

DARTMOOR NATIONAL PARK AUTHORITY
Development Management Committee Site Inspection
Friday 21 February 2020

Present: Members: Philip Sanders (Chair), John Nutley, Diana Moyse, Sally Morgan, Gay Hill, Mark Renders, Andrew Cooper
Mrs K Metcalfe (Agent)
Mr J Aven (Deputy Head of Development Management) (the Officer)
Ms T Johnson (Senior Planning Support Officer)

Apologies: Christow Parish Council

1 Change of Use from C3 (residential dwelling) to Sui Generis (Holiday Let), Canonteign Manor, Christow

The Panel convened on the driveway in front of the Manor. The Parish Council had extended their apologies and there was no Teignbridge District Council representative present. Mrs Metcalfe attended acting on behalf of the applicant.

The Officer outlined the proposal and confirmed that the Authority had received a revised plan for the application, amending the red line to omit the pool area. The Officer advised that the revised plan would have been sent out for consultation and so, if Members were minded to approve the application, the recommendation/resolution would be subject to the consideration of any responses received.

The Officer explained that the application was for a change of use of the house and grounds for holiday purposes, but the matter for debate was the effect of this alternative use and its proximity to neighbouring properties.

The Officer explained that due to the level of objection received, the applicant has offered to enter into a Unilateral Undertaking which could control the level and type of use.

The Chair asked the Officer to confirm that there had been no Highways objection. The Officer confirmed that although Highways acknowledged a likely change in the pattern of traffic that would be generated, they had raised no objection.

The Panel asked the Officer to confirm the range of the listing, which was confirmed as including the house and any structures within the land, walls, etc. that existed at the time of listing, but not the ground itself.

The Chair reminded members that noise issues are usually dealt with by Environmental Health, whilst the Officer added that 'impact on amenity' is a material consideration but often difficult to monitor.

The Panel asked the officer about external lighting, and were advised that this could be conditioned where appropriate e.g. where any floodlighting was proposed.

The Panel took the opportunity to review the amended site plan and moved to the pool area in the grounds. The Officer confirmed that the applicant had confirmed that they were willing to exclude the pool area as part of a Unilateral Undertaking and the Agent showed the panel this revised line on the ground, indicating the area to be excluded by a fence and made unavailable to guests. It was also confirmed by the officer that the applicants intend to drain the pool and protect it with a semi-permanent cover.

The Panel walked the length of the proposed new fence line.

The Panel then took the opportunity to view the pool area from one of the neighbouring properties, permission having previously been given by the owner.

The owner showed the Panel the proximity of the pool area to their garden and advised that they had complained to the applicants about noise from the pump house about some 18 months ago. The owner confirmed that this does not appear to have been used since. The Panel also took the opportunity to view the site from the upstairs bathrooms.

The Officer confirmed the ongoing objection from Environmental Health concerning the potential disturbance and advised that if minded to approve, consideration would need to be given to appropriately worded conditions and the Unilateral Agreement and how these are to be monitored.

The Panel acknowledged that no structural works are proposed but took the opportunity to view the interior of the Manor to gain a better understanding of how the building can and is proposed to be used and to see what facilities are available to potential guests.

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

06 March 2020

APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Report of the Head of Development Management

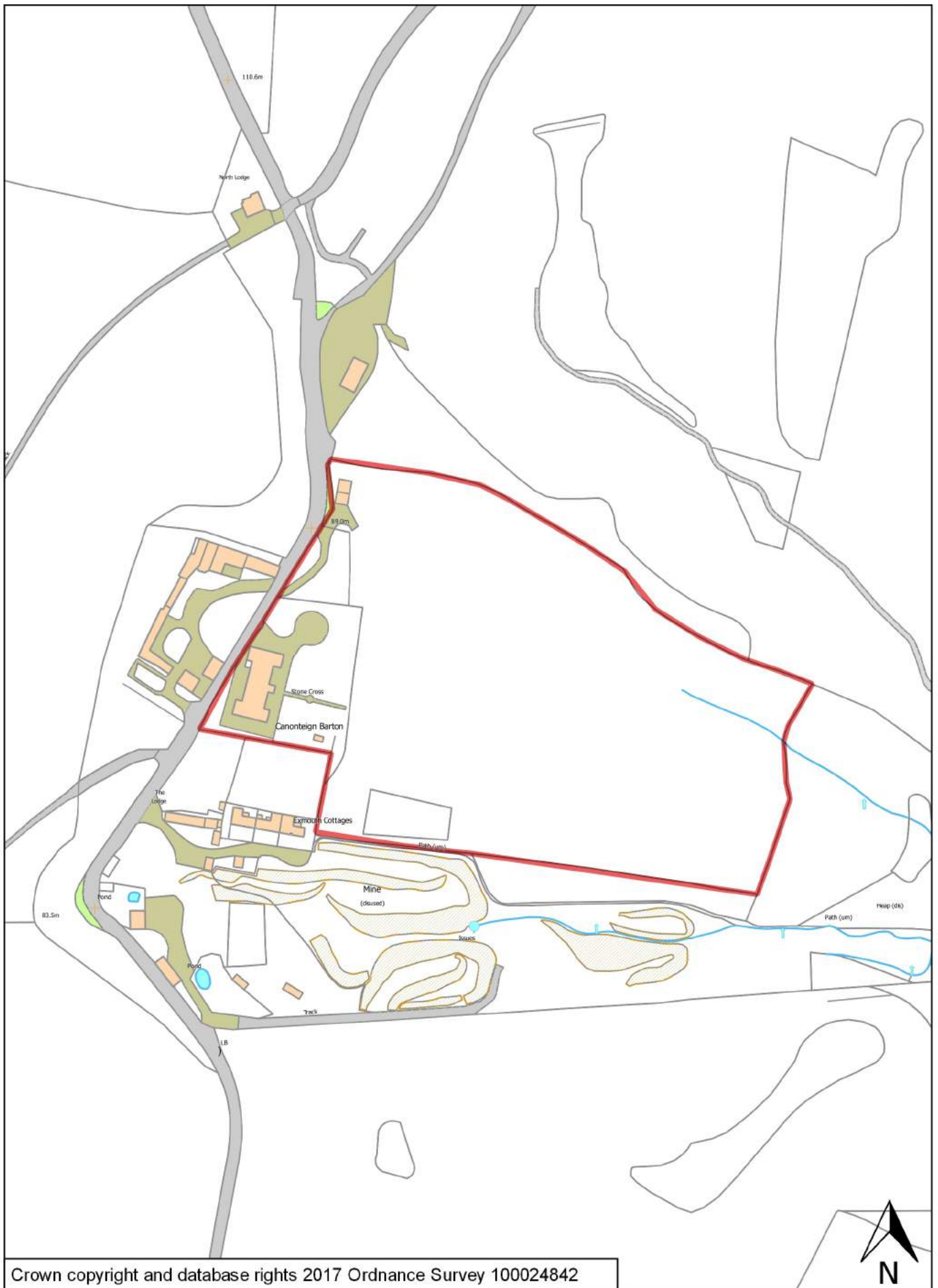
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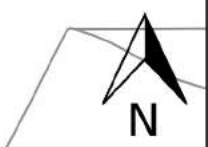
0547/19 - Canonteign Manor, Christow



