

OFFICER'S REPORT

Case Officer:	Lucy Hall		
Parish:	Chivelstone	Ward:	Stokenham
Application No:	1543/24/FUL		
Applicant:	Mr & Mrs Herniman c/o agent	Agent:	Mr Rob Heard Mark Evans Planning Limited Cedar House Membland Newton Ferrers Plymouth PL8 1HP
Site Address:	Land at SX 773 357, East Prawle		
Development:	Conversion of barn to dwelling		





Recommendation: Refusal

Reason application is at committee:

At the request of the Head of Development Management on the basis the submission of the application followed two pre application submissions which offered some support for the principle of the proposed development.

Refusal Reasons

1. The proposal would result in the creation of a single open-market dwelling house in an unsustainable isolated rural coastal location devoid of services and facilities and poorly served by sustainable transport options, heavily reliant on the use of a private car. There is no evidence that the proposal requires a coastal location and no exceptional circumstances to justify the proposal in this isolated location. The location of the development proposed would therefore be contrary to policies SPT1, SPT2, TTV1, TTV2, TTV26 and DEV24 of the adopted Plymouth & South West Devon Joint Local Plan (2014- 2034); adopted Plymouth and South West Devon Supplementary Planning Document and the National Planning Policy Framework.
2. The application relates to a redundant, traditional stone barn. The relationship between the barn and its undeveloped landscape setting contributes positively to the building's special interests as well as the unspoilt character and special qualities of the landscape around the village of East Prawle. The creation of a garden around the converted barn, associated parking area and access from the parking area to the converted barn would represent an incongruous form of development, artificially subdividing an existing agricultural field and domesticating the rural landscape, causing harm to the setting of the non-designated heritage

asset and wider landscape. The development would fail to conserve or enhance the natural beauty and scenic qualities of the South Devon National Landscape, and would also have a detrimental effect on the appearance and tranquillity of the Heritage and Undeveloped Coast contrary to the provisions of policies SPT12, TTV26, DEV21, DEV23, DEV24 and DEV25 of the adopted Plymouth and South West Devon Joint Local Plan; National Planning Policy Framework and the South Devon AONB Management Plan, and its appendices.

Key issues for consideration:

Principle of development, design, landscape impact, heritage, highways, ecology, drainage, carbon reduction

Site Description:

The site is a redundant agricultural barn, known as Shell Barn, located on the road from East Prawle to Prawle Point. The building is a 19th century stone barn, with a slate roof which has been repaired in recent years. A modern, lean-to addition was added to the east elevation in the late 20th century. The barn is a tall structure, with a footprint of 63sqm over three floors.

The site is within the open countryside, and the Undeveloped Coast and Heritage Coast policy area. It is also within the South Devon National Landscape.

The Proposal:

The application seeks full planning to convert the stone barn to a dwelling.

Accommodation would be arranged over three floors and includes a utility, WC and entrance within the lower ground floor, open plan kitchen living area within the ground floor and a bedroom and bathroom within the first floor.

Minimal physical works are required to the barn with the existing stonework and slate roof be retained, and made good where necessary. New windows are proposed to be installed in the existing openings, along with rooflights in the north-west elevation. Additionally, the cills of the first floor opening on the south-west elevation and ground floor opening on the south-east elevation would be lowered to allow larger openings.

The external amenity area is made up of a parcel of land surrounding the barn. The modern lean-to extension located on the north-east elevation would be removed, and a patio area constructed in its place.

The existing vehicular access to the north of the site would be formalised, to accommodate a parking/turning area. A stone path leading from the car park to the barn is proposed.

The proposal also includes landscaping works within the wider site including a wildflower meadow and native hedgerow.

Consultations:

- Chivelstone Parish Council: Objection

'Chivelstone Parish Council OBJECT strongly to planning application 1543/24/FUL. The consensus of local opinion is also in agreement with the PC's view. This would be unnecessary development within Heritage Coast (set up to preserve undeveloped coastal areas) and South Devon National Landscape/AONB purportedly to preserve an agricultural building that is already in a good state of repair on agricultural land? Shell Barn should be just that, a barn

The Planning & Heritage statement says, 'The site is located within the open countryside, occupying an elevated rural setting to the south west of East Prawle, on the road from East Prawle to Prawle Point'

It is not on a road but a narrow byway which already has more traffic than its surface can support, has very few passing places and is well used by walkers.

