



PLANNING REF: 3673/24/NAU

DESCRIPTION: Application to determine if prior approval is required for a proposed change of use under Class R of agricultural buildings to a flexible commercial use for Class E (Commercial, Business or Service)

ADDRESS: Land at SX 773 357 East Prawle

3rd December 2024

LETTER OF OBJECTION FROM THE SOUTH HAMS SOCIETY

The South Hams Society interest

For the last 60 years, the South Hams Society has been stimulating public interest and care for the beauty, history and character of the South Hams. We encourage high standards of planning and architecture that respect the character of the area. We aim to secure the protection and improvement of the landscape, features of historic interest and public amenity and to promote the conservation of the South Hams as a living, working environment. We take the South Devon Area of Outstanding Natural Beauty very seriously and work hard to increase people's knowledge and appreciation of our precious environment. We support the right development - in the right places - and oppose inappropriate development.

The South Hams Society wishes to comment on this application for a Certificate for Lawfulness request on behalf of one of our members.

The Society has reviewed the Annie Martin Architect Class R notification: in relation to the change of use of an agricultural building, Shell Barn at SX 773 357 East Prawle, to a flexible commercial use for Class E (Commercial, Business or Service).

The Notification letter dated 19th November 2024 states:

'This notification provides details that the building meets with the Class R criteria which comprises the building as shown hatched red on the attached supporting plans'.

The notification also declares:

'The building subject to the notification meets with the Class R criteria as it was in use as part an established agricultural unit on the requisite date of 3rd July 2012'.

The Society finds that the notification claim is factually incorrect.

We refer the case officer to the supplied site plan and the building area subject to the Class R application. The plan states *'Agricultural unit cumulative internal floor area = 60m³. Area occupied by building = 63m².*

We assume that the 'Agricultural unit cumulative internal floor area' is meant to state 60m²

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The plan then states that the 'External curtilage = 63m² (an area of land immediately beside or around the agricultural building no larger than the land area occupied by the agricultural building)'.

The important section of the plan is shown below.