Scale 1:2,500



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1. Application No: **0547/19** District/Borough: **Teignbridge District**
Application Type: **Change of Use** Parish: **Christow**
Grid Ref: **SX839831** Officer: **James Aven**
- Proposal: **Change of Use from C3 (residential dwelling) to Sui Generis (Holiday Let)**
- Location: **Canonteign Manor, Christow**
- Applicant: **Mr L Peng**
- Recommendation **That, subject to the consideration of any further comments from the Environmental Health Officer, any further comments in respect of the amended plans and the completion of a unilateral undertaking, permission be GRANTED.**

Condition(s)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out strictly in accordance with the site location plan and fence detail document received 12 February 2020 and floor plan valid 25 November 2019.
3. The use hereby approved shall not commence until the fencing shown on the approved detail document received 12 February 2020 has been installed. At all times thereafter, the approved fencing shall be retained in the approved location.
4. The development hereby permitted shall not be used or occupied other than for the provision of short let holiday accommodation. No person, couple, family or group shall occupy or use the accommodation hereby permitted for a single period or cumulative periods exceeding 28 days in any calendar year.
5. The owners/operators of the holiday accommodation hereby approved shall maintain an up-to-date register of the names, main home addresses and dates of occupancy of all occupiers using the accommodation and shall make this information available to the Local Planning Authority on request.
6. The Staff Accommodation hereby approved shall not be used or occupied other than for the provision of accommodation to a person (together with their spouse or partner, children and dependents) solely or mainly working as a housekeeper or manager of the holiday accommodation hereby approved, and shall not at any time be used, let, sold or otherwise occupied as a separate dwelling.

Introduction

Canonteign Manor is in open countryside, 1.86 km south of the centre of Christow (the nearest settlement). The site is accessed and partially visible (the western elevation of the building) from the public highway to the west of the site.

The property is a large Grade I Listed Building, with residential use. The property is set within its own spacious grounds. To the south of the main residence is a 12m by 5m outdoor swimming pool and associated hard standing.

To the immediate south of the garden walls is a cluster of 5 residential properties (10m south

of the edge of the hard standing associated with the swimming pool).

The application seeks planning permission to use the property for holiday letting purposes. It is presented to the Committee on the basis of the concerns raised by residents and the Parish Council.

Planning History

0056/18	Internal alterations to comply with fire regulations Listed Building Consent	Withdrawn	05 April 2018
0044/18	The proposed use of Canonteign Manor for occasional short stay lets to groups Certificate of Lawfulness for a proposed development	Certificate not issued	23 March 2018
	Appeal lodged: 31 July 18	Result: Dismissed	
0415/17	Use of dwelling for occasional short stay lets Certificate of Lawfulness for a proposed development	Withdrawn	10 October 2017
0439/16	Change of use from dwellinghouse (use class C3) to hotel (use class C1) Change of Use	Withdrawn	03 March 2017
0605/13	Reconstruction of existing vehicle entrance and realignment of gravel drive Listed Building Consent	Grant Conditionally	08 January 2014
0604/13	Reconstruction of existing vehicle entrance and realignment of gravel drive Full Planning Permission - Householder	Grant Conditionally	08 January 2014
0729/01	Construction of new orangery within lower garden and subterranean link to Manor House, and new private sewage treatment plant Full Planning Permission	Grant Conditionally	27 May 2003
0730/01	Construction of new orangery within lower garden and subterranean link to Manor House, and new private sewage treatment plant Listed Building Consent	Grant Conditionally	27 May 2003
5/37/162/97/07	Internal alterations to provide additional bathrooms, etc. Installation of multi-fuel stoves and associated works. Listed Building Consent	Grant Conditionally	12 September 1997

Consultations

Environment Agency:	Flood Zone 1 - Standing Advice
County EEC Directorate:	The application is for the change of use of seven separate guest 'suites' of the large residential manor house to holiday let. The highway authority is aware of the site and its history over recent years since the current owner acquired the property.

Holiday let residential 'units' have the potential to generate far fewer daily and annual traffic movements than

conventional residential units and each of those individual units will be extremely unlikely to be occupied by guests for 100% of the year. Even if they were to be, the highway authority has no highway safety concerns about the potential additional traffic movements that would be generated by the proposed change of use, having regard to the trip generation potential of the building as a large residential property.

The access to the highway from the site is acceptable in geometry and visibility for that increase and there will be a modest increase in vehicular usage of the highway network in the vicinity of the site, notwithstanding its constraints in width - commensurate with many roads within the National Park.

For that reason there is no objection to the proposed change of use from a highway safety point of view.

Historic England:

Canonteign Manor is a grade I listed building on the fringes of Dartmoor. It was built in the late 16th century house and retains a distinctive E shape plan. The house had been in an extremely poor state of repair by the mid 20th century. During the 1970s Lady Exmouth, whose family owned the estate, undertook a significant programme of restoration, which appears to have resulted in the buildings current layout, which has resulted in the floor plan being difficult to interpret.

The current application relates to the change of use of the property from residential to holiday let. Historic England's interest lies in the impact of the fire upgrade works required by the proposed change of use. We welcome the opportunity to comment on the Listed Building Consent that will need to be submitted for any works connected to the property.

Teignbridge District Council (EHO):

The EHO has raised concerns regarding the impact of the use of the main building, grounds and pool area on the amenity of neighbouring residents. He has been re-consulted on the amended plan which omits the pool area. Any further comments that are received will be reported at the meeting.

Parish/Town Council Comments

Christow PC:

Object - impact to the local environment / increased traffic on small lanes / noise and light pollution in rural location.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR19 - Dealing with proposals for tourism development

COR2 - Settlement Strategies

COR21 - Dealing with development and transport issues in a sustainable way

COR5 - Protecting the historic built environment

DMD1a - Presumption in favour of sustainable development

DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities

DMD4 - Protecting local amenity

DMD44 - Tourist accommodation

DMD5 - National Park Landscape

DMD7 - Dartmoor's built environment

DMD8 - Changes to Historic Buildings

Representations

10 letters of objection 1 letter of support

Objections:

The proposed use will have an unacceptable effect on near neighbours. In particular, the use of outdoor space including the swimming pool, hot tub and garden have historically and will in future, adversely affect the quiet enjoyment of neighbouring residents. The large property inevitably attracts large groups who have already caused disturbance into the early hours. There is a difference between a low intensity family dwelling and all year round commercial use of the property. The use would increase traffic on narrow roads and compromise the safety of other residents. It is unrealistic to assume that conditions restricting use could be adequately enforced. There will be no benefit to the local community or additional employment. The proposed use is not needed to 'save' the historic building.

In support:

The application would support the maintenance of an historic building. The proposed use would add to the local economy, bringing tourists and creating work in the area.