The proposal to increase the size of the windows (or indeed to have a dwelling at all) would create negative disruption to wildlife and the surrounding dark sky especially given the elevated rural setting within open countryside.

The barn has no first floor and therefore cannot be regarded as a 2 storey structure.'

- Drainage: no objection, condition recommended
- Landscape: objection, details in analysis
- DCC Highways: Standing advice

Representations:

16 letters of objection have been received, along with two comments. Some objectors have submitted multiple representations. The representations can be seen in full on the Council's website, but can be summarised as follows:

- Incorrect to conclude that the building is in its original form
- Guttering not acceptable
- Site should have a suitable access
- Traffic impact on lane
- Remote from other development
- Visual harm to landscape setting (National Landscape and Heritage Coast)
- Impact on local heritage
- Erosion of dark skies
- Does not meet requirements for Undeveloped Coast
- Dwelling attracts other residential detritus
- Lane is poorly maintained and heavily used
- There is no mains water supply
- Nearby residents are responsible for the maintenance of their private water supply
- Permitted development rights should be removed to prevent further impacts
- Area of domestic land surrounding the site should be restricted
- External lighting should be restricted to protect dark skies
- Dispute claim that the development would protect a historic barn
- Allegations about intentions of developer
- Does not help with housing crisis
- Will probably end up as holiday rental
- Conflicts with Council's recommendations concerning the development of barns
- Loss of agricultural land
- Building could still be used for agricultural purposes

Relevant Planning History

None. However, the application has been subject to pre-application discussions with both Planning Officers, and the Council's Heritage Specialist. Details of the pre-application advice is published online.

ANALYSIS

1.0. Principle of Development/Sustainability:

- 1.1. Sustainable development lies at the heart of the spatial strategy of the adopted Plymouth and South West Devon Joint Local Plan (JLP), with Policy SPT1 setting out how development and change will be managed in accordance with the principles of delivering sustainable development through a sustainable economy, a sustainable society and a sustainable environment.
- 1.2. Policy SPT2 elaborates further on achieving sustainable rural communities, indicating support for the development of rural based business and enterprise, specifically agriculture. Policy SPT2 also sets out that development should support the overall spatial strategy through the creation of communities which; have reasonable access to a vibrant mixed-use centre, which meets daily community needs for local services such as neighbourhood shops, health and wellbeing services, and community facilities, and; are well served by public transport, walking and cycling opportunities.
- 1.3. The principle of development is further addressed by policies TTV1 and TTV2, which set out the development strategy for the Thriving Towns and Villages and which aim to prioritise growth through a hierarchy of sustainable settlements and deliver sustainable development. TTV1 establishes a 'settlement hierarchy' to direct development to more sustainable locations.
- 1.4. The site is in the open countryside, and therefore within the lowest tier of the settlement hierarchy (tier 4- Smaller Villages, Hamlets, and the Countryside). Policy TTV1 states that development will only be permitted in tier 4 locations where it can be demonstrated to support the principles of sustainable development as provided for in policies SPT1, SPT2, TTV26 and TTV27. Policy TTV27 relates to proposals for affordable housing, which is not proposed in this instance, and this policy is therefore not relevant to the assessment.
- 1.5. The site is located around 1.2KM south-west of East Prawle along narrow unlit country lanes. East Prawle is not identified as a named settlement and while it includes some facilities such as a public house, they could not be relied on for day-to-day use. Therefore, the occupiers of the dwelling would regularly need to travel further to access larger settlements such as Chillington and Stokenham which are over 5 miles from the site. With no regular bus service, occupiers of the dwelling would be reliant on a private motor vehicle, conflicting with the aims of SPT1 and SPT2.
- 1.6. Policy TTV26 relates to all development in the countryside and is therefore applicable to the proposal. TTV26 is split into two parts; TTV26(1) relates to development in locations which are isolated, whilst TTV26(2) relates to all development in the countryside, regardless of whether or not it is considered to be isolated.
- 1.7. Officers are applying the Bramshill Ruling¹ in considering whether or not the site should be judged to be isolated. This judgement superseded the Braintree Ruling, which had previously applied a more literal understanding of the term 'isolated', stating that a proposal site would need to be 'far away from people, places or things' to be considered isolated. The Bramshill Ruling applies a less restrictive interpretation than Braintree, ruling that "...the word *"isolated"* in the phrase