**UK
Planning
Maps**

Key

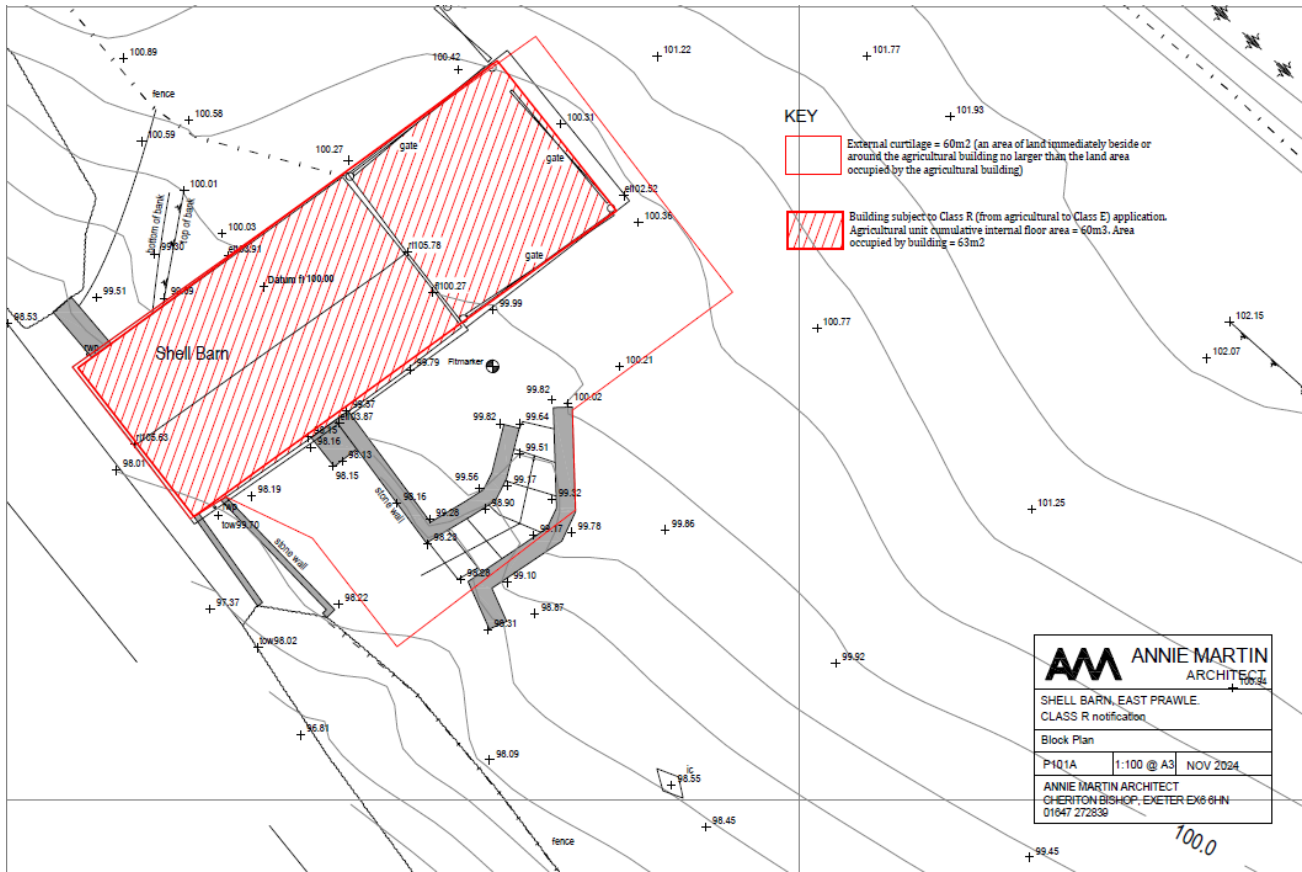
-  Field boundary
-  Building subject to Class R application. Agricultural unit cumulative internal floor area = 60m³. Area occupied by building = 63m²
-  External curtilage = 63m² (an area of land immediately beside or around the agricultural building no larger than the land area occupied by the agricultural building)



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The application includes this block plan section.



The previous application 1543/24/FUL for this site included this image within the 'Design and Access Statement - rev B March 2024'.



The Society are of the opinion that the lean-to structure is not part of the barn that can fall within Class R – agricultural buildings to a flexible commercial use.

But even if it was, it would not qualify for a Class R agricultural buildings to a flexible commercial use conversion.

This Google Image is dated 15th July 2018. The field at that time did not have the current boundary bank and the lean-to section is not in existence.



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This image is dated 24th March 2020. A new access area has been created to the northeast and a new bank is under construction, but still no lean-to.



This image is dated 30th May 2020 and the lean-to attached to the barn has now been put together.



The conclusion must be that the lean-to was not part of the barn on the 3rd of July 2012 and in fact it is only 4 ½ years old and fails to qualify for Class R – agricultural buildings to a flexible commercial use conversion.

The previous application 1543/24/FUL for this site included this image within the 'Design and Access Statement - rev B March 2024', which stated:

'A lean-to modern extension sits to northeast. The surrounding grounds are used for grazing'.

The first sentence was correct, the second sentence was not.

The site was advertised in July 2022 with the following details:

'SHELL BARN, EAST PRAWLE Detached stone barn (with potential for change of use to residential, subject to planning) and Shepherd's Hut, standing in a total of approximately 1.07 acres of amenity/recreational land with magnificent sea views'.

This advertised description was not correct as the site had no planning history for a change of use from agricultural land to amenity/ recreational land or for the siting of a Shepherd's Hut.