Observations

LOCATION & HISTORIC SIGNIFICANCE

Canonteign is a Grade I listed manor house dating from the late sixteenth century which was subject to major restoration works in the 1970's. It occupies an imposing position in the Teign valley on the western valley side affording dramatic views to the east. The property is constructed of stone rubble with granite dressings on a symmetrical plan form. It is positioned tight to the highway on the western side with extensive grounds to the east leading down to the Teign Valley road. It is listed for its architectural significance and historical associations.

The property is currently used as a single residential property (use class C3). It is laid out as a six bedroom residence with staff quarters. In the recent past it has been let out on a casual basis to groups and families for holiday purposes.

PROPOSAL

This application seeks planning permission for the change of use from C3 Residential Use to

Sui Generis Holiday Let of the main property (Canonteign Manor) and its associated parkland. Listed Building Consent has not been sought at this time for any works to the property.

The holiday unit would provide six bedroom suites (with en-suite facilities), various activity rooms (billiards room, drawing room, family lounge, breakfast room and kitchen), spa and treatment facilities with a separate staff accommodation flat (on second floor).

Guests would have the full use of the property and extensive grounds. The application red line has now been amended to exclude the open air swimming pool and hot tub area. It is intended to decommission this facility, provide a permanent cover and fence this area from the remaining site.

The site primarily accessed from the south being approximately 1km from the Teign Valley road. Vehicle access is from the north side of the property leading to a designated parking area.

PLANNING HISTORY

The property has been subject to a number of permissions/consents for works to the fabric of the building. A pool house/orangery was permitted in early 2000 on the southern aspect. The pool has been constructed however the orangery (enclosure) has not been pursued to completion.

More recent planning history relates to the present owners desire to use the property as an alternative to the authorised residential use. A planning application to use the premises as a hotel was withdrawn in 2016. An application seeking a certificate of lawful use for holiday letting was refused by the Authority in 2018. The subsequent appeal was dismissed by the Inspector. A corresponding application for listed building consent for internal works related to fire prevention was withdrawn in 2018.

The submission of this application is primarily a response to the Inspector's decision on the certificate of lawful use application. His decision stated that the use of the building for holiday purposes was not a lawful use and that planning permission would be required, hence the application we now have before us.

PRINCIPLE

The use of the property to provide short stay holiday accommodation to multiple visitors is one that, in principle, could accord with policy DMD44. Inter alia the policy specifically states that tourism development will be permitted where it comprises 'accommodation in large houses in the countryside..... where the management of the tourism enterprise is undertaken from that dwelling'. There is also an element of using an important Grade I building to promote the special qualities and understanding of the Park.

Policy DMD4 is pertinent in that it seeks to minimise the impact of development proposals, in general, on the amenity of residents in association with maintaining the special qualities of the Park.

In a wider sense, policy DMD5 states that development proposals should conserve and / or enhance the character and special qualities of the Dartmoor landscape by respecting the tranquillity and sense of remoteness of Dartmoor.

In this case there are no works proposed to the fabric of the building. At present there is no direct impact on the fabric of the building however there may be a need to address the specifics of fire regulations in a later listed building consent application if required. The policies relating to the importance of the historic built environment (COR5, DMD7, DMD8 and DMD9) have relevance but are focussed on the physical works that are commonly associated with changes of use. Nevertheless, they reiterate the importance of considering the impact that inappropriate uses can have on the historic environment and how important is to ensure any identified harm does not impact on the importance of the historic asset.

Policy COR11 seeks to sustain Dartmoor as a place that continues to offer a sense of tranquillity to residents; those who work in the National Park and those who visit it.

MAIN ISSUES

Given that there is support, in principle, for the re-use of a large country house for holiday letting purposes, the main issues in this case are considered to be twofold.

Namely, the harm this proposal may have on the nationally important listed building and secondly, that of the amenity of neighbouring residents through activity, noise, traffic and intensity of use – all matters identified as concerns in the locality.

In the case of harm to the building, it is acknowledged that the internal fabric of the building has been significantly altered to accommodate the needs of 21st century living standards. It is a country house that displays a fine historical façade and setting but internally already has all the comforts of a modern residence. The anticipated internal improvements to meet fire regulations would need to be the subject of detailed scrutiny but are not for consideration at this time through this change of use application. In principle, it is hard to argue that the proposed use would have a harmful impact on the fabric of the heritage asset at this stage.

With regard to the impact on character and amenity issues, this stems from the intensification of use of the property, facilities and outdoor space. The original application boundary included the swimming pool. The applicant has sought to minimise impacts by employing a live-in housekeeper who would seek to monitor and enforce a stringent set of house rules. He has offered to provide a unilateral undertaking to sit alongside any permission setting out the expectations of guests. This includes reference to decommissioning the pool and surrounding area (now lying outside the red line site) and the erection of estate fencing to delineate the boundary of the garden area in this location. It will also propose quiet areas around the house between 9pm and 9am. This was the thrust of why the Inspector considered that planning permission was required in order to pursue this change. Specifically he noted that;

‘Recreational activity by people living in the property whilst enjoying their holiday break would be more likely to lead, particularly in good weather, to recreational activities within the garden. The large swimming pool is likely to be a particularly attractive feature for such occupants. In many instances from my experience it would seem likely that this would create a significant amount of activity in the form of sounds from voices, games being played and music.’ Furthermore, he stated that; ‘a live-in house keeper is likely to live integrally with the family unit assisting with domestic needs and responsibilities. It is proposed that the role would change to include monitoring of activity to ensure compliance with the ‘house rules’. The member of staff would be a manager living separately and in a socially more detached manner than at present. It seems likely to me that the staff accommodation may also become functionally more distinct from the rest of the dwelling. These changes would therefore substantially alter the role and manner of occupation of the building of that staff member at times when groups are in occupation.’

At their nearest, neighbouring residents are separated by approximately 10m on the southern boundary of the property (now approximately 30 metres from the revised application site boundary).

HIGHWAY ISSUES

A number of objections received have stated the intensification of use would be to the detriment of highway safety. It is accepted that access to the site is via a single track highway, not dissimilar to many other single track highways within the boundaries of the Park. The main Teign Valley road is approximately 1km to the south.

In his detailed response the Highway Officer does not raise an objection on highway safety grounds.

OTHER MATTERS

Objections received have suggested that the swimming pool does not benefit from planning permission or listed building consent. Evidence suggests the pool has been in situ since at least 2006. The permission/consents granted in 2003 allowed for the construction of a pool enclosure (orangery) which, although part implemented, has not been completed. While it is currently an open air facility it is within the gift of the owner to complete this permission without further reference to the Authority. It is not expedient for the Authority to insist that the permission for the enclosure of the pool is completed.

MAIN ISSUES

The principle of using this substantial country residence as holiday accommodation is one that accords with policy DMD44. While it is the intensity and type of use that tips the balance towards needing planning permission, the extent of that impact is finely balanced in comparison to that which could already occur as a large single dwelling. If, as a generous six bedroom residence, it were to be fully occupied by a family on a permanent basis that, in itself, could be intrusive to close neighbours. There is presently nothing that allows the Authority to control that level of use and, as a corollary, use (or times of use) of the extensive gardens and authorised pool area by family and guests. The house has not been occupied by the owner as a family residence in the most recent past.

