

Proposed 4 New Dwellings at Egremont Barns,
Payhembury, Honiton, EX14 3JA (Fallback
Position to Approved Q Class Permitted Rights
Development)

DESIGN AND ACCESS STATEMENT

07/12/2022

ARA Architecture

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Rev A: Planning Issue

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APPENDIX A: ENVIRONMENT AGENCY FLOOD MAP FOR PLANNING

¹ Proposed 4 New Dwellings at Egremont Barns, Payhembury, Honiton, EX14 3JA (Fallback Position to Approved Q Class Permitted Rights Development)

1.0 INTRODUCTION

This application is for 4 new dwellings on land to the South and West of the main farmhouse at Orchard View, Payhembury. The site of the proposed new dwellings currently accommodates two disused barns which have previously gained Q Class Permitted Development Rights for conversion to 4 no. dwellings. The Q Class Consent was granted under Planning Application 22/0621/PDQ. The proposal to which this design access statement relates seeks permission to provide an alternative and more appropriate design to replace the existing barns with 4 new detached dwellings. The site already has approval for 4 no. dwellings and the proposals will take advantage of the site conditions to provide a tailored scheme more sympathetic to the character of the area.

This approach follows a court appeal known as the Mansell versus Tonbridge and Mailing Borough Council (2017) EWCA SIV 1314 that Q Class approvals may apply for a fallback development. Such fallback proposals are granted permission on the grounds that the replacement of an approved barn conversion under a Q Class application with a new purpose built dwelling will provide a better design with a less visually intrusive building. Similarly site layouts can be designed to respect the local context and conditions. Implementing a fallback position thus has the opportunity of improving the appearance of the approved Q Class by providing an equivalent number of dwellings in a bespoke design.

1.1 Present Use

The site currently consists of two large separate barns that form part of the wider curtilage of the farm at Orchard View. The site also includes extensive hardstanding and bases where polytunnels were previously positioned. The barns are currently vacant and surplus to use. In April 2022 a consent under a Q Class application reference 22/0621/PDQ was granted to convert the barns into 4 no. dwellings.

1.2 Proposed Use

The proposals seek consent to provide 4 no. purpose built and designed detached dwellings in place of those approved under the Q Class application 22/0621/PDQ. This approach follows the precedent of the Mansell versus Tonbridge and Mailing Borough Council Appeal. This precedent, termed a fallback position, demonstrated the acceptability in principle of replacing a consented Q Class development with the equivalent number of purpose built and designed dwellings in locations which have previously been determined to be sustainable.

The proposals to which this design access statement relate are in line with the Mansell versus Tonbridge and Mailing Borough Council case in that they seek consent to create four detached dwellings in the general location of the approved barn conversions. The scheme to which this design and access statement relates will be better suited to the character of the local area, while providing a more pleasant living environment for potential residents.

1.3 Site Boundaries

To the North the site is bound by agricultural fields, the Orchard View farmhouse and a number of polytunnels. To the East the site is bound by an access road serving Orchard View with a further farm building complex at Egremont beyond. To the South the site is bound by a non-designated road with further agricultural land beyond this. To the West the site is bound by agricultural fields, with isolated farm buildings beyond. The site boundaries are characterised by hedges and intermittent fencing. The site is served by an entrance off the existing access road on the East boundary and a further existing entrance on the South West boundary

1.4 Levels

The site is level with no defined fall in any direction.

1.5 Site Surroundings

The site is situated in the open countryside and surrounded on all sides by agricultural fields and sporadic buildings. The site is in no local or national designated area or flood zone. (See **Image 1**)



Image 1: Extract from EDDC interactive plan showing the application site is in no designated areas. (Site indicated by orange dot)

4 Proposed 4 New Dwellings at Egremont Barns, Payhembury, Honiton, EX14 3JA (Fallback Position to Approved Q Class Permitted Rights Development)

2.0 PLANNING HISTORY & PRECEDENT

2.1 Planning History

The site has had one previous planning application in recent years. The application was for the conversion of the two agricultural barns to dwellinghouses under a Q Class application.

