appropriate conditions.

RECOMMENDATION

- 1. That the application be APPROVED subject to the completion of a legal agreement to secure no further implementation of the extant consents, and subject to the following conditions; and**
 - 2. That the Habitats Regulations Appropriate Assessment within the report be adopted.**
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.
(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
 2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)
 3. No development shall take place until the developer has secured the implementation of a programme of (i) historic building recording and (ii) archaeological work in accordance with a written scheme of investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority.

(Reason - To ensure, in accordance with Policy EN6 (Nationally and Locally Important Archaeological Sites) of the East Devon Local Plan and paragraph 199 of the National Planning Policy Framework (2018), that an appropriate record is made of the historic building fabric and archaeological evidence that may be affected by the development.)

4. No construction of any building above foundation level shall commence until details of fencing, walling or any other hard or soft landscape boundary treatments have been submitted to and approved in writing by the Local Planning Authority. This should include the relocation of the front/entrance boundary wall, of a design in keeping with that existing. Any walls and/or fences shall be erected in accordance with the approved details within the curtilage of the dwelling
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), these walls and/or fences shall not thereafter be altered, removed or replaced without the prior written approval of the Local Planning Authority.

(Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policy D1 (Design and Local Distinctiveness) and Policy D2 (Landscape Requirements) of the East Devon Local Plan.)

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no works shall be undertaken within the Schedule 2 Part 1 Classes A, B, or E for the enlargement, improvement or other alterations to the dwelling hereby permitted, other than works that do not materially affect the external appearance of the buildings, or for the provision within the curtilage of any building or enclosure, swimming or other pool, [other than any enclosure approved as part of the landscape management scheme]

(Reason - The space available would not permit such additions without detriment to the character and appearance of the area or to the amenities of adjoining occupiers in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)

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 positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved.

Plans relating to this application:

PP_SP	Proposed Site Plan	23.04.19
PP_00 REV A : GROUND FLOOR	Proposed Floor Plans	23.04.19

COTTAGES
1,2,3

PP_01 : FIRST FLOOR COTTAGES 1,2,3 Proposed Floor Plans 11.04.19

PP_02 : COTTAGES 1,2,3 Proposed roof plans 11.04.19

PP_03 : BIN STORE + ELEVATIONS Proposed Combined Plans 23.04.19

PP_10 : S+W ELEVATIONS FOR COTTAGES 1,2,3 Proposed Elevation 11.04.19

PP_011 : N+E ELEVATIONS FOR COTTAGES 1,2,3 Proposed Elevation 11.04.19

List of Background Papers

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