

8. FULL APPLICATION – PROPOSED CHANGE OF USE OF PADDOCK TO PERMIT THE SITING OF A SHEPHERDS HUT FOR USE AS A HOLIDAY LET – TOWN END COTTAGE, MAIN STREET, SHELDON - (NP/DDD/1121/1235, SC)

APPLICANTS: MR & MRS C JONES

Summary

1. The application seeks retrospective planning permission to retain a single shepherd's hut for use as holiday accommodation, which is sited within an enclosed paddock around 40m to the north of the main dwelling and associated outbuildings at Town End Cottage.
2. In this case, whilst it is considered there would be limited landscape impact or amenity concerns, planning policy requires development comprising holiday accommodation through the siting of shepherds huts to support farm diversification and to be located close to the facilities of a farmstead.
3. As the site does not operate as a farm holding, but a holiday letting business, the scheme fails to accord with policy in principle. As a result, the application is recommended for refusal.

Site and Surroundings

4. Town End Cottage is located in the centre of Sheldon, approximately 130m to the West of the Cock and Pullet Public House. The site includes a traditional cottage and attached barn converted to holiday/ancillary use and an associated outbuilding also converted into holiday/ancillary accommodation.
5. The cottage and its associated outbuildings lie within the Conservation Area (CA) of the village. To the rear of the main cottage and outside the curtilage (and the CA), lies a small walled paddock (part subject of this application).
6. The property and the paddock are both accessed directly from the main highway. The siting of the hut within the paddock can be seen at distance from a Public Right of Way around 60m to the east of the site. A modern portal framed farm building (in the ownership of the neighbouring property, (Sheldon House)) is positioned close to the north eastern boundary of the paddock wall.

Proposal

7. The application seeks retrospective planning permission to retain a single shepherd's hut on land to the north of the dwelling for the purposes of holiday letting.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

1. **The siting of a single shepherds hut for holiday accommodation in this location fails to accord with adopted planning policies RT3B, DMR1 and DME2 because it does not support farm diversification and is not located close to the facilities of a farmstead.**

Key Issues

8. Principle of development, neighbour amenity, potential landscape and highway impacts.

History

9. 2021 - NP/DDD/0221/0149 - Proposed change of use of paddock to permit the siting of a Shepherds Hut for use as holiday let. Withdrawn.
10. 2014 – (NP/DDD/1014/1102) - Proposed conversion of out-building to holiday unit & ancillary accommodation and replacement garage. Granted.
11. 2013 – (NP/DDD/1013/0967) - Section 73 application for variation of the holiday occupation attached to the holiday conversion approved in 1999 to enable the holiday unit to also be used as ancillary living accommodation. Granted.
12. 2009 – (NP/DDD/0309/0156) - Extension of cottage into adjacent small barn to provide bathroom and utility room. Granted.
13. 1999 – (DDD1298593) – Conversion of cow shed and hay loft to holiday accommodation. Granted.

Consultations

14. Highway Authority - No objections in principle, subject to conditions relating to the provision of one parking space being maintained for the development and that the hut shall be used as a holiday let only and not let in any other way or sold as a separate unit.
15. Parish Council – No response at the time of writing the report.

Representations

16. There have been forty three letters of support and one letter of objection, these are summarised as follows:
17. The general reasons in support are that the hut would support the local economy, would present alternative accommodation to visitors, and would be in keeping with the surrounding landscape, whilst benefiting physical and mental well-being.
18. The single objection is from the neighbouring property Sheldon House, who state that there is an overshadowing/overbearing presence near a common boundary and that there is loss of privacy from noise and disturbance.

National Planning Policy Framework (NPPF)

19. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date.
20. In particular Para: 176 states, that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues.
21. Section 16 of the NPPF sets out guidance for conserving the historic environment.
22. Paragraph 194 states "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."

23. Paragraph 199, 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).
24. Para: 84 states amongst other things, that planning policies and decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside.
25. In the National Park, the development plan comprises the Authority's Core Strategy and the new Development Management Policies (DMP). These Development Plan Policies provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application.
26. In this case, it is considered there are no significant conflicts between prevailing policies in the Development Plan and government guidance in the NPPF.

