

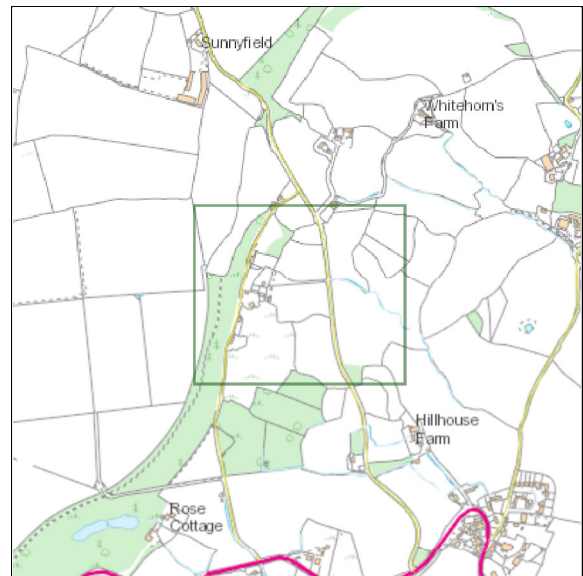
Ward Dunkeswell And Otterhead

Reference 19/1038/FUL

Applicant Mr A Luxton

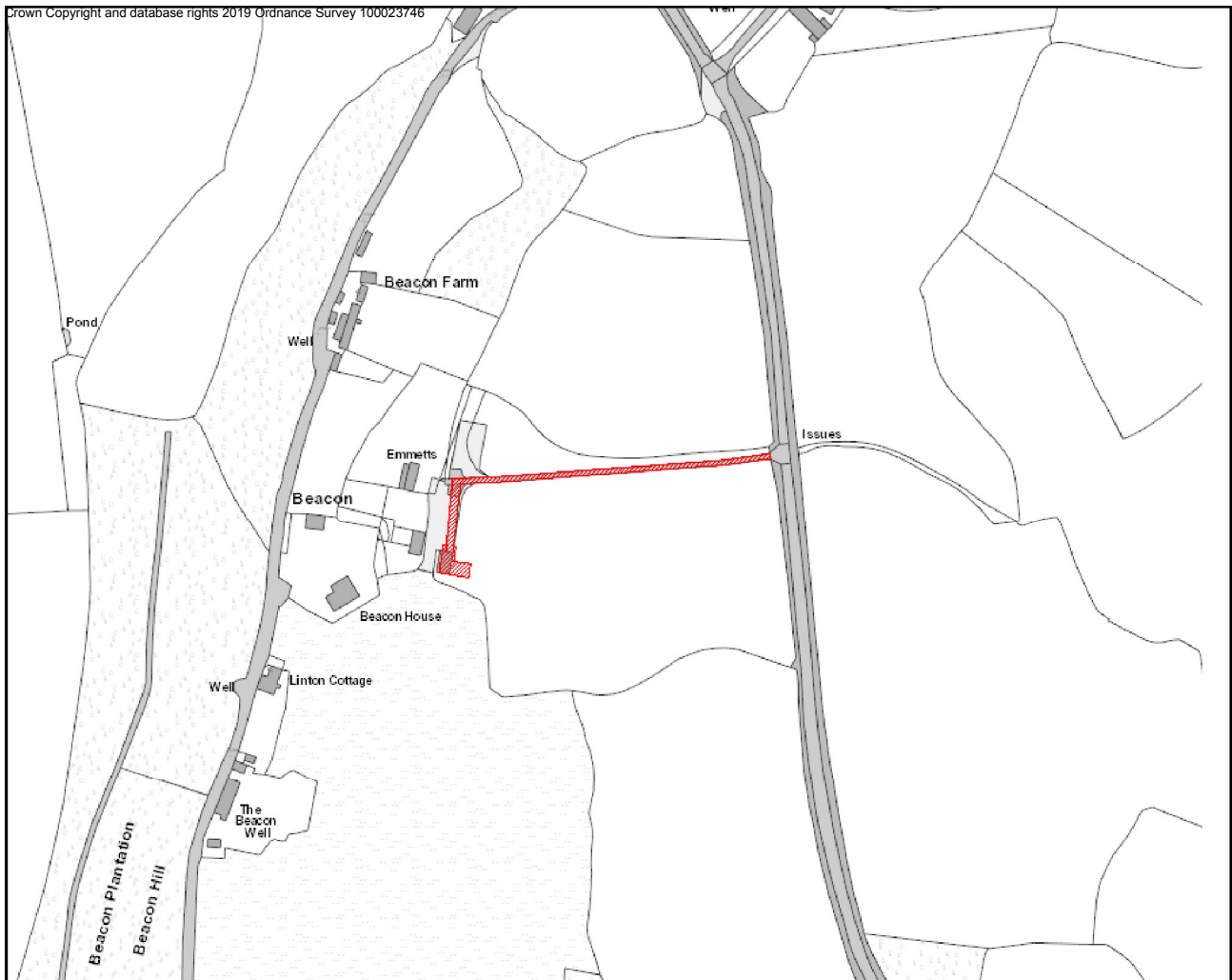
Location Emmetts Farm Beacon Yarcombe Honiton
EX14 9LU