¹ City & Country Bramshill Limited v SoSHCLG, Hart District Council, Historic England, & The National Trust for Places of Historic Interest or Natural Beauty, 2020

"isolated homes in the countryside" simply connotes a dwelling that is physically separate or remote from a settlement. Whether a proposed new dwelling is or is not "isolated" in this sense is a matter of fact and planning judgment for the decision-maker in the particular circumstances of the case in hand" (paragraph 10 of the ruling).

- 1.8. The barn is located at some distance from the nearest building, and spatially the site feels remote and separated from East Prawle. For the purposes of planning Officers would regard the site as being isolated and therefore both parts of TTV26 should be assessed:

TTV26.1. Isolated development in the countryside will be avoided and only permitted in exceptional circumstances, such as where it would:

- i. Meet an essential need for a rural worker to live permanently at or near their place of work in the countryside and maintain that role for the development in perpetuity; or*
- ii. Secure the long term future and viable use of a significant heritage asset; or*
- iii. Secure the re-use of redundant or disused buildings and brownfield sites for an appropriate use; or*
- iv. Secure a development of truly outstanding or innovative sustainability and design, which helps to raise standards of design more generally in the rural area, significantly enhances its immediate setting, and is sensitive to the defining characteristics of the local area; or*
- v. Protect or enhance the character of historic assets and their settings.*

TTV26.2. Development proposals should, where appropriate:

- i. Protect and improve public rights of way and bridleways*
- ii. Re-use traditional buildings that are structurally sound enough for renovation without significant enhancement or alteration.*
- iii. Be complementary to and not prejudice any viable agricultural operations on a farm and other existing viable uses.*
- iv. Respond to a proven agricultural, forestry and other occupational need that requires a countryside location.*
- v. Avoid the use of Best and Most Versatile Agricultural Land.*
- vi. Help enhance the immediate setting of the site and include a management plan and exit strategy that demonstrates how long term degradation of the landscape and natural environment will be avoided.*

- 1.9. Paragraph 84 of the NPPF makes similar provisions for isolated homes in the countryside. Most relevant are points (b) and (c), which state:

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

...

- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;'*

- 1.10. The criteria listed in TTV26.1 is not a definitive list of what might constitute an exceptional circumstance for allowing development within isolated locations, but it does set a high bar, and Officers do not consider this proposal would meet the strict tests. The proposal would re-use a traditional agricultural building which because of its age and character is regarded as a non-designated heritage asset. However, an

unlisted building does not represent a significant heritage asset. Furthermore, its immediate future appears to have been secured by the alterations and repairs and is therefore not at risk.

- 1.11. The proposal would align with some of the criteria set out within TTV26.2, including (ii) as it would re-use a traditional building which is considered structurally sound enough for renovation. However, it would not respond to a proven agricultural, forestry or other occupational need that required a countryside location and would not enhance the immediate setting of the site. When considered against TTV26 as a whole, the proposal would conflict with it.
- 1.12. The site also lies within the Undeveloped Coast policy area, areas which have been designated to conserve their undeveloped character. There are strict tests set out within policy DEV24 which must be satisfied before development within the Undeveloped Coast can be supported including (1) that it requires a coastal location and (2) that it cannot reasonably be located outside. A new open market dwelling does not require a coastal location; however, the proposal relies on the conversion of a redundant building which cannot be relocated.
- 1.13. The site lies within an unsustainable and isolated coastal location where the JLP seeks to avoid new development without sound justification. In exceptional circumstances there is support within policy TTV26 for certain developments in isolated locations such as where it would secure the optimum viable use of a significant heritage asset. Officers do not consider the conversion of an unlisted building constitutes an exceptional circumstance, and this weighs negatively in the planning balance.