Planning Reference: 22/0621/PDQ
Date: 16 March 2022
Address: Egremont Barns, Payhembury, Honiton, EX14 3JA
Proposal: Prior approval for the change of use of two agricultural buildings into four residential dwellings under Class Use C3 (A) (B)
Status: Approved
Decision Date: 27 April 2022

2.2 Planning Precedent

There is one planning application in the immediate area during the last few years which are relevant to these proposals this is as follows:-

2.2.1 Planning Reference: 20/0894/FUL
Date: 14 May 2020
Address: West View, Payhembury, Honiton, EX14 3JA
Proposal: Conversion of agricultural building to form a dwelling with extended domestic curtilage and associated works in place of barn conversion consented as Class Q development under reference 18/2825/PDQ (retrospective application)
Status: Approved
Decision issue date: 4 September 2020
Comment: This development demonstrates a precedent for the fallback position of providing a bespoke dwelling in place of a Q Class consent.

3.0 PLANNING POLICY

3.1 The local strategies and policies of the East Devon Local Plan 2013-2031 that are relevant to the proposals which this design access statement relate are as follows:-

- Strategy 7: Development in the Countryside
- Strategy 36: Sustainable Design & Construction
- Strategy 48: Local Distinctiveness in the Built Environment
- Policy D1: Design & Local Distinctiveness
- Policy D3: Trees & Development Sites
- Policy D6: Locations without access to Natural Gas
- EN19: Adequacy of Foul Sewers & Adequacy of Sewage Treatment Systems
- Policy EN22: Surface Run-off Implications of New Development
- Policy TC2: Accessibility of New Development
- Policy TC7: Adequacy of Road Network & Site Access
- Policy TC9: Parking Provision in New Development

3.2 Strategy 7 relates to development in the countryside and covers all parts of the plan area that are outside the Built-up Area Boundaries. It requires that development should not harm:

- *“landform and patterns of settlement”,*
- *“important natural and manmade features which contribute to the local landscape character, including topography, traditional field boundaries, areas of importance for nature conservation and rural buildings” as well as*
- *“the adverse disruption of a view from a public space which forms part of the distinctive character of the area or otherwise causes significant visual intrusions”.*

The site to which this Design and Access Statement relates is located fully in the countryside. The site has an existing consent under a Q Class application to convert the two existing barns to form 4 number dwellings. The revised proposals are to replace the consented barn conversions with 4 number detached dwellings. This approach will allow the site plan to be designed without the restrictions imposed by keeping within the existing barn structures. Full use is made of the site, with existing accesses reutilised to provide a layout which is in keeping with the local character and provides an improved amenity for future owners. The building forms are kept simple to

reflect purposeful agricultural structures while materials are recessive in nature. The proposed planting makes extensive use of native species and provides a new line of oak and Field Maple standards to the Western boundary to replace the existing hedgerow which is in a poor condition. The location and form of the proposed dwellings ensures that the visual impact is minimised when seen from the surrounding countryside. The buildings will be perceived as an open group of structures not dissimilar to traditional farm building complexes. Existing trees on the boundaries are retained while the new planting proposed for the West side all contribute to integrating the proposed dwellings into the countryside setting.

As outlined above, the proposals have been carefully developed in order to meet the criteria of Strategy 7 and we thus believe that the proposals are supported by Strategy 7.

3.3 Strategy 36 refers to sustainable design and construction and encourages sustainable development and low energy dwellings to minimise carbon emissions. As outline in **Section 5.0** of this Design Access Statement the proposals will make extensive use of renewable energy. The measures proposed are as follows:-

1. PV panels
2. Solar thermal heating
3. Battery storage
4. Air source heat pump

In addition to the above, biodiversity improvements are incorporated and are outlined in the Ecology Survey prepared by Ecologic Consultant Ecologists, which accompanies this Planning Application. Enhancement & Mitigation measures include bat roosts, nesting boxes for birds and insect houses aimed at promoting pollenating insects. The enhanced hedgerows also provide nesting opportunities for hedgehogs.