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Sale | July 2022

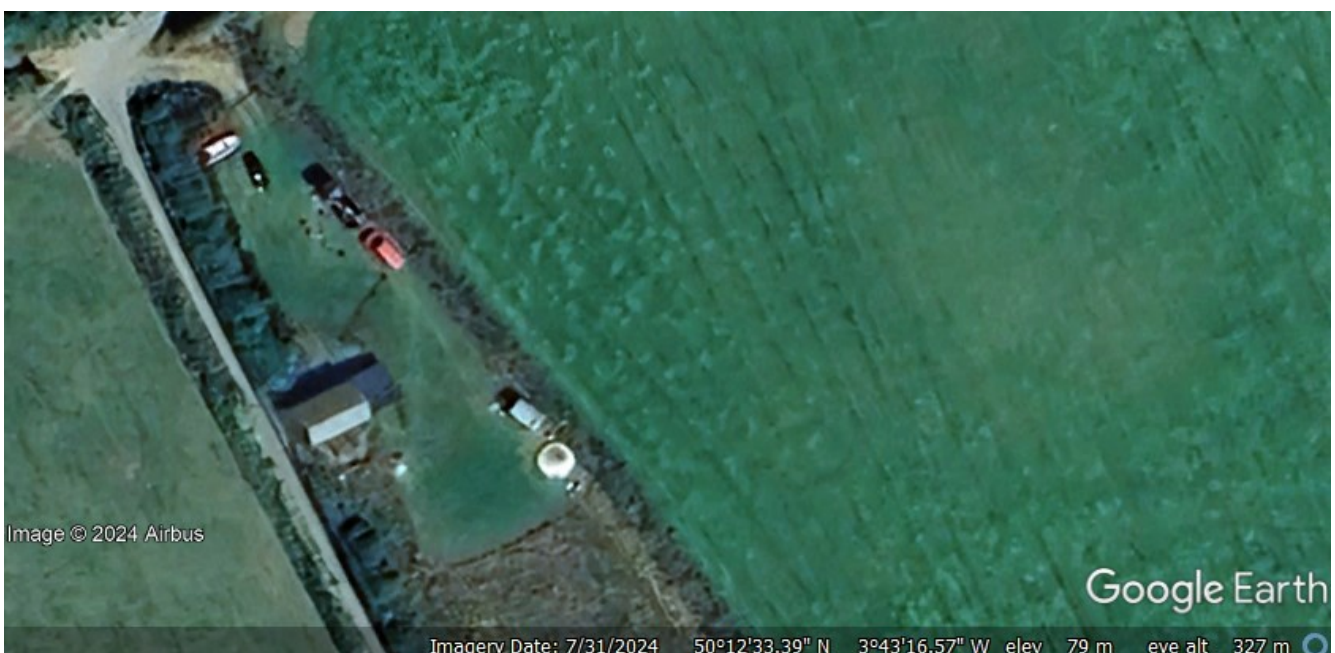


SHELL BARN, EAST PRAWLE

Detached stone barn (with potential for change of use to residential, subject to planning) and Shepherd's Hut, standing in a total of approximately 1.07 acres of amenity/recreational land with magnificent sea views.

Guide £475,000 (KB)

By the 31st July 2024, the site was in use for domestic purposes with a Yurt, Shepherds Hut, boat and trailer with vehicles with a new owner from the early 2023.