2.0. Housing mix:

- 2.1. Policies SPT2(4) and DEV8(1) of the JLP seek to provide a good balance of housing types and tenures to support a range of household sizes, ages, and incomes, and to meet identified housing needs.
- 2.2. The proposal would result in the addition of a one-bed dwelling. ONS census data for Chivelstone parish shows that there is a significant undersupply of smaller units, with only 3.4% of properties being one-bed, compared to nearly 8% across the South Hams. Over 74% of properties in the parish have three or more bedrooms, and the need is therefore for smaller units. Although it is only a single unit, the provision of an additional one bed dwelling would therefore be a positive addition to the housing stock of the parish.
- 2.3. Some objectors have expressed concern that the dwelling would end up as a holiday rental, rather than a dwelling. The South Hams district has a large number of second homes, and Chivelstone Parish Council's website indicates that approximately 47% of properties in the parish are second homes or holiday homes². Aside from issues of affordability, and lack of access to housing for local people, this can also present issues in terms of the sustainability of these small settlements; with almost half of the properties unoccupied outside of the holiday season, local business, services, and community facilities can suffer and are threatened by a reduced population available to support them. In recognition of these issues, the Council declared a Housing Crisis in 2021, which is a material planning consideration.
- 2.4. Whilst Officers would stress that the current proposal is not being proposed as, or assessed as a unit of affordable housing, there are still benefits in permitting a

² <https://chivelstone.org.uk/parish-history/>

dwelling with a principal residency occupancy condition. In this instance, given the high proportion of second homes and the impact of this on the sustainability of the community, Officers consider that if support was forthcoming for the proposal it would be reasonable to impose an occupancy restriction on the dwelling, as the need for more permanently occupied dwellings to maintain our smaller villages is considered an exceptional circumstance in light of the Housing Crisis. The applicant has agreed to the imposition of a principal residency occupancy restriction on the dwelling, meaning that it will only be able to be occupied as a person's main residence, and cannot be used as a holiday home, or second home, and this can be secured by a planning condition.

- 2.5. For these reasons, the development is considered to comply with the JLP policies which seek to ensure a balance of housing types, and the addition of a principal residence restriction is considered to be a positive in the planning balance, in light of local concerns regarding accessibility to housing, the particularly high proportion of second homes in the parish, and the Council's declaration of a Housing Crisis.

3.0. Design/Heritage

- 3.1. JLP policy DEV20 requires development proposals to meet good standards of design, contributing positively to its setting. The Council's SPD 'Traditional Farm Buildings: Their adaptation and re-use' (known as 'the Barn Guide'), provides guidance for the sensitive conversion of traditional agricultural buildings and is an important material consideration.
- 3.2. The proposal would re-use a traditional agricultural building, which is identifiable on the historic tithe maps, as well as the 1880 first and 1904 second edition OS maps. Whilst some of the objectors do not consider the building to be in its original form, and Officers acknowledge that it has been repaired and altered over the years, overall, Officers consider it has retained the form and character of a traditional 19th century stone barn and is regarded as a non-designated heritage asset.
- 3.2. Overall, Officers consider the design of the proposal represents a sensitive conversion of a former agricultural building. The proposed conversion has taken on board the advice given by Officers at pre-application stage and relies on working with existing openings for doors and windows, rather than creating new fenestration which could detract from the character of the building. Furthermore, the modern lean-to extension has been removed, retaining the stone barn.
- 3.4. As noted by some objectors, the building has clearly been repaired in the past, evident in both the walls and the roof. It is evident that the roof has been raised and replaced, sometime in the early 2000s (according to aerial images). Whilst it does not appear that planning permission was sought for these changes, they would now be immune from enforcement action, as the evidence shows the works were carried out more than four years ago. This work appears to have been carried out in a sensitive manner, and Officers do not consider this to detract from the traditional character of the building.
- 3.5. The re-use of a non-designated heritage asset is an important consideration which weighs in favour of the proposal.

