

**Application No. 15/00033/FULL**

**Agenda Item 10**

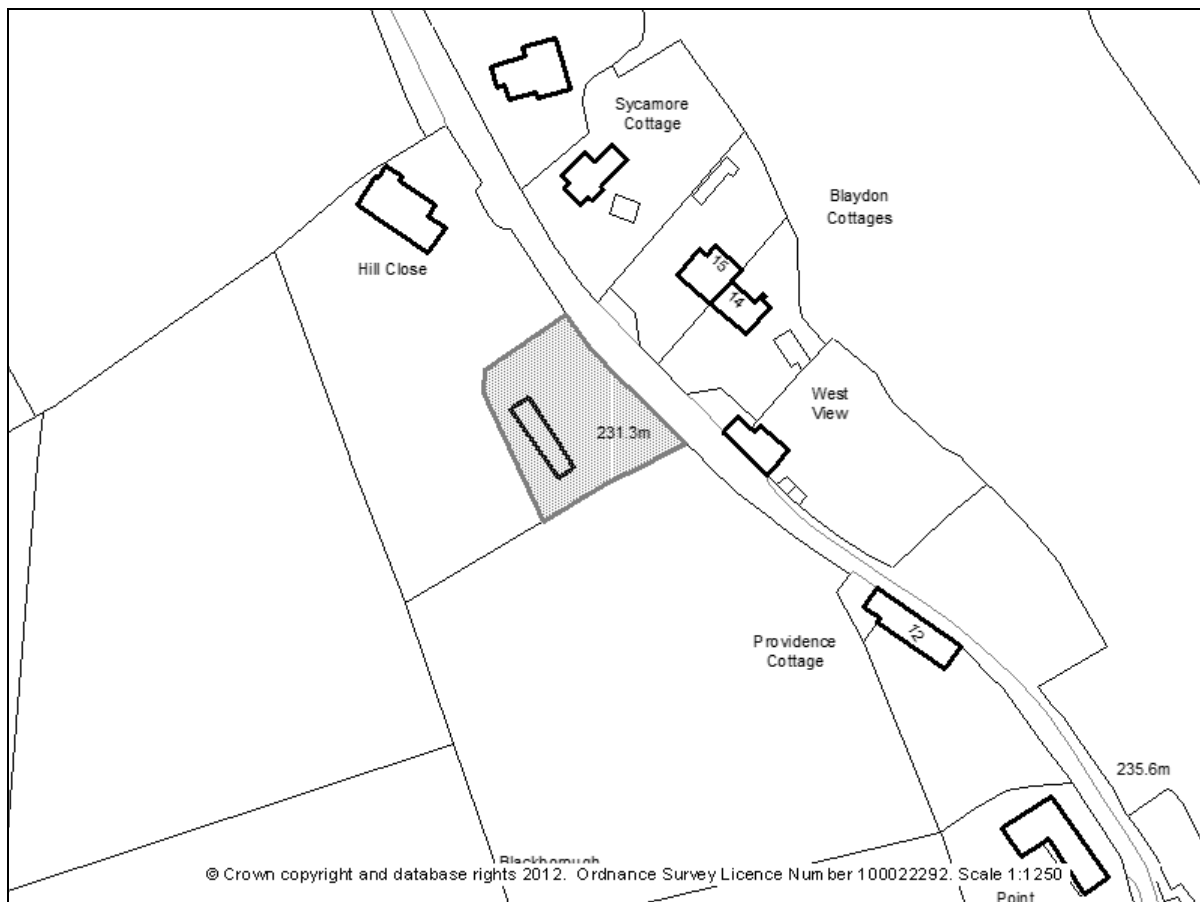
**Grid Ref:** 109055 : 309478

**Applicant:** Mr A York

**Location:** Ravensdale  
Blackborough  
Cullompton Devon

**Proposal:** Change of use of  
residential  
garage/workshop to  
dwelling

**Date Valid:** 26th January 2015



**REPORT OF THE HEAD OF PLANNING AND REGENERATION**

**15/00033/FULL - CHANGE OF USE OF RESIDENTIAL  
GARAGE/WORKSHOP TO DWELLING - RAVENSDALE  
BLACKBOROUGH CULLOMPTON DEVON**

**Reason for Report:**

To consider the above planning application.

**RECOMMENDATION**

**Refuse permission**

**Relationship to Corporate Plan:**

The Corporate Plan identifies the following challenges faced by the district:

1. In rural areas access to vital services and public transport can be a significant problem. The challenge is to ensure that people have access to the services they need.
2. Mid Devon needs to ensure there is sufficient decent housing.

In addition, the Corporate Plan identifies the following long term visions:

1. To promote and protect our outstanding environment and beautiful countryside. Helping international efforts to reduce the impact of human behaviour on the world's climate.