Proposal General purpose agricultural building



RECOMMENDATION: Refusal

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		Committee Date: 6th August 2019
Dunkeswell And Otterhead (Yarcombe)	19/1038/FUL	Target Date: 10.07.2019
Applicant:	Mr A Luxton	
Location:	Emmetts Farm Beacon	
Proposal:	General purpose agricultural building	

RECOMMENDATION: Refusal

EXECUTIVE SUMMARY

The application is before committee as the officer recommendation differs from the view of one of the ward members.

The application proposes the construction of a general purpose agricultural building to replace an existing building in a poor state of repair. The replacement building would be constructed over the footprint of the existing building but would be considerably greater in size with an L shaped footprint extending development at right angles to the natural slope of the land.

The proposal represents an amendment to the design of an earlier submission which was withdrawn. The current scheme has been reduced in size (through the removal of one bay) and additional landscaping proposals have been introduced in an attempt to further mitigate the impacts of the proposal. Whilst these changes are recognised as improvements on the earlier withdrawn scheme there remains concerns in relation to both the landscape impact and impact on the setting of heritage assets of the revised scheme.

In relation to landscape impact the site is located in the sensitive Blackdown Hills Area of Outstanding Natural Beauty where great weight needs to be given to conserving and enhancing landscape beauty. In this instance it has not been demonstrated that this can be successfully achieved and in particular the size, layout and appropriateness of the proposed landscape mitigation works are questioned. The applicant has been offered the opportunity to further amend the scheme to address concerns raised but has chosen not to.

With regards to the impact on the setting of the listed building (main dwellinghouse) again the size, scale and alterations to the natural topography of the site are considered to have a harmful impact. Whilst the identified harm is

considered to be less than substantial there are no public benefits identified to outweigh this harm.

On the basis of the identified harm to the designated landscape and setting of the associated listed building the proposal is considered to be unacceptable and is recommended for refusal.

CONSULTATIONS

Local Consultations

Dunkeswell And Otterhead - Cllr David Key

I have no objection having viewed the sit and feel that it would be tidier and more in keeping and away from other premises. I fully support.

Parish Council – Yarcombe

This was our original comment, on the first application, prior to the amendments. It appears that the majority have been taken into consideration. With regards to the roof line levels, we cannot see it on the amendment; however, it still needs to be as described below.

On the proviso of the following, Yarcombe Parish Council would support this application, as we observe this is an all-new agricultural development building on this site and with that in mind, the following should be adhered to in our opinion:

- 1. Roof line levels: the application states that the site will be dug down ' we would like to see the ridge of the proposed building to be no higher than the neighbour's adjacent wood building eaves height.*
- 2. Roof colouring: to be green fibre cement or possibly dark anthracite grey.*
- 3. Evergreen planting and soil banking to help blend the proposed building with its surroundings on the exposed elevations.*
- 4. Lighting to be baffled to prevent light pollution.*

All of the above points as discussed with EDDC Planning and as per adopted Yarcombe Neighbourhood Plan.