4.0 Landscape

- 4.0. The site is in an extremely sensitive location being located within the South Devon National Landscape, the Undeveloped Coast, and the Heritage Coast policy areas. The SDNL is given the highest degree of protection at all levels of planning policy with greater protection afforded from the Levelling up and Regeneration Act. The

Levelling-up and Regeneration Act (2023) amended section 85 of the Countryside and Rights of Way (CROW) Act to create a new duty on public bodies to 'seek to further the purpose of conserving and enhancing the natural beauty of the area' when discharging their functions in National Landscapes.

- 4.1 The JLP also places significant importance and places similar provisions for development within both the Undeveloped Coast, and the Heritage Coast. Policy DEV24 states:

Development which would have a detrimental effect on the undeveloped and unspoilt character, appearance or tranquillity of the Undeveloped Coast, estuaries, and the Heritage Coast will not be permitted except under exceptional circumstances.

Development will only be permitted in the Undeveloped Coast where the development:

- 1. Can demonstrate that it requires a coastal location.*
- 2. It cannot reasonably be located outside the Undeveloped Coast.*
- 3. Protects, maintains and enhances the unique landscape and seascape character and special qualities of the area.*
- 4. Is consistent with policy statements for the local policy unit in the current Shoreline Management Plan.*
- 5. Is consistent with the relevant Heritage Coast objectives, as contained within the relevant AONB Management Plan.*

Development for the purposes of agriculture, forestry, public access and enjoyment of the coast and estuaries, or community facilities that meet the objectively assessed needs of the local community, will be supported if it meets the above tests.

- 4.1. The application relates to the reuse of an existing building which cannot be located outside the Undeveloped Coast policy area. However, an open market dwelling does not require a coastal location and in assessing whether this an appropriate use, careful regard needs to be afforded as to whether the development would have a detrimental impact and whether it protects, maintains and enhances the unique landscape, and seascape and its special qualities.

- 4.2. The Council's Landscape Specialist has reviewed the application and raised an objection due to the area of residential curtilage proposed:

'Although the proposals will retain the original and historic features of the barn, the principal change resulting from the conversion of this building will be the introduction of a residential curtilage around the building and the inevitable elements of domestication that will appear within the plot. The site plan shows an extensive red line boundary for the proposed domestic curtilage, identifying the area likely to be subject to domestic, residential uses including car parking, domestic landscaping, garden furniture, and other domestic paraphernalia.

The proposed site plan illustrates an extensive patio area wrapping around the north-east and part of the south-west sides of the building. There is also an existing compacted stone parking area to the north of the Site, which has already altered the character and appearance of the agricultural field. This parking area will be linked to the dwelling by a compacted stone or granite chipping path.

There is significant concern that the conversion of this traditional barn into a dwelling, along with the inevitable domestication of the Site, would clearly conflict with the rural, tranquil, undeveloped, remote characteristics that define this area. I am of the opinion that the proposed development would harm the character of the landscape and lead to a deterioration in the natural and scenic qualities of the

National Landscape. As such the development is contrary to adopted policy as it would fail to conserve or enhance the scenic beauty of the SDNL, and would also have a detrimental effect on the appearance and tranquillity of the Heritage and Undeveloped Coast.

The proposed landscape and planting scheme comprises a schematic plan with some details of the existing hard standing and proposed planting. Whilst areas of wildflower meadow and new native hedge planting will provide biodiversity benefits, I do not consider the landscape scheme proposals to mitigate or outweigh the harm that I have identified above.'

- 4.3. The Landscape Officer was reconsulted following the revised plan which clarified the residential curtilage of the proposed dwelling. The revised comments are as follows:

The site falls within the designated South Devon National Landscape (formerly the South Devon Area of Outstanding Natural Beauty), Heritage Coast and Undeveloped Coast. The landscape character type of the wider area is 'Coastal Slopes and Combes' and the locality strongly reflects many of its defined key characteristics and valued attributes, especially the 'sparse settlement pattern'; the 'high levels of tranquillity due to strong naturalistic qualities and few human influences', and the 'expansive views from upper slopes.' The landscape character and visual amenity of the immediate area is therefore of a particularly high quality. The site is an isolated part of the countryside, and is visible from a number of public footpaths and the road that passes the site which gives access to the National Trust's East Prawle car park and to the Coast Guard Cottages located to the south, next to the SW Coast path.