In view of the above we believe that the proposals are supported by Strategy 38.

3.4 Strategy 48 refers to local distinctiveness in the built environment and seeks to preserve and enhance local distinctiveness and the importance of local design standards in a development process. The strategy states that

- *“use of local materials and local forms and styles will be essential to the distinctiveness”.*

The proposals to which this Design Access Statement relate are for 4 new dwellings to replace those consented under a Q class application. The form of the dwellings has been designed to sit within and compliment the rural character of the surrounding area. Materials used are natural, with a predominant use of zinc coloured cladding and vertical timber cladding. Materials are recessive in nature and echo those of agricultural barn structures. The simple forms of the dwellings are similarly reminiscent of purposeful agricultural buildings. The retained existing trees and proposed additional trees and planting will contribute to integrating the proposals into their context.

We believe the form and materials of the building will add to the local distinctiveness and compliment the character of the area. In view of the above we think the proposals are supported by Strategy 48.

3.5 Policy D1 requires that new development is of a *“high quality design and locally distinctive”*. The policy further notes that proposals will only be permitted where they:

1. *Respect the key characteristics and spacial qualities of the area in which the development is proposed.*
1. *ensure that the scale, massing, density, height, fenestration and materials of buildings relate well to their context.*
2. *do not adversely affect:*
 - a. *the distinctive historic or architectural character of the area*
 - b. *the urban form, in terms of significant street patterns groups of buildings and open spaces*
 - c. *important landscape characteristics, dominant topographical features and important ecological features*
 - d. *trees worthy of retention*
 - e. *the amenity of occupiers of adjoining residential properties*
 - f. *the amenity of occupants of proposed future residential properties with respect to access of open space, storage space for bins and bicycles and prams and other uses.*

Policy D1 also requires that the carbon emissions and risks associated with climate change are minimised.

The proposals to which this Design Access Statement relate have been designed to complement the scale, height and form of nearby rural development. The form of the buildings ensures that they will not overshadow neighbouring buildings and that they will sit well within the context of the rural landscape.

The proposed dwellings introduce contemporary elements; however, due to their form, scale and materials, remain sympathetic to the landscape within which they sit. The proposed houses neither dominate nor negatively impact the amenity of the adjacent farmhouse and reflect the appearance of traditional farms and outbuildings.

As outlined in **Section 5.0** of this Design and Access Statement the proposed dwelling makes extensive use of renewable energy.

The site is enhanced by the replacement of the existing poor condition hedge on the West boundary with a line of Oak and Field Maple standards, while native mix hedges mix provide separation to the houses. This serves to provide a visual improvement while also providing an ecological gain.

In view of the above we believe that the proposals are in accord with the requirements of Policy D1.

3.5 Policy D3 relates to trees on developemnt sites and notes that:

'Permission will only be granted for development, where appropriate tree retention and/or planting is proposed in conjunction with the proposed nearby construction. The council will seek to ensure, subject to detailed design considerations, that there is no net loss in the quality of trees or hedgerows resulting from an approved development..'

An Arboricultural survey and report has been prepared by Advanced Arboriculture and is submitted in support of the planning application to which this Design and Access Statement relates. The report confirms the proposals are sustainable in Arboricultural terms.

Existing trees are retained where these are in good health and not detrimental to the health of existing, important adjacent trees. Additionally, the proposals include a new line of Oak and Field Maple standards on the West boundary.

In view of the above, we believe the proposals are supported by Policy D3

3.6 Policy D6 refers to locations without access to natural gas and requires that:

- *"where development is proposed in locations that are not connected to the natural gas network, space heating and domestic hot water should be provided by low carbon heat sources.*

The proposed dwellings satisfy the requirements of Policy D6 by providing hot water and space heating through a combination of air source heat pumps and PV panels combined with a battery for electricity storage. The above means that the dwelling does not have to rely on natural gas and has a low carbon heat source.