One other issue has been highlighted to the parish council, is that the parish path number 29, which runs through Emmetts, needs to be kept clear at all times, for the public right of way.

Technical Consultations

EDDC Landscape Architect - Chris Hariades

21/06/19 - This report forms the EDDC's landscape response to the application for the above site. A previous application submitted last year for a similar scheme (ref 18/2687/ FUL) was withdrawn.

The report provides a review of landscape related information submitted with the application in relation to adopted policy, relevant guidance, current best practice and

existing site context and should be read in conjunction with the submitted information and earlier landscape response to previous application.

Review of submitted details:

The previous scheme (18/2687/FUL) comprised a new storage shed with plan area 14x7m and covered open fronted pens comprising three stalls with a total 14x6m plan area.

In the revised scheme, as per application ref 19/1038/FUL, the storage shed remains the same size as the previous scheme and the penning area is reduced to two stalls with a floor area of 10.5m x 6m amounting to a 21m² (13%) reduction in size. The Landscape and Visual Advice note (LVA) submitted with the application states incorrectly that the building size has been reduced in size by 6m. As noted above the storage building is the same size as the previous application while the penning area has been reduced in length by 5m.

I note that there is an error in the Side east elevation as shown on drawing 3108/02A and the Side east elevation section B-B on drawing 3108/04A where the roof of the barn should extend to the southern end of the penning area structure. The error underplays the extent of the roof of the storage building.

I am not convinced that the proposed roof arrangement is workable at the junction between the two structures. Separating them would make the roof easier to construct and would slightly reduce the prominence of the roof-line in views from the north and south.

The window in the southern elevation remains. Although this would not be visible in views from publically accessible areas it will be overshadowed by the adjacent hedgebank with the likelihood of the hedge being cut down locally to increase daylight through the window.

The proposed brick plinth has no precedent in the context of nearby buildings and a suitable local stone would be more appropriate.

Although the Landscape and Visual Advice note (LVA) states that the structures will be timber framed there is no expression of this in the drawing elevations provided and the detailing is the same as the previous application.

The proposal entails a significant amount of earthworks cut and fill but there is very limited information provided on existing and proposed levels particularly in relation to the existing hedgebanks to the south and west boundaries. As well as the potential visual impact of the earthworks there is concern that that changes in levels in the vicinity of the boundary hedgebanks could adversely impact the hedgerow plants.

The proposed hedgebank to the east of the application area is intended to screen the new buildings in views from the direction of the road but has no historic precedent and would appear as an arbitrary feature. The height of the eastern face of the proposed hedgebank as indicated in section AA measures 2.5 which does not reflect local landscape character.

The tree/ hedgerow assessment provided within the Landscape and Visual Advice note does not reflect BS5837 advice and in respect of cut and fill earthworks there is insufficient information included in the application to enable an arboricultural impact assessment to be undertaken.

The LVA states that there is only one glimpse view of the application site from the Yarcombe – Beacon road from the bottom of the drive. However, views can be obtained of the existing building over the existing hedgerow from higher up the road, as photo below. The proposed scheme comprising larger buildings set higher in the landform would be more conspicuous from this location.

For the above reasons the application is considered to be unacceptable in terms of potential landscape and visual impact.

Conservation

CONSULTATION REPLY TO PLANNING EAST TEAM PLANNING APPLICATION AFFECTING LISTED BUILDING

ADDRESS: Emmetts Farm, Yarcombe

GRADE: II APPLICATION NO: 19/1038/FUL

PROPOSAL: General purpose agricultural building

BRIEF DESCRIPTION OF HISTORIC CHARACTER/ ARCHITECTURAL MERIT:

See listing description and information on file

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

This application relates to the construction of a general purpose agricultural building on an area of land adjacent to the south east of Emmetts, a Grade II listed building formerly two C18 cottages, modernised in the late C19 - early C20. Emmetts occupies a prominent position on high ground near the top of a ridge. It is built across the hillslope facing east and overlooking the Yarty Valley. This is particularly evident when approaching from Yarcombe and looking up the access track towards the cottage and ridgeline.