The main issue is whether the proposed development conserves and enhances the landscape and scenic beauty of the South Devon National Landscape, is consistent with and conserves the special character of the Heritage Coast, and its effect on the character and appearance of the undeveloped coast.

The original objection was not just on the extensive area of residential curtilage that was proposed, although that was an issue of concern. The revised plans show a much-reduced area of residential curtilage, that still includes a large domestic patio area, although it is noted that a greater area of land being retained as pasture or wildflower meadow. These amendments do not overcome concerns about the inevitable domestication of the Site, which would clearly conflict with the rural, tranquil, undeveloped, remote characteristics that define this area.

Policy DEV24 of the JLP specifically relates to the Undeveloped Coast. It seeks to ensure that development which would have a detrimental effect on the undeveloped and unspoilt character, appearance, and tranquillity of the Undeveloped Coast will not be permitted except under exceptional circumstances.

As a result of its rural character and prominent location adjacent to both the road and coastline, the existing built form of the stone agricultural barn contributes positively to the unspoilt character and special qualities of the landscape around the village of East Prawle.

Whilst the design of the proposal would be a sensitive conversion of a former agricultural building, there would be a more intensive residential use of the land immediately around the proposal which would have an urbanising effect in comparison to the disused agricultural building. There remains a sizeable patio area next to the barn, and the vehicle existing access and parking area, and the regular parking of domestic vehicles and other domestic paraphernalia would inevitably

occur. There would be harm to both the character and scenic and visual qualities of the landscape as a result, which brings conflict with adopted policy DEV23. The proposals would harm the unspoilt character and appearance of the Undeveloped Coast, and fail to conserve the special character of the Heritage Coast, which would conflict with Policy DEV24. The proposals fail to conserve and enhance the landscape and scenic beauty of the South Devon National Landscape, which conflicts with Policy DEV25.

Therefore, whilst the amended domestic / residential curtilage is noted, my earlier comments in all other respects remain applicable, and my recommendation remains an Objection.

4.4. A further comment was provided following the landscape officer's visit to the site.

I visited the site and surrounding landscape on 3 October 2024, which confirmed that the site is an isolated part of the countryside, and is visible from a number of public footpaths and the road that passes the site which gives access to the National Trust's East Prawle car park. The undulating topography of the of the landscape, along with mature vegetation lining the lanes and in hedgerows does limit views of the site from some of the well-used PROWs, including for much of the SWCP as it passes near to the site. However, from other locations along nearby PROWs, there are clear views of the barn and the surrounding field. What is clearly evident is the undeveloped and unspoilt character of this landscape, which is highly scenic and with limited evidence of human habitation or even human influences.

The main issue is whether the proposed development conserves and enhances the landscape and scenic beauty of the South Devon National Landscape, is consistent with and conserves the special character of the Heritage Coast, and its effect on the character and appearance of the undeveloped coast.

The barn is simple, traditional, stone building with slate roof that is typical of the local vernacular, as observed in the wider landscape, noting that traditional, rural buildings – often in a more dilapidated condition than this one - are not an uncommon feature, and do not detract from the character and scenic qualities of the area and instead add to its rural charm. Concerns remain about the inevitable domestication of the Site, which would clearly conflict with the rural, tranquil, undeveloped and remote characteristics that define this area.

Policy DEV24 of the JLP specifically relates to the Undeveloped Coast. It seeks to ensure that development which would have a detrimental effect on the undeveloped and unspoilt character, appearance, and tranquillity of the Undeveloped Coast will not be permitted except under exceptional circumstances.

As a result of its rural character and prominent location adjacent to both the road and coastline, the existing built form of the stone agricultural barn contributes positively to the unspoilt character and special qualities of the landscape around the village of East Prawle. Whilst the design of the proposal would be a sensitive conversion of a former agricultural building, there would be harm to both the character and scenic and visual qualities of the landscape as a result of any domestication of the site, which brings conflict with adopted policy DEV23.

The proposals would harm the unspoilt character and appearance of the Undeveloped Coast, and fail to conserve the special character of the Heritage Coast, which would conflict with Policy DEV24. The proposals fail to conserve and enhance the landscape and scenic beauty of the South Devon National Landscape, which conflicts with Policy DEV25. Therefore, whilst the locations from which the

barn is visible are limited, my earlier comments in all other respects remain applicable, and my recommendation remains an Objection.

