

## Planning and Heritage Statement

### Removal of Residential Caravan and Conversion of Building to Form Dwelling at Bridge End, Newton Popleford

*Prepared For*  
**Kevin Howe**

**9317**  
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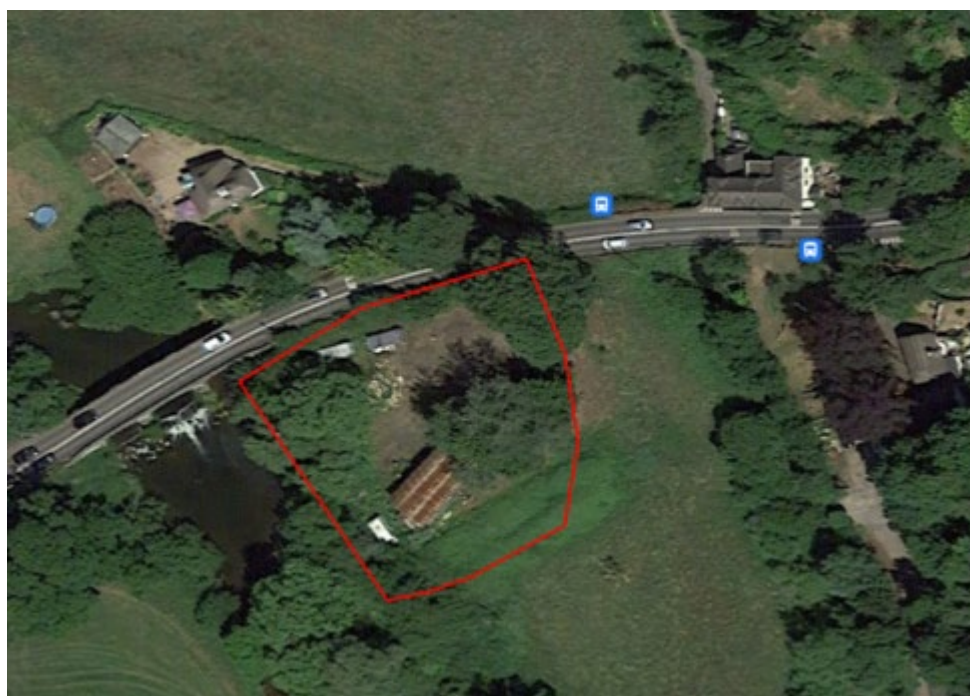
## 1 INTRODUCTION AND BACKGROUND

- 1.1 This Planning Statement is submitted on behalf of Kevin Howe (*the Applicant*) in support of a full planning application for the conversion of a former workshop to a dwelling at Bridge End, Newton Poppleford (see Site Location Plan).
- 1.2 The site is located at the edge of the village but within easy walking and cycling distance to facilities. The site has had various uses in the past, but most notably in 2020 within the site a certificate of lawfulness for the use of a caravan for residential use was approved.
- 1.3 Planning permission is sought to convert the former workshop to a dwelling using the supportive planning policies which allow for the conversion of buildings to residential use and for the construction of replacement dwellings.
- 1.4 The application seeks to provide all the relevant information required by the local planning authority to determine the application. This supporting planning statement seeks to provide an overview of the acceptability of the development proposals and demonstrate that the location of the proposal and conversion will lead to an overall betterment of the site in terms of amenity, flooding, and quality of accommodation. It will therefore enhance the protected landscape in which it is set and aligns wholly with the thrust of planning policy.



## 2 SITE LOCATION

- 2.1 Pearce's Yard (the Yard) comprises a former haulage and agricultural contractor's depot located at Bridge End which is approximately 200m to the east of Newton Poppleford. The site comprises a prominent workshop building set within a larger area which includes a yard for the storage of vehicles and various ancillary buildings. In addition, a mobile home was also located at the yard, and this had been used by a family member (Geoffrey Pearce, the son of the original owner, Mr George Pearce) as his home for a period of over 30 years until it was destroyed by fire in early 2020. A certificate of lawfulness was granted in 2020 for this use. By virtue of its industrial use, the property has an access onto the adjacent A3052 road.
- 2.2 The site lies close to a range of services and facilities. There is a village school, public house, convenience shop, takeaways, bus stops and cycle routes all within a very short distance. The site therefore has extremely good sustainability credentials.



*Figure 1: Site Location (c) Google maps.*

- 2.3 The site is within the East Devon Area of Outstanding Natural Beauty (AONB). To the western side of the site is the River Otter and a grade II listed bridge. It is within a flood zone 2 and 3.