A previous application under 18/2687/FUL was withdrawn. The current application is similar to the previous submission in terms of overall purpose and design, but has been reduced in size (loss of one bay) along with some changes to the materials (brick plinth and larch cladding) and landscape screening etc.

However, it is considered that the proposed building still has a large footprint particularly when viewed in the context of the footprint of the listed building. Whilst some form of agricultural building might be acceptable, in its current form the new structure is considered to be oversized and will have a harmful impact on the setting of the listed building and the wider landscape which is contained within the AONB.

PROVISIONAL RECOMMENDATION - PROPOSAL
ACCEPTABLE in principle, but still needs to be further reduced in size

Other Representations

None received.

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies
Strategy 7 (Development in the Countryside)

Strategy 46 (Landscape Conservation and Enhancement and AONBs)

D1 (Design and Local Distinctiveness)

EN9 (Development Affecting a Designated Heritage Asset)

D7 (Agricultural Buildings and Development)

Yarcombe and Marsh Neighbourhood Plan (Made)

Government Planning Documents

National Planning Policy Framework

National Planning Practice Guidance

SITE LOCATION AND DESCRIPTION

The application site relates to land at Emmett's Farm, located in close proximity to and southeast of the existing farmhouse (grade II listed). The site is in the corner and at the highest point of a small paddock where the land slopes down from west to east. The paddock is bounded by hedgebank, except to the north side where post and rail fencing separates it from the driveway serving the site. There is an existing storage building located on site featuring rendered elevations under a corrugated roof. A public footpath runs from the local road to the west and up the driveway before turning south and running directly to the rear of the application site.

The site lies in open countryside to the northwest of and approximately ½ mile from the village of Yarcombe. The landscape forms part of the Blackdown Hills Area of Outstanding Natural Beauty.

PROPOSED DEVELOPMENT

The proposal seeks planning consent for the creation of a detached L shaped building for agricultural purposes. The building would have maximum dimensions of 16 metres

by 14.15 metres and a ridge height of 3.4 metres. The materials specified in the application form are timber cladding with a brick skirt and profiled sheet roofing.

The applicant runs a farming business known as Blackdown farming and has operated the business for approximately 5 years. Emmetts Farm comprises of approx. 13 acres and the applicant rents a further 54 acres in the locality in a series of medium term farm tenancies. He also takes sheep keep on 25 acres per annum. The primary agricultural function is buying and selling lambs and grazing ewes.

The submitted Design and Access Statement lists the purposes of the building as for the storage of machinery and other farming equipment; hay and straw storage and an area to manage the sheep and allow for lambing.

ANALYSIS

Procedural matter

The submitted site location plan accompanying the application shows the blue line (other land in the applicant's control) to fall either side of the local road to the east of the site. This appears to be a drafting error as it differs from that shown on the earlier application 18/2687/FUL. It does not, in this instance affect the determination of the application.

Assessment

The main issues concerning this application are the impact of the proposal on the character and appearance of the AONB landscape and the impact on the setting of the listed building.

Impact on the character and appearance of the AONB

Emmets Farm is located in an elevated position under an east facing, wooded scarp slope with open views to the east and south east across the Yarty Valley, 800m north west of the village of Yarcombe and within the Blackdown Hills Area of Outstanding Natural Beauty.

The farm comprises an extended, grade II listed thatched cottage with detached garage to the north and recently erected small polytunnel to the south. The cottage and associated structures are set back 160m west of the minor county road connecting between the A30 and A303. The land in front of the cottage is permanent pasture sloping down to the road below at a gradient of 1:7 with historic hedgebank boundaries.