- 4.5 Objections, including one from the National Trust, also raise concerns about the large area of residential curtilage proposed, due to the potential extent of domesticated landscape that could result from this. Officers agree that this would have a harmful effect on the special qualities of the rural, tranquil landscape character, and this was advised during pre-application discussions. In light of policy DEV24 requiring development proposals to be justified by exceptional circumstances; the NPPF requiring great weight to be attached to the protection of the environment; and the statutory duty under section 85, the harm that has been identified carries significant weight and any advantages of the development proposal need to be sufficient to outweigh that harm.

5.0. Neighbour Amenity:

- 5.1. As previously mentioned, the site is in an isolated rural location. There is a large separation between the site and any other dwellings, and the proposal therefore raises no concerns in terms of neighbour amenity. Although a number of objections have been received, these do not raise amenity concerns, and the proposal complies with policies DEV1 and DEV2 of the JLP.

6.0. Highways/Access:

- 6.1. A number of objections have raised concerns about the impact on the highway of the additional traffic resulting from the proposal. It is acknowledged that the road down to the site is very narrow, however this is characteristic of much of the rural South Hams, and is not considered a defensible reason for refusal. There is an existing field access into the site, and the proposal would formalise this access to allow non-agricultural vehicles to enter and exit the site in forward gear.
- 6.2. Given the narrow lanes accessing the site, and the constrained nature of the development site, if the Committee was minded to approve the application a condition is recommended requiring the submission of a Construction Management Plan to ensure that disruption to the highways network is minimised during construction works is recommended.
- 6.3. It is also noted that the proposal is for a one bed dwelling. In terms of vehicle movements to and from the site, the development is therefore not considered to result in a significant number of additional journeys that would have an adverse impact on the highways network, particularly when considering that the site could currently be used for agricultural purposes, which would require much larger vehicles and machinery using the road to access the site.
- 6.4. The proposal includes sufficient parking for the proposed dwelling in line with the SPD guidelines, and the Highways Authority has raised no objection to the proposal. Subject to appropriate conditions, the development would be therefore considered to be acceptable in terms of parking, access, and highways matters.

7.0. Drainage:

- 7.1. The application includes provision for the management of both surface water, and foul drainage. This has been reviewed by the Council's Drainage Engineers, who have no objection to the proposal, recommending a condition requiring the development to adhere to the submitted drainage information.

- 7.2. Some of the objections from residents at Coastguard Cottages make reference to their private water supply, stating that there is no mains water supply available. This is not a planning matter, and any disputes in this regard would be a civil matter.
- 7.3. Officers are satisfied that an appropriate means of drainage has been provided, and the development therefore complies with policy DEV35 of the JLP.

8.0. Ecology:

- 8.1. The application includes a Bat, Barn Owl, and Nesting Bird Survey, which confirms that there are no ecological reasons for planning permission to be withheld. The report includes recommendations to be made conditions of any planning permission granted, including the installation of bat boxes, swift nest boxes, and house martin nest cups, as well as the establishment of new planting. Appropriate conditions are recommended, along with a requirement for confirmation to be provided by the applicant's ecologist that the mitigation works have been carried out.
- 8.2. Subject to the recommended conditions, the proposal is considered acceptable in terms of ecology and biodiversity, and complies with policy DEV26 of the JLP.

9.0. Low carbon development:

- 9.1. DEV32 of the JLP identifies that the need to deliver a low carbon future for Plymouth & South West Devon, and should be considered in the design and implementation of all developments to support the Plan Area target to halve 2005 levels of carbon emissions by 2034. This is compatible with the legally binding UK net zero target, which must be achieved by 2050 at the latest, as stipulated in the 2008 Climate Change Act.
- 9.2. The Council has also adopted a Climate Emergency Planning Statement (CEPS) in November 2022 in response to the declaration of a Climate Emergency by each Council. The CEPS responds directly to the Climate Emergency declarations issued across Plymouth and South West Devon and identifies exactly what all new development should do to meet the challenge of climate change and the adopted JLP carbon reduction target. It builds on existing planning policies set out within the Plymouth and South West Devon Joint Local Plan and its supplementary planning document, embraces new standards and proposes new requirements.
- 9.3. In terms of carbon saving, the fact that the development would reuse an existing building is a significant benefit. Heating and hot water would be supplied by an air source heat pump, and no significant engineering works or construction are required due to the good condition of the existing building. As such, Officers are satisfied that the development is acceptable in terms of carbon reduction and the aims of the JLP and CEPS.