## PLANNING HISTORY

- 2.4 In 2020 a certificate of lawfulness application to demonstrate that a residential use of a caravan had been ongoing for 10 years at the site. This application was approved (planning reference 21/0264/CPE). The relevance of this approval is that it establishes that there is a residential and lawful use of a caravan at the site.
- 2.5 In November 2022 a preapplication advice request was submitted regarding the conversion of the former workshop to a dwelling where the beneficial merits of converting the building to a dwelling were submitted including:
- The property has had a long-standing history of residential use, through the occupation and use of a mobile home by Geoffrey Pearce.
  - The site comprises a large extent of brownfield land and buildings and therefore occupies land where there is a strong emphasis within both national and local policy on it being used to accommodate new development;
  - The existing workshop building could form the basis for the siting of the residential dwelling either via a conversion or as the site of a new build;
  - The property is located very close to the edge of Newton Poppleford which is one of East Devon's identified sustainable villages and which contains a range of different facilities;
  - The Yard represents a currently unattractive and neglected property, the character of which is a relic of its former and now discontinued use. The use of the site to accommodate a carefully designed dwelling could be a means of making a substantial and beneficial change to the character of this prominent, roadside site.
- 2.6 Positively, it advised that the elevation details supplied (which this planning application follow) were in keeping the existing character and appearance, and would result in minimal visual harm to the surrounding countryside.



- 2.7 The matters of flooding were raised, given the location within a flood zone and it was advised that a sequential test must be considered.
- 2.8 This application demonstrates that as a conversion of an existing building that the sequential test is not required. Furthermore, the proposal would result in a betterment in flooding terms through the removal of the mobile caravan and designing the converted building so that living accommodation is at first floor level, raising the living accommodation above flood levels.
- 2.9 This proposal addresses all of the above and demonstrates that it is fully compliant with the provisions of East Devon planning policy.

#### **OTHER RELEVANT PLANNING HISTORY**

- 2.10 We would also draw the LPA's attention to the following planning applications:

**14/2622/FUL and 17/1492/FUL, Barns at Little Northmostown, Northmostown, Sidmouth EX10 0NL – Proposed conversion of existing barns into single dwelling plus ancillary accommodation – application approved**

We bring these applications to the attention of officers as parallels can be drawn between this site and the scheme before officers now. Clearly the hamlet of Northmostown lies beyond the settlement boundary of Newton Poppleford, however it was deemed that the site was within suitable walking distances of the facilities and services associated with the village, and notwithstanding that point, the scheme complied with policy in the NPPF which allows the conversion of disused buildings in the open countryside.

- 2.11 Clearly this decision demonstrates that the conversion of buildings on the fringes of Newton Poppleford can be considered acceptable in principle.

**18/2772/FUL, Homefield Farm, Newton Poppleford, Sidmouth, EX10 0BY - Application for a 'live/work' unit in conjunction with the existing business – application approved**



- 2.12 This permission was granted approximately 480m from the edge of the settlement and we raise this application due to not just the distance, but the consideration of design and character issues. As part of that neighbouring scheme, the applicant has sought to replace an existing Dutch barn with a new building reflecting existing character.
- 2.13 The proposal was supported on design grounds as development would see the removal of the existing steel framed barn to be replaced by a timber clad and corrugated steel roof building. The proposed building was considered to remain agricultural in character and therefore sympathetic to its rural context. Similarly, this scheme can offer significant betterment in that the existing character of the building can be retained, whilst enhancing the actual appearance of the existing structure.



### 3 THE PROPOSED DEVELOPMENT

- 3.1 The proposal is to remove the residential caravan, and convert the existing workshop building to a dwelling. The conversion of the building would be very much in the character of the site, and allow for the enhancement of the AONB.



*Figure 2: Photograph of existing building.*

- 3.2 The roof form would maintain the curved roof of the existing building and be clad in a high standard of materials including steel. Windows have been kept to a minimum on the north and south elevations, and the windows on the east and west echo the industrial history of the site. Garden and parking areas will be provided which will allow for a significant tidying up of the site, and it will therefore enhance the appearance of the site and the AONB.
- 3.3 The dwelling will provide for accommodation at first floor, and enable the creation of a genuine family home, safely located above the maximum flood zone height. This is an improvement upon the current caravan which is located directly within the flood zone with all its living accommodation at ground floor.
- 3.4 At ground floor for this proposal there would only be a workshop and parking.
- 3.5 The proposal utilises the current access, which given there is already a residential use of the site would not result in any highways impact.