- 3.7 Policy EN19 seeks to ensure the adequacy of foul sewers and adequacy of sewage treatment systems.

The proposed dwellings will make use of purpose designed package treatment plants for disposal of foul water. The treatment plants will be sized according to the requirements of the specialist suppliers.

In view of the above we believe that the proposals are in line with Policy EN19.

- 3.8 Policy EN22 refers to surface run off implications of new development. As required by this policy the proposals have fully considered the surface run off implications of the scheme.

The proposed dwelling will dispose of rainwater through new soakaways to minimise the impacts on any existing surface water drainage systems. All access roads and parking areas are finished in free draining gravel or permeable brick block paving.

Extensive areas of the existing site are made up of concrete hard standing and the former polytunnels. These combined with the footprint of the existing barns means that a significant proportion of the existing site was not free draining. The proposed houses can be expected to provide an improvement in permeable area.

- 3.9 Policy TC2 refers to accessibility of new development. The proposed dwellings are in line with the requirements of Policy TC2 by providing a level access threshold to all dwellings. The site is level and the approach to the dwellings will be by a level access.

3.10 Policy TC7 seeks to ensure the adequacy of road network and site access.

The proposals are for 4 dwellings which replicate the quantum of development under the consented Q Class application reference 22/0621/PDQ. The proposed site layout makes use of the two existing site entrances. Plots 1 and 2 are served by the existing entrance on the East boundary, while Plots 3 and 4 make use of the existing agricultural entrance on the South boundary.

The entrance serving plots 1 & 2 is currently in use and shares the access to the non-designated road with the Orchard View farmhouse. (See **Image 2**)



Image 2: existing access serving proposed Plots 1 & 2

The entrance serving plots 3 & 4 has been out of use in recent times. Clearing of the overgrown plants around this shows a gate serving an agricultural access. (See **image 3**)



Image 3: existing agricultural access with vegetation cut back. (Note: the gate has been re-hung by new owners of the site for security reasons)

As detailed on the drawings submitted for this planning application, the existing access will be adjusted to provide improved visibility. The new access drive will provide a 4.8m width to allow vehicles entering the site to do so, even if another vehicle is exiting the site. The junction allows for a 6m radius entrance to improve visibility. Shrubs and hedges are cut back to a height of 600mm where possible to improve visibility from the junction. (See **Image 4**)

