

Committee Report – 05.10.2023

Application Number: 1/0792/2022/LBC

Registration date: 27 July 2022

Expiry date: 21 September 2022

Applicant: Mrs Joanne Wade

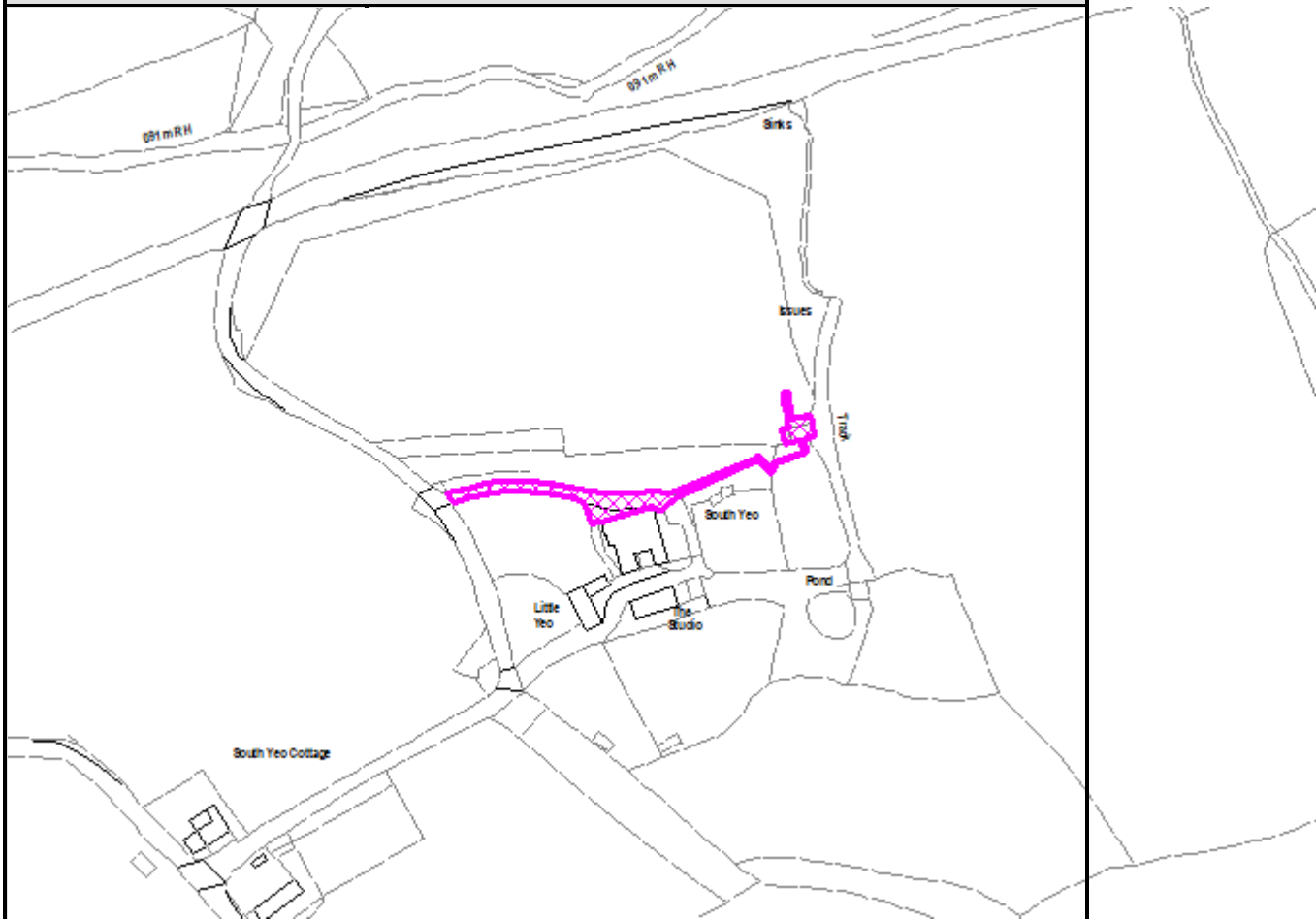
Agent: KOST Architects

Case Officer: Sarah Chappell

Site Address: Barn At South Yeo,
Yeo Vale,
Devon,

Proposal: Conversion of barn to holiday let

Recommendation: Grant



Reason for referral:

Applicant is related to a member of staff.