- 3.6 The scheme has therefore been designed to take very careful account of the character of the area and of the landscape, heritage and technical constraints affecting the land.
- 3.7 As part of the proposals the applicant would be willing to enter into a legal agreement to secure the removal of the residential caravan from the land.
- 3.8 It is against this background and the other supportive planning arguments that when taken as a whole it would be in conformity with the objectives and the policies of both the local plan and national planning policy. Under the provisions of the Council's key policies and the up-to-date NPPF, the scheme can be considered to be sustainable development.



## 4 RELEVANT PLANNING POLICY

- 4.1 The Development Plan for the area comprises the East Devon Local Plan and the Newton Poppleford Neighbourhood Plan.

### **EAST DEVON LOCAL PLAN**

- 4.2 The proposal is assessed against the following policies.

#### **Policy D1 Design and Local Distinctiveness**

- 4.3 This policy says that development should respect the characteristics and qualities of the area in which the development is proposed. This would clearly be the case in this proposal as it involves the conversion of the existing building.

#### **Policy D8 Reuse of Rural Buildings outside of Settlements**

- 4.4 This policy permits conversions of buildings outside of built-up area boundaries where the new use is sympathetic to the character of the building and surrounding land and is in a location which will not substantively add to the need to travel by car or lead to dispersal of activity. The building must be of sound construction and be in keeping with the surroundings. It must be established that the building is not required for agricultural purposes, it would enhance its setting and located to a range of services and facilities.

For residential proposals it must be established that: (our underlining and emphasis)

a) the building is no longer required for agricultural use or diversification purposes;  
and

b) that its conversion will enhance its setting - e.g. through removal of modern extensions and materials, outside storage, landscaping etc.

c) Development is located close to a range of accessible services and facilities to meet the everyday needs of residents...



- 4.5 Having assessed the proposals against the requirements of this policy, it is clear that the proposals are compliant with the spirit of policy D8 where the criterion remain relevant to the current scheme (namely clauses 1, 2, 3, 4, a, b, and c).

#### **Policy H6 – Replacement Dwellings in the Countryside**

- 4.6 This policy is supportive of proposals for replacement dwellings where there is a habitable dwelling on the site, it is located on or adjacent to the current footprint, does not detract from the AONB and the dwelling to be replaced is not of architectural importance.

#### **Policy TC2 – Accessibility of New Development**

- 4.7 This policy requires new development to be accessible to pedestrians, cyclists, and public transport. Development should also be compatible with surrounding land uses as to minimise the need to travel by car.

#### **Policy EN21 Flood Risk**

- 4.8 This policy says that a sequential approach will be taken to considering new development excluding minor development and changes of use.

#### **Strategy 5B – Sustainable Transport**

- 4.9 This policy requires development to be in locations where it will encourage and allow for efficient, safe, and accessible means of transports with overall low impact to the environment, including walking, cycling, low and ultra-low emissions vehicles, car sharing and public transport.

#### **Strategy 7 – Development in the Countryside.**

- 4.10 This policy supports proposals which are in accordance with a specific Local Plan policy that explicitly supports such development.



### **Strategy 47 – Nature Conservation and Geology**

4.11 This policy requires development to conserve and enhance the landscape qualities of the natural landscape.

### **Strategy 47 – Nature Conservation and Geology**

4.12 This policy says that biodiversity should be conserved.

### **NEWTON POPPLEFORD NEIGHBOURHOOD PLAN (NDP)**

4.13 The NDP was made on 9<sup>th</sup> June 2021. Relevant policies are:

**Policy H3 (Outside the Built-up area boundary)** says that residential development must be adjacent to the BUAB, and demonstrate that it enhances the AONB.

**Policy EP3 (Flood Risk)** requires developments within flood zone 3 to pass a sequential test.

### **NATIONAL PLANNING POLICY (NPPF, 2023)**

4.14 The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England. At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 8 sets out the three dimensions to sustainable development: economic, social, and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- Economic - contributing to building a strong, responsive, and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- Social - supporting strong, vibrant, and healthy communities, by providing the supply of housing required to meet the needs of present and future generations;
- Environmental - contributing to protecting and enhancing our natural, built, and historic environment.



- 4.15 The NPPF is clear that sustainable development should be seen as a golden thread running through decision-taking. Paragraph 11 states that this means approving development proposals that accord with the development plan without delay.
- 4.16 Paragraph 83 says that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.
- 4.17 Paragraph 109 recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas and this should be considered in decision making.