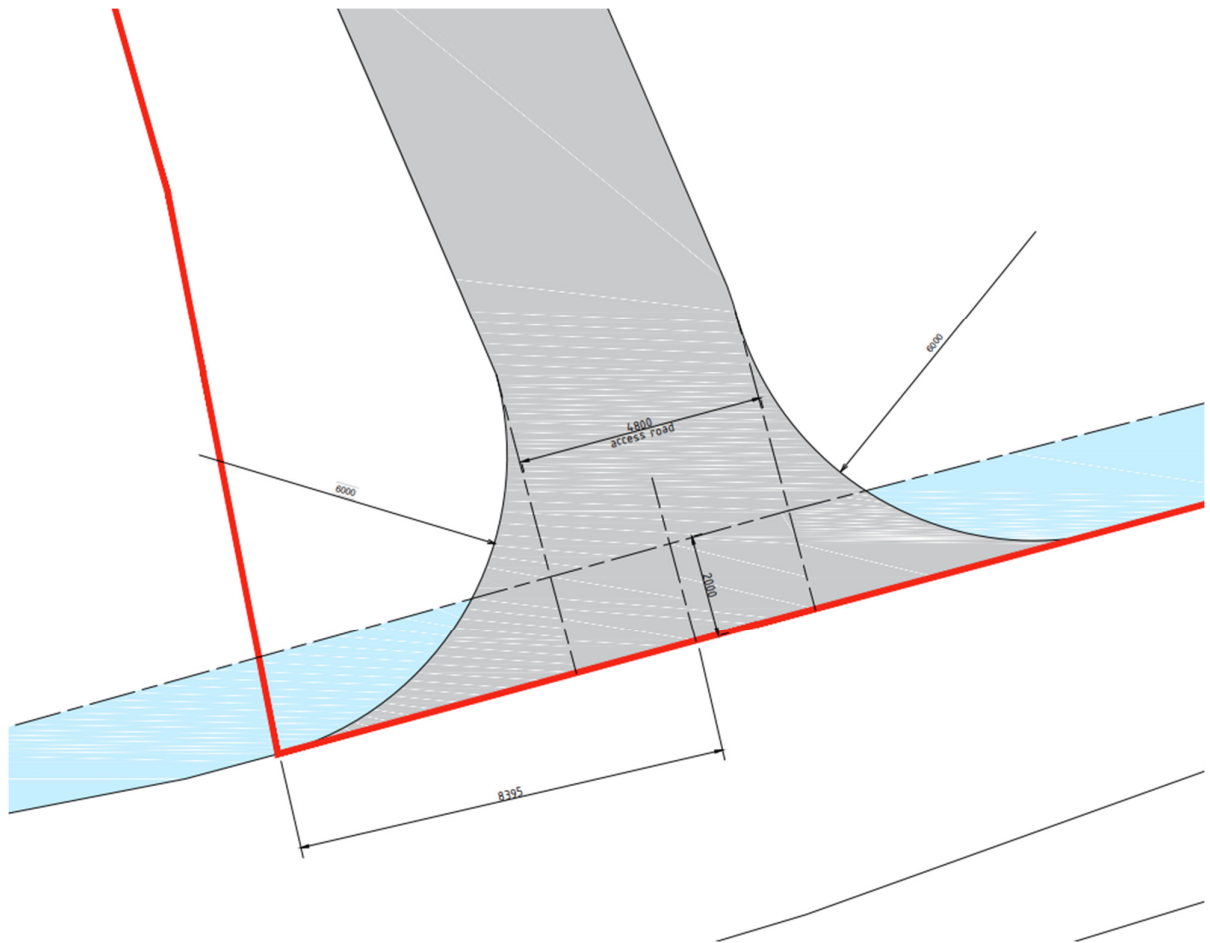


Image 4: reconfigured access in place of the existing agricultural access to South West corner of site.

We believe the proposals are in line with the requirements of Policy TC7.

4.19 Policy TC9 seeks to ensure that parking provision in new developments is adequate. The policy advises that two car parking spaces are required per home with two or more bedrooms. At least one bicycle parking space should also be provided by home.

As shown on the site plan, two car parking spaces are provided for each of the proposed houses as well as double garages. These provide ample scope for bicycle parking. In view of the above the proposals are in line with Policy TC9.

4.0 DESIGN

- 4.1 The proposals to which this design access statement relate have been developed following a visual and photo analysis of the site and discussion with the owner of the site. The scheme thus incorporates brief requirements of the owner, while also respecting the existing built context and character of the area.
- 4.2 In developing the design, particular regard was taken to the following points:
- **Site Layout:** the proposed houses have been positioned and orientated to benefit from the site conditions and to take advantage of the opportunities these offer. Plots 1 and 3 address the southern boundary with their gardens orientated South. Plot 2 is orientated North; however, benefits from views into the open countryside and is positioned so as not to directly address Orchard View farm or the polytunnels located to the Northwest. Plot 4 is positioned to look Northwest into the open countryside and is orientated so as not to address the adjacent polytunnels.
 - **House Layouts:** the four houses have been designed as variations on two house forms. Plots 1 and 2 have the living spaces and main bedrooms positioned on the long elevations to take advantage of their location and orientation on the site. Plots 3 and 4 have their primary glazing on the gable elevations to reflect the more focused orientation suggested by the site conditions
 - **Building Form:** the appearance of the houses has been designed to reflect the purposeful design of agricultural structures. They are simple in form with elements of contemporary design introduced through the glazing and dormer structures.
 - **Materials:** while the proposed houses share common elements in terms of their form, the choice of materials is varied between them to provide definition between the houses. Cladding to the upper floors varies between vertical timber cladding and vertical Zinc coloured cladding. Lower levels are rendered masonry with stone clad panels introduced to signal entrances. While varied all materials are recessive and reflect material typical in rural settings.
- 4.3 As detailed in the Ecological report submitted with this application, the planting is enhanced with native hedgerows with stone and earth banks dividing the plot boundaries.