Main Development Plan Policies

Core Strategy

27. GSP1, GSP2 - *Securing National Park Purposes and sustainable development & Enhancing the National Park*. These policies jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets.
28. GSP3 - *Development Management Principles*. Requires that particular attention is paid to the impact on the character and setting of buildings and that the design is in accord with the Authority's Design Guide and development is appropriate to the character and appearance of the National Park.
29. DS1 - *Development Strategy*. States, that recreation and tourism development is acceptable in principle in open countryside.
30. L1 - *Landscape character and valued characteristics*. Seeks to ensure that all development conserves and enhances valued landscape character and sites, features and species of biodiversity importance.
31. L3 - *Cultural Heritage assets or archaeological, architectural, artistic or historic significance*. Explains that development must conserve and where appropriately enhance or reveal the significance of historic assets and their setting. Other than in exceptional circumstances, development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset or its setting.
32. RT3 - *Caravans and camping*. States amongst other things, that static caravans, chalets, or lodges will not be permitted.
33. CC1 - *Climate change mitigation and adaption*. Sets out that development must make the most efficient and sustainable use of land, buildings and natural resources. Development must also achieve the highest possible standards of carbon reductions.

Development Management Policies

34. DMC3 - *Siting, Design, layout and landscaping*. Reiterates, that where developments are acceptable in principle, policy requires that design is to high standards and where possible enhances the natural beauty, quality and visual amenity of the landscape. The siting, mass, scale, height, design, building materials should all be appropriate to the context. Accessibility of the development should also be a key consideration.
35. DMC5 - *Assessing the impact of development on designated and non-designated heritage assets and their setting*. The policy provides detailed advice relating to proposals affecting heritage assets and their settings, requiring new development to demonstrate how valued features will be conserved, as well as detailing the types and levels of information required to support such proposals. It also requires development to avoid harm to the significance, character, and appearance of heritage assets and details the exceptional circumstances in which development resulting in such harm may be supported.
36. DMC8 - *Conservation Areas*. States, that applications for development in a Conservation Area, or for development that affects its setting or important views into or out of the area, across or through the area should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced. Applications should also be determined in accordance with policy DMC5 taking into account amongst other things, form and layout, street pattern scale, height, form and massing, local distinctive design details and the nature and quality of materials.
37. DMR1 - *Touring camping and caravan sites*. The development or small extension to an existing caravan site will not be permitted unless its scale, location, access and landscape setting are acceptable. Exceptionally, the development of structures may be permitted where these are small, simple wooden pod structures in woodland locations with minimal landscape impact, or a single Shepherds Hut where this can be located close to the facilities of a farmstead without harm to the natural or historic landscape.
38. DMR3 - *Holiday occupancy of self-catering accommodation*. States, that where self-catering accommodation is acceptable, its use will be restricted to holiday accommodation for no more than 28 days per calendar year by any one person.
39. DME2 - *Farm Diversification*. States, that development will be permitted if there is clear evidence that the new business use will remain ancillary to the agricultural operation of the farm business, meaning that the new business use is a subsidiary or secondary use or operation associated with the agricultural unit. Further stating, that new buildings may be permitted if the proposed development cannot be appropriately located in existing buildings of cultural heritage significance or in other buildings which remain appropriate within the farm building group.
40. DMT3 - *Access and design criteria*. States amongst other things, that a safe access should be provided in a way that does not detract from the character and appearance of the locality and where possible enhances it.

Assessment

Principle of the development

41. Sheldon is not a named DS1 Settlement, therefore considered open countryside for the purposes of Development Plan Policies.

42. Policy RT3 B is the starting point, stating that static caravans, chalets or lodges will not be permitted. This is because the open character of large parts of National Park landscape means that the non-traditional and permanent presence of such forms of accommodation is incompatible with the conservation purpose of the National Park, with the potential impact on its valued landscape characteristics.
43. Policy DMR1 goes on to say that, exceptionally, the development of structures may be permitted where these are small, simple wooden pod structures in woodland locations with minimal landscape impact, or a single Shepherds Hut, where this can be located close to the facilities of a farmstead without harm to the natural or historic landscape.
44. The supporting text to this policy states that *“there may be exceptional circumstances where some structures may be acceptable Such solutions can help to support the local economy by extending the tourism season...Traditionally styled shepherd’s hut accommodation can also provide an alternative form of provision with very minimal landscape impact but can only be justified as exceptional if only one hut is installed on any one agricultural holding. Such development should be used to support farm diversification and as such should also be assessed against the requirements of policy DME2.”*
45. Further, the supporting text of policy RT2 is also pertinent, stating that *“there is concern about oversupply of self-catering accommodation, particularly in some parts of the National Park. This could mean that providers and operators may not receive the anticipated return in income from what may be a significant investment. ...Conversions and changes of use of existing traditional buildings of historic or vernacular merit will provide ample opportunities for small scale holiday developments.”*
46. It is clear from this, that the development of permanent holiday accommodation other than through the conversion of heritage assets is contrary to adopted policy and purposes, having the potential to result in a proliferation of other development that undermines the intent to drive the conversion and conservation of heritage assets, and the viability of existing holiday let businesses. Only exceptionally, in support of farm diversification or to provide simple camping pods in wooded areas, should other types of holiday accommodation development be supported.
47. DME2 states, that development will be permitted if there is clear evidence that the new business use will remain ancillary to the agricultural operation of the farm business, meaning that the new business use is a subsidiary or secondary use or operation associated with the agricultural unit.
48. In this case, the existing business is not agricultural but a recreation and tourism business. Therefore the retention of the hut and its use for holiday accommodation does not meet the principles of policies RT3 B, DMR1 & DME2 in these respects.