#### **PLANNING POLICY GUIDANCE (PPG)**

- 4.18 In respect of rural housing, Central Government Guidance confirms that **all** (our emphasis) settlements can play a role in delivering sustainable development in rural areas - and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless they can be supported by robust evidence.
- 4.19 In this regard, the PPG advises that all settlements can play a role in delivering sustainable development in rural areas. Given the sustainable nature of Newton Popleford which contains a shop, school, and pub even a small-scale scheme for one dwelling can help enhance and maintain the vitality of this rural community and support services in this village.



## 5 TECHNICAL MATTERS

5.1 The applicant has commissioned highly qualified and experienced consultants to conduct a range of detailed technical studies to develop a scheme that meets relevant policy requirements, is suitable for the site and is sensitive to the sites location. To support the application the following technical reports are provided:

- Flood Risk Assessment by Awcock Ward Partnership (AWP);
- Ecological Report by GE Consulting;
- Contaminated Land Report by Horizon Consulting Engineers;
- Tree Constraints Appraisal by Advance Arboriculture.

### FLOODING

5.2 The site has been identified as being within flood zone 2 and 3. The Awcock Partnership have been commissioned to carry out a flood risk assessment of the site.

5.3 As detailed within the flood risk assessment, this development would improve upon existing flooding conditions by transferring the existing residential use away from the 'highly vulnerable' static caravan, towards the proposed 'more vulnerable' workshop conversion within the site. This benefits from a higher elevation and is distanced further from the adjacent River Otter, improving access to the main river, and reducing risks to occupants.

5.4 Given the full extent of the site and applicants land ownership which are within flood zone 3, there are no competing sites with a lower flood risk classification that can offer improved resilience over the existing residential use of the workshop.

5.5 A change of use of the building is **not** subject to the sequential test. However, the removal of the existing caravan the proposal stands to offer increased storage volumes.



- 5.6 The plans illustrate that the levels of the first floor will be above the fluvial flood levels. The habitable space can be designed to remain safe from flooding. The ground floor of the barn will remain non-residential and with a flood compatible garage car port from flood resilient materials.
- 5.7 In terms of drainage, runoff from the existing barn will be collected by new rainwater pipes directed towards a gravel filled trench to provide an improvement over the current conditions. The trench will offer increased storage capacity at ground level, with opportunities for infiltration as far as practicable and a reduction in residual flow continuing overland towards the River Otter.
- 5.8 In summary, the change of use to provide residential accommodation inside the existing workshop enables the removal of the existing residential caravan and provides increased flood storage capacity, together with improved access to the River Otter. All ground level development is proposed to be flood-compatible, non-dwelling space and will be allowed to flood during extreme events, with any risk of damage mitigated through the use of flood resilient materials and design considerations.
- 5.9 It is concluded that:
- **The sequential test is not required;**
  - **The development can be undertaken in a sustainable manner, reducing the vulnerability of the existing residential use, and improving the standard of protection to occupiers of the site, increased flood resilience and access to the main river.**
- 5.10 Therefore despite being within a flood zone the proposal offers a betterment in flooding terms and would not result in the risk of flooding elsewhere.

### **CONTAMINATED LAND**

- 5.11 Given the historic use of the site, Horizon Consulting Engineers carried out a contaminated land assessment for the development.



5.12 Firstly, the report identifies that the site is not located in an area that is at risk from ground stability hazards.

5.13 Secondly, the potential linkages to any contamination are considered to be medium to low and the site suitable for the proposed use on the basis that:

- As part of the proposed development, all surface rubbish and scrap metal will be removed from the site (i.e. oil drums, containers, tyres). By removing the source of potential contamination, this will reduce the risk of exposure to receptors.
- There are no main living spaces on the ground floor, and this will mitigate the risk of exposure to receptors from any possible ground gas migrating into the building.
- A reduced level dig is proposed within the building footprint to accommodate two storeys and as such any residual shallow contamination within surface soils will be removed therefore further mitigating the risk of exposure to receptors. If any arisings are to be re-used on-site as a result of the development, chemical testing should be carried out to confirm suitability for its potential reuse.
- Any proposed areas of private garden or soft landscaping will require a clean layer of subsoil and topsoil unless existing soil is proven to be suitable following a ground investigation and chemical testing of soil samples.
- Based on the above it is recommended that a ground investigation is carried out within the curtilage of the property to confirm the presence/absence of contamination within near-surface soils.