A new line of Oak and Field Maple standards is proposed to the West boundary, which can be expected to provide a considerable enhancement and help integrate the development into its context.

- 4.4 External lighting will be kept to a minimum and installed to serve security and safety purposes only. Lighting, where necessary, will be a on two-minute timers and orientated so as not to illuminate the bat roosting provisions or access points. No permanent lighting will be installed within any driveways or car parking areas.

5.0 ENVIRONMENTAL IMPACT – SUSTAINABLE CONSTRUCTION

5.1 The properties have been designed in order to reduce the environmental impact and include the following:-

1. PV panels
2. Solar thermal heating
3. Battery storage
4. Air source heat pumps

The above measures will be integrated and provide for dwellings that have a high environmental performance. PV panels combined with the air source heat pump will provide for water and space heating of the dwellings while battery storage will make good use of any additional energy provided by the PV panels.

5.2 In addition to the measures outlined above, the property will have a reduced energy consumption through use of low energy light fittings. The kitchens will be provided with ECO labelled white goods. Where fridge freezers and dishwashers are supplied they will have an “A” rating.

5.3 Construction Materials

All of the timber used throughout the build will be of softwood from sustainable replenished forests. Where possible the development will also provide for high levels of insulation and be maintenance free.

5.4 Ecology

As outlined in the Ecology Survey submitted with this application the proposals will provide for an enhancement to the biodiversity of the site through the provision of a new line of oak and field maple trees on the West boundary and the inclusion of nesting opportunities for bats and birds. The boundaries between the plots are separated by stone and earth banking with native hedgerows on top.

6.0 FLOOD RISK ASSESSMENT

- 6.1 The site is not within an area identified by the Environmental Agency as being at risk of flooding, therefore no flood precaution measures are proposed. The proposal will make use of soakaways and or parking and driveways are surfaced in free draining gravel or brick block paving. These measures will ensure that the proposals will not lead to an increase in the hydraulic load upon the adopted surface water drains (see **Appendix A** for the Environment Agency Flood Map).

7.0 CONCLUSION

- 7.1 The proposals to which this design access statement relate have been prepared to respond positively to the brief of providing four bespoke designed detached dwellings in place of the consented Q Class conversion of the two existing barns.

We believe the scheme offers a sensitively designed, contemporary scheme that reflects the scale and setting of the area in which it is proposed. The dwellings are finished in a range of materials which have been chosen for the recessive character to strengthen the link with the agricultural setting. The form of the buildings are kept simple to reflect pragmatic agricultural building styles of the countryside.

APPENDIX A: ENVIRONMENT AGENCY FLOOD MAP



Flood map for planning

Your reference	Location (easting/northing)	Created
8589 Egremont	308242/103415	1 Dec 2022 9:54

Your selected location is in flood zone 1, an area with a low probability of flooding.

You will need to do a flood risk assessment if your site is **any of the following**:

- bigger than 1 hectare (ha)
- In an area with critical drainage problems as notified by the Environment Agency
- identified as being at increased flood risk in future by the local authority's strategic flood risk assessment
- at risk from other sources of flooding (such as surface water or reservoirs) and its development would increase the vulnerability of its use (such as constructing an office on an undeveloped site or converting a shop to a dwelling)