However, the nature of use by a family unit could be argued to be different from that of separate groups of guests on a short term visit who may have less appreciation about the house, its setting and respect for neighbour amenity. By inference, their arrival on 'holiday' at the property may be expected to have a different impact and level of activity to all year round use by a family. There is no inference that the property would necessarily be used by a single group however, as many of the facilities are shared it is likely that most booking would be expected to be single, large groups.

The key factor would appear to be judging whether the necessary change of use significantly changes that nature of the level of intensity or use of outside space beyond what is acceptable in this location.

It is considered that the re-use of the internal space within the property will have little direct impact on neighbouring residents. Similarly, there are no objections on highway safety grounds which would substantiate a reason for refusal concerning highway issues.

The outstanding matter is how the use of the outdoor space impacts on neighbouring residents. It is acknowledged that there are instances of recorded events causing disturbance to neighbours in the recent past. The Environmental Health Officer has raised concerns (based on the original application; use of the house and pool area) and is aware of the revised site boundary. Any further comments will be reported at the meeting. Controlling the extent of the use of the outdoor space has to be seen to be reasonable and ultimately enforcement if conditions are to be applied. The applicant has suggested a unilateral undertaking seeking to restrict the times of use of the outdoor spaces by guests to avoid late evening or early morning use.

SITE INSPECTION

At its meeting on 7 February, the Development Management Committee resolved to hold a site inspection at the property in order to gain a better appreciation of the site and its proximity to neighbouring residents. This took place on 21 February 2020. The minutes of that meeting are presented earlier in this agenda.

Members viewed the property and its grounds and in particular the location of the pool area, including the hot tub, patio and play equipment. Members also took the opportunity to view the site from one of the neighbouring properties.

CONCLUSION

The applicant has taken on board the concerns raised by local residents. The revised site boundary (omitting the swimming pool area) has been presented to ensure that area is not part of the application site. The proposed boundary fencing and unilateral undertaking seeks to ensure that the pool is decommissioned, covered and that this area, in close proximity to neighbours on the southern boundary, is not available to guests. Furthermore, reasonable endeavours would be taken to secure compliance with the 'house rules', which include restricted times for other outdoor activities.

Details of the Unilateral Undertaking are yet to be finalised but this, and the removal of the pool area from the scheme, represent a significant change and improvement to the proposal in terms of its potential impact on the area and neighbouring residents. It will include the following;

- Swimming pool and associated plant to be decommissioned and covered prior to commencement of approved holiday use
- Boundary fencing to be erected as approved prior to commencement of approved holiday use
- 'House rules' to be applied to all guests

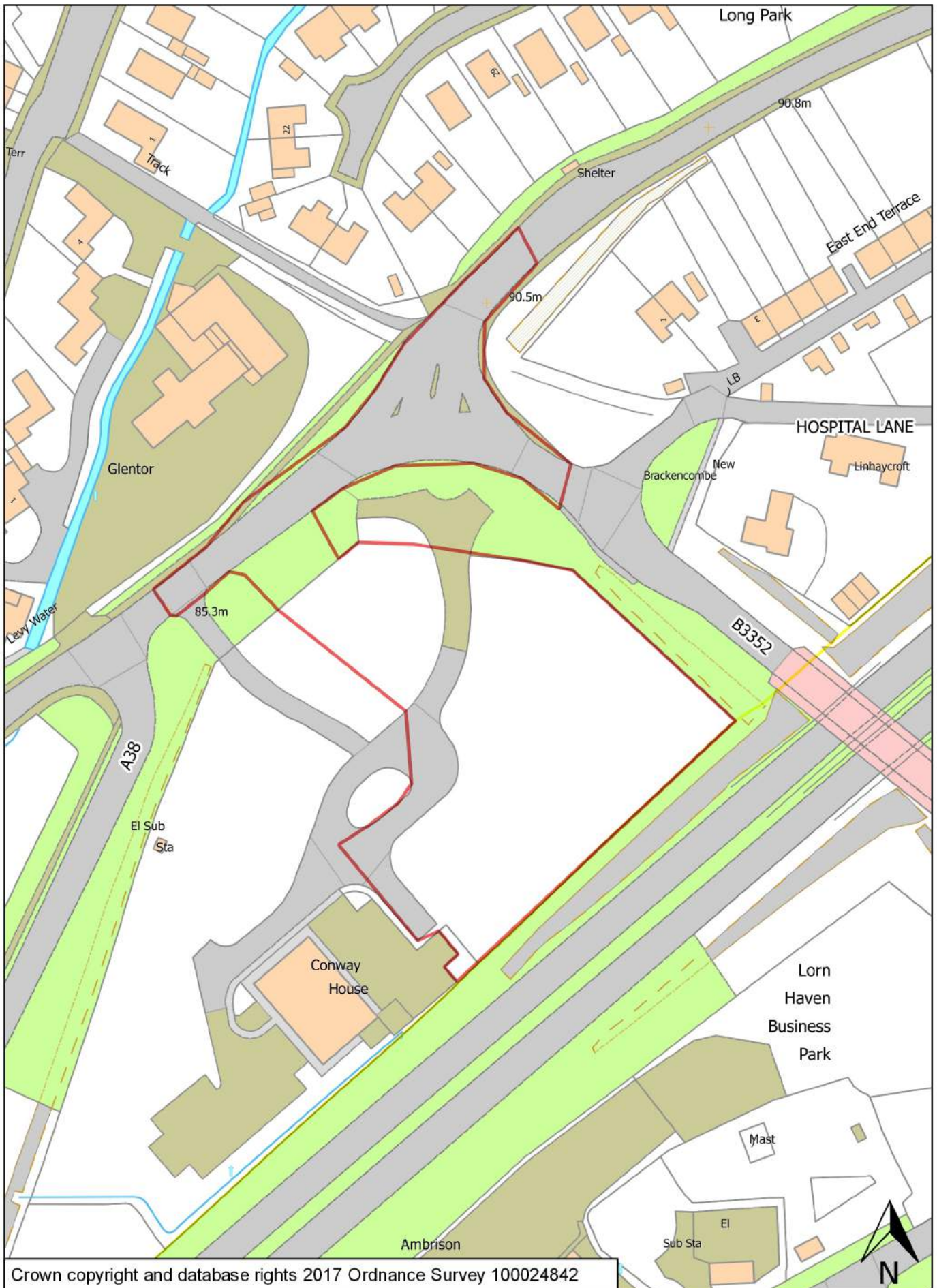
Whilst further consultation responses are awaited on the amended site plan, officers are now of the opinion that an objection based on the risk of disturbance and impact on the amenity of neighbouring residents would be difficult to substantiate given the reduced scheme now proposed and the Authority's ability to control the use and activities by condition and through the undertaking.

It is therefore now considered appropriate to recommend that the application is approved with the proviso that the use should not commence until the pool area is decommissioned and fenced from the application site.