Relevant History:

Application No.	Description	Status	Closed
1/1302/2003/LBC	Alterations to window to form doors	PER	11.09.2003
1/1860/2003/COU	Conversion of barn to form pool	PER	19.11.2003
1/1905/2003/LBC	Conversion of barn to form pool	PER	19.11.2003
1/1019/2018/FUL	Conversion of redundant agricultural barn to dwelling	PER	01.03.2019
1/1020/2018/LBC	Conversion of redundant agricultural barn to dwelling	PER	01.03.2019
1/0007/2019/DIS	Dicharge of condition 6 of planning permission 1/1019/2018/FUL	PER	27.06.2019
1/0960/2019/FUL	Removal of condition 4 (ancillary accommodation) of planning permission 1/1019/2018/FUL	PER	17.01.2020
1/0176/1979	Use of agricultural buildings as pottery	PER	27.03.1979
1/0791/2022/FUL	Conversion of barn to holiday let	PDE	
1/0791/2022/FUL	Conversion of barn to holiday let	PDE	
1/0791/2022/FUL	Conversion of barn to holiday let	PDE	

Site Description & Proposal

The Site.

South Yeo occupies a rural location within the Yeo Valley. The property is accessed via two access points off of the county highway road the C461. The site occupies an elevated position above the valley and main highway below and is well screened with mature planting and trees within the roadside hedge.

The information regarding South Yeo records the site was formally a farmstead with the main dwelling being an early C19 farmhouse (which is Grade II listed) with traditional farm buildings to the rear and a walled garden complex to the side. This garden area is defined by a high natural stone garden wall with some cob in areas and is located to the east of the farmhouse forming separation to the formal gardens. Immediately adjacent to the rear of the farmhouse is a two-storey stone and cob barn, with single storey additions to the east. The Linhay barn which is the subject of this application (and a twin planning application 1/0791/2022/FUL) is sited 60 metres to the east of the main listed building and is attached to the north side of the walled garden complex associated with the host listed building and due to its proximity to the listed farmhouse, it is considered listed by association.

The building to be converted served originally as part of the service provision for a house of this status as a stock house or store for machinery. The building is termed Linhay on historic plans and these structures are open fronted to provide access at ground floor with a store above. The barn building comprises of a stone wall under a pantile roof. The open fronted structure leans against the wall of the walled garden and forms an 'L' shape attached to the main stone barn. The barns form a small yard area adjacent the main walled garden structure with the fourth side of the courtyard closed by a stone wall containing an arched gateway. The proposed conversion uses this enclosed yard to create a self-contained residential unit and amenity area.

The Proposal.

The works of conversion include inserting glazed doors to infill the linhay barn and the reconstruction of the open fronted building with more robust materials to replace the corrugated iron roof. The roof will be a metal standing seam roof appropriate as a horticultural style building in this location. The main barn roof will be retained as pantiles denoting its agricultural origins. There are no new openings proposed in the outer walls of the barns and the scheme is contained within the yard that the barns form.

The unit is limited in the accommodation it offers and is sought as holiday accommodation ancillary to the main house.

There is no vehicular access to the north side of the walled garden complex and access for works and visitors will be via the entrance for the host dwelling at South Yeo. Parking is allocated in front of the house and visitors will have to walk to the accommodation across an area of lawn and landscaped garden.

Consultee representations:

Parkham Parish Council:

It was unanimously resolved to recommend approval of the application.

Conservation Officer:

The proposal seeks to convert and add to an existing garden barn associated with the walled garden which serves South Yeo house.