**Financial Implications:**

None

**Legal Implications:**

None

**Risk Assessment:**

None

**Consultation carried out with:**

See relevant section of the report

## **1.0 PROPOSED DEVELOPMENT**

This application seeks planning permission for the change of use of a detached residential garage/workshop to a dwellinghouse, at Ravensdale, Blackborough, Cullompton. The building is accessed from the Class III road that runs directly through Blackborough, with the settlement of Kentisbeare located approximately 3.8 kilometres to the south west. The building is located adjacent to and approximately 38 metres away from the existing dwelling on site, Ravensdale. The site itself slopes significantly to the south west; the building sits parallel to the road but is set back from and significantly lower than the road.

The building has a length of 19 metres, a width of 6 metres, and a ridge height of 4 metres from floor level on the south east end of the building, with a step down in roof height on the northwest garage end of the building, here the ridge height is 3.7 metres at floor level; the building has a total floor area of 100 square metres. The building has fibre cement slated roofing, rendered walling and stained timber windows and doors. At present the building has four windows on the east elevation, four windows and a door on the south west elevation and a garage door on the north west elevation.

It is proposed to convert the building to a dwellinghouse with an associated garden, parking area and driveway access. An existing access and parking area would be utilised, and are separate to those of the main dwellinghouse. Although already in existence, it is proposed that the access would be improved with visibility splays of approximately 3.5 metres either side of the access, requiring the removal of trees and the excavation of the bank. In addition the building would have its own garden/amenity space, with the application site totalling 0.12 hectares.

The proposed external works to the building in order to facilitate its conversion are minimal and include: one new window on the south east elevation, an additional window on the north east elevation, and the replacement of the existing garage doors on the north west elevation with windows and a single door. Upon conversion, internally the building would provide three bedrooms, one of which would have an En-suite, a separate bathroom, lobby and an open plan kitchen, lounge and dining room.

The currently permitted use of the building is as a garage/workshop, retrospective planning permission was granted in 2007, reference number 07/01851/FULL, for the current building. The current building replaced a previous building of a similar size in this location on the site. At the time of the officer site visit as part of this application the building was in use as a garage, with one car parked inside; the building was also being used for the storage of general household items, as well as photography materials.

## **2.0 APPLICANTS SUPPORTING INFORMATION**

Foul Drainage Assessment Form  
Wildlife Statement

## **3.0 PLANNING HISTORY**

92/01939/OUT Outline for the erection of a bungalow and construction of vehicular access - REFUSE

04/00826/FULL Erection of a two storey extension and extension to existing dormer window - PERMIT

05/01146/PE Proposed Outline Application for residential development - REC

07/01851/FULL Erection of replacement garage/workshop - PERMIT

## **4.0 DEVELOPMENT PLAN POLICIES**

### **Mid Devon Core Strategy (Local Plan Part 1)**

COR2 – Local Distinctiveness

COR9 - Access

COR18 – Countryside

### **Local Plan Part 3 (Development Management Policies)**

DM2 – High Quality Design

DM4 – Waste Management

DM8 – Parking

DM11 – Conversion of Rural Buildings

DM29 – Protected Landscapes

### **National Planning Policy Framework**

Paragraph 55

## **5.0 CONSULTATIONS**

### **Highway Authority - 29th January 2015**

Standing advice applies please see Devon County Council document

<http://www.devon.gov.uk/highways-standingadvice.pdf>

5<sup>th</sup> March 2015 – Recommend visibility splays of a depth of 2.4 metres and a width of 25 metres either side of the access in order to make it suitable and acceptable for the proposed use.

### **Environment Agency**

Change of use within Flood Zone 1 - No EA consultation required.

### **Kentisbeare Parish Council - 16th February 2015**

No objection.

### **AONB Blackdown Hills - 13th February 2015**

The AONB Partnership supports its local planning authorities in the application of national and local planning policy in order to ensure that any development in the AONB conserves and enhances natural beauty. We reserve detailed responses to cases which we consider may have a significant impact on the purpose of AONB designation, and I can confirm that we do not wish to submit any detailed comments on this occasion.

### **Environmental Health - 10th February 2015**

Contaminated Land - no objections to this proposal

Air Quality - no objections to this proposal

Waste & Sustainability

Drainage - no objections to this proposal

Noise & other nuisances - no objections to this proposal

Housing Standards - no objections to this proposal

Licensing - N/A

Food Hygiene - Not applicable

Private Water Supplies - Further information is required prior to any comment. No record is held as being a private supply. However, if a private water supply is serving any other associated dwelling, the supply would become a small private supply and subject to the Private Water Supply Regulations 2009. As such a private water risk assessment and sampling regime will need to be undertaken by this Authority prior to any residential or commercial use.

Health and Safety - No objections

## **6.0 REPRESENTATIONS**

No letters of representation have been received.