10.0. Planning Balance

- 10.1 The site lies within an isolated rural coastal location where new development is only supported if it conserves and enhances the National Landscape and the location can be justified by exceptional circumstances.
- 10.2 The application proposes the sensitive conversion of a historic stone agricultural building which Officers regard as a non-designated heritage asset, to a modest one bed dwelling. The applicants have agreed to an appropriate planning condition to ensure the dwelling is only occupied as a principal residency. The re-use of a non-designated heritage asset and addition of a one bed unit in an area where there is a high proportion of larger dwellings, and a prevalence of properties which are not

occupied on a permanent carries significant weight within the planning balance. The identified ecological benefits and carbon benefits also weigh in its favour.

- 10.3 However, weighing against the proposal is subdivision of an agricultural field to provide a garden, parking/turning area and associated access to the converted barn. In this remote, undeveloped, and highly scenic tranquil setting with limited evidence of human habitation or even human influences, the artificial subdivision and domestication of part of an agricultural field would represent an incongruous land use, causing significant harm to this part of the National Landscape, failing to conserve or enhance its natural beauty and scenic qualities. It would also have a detrimental effect on the appearance and tranquillity of the Heritage and Undeveloped Coast as well as the setting of the non-designated heritage asset itself. National Landscapes are afforded the highest status of protection, and the harm identified and conflict with development plan policies carries substantial weight which outweighs the material considerations referred to in paragraph 10.2 above.
- 10.4 The nature of the issues identified mean that planning conditions would not remedy these matters and when assessed against the development plan the application fails to accord with it. The recommendation is therefore that planning permission be refused for the conversion of the barn to a dwelling.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004

Planning Policy

Relevant policy framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts of South Hams and West Devon within Dartmoor National Park).

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG) of their choice to monitor the Housing Requirement at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019 confirming the change.

On 19th December 2023 the Department for Levelling Up, Housing and Communities* published the HDT 2022 measurement. This confirmed the Plymouth, South Hams and West Devon's joint measurement as 121% and the policy consequences are "None".

Therefore no buffer is required to be applied for the purposes of calculating a 5 year housing land supply at the whole plan level. The combined authorities can demonstrate a 5-year housing land supply of 5.84 years at end of March 2023 (the 2023 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2023 (published 26th February 2024).

[*now known as Ministry of Housing, Communities and Local Government (MHCLG)]

The relevant development plan policies are set out below:

The Plymouth & South West Devon Joint Local Plan was adopted by South Hams District Council on March 21st 2019 and West Devon Borough Council on March 26th 2019.

SPT1 Delivering sustainable development
SPT2 Sustainable linked neighbourhoods and sustainable rural communities
SPT11 Strategic approach to the Historic environment
SPT12 Strategic approach to the natural environment
TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area
TTV26 Development in the Countryside
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area
DEV10 Delivering high quality housing
DEV20 Place shaping and the quality of the built environment
DEV21 Development affecting the historic environment
DEV23 Landscape character
DEV24 Undeveloped coast and Heritage Coast
DEV25 Nationally protected landscapes
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV28 Trees, woodlands and hedgerows
DEV29 Specific provisions relating to transport
DEV32 Delivering low carbon development
DEV35 Managing flood risk and Water Quality Impacts

Neighbourhood Plan: n/a

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application:

South Devon Area of Outstanding Natural Beauty Management Plan (2019-2024)
Plymouth and South West Devon Joint Local Plan Supplementary Planning Document (2020)
Plymouth and South West Devon Climate Emergency Planning Statement (2022)
Traditional Farm Buildings: Their Adaption and Re-use (2020)

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.