0251/19 - Land at Dolbeare Business Park, Ashburton



Scale 1:1,250



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2. Application No: **0251/19** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **Ashburton**
Grid Ref: **SX763704** Officer: **Nicola Turner**

Proposal: **Erection of part two and part three storey eighty bedroom hotel with associated car parking, cycle parking, landscaping and access**

Location: **Land at Dolbeare Business Park, Eastern Road, Ashburton**

Applicant: **Premier Inn Hotels Ltd**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed hotel, and associated works are not small scale tourism development therefore are considered to be contrary to policy COR1, COR2, COR4, COR8, COR12, COR18, DMD1a, DMD7, and DMD44 of the Dartmoor National Park Development Plan and to the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010, and the National Planning Policy Framework 2019.
2. Insufficient information has been submitted to assess the likely impact from the proposed development on bats. The proposed development is therefore contrary to policies COR7 and DMD14 of the Dartmoor National Park Development Plan and the Conservation of Habitats and Species Regulations 2017 and to the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010, the National Planning Policy Framework 2019 and the Dartmoor National Park Design Guide.
3. The proposed hotel, by reason of its bulk, scale and poor design is considered contrary to policy COR1, COR2, COR4, COR8, DMD1a, DMD7, and DMD44 of the Dartmoor National Park Development Plan and to the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010, the National Planning Policy Framework 2019 and the Dartmoor National Park Design Guide.

Introduction

The site is sandwiched between the A38, linking the M5 with Cornwall and the South West including Plymouth, and the main access road, Eastern Road, into Ashburton from the north.

The proposal is for the construction of an 80 bed hotel set in the existing undeveloped site adjacent to the Police building, together with associated parking for 67 cars, 4 disability spaces and 10 cycle spaces. The site is set below the level of the local roads serving the site, and screened from the A38 by mature trees along the roadside. The site slopes from the north to the east and currently has a temporarily approved access serving the existing unit on the site.

Ashburton is a characterful and vibrant town with a strong emphasis on independent stores and speciality food and drink trade. Visually, the buildings in the town vary from stone, to render and slate hung, mostly small scale buildings. It is a gateway town from which to explore the moor.

The application is presented to the Committee in view of its scale and impact in this locality.

Planning History

0506/18	Erection of eight B1 or B8 units and one B1, B8 or D1 (vet) unit, vehicle access and new junction works, landscaping and infrastructure Full Planning Permission	Grant Conditionally	23 November 2018
0450/15	Temporary approval for retention of access road with limited improvements to access road and boundary fencing/landscaping Full Planning Permission	Grant Conditionally	15 October 2015
0312/14	Continued use of temporary access road for a period of three years Full Planning Permission	Grant Conditionally	06 August 2014
0523/11	Temporary access road for a period of three years (retrospective application) Full Planning Permission	Grant Conditionally	09 January 2012
0906/07	Erection of seven business units with associated access road, car parking and landscaping Approval of Details	Approve Conditionally	14 April 2009
0286/06	Variation of Condition 1 of outline permission ref 0043/02 to allow period for submission of reserved matters to be extended from three years to five Full Planning Permission	Grant Unconditionally	16 June 2006
0043/02	Employment use, Class B1 only Outline Planning Permission	Grant Outline Conditionally	07 July 2003
5/31/028/95/03	Renewal of permission ref 88/0388/31/3D for the construction of an office building with associated car parking and access works Full Planning Permission	Grant Conditionally	11 April 1995
05/31/0388/88	Headquarters for Greymatter Ltd: Business use classes B1, B2 and B8 Approval of Details	Approve Conditionally	07 March 1990

Consultations

County EEC Directorate:

No objections subject to:

1. No part of the development hereby approved shall be commenced until the access approved by planning permission 0506/18 has been provided and completed to the satisfaction of the planning authority after consultation with the highway authority.

2. No part of the development hereby approved shall be brought into its intended use until the access, parking facilities, commercial vehicle loading/unloading area and turning area have been provided and maintained in accordance with the application drawings and retained for that purpose at all times

Environment Agency:

Flood Zone 1 - Standing Advice

Devon and Cornwall Police:

Devon and Cornwall police has concerns about the location of the building. It has been positioned adjacent to their building and may result in overlooking. This has been mitigated through only a small number of windows being located on the side elevation and these appear to be stairway windows. They respectfully request that these are

frosted to reduce the likelihood of a security breach.

From a construction point of view, it would appear that the site will utilise a separate roadway into the new building and the Police would want assurance that we are given 24/7 uninhibited access.

DNP - Trees & Landscape:

The development will have minimal impact on the trees surrounding the site.

Teignbridge District Council (EHO):

Noise arising from the use of any mechanical or electrical plant used in conjunction with this application should not exceed the background noise levels prevailing at the time at any noise sensitive receptors. Additionally in accordance with BS7445 Description and measurement of Environmental noise, there should not be any fugitive tonal components detectable at any of the nearby noise sensitive receptors through either airbourne or transmitted sound. The applicant should seek and obtain the services of a professional sound consultant to compile a scheme of works which will enable compliance with the above conditions attached to this consent, and should be submitted for the planning authorities consideration before the commencement of any works.

Teignbridge District Council:

No objection

Highways England:

Highways England has no objection in principle to the proposed development subject to planning conditions being attached to any consent the planning authority is minded to grant to the effect that:

i) Prior to the commencement of the development hereby permitted, a detailed drainage strategy including detailed drainage design plans shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with Highways England).

ii) Prior to the commencement of the development hereby permitted, a planting schedule detailing the species to be planted adjacent to the A38 boundary shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with Highways England). A boundary visual screening mitigation strategy shall also be submitted to and agreed in writing by the Local Planning Authority (in consultation with Highways England) prior to commencement.

iii) Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Highways England).

Natural England Consultation Service:

Natural England have been reconsulted on this application due to amended plans including an amended ecological appraisal and Phase 2 Bat survey. However we note in this document that a full lighting survey has now been commissioned;

The current proposals demonstrate that dark corridors can

be provided where the lux level is below 0.5 lux (with the exception of the south eastern corner if the motion triggered lights are activated). To ensure a full lighting assessment is undertaken the light spill from internal luminaries should be modelled.

The assessment will make reasonable assumptions regarding the internal layout and lighting design and will demonstrate that the “dark corridor” will be maintained. This survey has been commissioned by the Whitbread Group PLC on the 21 January 2020 following advice received from Richard Knott on the 15 January 2020. The report will be updated accordingly following the receipt of these results.”

DNP - Ecology & Wildlife:

I note the submission of revised plans and drawings, an updated ecology appraisal report (Lindsay Carrington Ecological Services, updated Jan 2020), and interior light spill assessment (Strenger, Feb 2020).

The modelling of the external lighting around the car park (drawing ref C7289/E/801 rev A and Appendix VI of the ecology report) has not been reviewed or amended. Specifically, I had questioned the assumed maintenance value used in the calculations, and asked that the lux plan be updated in line with best practice which assumes a maintenance value of 1.

I welcome the new consideration in the ecology report of the external lighting around the services access on the southern elevation, and the suggested measures to minimise their light spill.