5.14 In summary, subject to appropriate conditions, there are no land use issues which would prevent development.

## **ECOLOGY**

5.15 The applicant commissioned GE Consulting to undertake a preliminary ecological appraisal to identify any ecological and nature conservation issues and potential





ecological constraints on the site, and make to recommendations for ecological mitigation and enhancement.

5.16 The appraisal concludes that:

- There was no evidence of bats recorded and the buildings generally offered negligible bat roosting potential. Old swallow nests were found and has the potential use in the future.
- It is unlikely that any protected species would be affected, and the proposed development would have a negligible ecological impact.
- Small patches of grassland and rubble piles provide suitable habitat for reptiles.
- The hedgerows, scrub and line of trees offer some potential for dormouse. There is good connectivity between vegetation on Site and neighbouring hedgerows and lines of trees.
- Badgers may traverse the site, though no signs of badger activity were noted on Site and neighbouring farmland likely provides preferential foraging habitat.
- Hedgehogs may also be present on Site, with scrub and hedgerows providing shelter.
- The River Otter has an established population of beavers. Given the Site's close proximity to the River Otter, the potential terrestrial habitat for beaver should be considered.
- Similarly, otters are known to be present in the River Otter. The Site may offer commuting habitat and the adjacent river would provide suitable foraging habitat.

5.17 As mitigation and in line with the survey recommendations, a buffer will be provided to avoid impact on the watercourse and allow a passage for potential beaver and otters to traverse along the riverbank.

5.18 Provided that the ecological mitigation measures detailed in the report are adhered to, there would not be any harmful impact upon protected species.



5.19 Please see full details in the submitted ecology report.

### **STRUCTURAL ASSESSMENT**

5.20 A structural survey is provided with the application, and this illustrates that the steelwork framing would be suitable to take the vertical roof/wall loading. There is no technical reason that the barn could not be converted to a residential use.

### **TREES**

5.21 An Arboricultural Constraints Plan carried out by Advanced Arboriculture accompanies the planning application. This identifies that there are no trees covered by a Tree Preservation Order, and the site is not within a conservation area.

5.22 None of the trees are identified as worthy of retention but they contribute to the verdant character of the site. As such none of the trees shown on the constraints plan are identified for removal.

5.23 The scheme has been designed so that the main windows face north and south away from the trees and not within the shaded area. As illustrated on the tree constraints plan, there would not be any unnecessary pressure to fell or cut back these trees. Therefore the character of the area will be preserved.

5.24 The trees on site do not therefore represent a constraint to the site.



## 6 ASSESSMENT OF PROPOSED DEVELOPMENT

### PRINCIPLE OF DEVELOPMENT

6.1 The key policy relating to the principle of development in this instance is Policy D8 – Re-use of Rural Buildings Outside of Settlements. We have assessed the acceptability of this scheme against the criteria set out in Policy D8 in below:

6.2 “The re-use or conversion of buildings in the countryside outside of Built-up Area Boundaries will be permitted where:

**1. The new use is sympathetic to, and will enhance the rural setting and character of the building and surrounding area and is in a location which will not substantively add to the need to travel by car or lead to a dispersal of activity or uses on such a scale as to prejudice village vitality.**

6.3 The conversion of the building to just one dwelling will not result in a substantive increase in the need to travel by car or lead to a dispersal of activity or uses that would prejudice village vitality. The site is within walking distance of the village and its facilities and public transport routes, and any car use associated with this single dwelling scheme would be minimal resulting in a few trips to and from the site each day. Any activity would not demonstrably harmful or substantive in nature.

**2. The building is structurally sound and capable of conversion without the need for substantial extension, alteration or reconstruction and any alterations protect or enhance the character of the building and its setting;**

6.4 The building is structurally sound and capable of conversion as is set out in the accompanying structural inspection report (produced by X Consulting Engineers) which accompanies the submitted application. The report concludes at paragraph 4 that, “...the existing structure is capable of conversion.”

**3. The form, bulk and general design of the building and its proposed conversion are in keeping with its surroundings, local building styles and materials;**



The building retains its existing form, and the pattern of fenestration proposed with the conversion of the building will ensure the development reflects its surroundings. The pallet of materials proposed will clearly enhance the appearance of this existing redundant building,

**4. The proposed use would not harm the countryside by way of traffic, parking, storage, pollution, or the erection of associated structures;**

6.5 The development would not cause any harm that would conflict with the criterion set out. The residential conversion of this building will have a beneficial impact on the countryside. For example, the residential caravan and paraphernalia would be removed. Any traffic and parking associated with the development will be minimal, and the use of the building would not result in any storage, pollution or the erection of associated structures that would impact the countryside. The LPA could also use planning conditions to control the construction of additional outbuildings through the removal of permitted development rights if this is felt necessary.