The application site is situated 30m from the farm cottage within a field corner at an altitude of 240m AOD. It is set against existing hedgebanks to the west and south and encompasses the footprint of a small dilapidated store building. The hedgebank forming part of the western application boundary has recently been laid. A large holly tree is situated to the southwest corner and further hedgebank follows the southern boundary. A thin line of semi-mature ash is situated along the east side of the existing shed.

Surrounding land-use is predominantly permanent pasture, with traditional field boundaries comprising Devon hedgebanks and tracts of mixed woodland on the scarp slope to the west. A public footpath, Yarcombe 29, follows the line of the driveway from the road up to the cottage and along the western application boundary.

There are a few scattered buildings nearby which are largely screened by existing tree cover.

Views to the south and south west are restricted by rising landform but there are attractive and extensive open views from the site to the north, east and south across the Yarty Valley to the hillside beyond.

The principal visual receptors comprise:

- Motorists, cyclists and walkers using the unclassified county road to the east of the site.
- Walkers on Yarcombe footpath 29 which provides views towards and over the site on its approaches from the south west and north east.

The proposals comprise demolition of an existing dilapidated shed measuring 6x10m and construction of an agricultural building for storage and livestock penning set in an L shaped arrangement with concrete surfaced forecourt. The building footprint measures 14x16m and is 3.5m high to ridgeline. It would be set against existing hedgebank to the west and south. Extensive earth-working is required to create a level base by cut and fill methods with up to 1.1m depth excavation at the western end of the site and over a two metre high hedgebank being formed to the east.

The site lies in a landscape character area defined as 'Upper Farmed and Wooded Slopes' (East Devon and Blackdown Hills Areas of Outstanding Natural Beauty and East Devon District Landscape Character Assessment and Management Guidelines (2008)). An updated version of this document has been produced but is yet to be formally adopted, however in relation to the landscape character type there is little change and in relation to management guidelines both seek to minimise the impact of change and promote the retention and appropriate management of traditional hedge boundaries and field patterns and to improve the integration of new development into the landscape.

In the present scheme, the principle concerns relate to the overall size of the building together with the extent of engineering works and visual impact of these. It is considered that the L shaped plan layout and setting the length of the building at right angles to the natural ground slope and maintaining a fixed floor level throughout would result in a large footprint and unnatural engineered platform off which the building would be constructed. In addition, whilst landscaping works are proposed, primarily in the form of a new hedge bank at the eastern end of the site, these in themselves do not relate well to the traditional layout or height of hedge banks found in the local area and would in themselves appear as an arbitrary landscape feature which would not reflect local landscape character.

It is acknowledged that since the previous withdrawn application efforts have been made to seek to reduce the landscape impact of the building through reduction in size and changes to the design of the buildings and through provision of additional landscape planting/features. However, there remain concerns in relation to the landscape impact of the building and whether or not the impact has been appropriately addressed.

The opportunity has been given to the applicant to amend the scheme and suggestions made as to how the landscape impact might be reduced given (these include: the potential to re-orientate the two parts of the building to run parallel and step them down in height to reduce prominence and extent of earthworks, and consideration being given to providing two separate buildings in separate locations to reduce the overall mass) however the applicant considers the scheme to be acceptable as submitted and wishes it to be determined as such. This is unfortunate as in this respect the submitted scheme cannot be supported on landscape impact grounds as it would fail to conserve or enhance the landscape character of the area, as required by Strategy 46 of the Local Plan would harm landscape features which contribute to local character contrary to Strategy 7 and would fail to integrate well with its surroundings as required by policy D7.

In terms of Neighbourhood Plan policies, policy NE1 -To promote measures which protect and enhance the natural environment and BHE1 - To maintain the Built Character of our parish through High Quality Design of the Yarcombe and Marsh (Made) Neighbourhood Plan respectively seek to ensure that development would: not have a significant adverse landscape impacts and that where mitigating measures are unavoidably required these should be appropriate to the landscape setting, and; that the size, scale and location of development and its design and materials are appropriate. With the exception of the proposed use of a brick plinth to the building the materials proposed are generally considered to be acceptable, however as discussed above the overall landscape impact is not.