## **7.0 MATERIAL CONSIDERATIONS AND OBSERVATIONS**

The main issues in the determination of this application are:

- 1. The principle for conversion**
- 2. Parking and access**
- 3. Other matters**

### **1. The principle for conversion**

The site is located in Blackborough, outside of an adopted settlement limit, and is in the countryside where new residential development is subject to strict policy control. This is set out under Part 6 of the National Planning Policy Framework. Paragraph 55 of the NPPF states that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. It is indicated that where there are small groups of settlements, development in one village may support services in another village nearby. In addition, new isolated homes in the countryside should be avoided unless there are special circumstances, such as: where there is an essential need for a rural worker to live near their place of work; where development would represent the optimal viable use of a heritage asset; or, where development would re-use redundant or disused building and lead to an enhancement to the immediate setting.

The Appeal Decision for planning application 12/01632/FULL (PINS reference: 2206184), issued in March 2014 considered the term 'isolated' in relation to the erection of a new dwelling in the nearby hamlet Stoford Water, and states at Paragraph 6:

“Whilst the proposed dwelling would be situated near other housing, the site is nonetheless isolated from the range of facilities and services necessary to meet the daily requirements of future occupiers such as shops, schools, workplaces and community facilities. I have not been provided with any evidence to suggest that the area is well served by public transport links. As such, future occupiers of the proposed dwelling would be heavily reliant on the use of private vehicles to meet their everyday needs.”

The Inspector concluded at paragraph 17:

“The proposal would not be consistent with the principles of sustainable development. It would be contrary to policies COR9 and COR18 of the Core Strategy which aim to focus development in the most accessible locations and control development in the rural areas. It is also contrary to Paragraph 55 of the Framework, which aims to avoid isolated housing in the countryside. Furthermore, it conflicts with a core principle of the Framework to make the fullest possible use of public transport, walking and cycling.”

It is considered that the Inspector's assessment of isolated is equally applicable to the current application, in the appeal case the hamlet was only 1 kilometre from the village of Kentisbeare. In the current case although there are some dwellings located nearby, the site is approximately 3.8 kilometres from Kentisbeare, and so arguably is significantly more isolated than the appeal site. Blackborough itself has no facilities other than a village hall,

with the nearest facilities being located in Kentisbeare, which is accessible via single track roads. As such, the location will necessitate further reliance on private motor vehicles to meet the everyday needs of occupiers. No evidence of public transport links has been submitted in support of this application. Officer research has found that the nearest available bus services are from Kentisbeare, with a bus route that has 1 – 4 journeys a day, with an additional route operating a less than daily service, doing little to ameliorate the reliance upon a private vehicle. In light of the inspectors decision it is considered reasonable to conclude that the site is in an isolated location, and its conversion would constitute a new isolated home contrary to policy.

No evidence has been submitted alongside the application to demonstrate that any of the special circumstances under paragraph 55 are met. The dwelling is not required to house a rural worker and would not represent the optimal viable use of a heritage asset, as the building itself is modern and lies within the grounds of an unlisted house. In addition the proposal would not re-use redundant or disused buildings leading to an enhancement to the immediate setting, as the current building is not redundant or disused (discussed below) and its use as a dwellinghouse is not considered to enhance its immediate setting as the building is well maintained, sitting within existing garden land and will not be significantly externally altered as part of the proposal. In addition, no evidence has been provided to suggest that the proposal is capable of fulfilling a role of supporting services in a nearby village.

Policy DM11 of the Local Plan Part 3 (Development Management Policies) expands upon the National Planning Policy Framework, and specifically deals with the conversion of redundant or disused rural buildings. This policy is consistent with the National Planning Policy Framework insofar as it seeks to secure high quality design as one of its core planning principles and allows for the conversion of suitable buildings. The policy allows for the re-use of rural buildings for residential, tourism or employment uses where they are of substantial and permanent construction, and where they make a positive contribution to an area's rural character. An assessment under DM11 is also subject to four further criteria, set out below:

- a) A suitable access to the building is in place or can be created without damaging the surrounding area's rural character and the road network can support the proposed use;
- b) The building can be converted without significant alteration, extension or rebuilding;
- c) The design will retain the original character of the building and its surroundings
- d) The development will retain any nature conservation interest associated with the site or building, and provide net gains in biodiversity where possible.

Regarding the test of character, the building is considered to be a rural building by virtue of its rural location, but does not appear typically rural in appearance due to the building's recent construction for ancillary residential purposes, and is not typical of buildings found in this rural setting. As a result of its recent construction the building does not have a historic use and has been built with modern construction materials, including block walling with a rendered finish; as such the materials do not constitute a character feature worthy of retention. Whilst it is considered that more modern buildings are capable of making a positive contribution, this building is not considered to be of any intrinsic merit, and isn't thought to positively contribute to the rural setting. The Authority considers that this building does not positively contribute to Mid Devon's rural character, the building is not of an overall shape, form or of materials that would warrant its retention. As such, it is considered that the

building fails to meet the preliminary character test of Policy DM11 of the Local Plan Part 3 (Development Management Policies).