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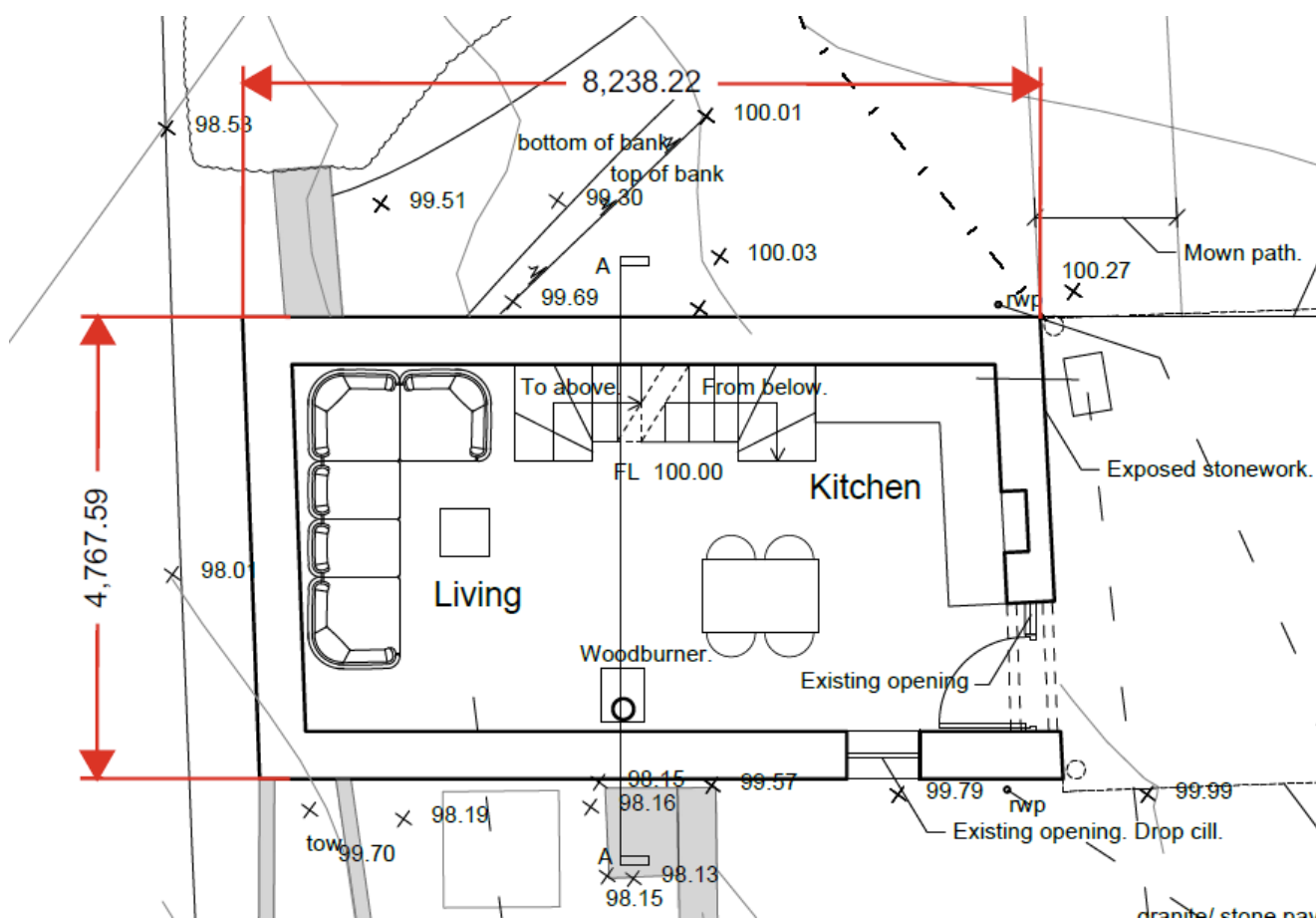
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The previous application 1543/24/FUL for this site included within the 'Design and Access Statement - rev B March 2024' this statement at the top of page two:

'The stone barn has no obvious use'.

Application 1543/24/FUL contained a drawing titled 'Proposed Floor Plans P02' where we have measure the ground floor of the building and the barn to be 4.767m by 8.238m, a total area of 39.27 m²

This allows for a curtilage of 39.27 m²



The formally derelict barn was repaired around 22 years ago, and it is not obvious that it was ever used for agricultural purposes, at least not since the building has been repaired, with the unusual feature of a toilet under a raised platform.

The raised platform with a water pipe laid across the floor.



Undercroft



We have concluded that the proposal as submitted does not qualify for Class R – agricultural buildings to a flexible commercial use because details submitted are not supported by the evidence. It is certain that the lean-to does not qualify for permitted development and it is hard to see how a barn can be used for flexible commercial use for Class E (Commercial, Business or Service) when it sits in a field with no vehicle access track.

We firmly are of the opinion that the local planning department should refuse this request.

For and on behalf of the South Hams Society,

Richard Howell

Chairman.

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