I note the modelling and consideration of internal light spill from windows on this elevation (interior light spill assessment, Strenger, Feb 2020). The interior light spill assessment claims compliance with requirements to maintain the tree line in darkness, through the use of recessed light fittings, their positions relative to glazing, specification of lighting units in stairs and corridors, and other measures set out in section 6 of the report. It does however appear that this is modelled on the basis of 25% of windows lit, with open curtains, rather than a possible ‘worst case’ i.e. that all lights are on and no blinds or curtains. What was the justification to assume 25%? Should there be an assumption that all windows to corridors and stairwells are permanently lit (e.g. for safety), and if so is additional mitigation needed for these areas?

In section 5.2 of the ecology report, reference in the previous report to SMART glass has been removed, replaced with discussion of curtains. Guests drawing their curtains will obviously be beneficial but this is not enforceable and therefore cannot be relied upon or

conditioned as a measure to deliver the required dark tree line.

I am of the view that these unresolved matters could be addressed through discussion and agreement between the lighting consultant, ecological consultant and ourselves. In particular:

- For the external lighting model (drawing ref C7289/E/801 rev A), would ILP best practice to use maintenance factor 1.0 change the conclusion that the tree lined boundary can be maintained dark (less than 0.5 lux as per ecology report)?
- For the internal lighting assessment (Strenger, Feb 2020), would the 'best practice' approach assuming worst case (i.e. all windows lit) affect compliance?
- Does further consideration need to be given to lighting from stairwell and corridor glazing, and would that affect compliance?

With answers to these questions the ecology report can be updated with specific mitigation relating to lighting and bats. In all other respects, the ecology report and recommendations are adequate and would be covered by a condition requiring that a Construction Environment Management Plan (CEMP) and Landscape and Ecological Management Plan (LEMP) are submitted and approved in writing, and carried out in accordance with a timetable for implementation as approved. This should include the mitigation, compensation and enhancements set out in the report.

An error is noted in section 5.1.1 which cites incorrect features for South Dartmoor Woods SAC. However, it does not in change my conclusion of no likely significant effect on this SAC.

Recommendation:

Whilst the above questions remain unresolved in the ecology report, I find it necessary to maintain my objection. With suitable assurance, discussion in the ecology report, and specific mitigation my objection could be overcome with a suitable and agreed planning condition which addresses lighting and the need to maintain the tree-lined 'dark corridors' at the specified 0.5 lux or less.

Parish/Town Council Comments

Ashburton TC:

Ashburton Town Council's original comments regarding trees, ecology, lighting, design, adequacy of parking and sustainability still stand on this application.

1)The revised plans do not enhance the special purposes of Dartmoor National Park i.e. "foster the economic and

social wellbeing of the local community”.

To illustrate this the revised Design and Access Statement point 2.5 still states there are two hotels serving Ashburton, Lavender House and Dartmoor Lodge but again fails to mention Gages Mill, Furzleigh Mill, Abbey Inn and numerous B and Bs and Air Bnbs: although the revised statement has changed a couple of B and Bs to several B and Bs. Again the applicant states “there is a surprising limited provision given that Ashburton is the gateway to Dartmoor” We suggest Walsingham planning research more thoroughly the accommodation provision within Ashburton and the surrounding area.

2)Economic Assessment - There is still no independent economic assessment in the revised application ATC highlighted this lack in our original comments. We note that Walsingham planning are disingenuous in their reply to ATC stated that there was no need for an independent Retail Assessment when we have not requested one furthermore we would suggest that we cannot progress in our judgement on this application without being given an independent economic impact assessment which is why we requested one in July 2019.

3)Bats - The revised ecological survey does not include a bat survey carried out during spring and early summer when female bats form nursery roosts and give birth. We note that this proposed development is approximately 420m from a proposed development which has planning permission at Longstone Cross. This development has a bat corridor. We note that DNP objected to the first application: “Based on the information provided these proposals do not meet the requirements of Policy DMD14 and could be in breach of Conservation of Habitats and Species Regulations 2017”. We would urge DNP to be thorough in the application of these regulations. The amended application does not have an amended lighting scheme.

4)Trees - the revised Design and Access statement has an addition to point 7.1 stating-“Consideration for existing tree/roof zones” I can find no information to support this statement, indeed, there is still no drawing of the large Sycamore tree at the entrance on the revised site drawings. However, it is shown in the photomontage. This sycamore tree is a landmark tree in the landscape.

5)Building Design Changes - The proposed external appearance is changed in that there is no longer any rendering on the outside instead the building will be clad mainly with a dark grey standing seam metal cladding with timber effect cladding planks in the reveals between the

metal cladding. The roof line is no longer flat but is stepped in several places to break up the overall massing. Point 10.2 states that "Inspiration has been drawn from the eclectic local style". We dispute this as the local style has rendered frontages on timber framing or, if stone, are either granite or limestone from the local quarry (which is adjacent to the site of the proposed development), not a generic stone cladding that can be found on other Premier Inns throughout the country. Revised plans cite the house of a local architect, with photograph, as an example of the modern buildings in Ashburton. Said architect has written an objection and I quote "The scale and massing of the proposal is completely out of sync. with Ashburton and its surroundings. It seems as though a generic, city centre development proposal has been dropped onto the site. I also find the reference to my own house in the design statement a little spurious please champion design excellence and not mediocrity." We agree with these statements. A more imaginative design in keeping with the local vernacular would perhaps be more acceptable especially if it was of a far smaller size.

6)Scale - Ashburton Town Council's original comments included the fact that this proposal was not for a small hotel but was for a large scale development which would have a negative impact on local amenities and the character of Ashburton. Very surprisingly the revised plans have enlarged the site-internal size from 2,890sqm (However in Walsingham Planners reply to Ashburton Town Council the internal floor space is stated to be 2,882sqm!) to 2,952sqm and externally from 3,116sqm to 3,179sqm. We request justification for the proposed increase in size. Maybe this large scale development would be better sited at the crossroads at Drumbridges or Haldon and not in the National Park were small scale development is allowed if necessary.

7)The distance from the proposed hotel is 1km, 0.62 miles, from the town centre not half a mile as stated in the application.

8)In summary these revised plans have not taken into account our original objections and do not address the concerns of Ashburton Town Council. These proposed plans, if permitted, would become the service station hotel on the A38 as was indicated by a member of Whitbread staff at the Ashburton Exhibition.

The proposed development's proximity of nearby dwellings and Ashburton's hilly environment leads us to ask if the familiar entrance façade and lighting be visible beyond the Business Parks entrance. The lighting and signage

ambience, mass and scale of design is more appropriate to an urban setting where the special purposes of the National parks are not relevant.

Ashburton Town Council OBJECTS to this amended proposal.