**5. The proposal will not undermine the viability of an existing agricultural enterprise or require replacement buildings to fulfil a similar function.**

6.6 There is no agricultural enterprise onsite and therefore the change of use of the land and conversion of this building to residential use will not undermine the viability of an existing agricultural enterprise or require a replacement building to be erected following its conversion.

For residential proposals it must be established that:

**a) the building is no longer required for agricultural use or diversification purposes;**

6.7 The building has not been used for agriculture, as detailed above.

**b) that its conversion will enhance its setting - e.g. through removal of modern extensions and materials, outside storage, landscaping etc.**



6.8 The conversion of the building will significantly enhance the setting of the building through its sensitive conversion. The Yard currently represents an unattractive and neglected property, the character of which is a relic of its former and now discontinued use. It is considered that the use of the site to accommodate a carefully designed dwelling would be a means of making a substantial and beneficial change to the character of this prominent, roadside site. A residential use of the building will put the building to a reuse that would which compliments the setting of the surrounding land and the setting of the various statutorily listed buildings and structures which adjoin the property (respectively Riverside Cottage, Newton Poppleford Bridge, and the Leat Bridge, all of which are Grade II).

**c) Development is located close to a range of accessible services and facilities to meet the everyday needs of residents...**

6.9 In policy terms Newton Poppleford is a village with a Built-up Area Boundary (BuAB) and this village is within walking distance of the site. However, as these proposals relate to an existing building, the change of use should be considered against Policy D8 of the Local Plan (re-use of Rural Buildings outside of settlements), which permits residential dwellings in the countryside.

6.10 Policy D8 expressly permits the use of existing buildings for residential purposes where they are close to a range of accessible services and facilities, amongst other criteria and Newton Poppleford is clearly a settlement with a range of accessible services and facilities to meet the everyday needs of residents. It has a primary school, community shop, pub, church, and other amenities.

6.11 The application site is clearly well located (as required by Policy TC2) to benefit from the services available in Newton Poppleford approximately 200m from the settlement boundary for the village, and easy walking distance from the footway and nearest bus stop in Newton Poppleford. The village contains a number of community facilities (including primary school, village hall, church, doctor's surgery, newsagent, restaurant/take away, hairdresser and pub). The bus service running through the village



is a high frequency service offering regular routes to Sidmouth, Seaton, Honiton, and Exeter and stops almost directly outside the site.

- 6.12 Clearly the barn conversion schemes that were approved in Northmostown (which we have referred to in section 2 of this planning statement) indicates that the distance of this site to the village is acceptable and parallels can clearly be drawn between the two sites.
- 6.13 As such, the site is accessible by pedestrians, cyclists and public transport and is clearly well related to compatible land uses within the village of Newton Popleford. There is also a range of accessible services present within the village that would minimise the need to travel by car. For all of these reasons, the proposed change of use and the creation of a self-contained dwelling can be considered acceptable in principle.
- 6.14 Furthermore, because of the residential caravan which would be replaced, in this instance there is an interlinking policy through policy H6 which allows for replacement dwellings.
- 6.15 Policy H6 is supportive of replacement dwellings where there is an existing permanent, habitable dwelling which is not in forestry or agricultural use, the dwelling is located on or adjacent the footprint or elsewhere where there is a clear planning environmental benefit, does not detract from the AONB and the dwelling to be replaced is not of architectural importance. The applicant would be willing to provide a legal agreement to ensure that the mobile home would be removed and therefore there would not be any additional residential dwellings on the site.
- 6.16 The principle of the conversion is therefore considered to be acceptable and directly aligns completely with local plan policy D8 which supports the reuse of buildings, and furthermore, aligns with the replacement dwelling policy H6 of the local plan.

## **FLOODING**

- 6.17 The preapplication advice response identified that a sequential test was required. However, the NPPF is clear that it advises that a sequential test should be applied to



'major' and 'non-major development' proposed in areas at risk of flooding but will not be required where:

- The application is for a development type that is exempt from the test as specified in footnote 60 of the National Planning Policy Framework. The footnote specifies that:
- This includes householder development, small non-residential extensions (with a footprint of less than 250m<sup>2</sup>) and **changes of use**; except for changes of use to a caravan, camping or chalet site, or to a mobile home or park home site.