Siting design and materials

49. Policy DMC3 in particular states, that where developments are acceptable in principle, policy requires that design is to high standards and where possible enhances the natural beauty, quality and visual amenity of the landscape. The siting, mass, scale, height, design, building materials should all be appropriate to the context. Accessibility of the development should also be a key consideration.
50. The Shepherds Hut is located within a stone walled paddock around 40m to the north of the cottage garden boundary. An agricultural building on a neighbouring site is located adjacent to the north east. Access is from the main road, through the curtilage of the dwelling and over an area of grazing land (via a gravelled track) to a farm gate serving the enclosed paddock.

51. The hut is located close to the east side of the paddock and measures 5.5m in length x 2.2m in width x 3m in height. The hut is constructed of curved steel sheets supported on a steel framework and wheels and coloured a dark recessive grey.
52. In this case, it is considered, whilst not reflective of the more general local building traditions, the shepherds hut follows a typical design and scale for such structures.
53. Further, when seen in the context of surrounding development in the locality it would not result in any significant adverse landscape impacts.
54. Were the proposals acceptable in principle, they would therefore be concluded to be acceptable in terms of their siting, design and appearance in accordance with policies GSP3 and DMC3.

Impact on the wider landscape

55. Policy L1 seeks to ensure that all development conserves and enhances valued landscape character and sites.
56. The shepherds hut is located within an enclosed walled paddock and, as noted above, can be read in association with an adjacent modern portal framed agricultural building to the north east.
57. Views into the site from the main road are very limited, due to the existing built form and mature trees intervening. Whilst there would be glimpses of the hut from the public footpath to the east, these views would be seen against the backdrop of other structures.
58. In addition, due to its modest scale and dark colour, the hut does not appear prominent in the landscape and therefore not detrimental to the visual character of the local area.
59. The shepherds hut is located around 35m away from the northern boundary of the village Conservation Area and is separated from this area by a small field used for grazing of livestock. As such, due to the intervening distance, the development does not harm the character and appearance of the Conservation Area.
60. Consequently, if the development was acceptable in principle the siting of the hut within this edge of settlement location would satisfy the requirements of Policies DS1 & L1.

Amenity impacts

61. The nearest residential dwellings are sited over 55 metres away to the south of the Development. One of these dwellings – Sheldon House – shares a common boundary with the development site; this is part of an agricultural field.
62. In this case, due to the degree of separation between the development site and Sheldon House, the scheme would have no adverse impact or significantly harm the residential amenity of this or any other residential properties in the locality, and therefore accords with policies GSP3 & DMC3 in these respects.

Highway impacts

63. The local Highway Authority have not raised objections in principle, but would like to see conditions relating to the provision of one parking space being maintained for the development and that the hut be used as a holiday let only and not let in any other way or sold as a separate unit.

64. Should members be minded to approve the scheme, these matters would be conditioned accordingly. Regarding this, the proposal is acceptable in highway terms, according with policies DMT3 in these respects.

Environmental Management

65. The submitted environmental statement says, that all timber used in the construction of the hut is Forest Stewardship Council (FSC) approved and all materials sourced from local companies wherever possible. The hut is insulated from recycled glass and other natural alternatives such as wool.
66. In addition, the building has a waterproof and breathable membrane which increase the life of the hut. The wheels are cast iron and the chassis constructed from steel then over-painted with a protective paint. The walls are plastisol coated tin, again over-sprayed to secure longevity and appearance, with the windows and doors made from sustainable timber.
67. Power is supplied by an electricity hook up similar to a caravan. This provides power for the lighting and shower arrangements. Heating is provided by a small wood burning stove.
68. Given the overall scale of development, these measures are sufficient to meet the requirements of policy CC1.

Conclusion

69. In conclusion, it is considered that the retention of the single Shepherd's Hut as holiday accommodation would not be intrusive in the landscape or harmful to the setting of the nearby Conservation Area, neighbour amenity of highway safety. However, it would be contrary to policy in principle as the proposals would introduce a permanent structure unassociated with a farming business or connected with farm diversification, as detailed above. The application is therefore recommended for refusal for this reason.

Human Rights

70. Any human rights issues have been considered and addressed in the preparation of this report.
71. List of Background Papers (not previously published)
72. Nil
73. Report Author: Steve Coombes, South Area Planning Team.