Relevant Development Plan Policies

- COR1 - Sustainable Development Principles
- COR10 - Providing for renewable energy
- COR11 - Retaining tranquillity
- COR12 - Meeting the need for local infrastructure, community facilities and public services
- COR13 - Providing for high standards of accessibility and design
- COR14 - Meeting the infrastructure requirements of new development
- COR18 - Providing for sustainable economic growth
- COR19 - Dealing with proposals for tourism development
- COR2 - Settlement Strategies
- COR21 - Dealing with development and transport issues in a sustainable way
- COR3 - Protection of Dartmoor's special environmental qualities
- COR4 - Design and sustainable development principles
- COR7 - Providing for the conservation of Dartmoor's varied plant and animal life and geology
- COR8 - Meeting the challenge of climate change
- COR9 - Protection from and prevention of flooding
- DMD14 - Biodiversity and geological conservation
- DMD19 - Sustainable Communities
- DMD1a - Presumption in favour of sustainable development
- DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
- DMD2 - Major Development
- DMD3 - Sustaining the quality of places in Dartmoor National Park
- DMD38 - Access onto the highway
- DMD39 - Provision of car parks
- DMD4 - Protecting local amenity
- DMD41 - Parking provision - Non Residential
- DMD44 - Tourist accommodation
- DMD5 - National Park Landscape
- DMD7 - Dartmoor's built environment

Representations

107 letters of objection 45 letters of support 8 other letters

Objections -

- Negative effect on current accommodation business locally
- Eyesore on quaint Dartmoor town
- Should be used for local housing
- Detriment to Dartmoor Lodge

- Road junction already a site for near misses
- Contrary to the town ethos of small local traders
- Detriment to local traffic flow
- Poor design
- Too large
- Lack of public engagement prior to application submission
- Lack of consideration of local materials and the environmental cost of the building and carbon footprint
- Lack of consideration for the environment.
- Dartmoor is a place for wildlife and natural beauty, not more tourists
- Precedent for further eyesore development
- Jobs leakage to recruitment outside the area
- Loss of business for accommodation providers as well as food outlets
- Inappropriately sized
- Not the Devon vernacular which people come to see
- Current accommodation providers are rarely full in high season so this will impact upon that further.
- There is a Premier Inn 7 minutes drive away in Newton Abbot
- Inappropriate materials
- Access should be via the previously approved roundabout
- Low occupancy rates at existing hotels therefore no demand for bed spaces
- Undercutting existing providers
- Taking supply and sourcing of food etc outside the locality
- Is there adequate capacity in the sewage treatment works for the additional load shared with Buckfastleigh?
- All the money will benefit the shareholders and not Ashburton
- Incomplete information to allow DNP to assess Habitat Regs.

Support -

- Well established and well known brand will attract more people to visit
- Creation of jobs and increase trade in stores
- Beside A38 so unlikely to have a major impact on locals
- Asset to the town
- Affordable accommodation
- Improve the current site state
- Character of the town unaffected
- Provision of cycle parking in the rooms
- Provision of accommodation to support businesses such as Ashburton Cookery school and Grey matter.
- Healthy competition
- Variety of choice for locals

Observations -

- Has it been considered to extend the 88, 672 and X38 buses in terms of hours and distance?

Comment -

- Easy access to town so does not need restaurant and bar
- Design should be better thought through to be vernacular
- Good transport links so biomass should be used
- Electrical charging points should be introduced as standard as well as PV etc
- Recommend a shuttle bus to take visitors to the town centre.

- Business people coming to stay in the hotel will be visiting businesses in the area, so beneficial.

After reconsult date - these new issues raised:
Design will blend in eventually

Observations

PLANNING HISTORY

The site has been the subject of a number of planning applications. Application 0906/07 for the erection of seven business units, associated access, car parking and landscaping has been partly implemented and is therefore extant.

Application 0405/15 sought temporary permission, retrospectively, for approval of an access. This permission expired on 1 October 2018 and requires the temporary access to be removed and land restored to its previous condition. This access remains in use and is the main access to the Devon and Cornwall Police building.

Application 0506/18 proposed 9 commercial units and 41 car parking spaces. The access for this hotel is proposed in the same location as the access approved with the 2018 application.

This application has undergone extensive discussions with officers concerning the design, to reduce the scale and bulk.

MAJOR DEVELOPMENT TEST

Paragraph 172 of the NPPF states that planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. This is reiterated in policy DMD2 of the Local Plan.

The determination of whether a proposal amounts to 'major development' is a matter of planning judgement to be decided by the decision maker. It is not synonymous with the definition of a 'major planning application', but rather whether the development could be construed as major development in the ordinary meaning of the word having regard to the character of the development in its local context. Recent headline applications for major developments in England's National Parks include fracking, power line infrastructure, quarrying etc.

Having regard to the character, nature and scale of the proposed development for hotel accommodation, café and restaurant adjacent to the A380, and taking the local circumstances and context into account, it is not considered to be a 'major development' under paragraph 172 of the NPPF.

The proposal was screened under the Environmental Impact Assessment (EIA) Regulations and determined not to have a significant environmental impact requiring the submission of an Environmental Impact Assessment. Making this judgement under the EIA Regulations however does not mean in general that a proposed development is considered suitable in broader environmental and policy terms.

PRINCIPLE OF USE

Local Plan policy COR18 provides support for small scale business opportunities that are compatible with National Park purposes. Within designated settlements policy recognises the opportunity to develop and expand existing businesses and offers support for creative small scale development aimed at light industrial/office based uses. The object of this policy is to direct employment opportunities to sustainable locations within or near to existing settlements.

The site is located within the Local Centre of Ashburton, and it is within the settlement boundary, where one could expect to see new business premises located.

The succession of previous applications for employment use on this land has also established B1, B8 and D1 uses as appropriate in this location.

There is no objection to the principle of the construction of buildings on this site as there is the extant permission. This application presents a proposal that should be assessed under policies referring to hotel provision, namely DMD44.

POLICY

The site has extant (part implemented) permission for employment uses. Core Strategy Policy COR18 states:

“The presumption will be that existing employment sites and premises will be retained for economic uses and proposals for the redevelopment of existing employment sites and premises for non-employment uses will be carefully assessed to ensure that the needs of business and industry in the National Park would not be harmed by such change of use.

A C1 (hotel) use in the location should therefore in the first instance, demonstrate clear justification that it will provide a level of employment, direct and/or indirect, commensurate with an employment site. The direct employment from this proposal is relatively low for a site/floorspace of this scale. In respect of wider economic benefits, the level of evidence supporting the assertions around secondary spend in particular, appears thin.

The planning statement shows that 60% of the company’s occupancy is business travellers, but that a ‘higher proportion’ of leisure traveller ‘would be expected’. It is unclear how much higher, why or how this is facilitated. For example, what, other than the location in a National Park, differs about this proposal, its layout, offer, marketing, etc. which would mean it would be expected to attract a different clientele from the company’s usual profile.

The National Planning Policy Framework sets out that there should be a presumption in favour of development and that positive planning solutions should be found to ensure economic development is brought forward. With regard to National Parks, paragraph 172 reads as follows:

‘Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

a) the need for the development, including in terms of any national considerations, and the

- impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.'

The applicant appears to consider that the proposal is Major Development in respect of para 172. It should be assessed as to whether this does constitute major development. The NPPF (para 172 footnote 55) notes it is for the decision maker to judge whether a proposal is Major Development. Irrespective of this, the NPPF paragraph notes that the scale and extent of development within [National Parks] should be limited. This is consistent with Policy DMD44, considered below. Given this, the assessment of options or alternatives is critical, in ensuring that opportunities for the development to take place elsewhere have been genuinely considered. The consideration of alternative sites outside the National Park, or the alternatives which have been deemed unsuitable have not been detailed, or justification as to why a site in the National Park should be acceptable.