6.18 The proposal therefore does not need to go through the sequential test because it would involve converting the building to a residential use. The proposal has been designed so that the living accommodation is at first floor level and is above the fluvial flood level. This therefore represents a betterment where currently the living accommodation is all at ground floor level and would entail a less vulnerable use than the existing caravan.

6.19 This proposal is therefore an opportunity to create a well-designed property with designed in flood protection measures, which would be an improvement over the flood resistant capabilities of the existing caravan.

6.20 Considering this overall therefore, notwithstanding the arguments in respect of the principle of conversion, the replacement of the residential use of the caravan into a building which has been designed to withstand flooding should be seen as a significant benefit.

### **TRAFFIC IMPACT**

6.21 As previously identified, the proposal would result in no noticeable net increase of vehicle movements if the existing building were occupied on a permanent basis as its lawful use allows. There are therefore no traffic impact concerns.



## **THE SITE IS PREVIOUSLY DEVELOPED LAND**

6.22 The site is previously developed land, comprising an existing building and associated curtilage. By proposing to re-use the building and associated land, the scheme is therefore compliant with point 8 of the NPPF's Core Planning Principles, as this encourages the effective use of previously developed land (brownfield land).

## **RESIDENTIAL AMENITY**

6.23 The proposal would entail the provision of one residential dwelling and the removal of the existing mobile caravan. Given the distances to other neighbour properties, there would not be any harm to neighbouring amenity due to the position, orientation, and distance of the accommodation relative to existing neighbouring homes.

## **ECOLOGY**

6.24 As illustrated through the ecology survey there would not be any technical reason in ecology terms why the development could not be carried out without harming protected species.

6.25 It is acknowledged that the site is within the Exe Estuary and Pebblebed Heaths and their designation is such that mitigation needs to be provided. However as this proposal is effectively replacing the mobile caravan, which would be removed (if necessary, by legal agreement), there would not be any gain in residential units and therefore mitigation would not be required.

## **TREES**

6.26 The tree survey identifies that the dwelling presents a negligible threat to any trees on site as it is an existing structure located some distance from any arboricultural constraints. Furthermore the structure is not subject to any shade or perceived domination constraints associated with trees.

## **SUMMARY OF ISSUES**

6.27 Considering all of these issues, the combination of the existing lawful residential use and the relocation of this use into a fundamentally safer and flood resilient building the





buildings sustainable location on the edge of a settlement with a range of services, the enhancements to both the site and building which would accrue from the scheme and result in an improvement to the character of the area and AONB. It is therefore an acceptable proposal which wholly aligns with the policies of the local plan and the NPPF and the presumption in favour of sustainable development.



## 7 LISTED BUILDING IMPACT

- 7.1 Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that:

*“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”*

- 7.2 Paragraph 194 says that:

*“in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.”*

- 7.3 The Historic England document 'The Setting of Heritage Assets' (Second Edition) (2017) provides non statutory guidance which has been drafted to assist in the implementation of national planning policy on heritage. In this regard, it provides useful methodology on the mechanisms to be applied to allow a better understanding as to what makes up the setting of heritage assets, how this can be affected for better or worse by change and how any impacts can be managed. It therefore provides useful supplementary advice on how to assess the impact of the current scheme on the various assets around the site.

- 7.4 Sections 8 and 9 of the document note that the extent of setting of a heritage asset is not fixed and may change as the asset and its surrounding evolve. The extent of the setting may depend on a number of different factors such as, for example, change over time and the interrelationship between different heritage assets and the presence of designed settings such as the landscaped grounds of buildings.



7.5 Section 10 indicates that the significance of a heritage asset is often expressed by reference to views and that often a number of views will contribute to the setting. It adds that some views may contribute more to understanding the significance of a heritage asset than others.

7.6 The advice indicates that the process of assessing the implications of development on heritage assets should follow five broad steps (see Section 19) along the following lines:

- Identify which heritage assets and their settings are affected;
- Assess the degree to which these settings contribute to the significance of the heritage assets(s) or allow significance to be appreciated;
- Assess the effects of the proposed development, whether beneficial or harmful, on the significance or on the ability to appreciate it;
- Explore ways to maximise enhancement and avoid or minimise harm;
- Make and document the decision and monitor outcomes.