In addition, there is no evidence to suggest that the buildings permitted use is redundant. At the time of the Officer site visit on the 20.02.15 the building was being used as a garage for the storage of one car, with many other household items being stored in the building, along with what appeared to be a significant amount of photography equipment.

Regarding elements b) and d) of the DM11 criteria, as discussed above the building can be converted without significant alteration, and the conversion of the building is not considered to result in any nature conservation impacts.

Your Officer has advised the applicant that it may be possible for the building to be converted to a holiday let under policy DM24 – Tourism and Leisure Development, however further information would be required in order to support its conversion to a holiday let to demonstrate that the need for the tourism accommodation is not met by existing provision within nearby settlements; such information has not been provided during the course of this application and so the buildings conversion to a holiday let has not been considered.

## **2. Parking and access**

In relation to part a) of Policy DM11, the building is served by an existing access, separate to that of the main house, running eastwards from the north east elevation of the building. Vehicular access connects with the Class III road that runs directly through Blackborough. The access itself has a very steep gradient, with very poor visibility; it is shown on the proposed site plan that visibility splays of a width of approximately 3.5 metres will be created at each side of the access.

Visibility splays of 3.5 metres are not considered to be sufficient in order to make the access acceptable. The Highway Authority has recommended that in order for the access to be suitable and acceptable for the sites proposed use, it is necessary that visibility splays of a depth of 2.4 metres and a width of 25 metres are provided either side of the access, prior to the commencement of the proposed use.

In accordance with policy DM8 parking for at least two cars will be provided on site, utilising the existing concreted hard standing.

## **3. Other matters**

### **Area of Outstanding Natural Beauty**

The site is located within the Blackdown Hills Area of Outstanding Natural Beauty. Policy DM29 of the Local Plan Part 3 (Development Management Policies) states that development proposals affecting the Area of Outstanding Natural Beauty must demonstrate that the cultural heritage and the character, appearance, setting and other special qualities of the landscape will be conserved, or where possible, enhanced. As the proposal is for the conversion of an existing building with few external changes the development is considered to conserve the character, appearance and setting of the Area of Outstanding Natural Beauty. The conversion of the building will likely result in the further domestication of the site within a more concentrated area, due to the doubling of domestic items as a result of the provision of a second dwellinghouse on the site, despite being in an isolated location this impact is considered to be limited as the site is already residential garden.

### **Impact upon neighbouring properties**

The building is located 38 metres away from the existing dwelling on site; considering the distance, and the separate access, parking and garden area, it is not considered that the change of use of the building would have an adverse impact upon Ravensdale. In addition,

due to the siting of the building, which is significantly lower than and away from the road, providing very limited opportunity for occupants to overlook the adjacent properties, it is not considered that the change of use of the building would result in an unacceptably adverse impact on the living conditions of occupants of neighbouring properties.

### **Waste**

In terms of waste management, a Foul Drainage Assessment Form has been submitted in support of the application and states that dwelling would use septic tank to dispose of foul sewage, as shown on the proposed site plan. The use of a septic tank is considered appropriate by virtue of the schemes small-scale residential nature.

## **7.0 REASON FOR REFUSAL**

1. The existing building is located outside of an adopted settlement limit and is considered to be in an isolated location, its conversion would constitute a new isolated home in the countryside, contrary to policy. No evidence has been submitted to demonstrate that any of the special circumstances set out in paragraph 55 of the National Planning Policy Framework have been met. Despite being considered a rural building by virtue of its rural location, the building does not have a typically rural appearance due to its shape and form as a result of its recent construction for ancillary residential purposes, nor do its construction materials constitute a character feature worth of retention. The building is not considered to be of any intrinsic merit and isn't thought to positively contribute to Mid Devon's rural character; as such the building fails to meet the preliminary character test of policy DM11. In addition there is no evidence to suggest that the buildings permitted use is redundant. Regardless of whether it could be converted without significant alteration, extension or rebuilding, utilising an existing access, and without harming any nature conservation interests, the proposed development is considered to be contrary to Policies COR2, COR9, and COR18 of the Mid Devon Core Strategy (Local Plan Part 1) and Policy DM11 of the Local Plan Part 3 (Development Management Policies). The application is therefore recommended for refusal.

### **Contact for any more information**

Miss Hannah Cameron, Planning Assistant  
01884 234218

### **Background Papers**

None

### **File Reference**

15/00033/FULL

### **Circulation of the Report**

Cllr Richard Chesterton  
Members of the Planning Committee