The proposal uses a stone structure sited to the north of the walled garden and adds a permanent structure to what is currently a lean-to. The structure is described as a linhay in the tithe apportionment. This is defined as a two-storey building with an open front with a hayloft above.

The proposal does alter a historic 'estate' building but the use will safeguard and retain the structure as part of the traditional function of a gentleman's estate.

As such the proposal is not considered to harm the significance of the listed building and the retention of historic structures is supported.

The proposal is considered to be acceptable in terms of the guidance set out in paragraph 202 of the NPPF as the proposal does not impact on the significance of the host listed building. Additionally, the proposal is considered to accord with paragraphs 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in that the scheme is considered to 'preserve the building or its setting or any features of special architectural or historic interest which it possesses.'

There need to be some assurances on certain aspects of the scheme - conditioning ancillary use, materials, management of access to the unit. This is to ensure the use of the unit does not detract from the use and occupation of the host listed building. These matters can be controlled by condition within the planning system.

Overall, there are no objections to the principal to this proposal.

Representations:

Number of neighbours consulted:	1	Number of letters of support:	0
Number of representations received:	0	Number of neutral representations:	0
Number of objection letters:	0		

Policy Context:

North Devon and Torridge Local Plan 2011-2031:

None relevant under the Planning (Listed Buildings and Conservation Areas) Act 1990.

Government Guidance:

NPPF (National Planning Policy Framework); NERC (Natural Environment & Rural Communities); WACA (Wildlife & Countryside Act 1981); NPPG (National Planning Practice Guidance);

Planning Considerations

1.0 The Duty of the Council and the impact on the heritage asset

The duty of the Council as a Local Planning Authority is set out in paragraph 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The duty in relation to Listed Buildings is to preserve its setting or any features of special architectural or historic interest which the building may possess. Paragraph 202 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The conservation officer has made comments which accept the proposal, and the comments are reproduced earlier in this report.

The proposal is acceptable under the guidance as expressed in paragraph 202 of the NPPF where no harm is caused to the significance of the listed building or the wider listed complex which retains the walled kitchen garden and ancillary structures.

2.0 Ecological considerations.

Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006. The application is supported by a wildlife trigger list and a bat and nesting bird survey dated July 2022 which clarifies that the works proposed would affect the use of the barns by a low number of bats as a daytime roost. As such the works will require mitigation measures and the works will need to be licenced by Natural England. As such Officers are content that the Council's duty under the previously mentioned Acts has been observed and the necessary mitigation can be obtained by the imposition of a condition.

Human rights

Consideration has been given to the Human Rights Act 1998.

Conclusion

It is therefore considered that subject to the compliance with the attached conditions and taking into account all other material planning considerations, including the development plan the proposal would be acceptable.

Recommendation

GRANT subject to the following conditions

- 1 The works to which this consent relates must be begun not later than the expiration of three years beginning with the date on which this consent is granted.
- 2 Reason: The time limit condition is imposed to comply with the requirements of Section 18 of the Planning (Listed Buildings & Conservation Areas) Act 1990.
- 2 The works hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

Reason: To ensure the works are carried out in accordance with the approved plans.
- 3 The development hereby approved shall be carried out in accordance with the recommendations contained in the Bat and Nesting Bird Survey prepared by Penpont Ecology Services Ltd dated July 2022 in relation to the 3 bats of different species which roost in the building and the nesting Swallows using the lean to section of the building to be reconstructed.

Reason: In the interests of enhancing the habitats of protected species in accordance with the duties outlined in the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006 and The Conservation of Habitats and Species Regulations 2010 (Habitats Regulations 2010) and requirements of the NPPF.

Plans Schedule

Reference	Received
2112_P_01 A	27.07.2022
2112_P_05 B	08.08.2022
2112_P_06 B	04.08.2022
2112_P_07 B	04.08.2022
2112_P_08 A	27.07.2022
2112_P_09 A	27.07.2022

Statement of Engagement

In accordance with paragraphs 38 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and proactive manner. In this instance there was no need for further engagement as the development as submitted is considered to accord with the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990. In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to this listed building application.