7.7 To the west of the site is the grade II listed Newton Popleford Bridge. The listing description says:

*Road bridge over River Otter. Circa 1840. Large blocks of grey veined limestone finished with lightly-tooled rustication, granite coping. 3-span bridge of low segmental arches springing above a plain projecting impost above vertical abutments. Plain vaults with large carefully shaped voussoirs. The projecting cutwaters have round ends and rise to impost level with low semi-conical coping of granite. Directly above the cutwaters the wall breaks forward slightly. A dripcourse projects at road level which ramps a little towards the middle. Parapet has coping sloping very slightly outwards. The parapet curves outwards each end with terminal piers projecting only externally.*



7.8 In assessing the impact upon the bridge, the proposal would represent a betterment of the site by the conversion of the existing tired building and putting it to beneficial use. The sensitive design would ensure that the setting of the listed bridge is preserved. The natural screening around the site would be maintained. The proposal would therefore only have a neutral impact upon the setting of the listed bridge.

7.9 To the north of the site is Riverside Cottage which is grade II listed. The listing is given as:

*Cottage. Probably late C17. Plastered cob on stone rubble footings, cob or stone rubble stack topped with C19 brick; thatch roof, corrugated asbestos to outshots. 2-room plan cottage facing south with central lobby entrance in front of central axial stack which serves back-to-back fireplaces. C20 service outshot on left (western) end with its own stack backing onto the end wall of the house. Main cottage is 2 storeys. Not quite symmetrical 2-window front of C19 and C20 casements with glazing bars. Central C20 door and contemporary open porch with hipped thatch roof. Main roof is hipped each end. Interior not available for inspection at time of survey. Documentary reference to cottage here in 1686.*

7.10 In terms of mitigation on these assets, the proposal is very modest in nature which indicates that it is not considered necessary to seek substantial mitigation. The use of some additional measures such as conditions to any grant of planning permission/ consent could be employed to cover matters such as materials to ensure that the works are undertaken in a sensitive manner. Use of these limited measures will be sufficient to address any residual mitigation requirements.



## 8 CONCLUSIONS AND SUMMARY

- 8.1 The proposal is in full conformity with policy D8 of the Local Plan because the proposed use is sympathetic to the existing rural setting and character of the building and surrounding area. The proposal is in a sustainable location, close to the village of Newton Popleford and its facilities which include a school, shop, and pub. The site is also in a location which will not substantively add to the need to travel by car or lead to a dispersal of activity or uses on such a scale as to prejudice village vitality. The scale (one dwelling) and location of the development at the eastern edge of this village will actually enhance village vitality, and there will be no detrimental impact on neighbouring amenity.
- 8.2 Given the removal of the existing residential mobile caravan, the proposal also represents a replacement dwelling which wholly aligns with the thrust of policy H6.
- 8.3 Whilst the proposal is within a flood zone, as a change of use of the building it is not subject to the sequential test. The removal of the existing residential caravan will be an improvement in flooding terms and allow the residents to be safely accommodated above flood levels. This must be recognised as a significant benefit of the proposals.
- 8.4 In summary, the proposed development:
- Is in accordance with local and national planning policy and will be facilitated through the change of use of an existing building on a site that is in an appropriate and sustainable location for housing.
  - The proposed change of use would not harm the countryside by way of traffic, parking, storage, pollution, or the erection of associated structures;
  - Would see the effective use of previously developed land, as per the core planning principle of the NPPF.
  - Would be use a use less vulnerable than the caravan in the flooding hierarchy and offer a betterment in flooding terms;



- Has excellent access to nearby local facilities and public transport services, as well as being safely accessible for both pedestrians and vehicles.
  - Would deliver a well-designed house for the District, resulting in positive economic and social benefits and is a small-scale development that would not lead to unacceptable pressure on services.
  - Given the building is already present on site, the pattern of use and occupation associated with a self-contained dwelling would clearly result in no material planning harm.
- 8.5 There would be no adverse impacts of permitting the development that would significantly and demonstrably outweigh the economic, social, and environmental benefits of the scheme (as identified earlier in this statement when assessed against the policies in the Local Plan and Framework taken as a whole. The proposed development will help meet housing need in the area and address the objectives of securing sustainable development.
- 8.6 When all issues and policy objectives are weighed in the balance, there is clearly no conflict with the overarching policy objectives of the Adopted East Devon Local Plan 2013-2031, or guidance contained within the National Planning Policy Framework, that would prevent the Local Authority from granting planning permission without delay. Given the analysis and benefits set out above associated with the scheme planning permission should therefore be granted for the proposals.