Notes

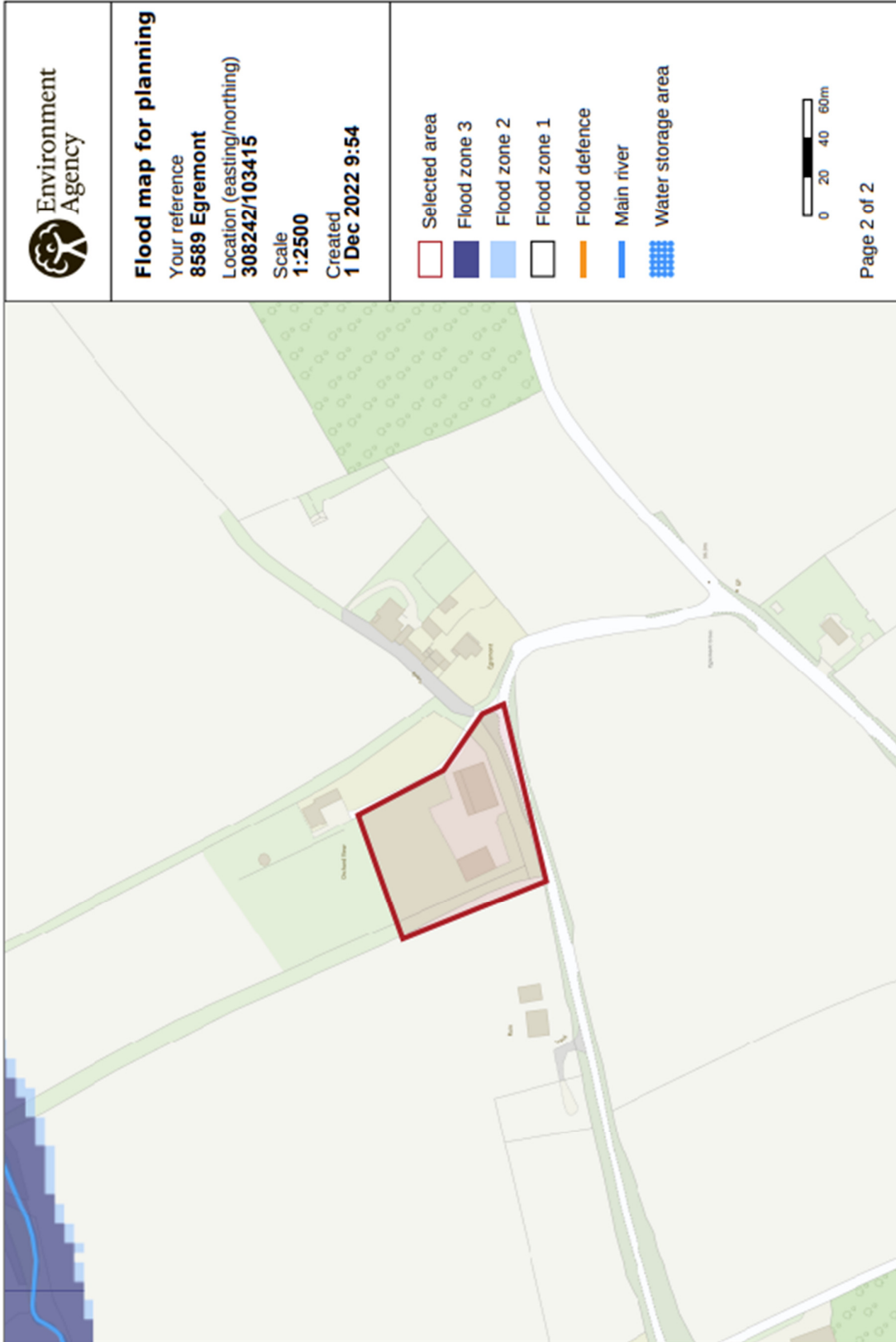
The flood map for planning shows river and sea flooding data only. It doesn't include other sources of flooding. It is for use in development planning and flood risk assessments.

This information relates to the selected location and is not specific to any property within it. The map is updated regularly and is correct at the time of printing.

Flood risk data is covered by the Open Government Licence **which** sets out the terms and conditions for using government data. <https://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>

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