Impact on the setting of the listed building

This application relates to the construction of a general purpose agricultural building on an area of land adjacent to and to the south east of Emmetts, a Grade II listed building formerly two C18 cottages, modernised in the late C19 - early C20. Emmetts occupies a prominent position on high ground near the top of a ridge. It is built across the hillslope facing east and overlooking the Yarty Valley. This is particularly evident when approaching from Yarcombe and looking up the access track towards the cottage and ridgeline.

This application relates to the removal of an existing structure in the corner of the field currently accessed by a track and partially screened by vegetation/ hedging. The proposed building has a considerably larger footprint especially when viewed in the context of the footprint of the listed building and concerns have been raised in relation to its impact on the setting of the listed building.

Whilst some form of replacement agricultural building is likely to be acceptable, in its current form the new structure is considered to be oversized and will have a harmful

impact on the setting of the listed building where it will be seen in close relation in public views on approach.

It is noted that the 'Statement of Significance' suggests that the recently approved polytunnel under 16/2697/FUL was considered not to harm the setting of the listed building. However, this was the Members view and not that of the Conservation Team or officers who objected to the location of the polytunnel and recommended refusal of this planning application.

Whilst there is no objection in principle to a replacement building the size, design and location of it in close proximity to the listed building and in the foreground in views on approach from the east, coupled with the extent of earthworks proposed, would have a harmful impact on the setting of the listed building. As there is no harm to the fabric of the listed building itself this harm, within the context of the NPPF is considered to be 'less of substantial'. However, this does not diminish the duty to apply section 66 of the Listed Building and Conservation Area Act, 1990.

In terms of justification the proposal would increase operations of an existing holding and potential improve conditions for livestock. One of the aims of the NPPF is to support a prosperous rural economy and the proposal would contribute towards this aim. Whilst there would appear to be some benefits to the agricultural business through improved facilities that does not equate directly to public benefits and none have been put forward by the applicant. There are no public benefits which would outweigh the identified harm to the setting of listed building.

CONCLUSION

The proposed scheme is considered to have adverse landscape and visual impacts that could undermine the quality of this AONB landscape by introducing new development in open countryside that is out of character with its setting.

Great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.

On the basis of the details submitted the scheme should be considered in conflict with National and Local Plan policies aimed at conserving landscape character and preserving heritage assets and their settings, consequently the proposal is considered to be unacceptable in terms of landscape design/ impact and has been found to be harmful to the setting of the listed building.

RECOMMENDATION

REFUSE for the following reasons:

1. The proposed building, by reason size, layout and position and the extent and nature of earthworks proposed would result in a development which would be overly prominent and out of character with the surrounding gently undulating landform. The site is prominently set with direct views from the minor county road to the east and Yarcombe footpath 29 which passes close to the north and

west of the application site. The introduction of a prominent new building and the introduction of landscaping features at odds with the local landscape character would result in an adverse visual impact from these public vantage points. The proposal therefore conflicts with Strategies 7 (Development in the Countryside) & 46 (Development affecting Areas of Outstanding natural Beauty) and policies D1 (Design and Local Distinctiveness) and D7 (Agricultural Buildings and Development) of the East Devon Local Plan, and guidance contained within the National Planning Policy Framework.

2. The proposed building, by reason of its size and scale and change to the natural topography of the site would introduce built form that would compete with the listed building and detract from its setting and importance. As there are no identified public benefits to outweigh this less than substantial harm, which is attributed considerable importance and weight the proposal is in conflict with the general duty of Section 66 of the Listed Building and Conservation Area Act, 1990, and policies) and EN9 (Development Affecting a Designated Heritage Asset) of the adopted East Devon Local Plan, and guidance contained within 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:

	Location Plan	15.05.19
3108/02A Rev A	Proposed Elevation	15.05.19
3108/03A Rev A	Proposed Combined Plans	15.05.19
3108/01A Rev A	Proposed Site Plan	15.05.19
3108/04A Rev A	Sections	15.05.19

List of Background Papers

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