There is reference to alternatives in respect of the town centre sequential test, which appears to have considered other locations within Ashburton, and one other site elsewhere.

It is considered that in the context of the National Park, read together with this paragraph of the NPPF, the Development Plan Policy DMD44 leads towards small scale accommodation being acceptable in the National Park.

This proposal is not small scale, in terms of either the number of rooms provided together with the restaurant and bar facility, or the bulk and size of the building itself. The Agent has stated that given the bulk and scale of the previous approved buildings, this is comparable.

Policy DMD44 allows for 'small scale' hotels within Local Centres. 'Small scale' is a term which must be treated relatively, in this context, and is not defined in the Local Plan. From the evidence DNPA holds in relation to the STEAM tourism modelling, this hotel would, if permitted, be the largest hotel in the National Park. On this basis it would be clear that the proposal could not reasonably be considered small scale in the context of the Dartmoor Development Plan, and the grant of permission would therefore not align with this policy.

There may be opportunities for new hotel and guest houses in Local Centres where they would not detract from the distinctive character of the settlement. They should also help the local economy. It is considered that the proposal would not significantly feed back into the local economy with centrally acquired staff and food suppliers, with no information to refute this.

Core Strategy Policy COR19 states:

"Proposals for tourism development should be based on and respect the special qualities of the National Park - its distinctive landscape and natural beauty, its cultural heritage and history, its biodiversity – making use of the opportunities that the National Park offers for quiet, informal, open air recreation."

It is unclear from the planning statement how it meets this policy. Indeed with reference to the planning statement, it is important to ensure that in principle there is no perceived acceptance of development which could be of harm to the National Park simply because it is close to its boundary. All proposals should be considered on their merits, and taking into account the special qualities of that part of the National Park and the opportunities for conservation and

enhancement.

ECOLOGY

There is an objection to the proposed development as submitted due to the likely impact of the proposed development on bats therefore planning permission should be refused on this basis. The objection will be upheld until the applicant has supplied information to demonstrate that the risks posed by the development can be satisfactorily addressed. Discussion has taken place to request the full set of information and further information has been supplied and sent to Natural England and the Authority's ecologist for comment, and we await Natural England's response. The objection from the Authority is maintained.

Based on the information provided, this proposal does not comply with DMD14 and would be in breach of Conservation of Habitats and Species Regulations 2017.

DESIGN

The Government attaches great importance to the design of the built environment within the National Planning Policy Framework, establishing good design as a key aspect of sustainable development. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Policies COR1, COR3, COR4, DMD1b, DMD3 and DMD7 require new development to provide high quality, locally distinctive design that conserves and enhances the character and appearance of the built environment of the Dartmoor National Park. Specifically, policy DMD7 requires new development to reinforce locally distinctive qualities of place through consideration of open spaces, uses, scale, height, alignment and design. This is reiterated in the Design Guide.

The building is designed with its rear elevation facing the A38, with a main elevation and carpark on the town/entrance side of the building. The general appearance of the building is a three storey, 72m long building which is somewhat sprawling in its design.

There have been some alterations to the appearance of the building during the course of the application, with a general darkening of the materials, alteration of the feature gable, breaking up of the roofline, and reduction in large windows at ground floor.

The proposed building is designed in an unsympathetic style which does not fit comfortably in this location. It uses neither local stone, or sympathetic window design, the mass of the building has been slightly broken up by the recessed elements of timber, however with the windows and small dormer features standing proud, it gives them an even more prominent appearance. The horizontal emphasis, steel features running the length of the building, square windows and no differentiation in the parts of the building other than the imposing entrance gable increase the perception of a bulky, large scale building.

The Agent was advised to address either a more vernacular style, or in this gateway position, a landmark contemporary scheme, neither of which, it is considered, have been achieved with this revised design. There has been correspondence to discuss a way forward with design, however it is considered that due to the fundamental policy objections to this application this would require a new application. Any new application would need to be reduced substantially in scale, bulk and massing, to overcome the reasons for refusal of this application.

It is acknowledged that there are business units around the site which are remarkably simple in their appearance, however the overall bulk of them does not amount to that of this building, therefore a simple design has been acceptable for the business buildings on the site.

Planning permission was granted in 2009, under application ref. 0906/07, for the erection of seven business units at what was then Dolbeare Meadow, including one building (two units) on the site of the proposed hotel with a floorspace of 2,652sqm. By comparison, the floor area of the proposed hotel building is larger at 2,882sqm. It is considered that the desired number of guest rooms in the hotel results in the scale being excessive for this site within the National Park, whilst the design is considered bulky, overbearing and a poor reflection of the location and local vernacular.

HIGHWAYS

No objection has been received from Highways England or the Highways Authority.

Some suggestions have been made regarding the specifics of the parking layout, but no fundamental objections. There is a proposed condition recommended by DCC, if approval is granted, to ensure the access and junction layout is the same as approved in the application reference 0506/18.

LANDSCAPING

The Trees and Landscape Officer has advised that a mature sycamore tree is growing at the current site entrance. An application for a new access road has already been determined by the Authority. The sycamore is shown for retention, but the road is so close to the tree that it is unlikely to survive in the long term. The Design Guide states that materials for boundary and landscaping should be of high quality and in sympathy with the character of the area.

POLICE

There are concerns about the location of the building, due to its proximity to the Police building, and it has been requested that the windows on the side elevation overlooking the police building are frosted to reduce security breach. Suggestions have also been put forward to ensure luminaire lights are used to ensure security around the building, while additional height limits on planting have also been suggested, to allow unhindered surveillance.

ECONOMIC IMPACT

The proposed hotel would support approximately 50 full time equivalent jobs over the build period. It is projected that there would be a 50% leakage of jobs to outside the Dartmoor and Teignbridge area.

Once operational it is stated in the supporting documents that the management roles are recruited internally for 80% of the positions, however that 50% of new jobs created in the establishment would be filled by those not in employment or education or training. Total additional jobs, within TDC and DNP would be 23, and within the South West, 34.

There is no reference to the number of local jobs which this development would offer to people currently working in the hospitality industry and there is also no reference to the potential number of jobs which would be created by an alternative employment use on the site,

compared to those to be created by this proposal.

SURFACE WATER DRAINAGE

A large proportion of the car parking area is to be surfaced in permeable material. The proposal is not considered to have any adverse effects on drainage patterns or flood risk in accordance with COR8 and DMD3 of the Development Plan

CONCLUSION

It is considered, that in principle, the proposal is contrary to Policy DMD44 as it is not for a small scale hotel, in the context of the National Park. There is insufficient detail to demonstrate that there would be financial and economic benefit to the locality, which would not otherwise be gained by an employment use on this site.

The design is not considered to be locally distinctive to reflect the character of the host settlement. It would have a detrimental impact upon the gateway into Ashburton, and the National Park.

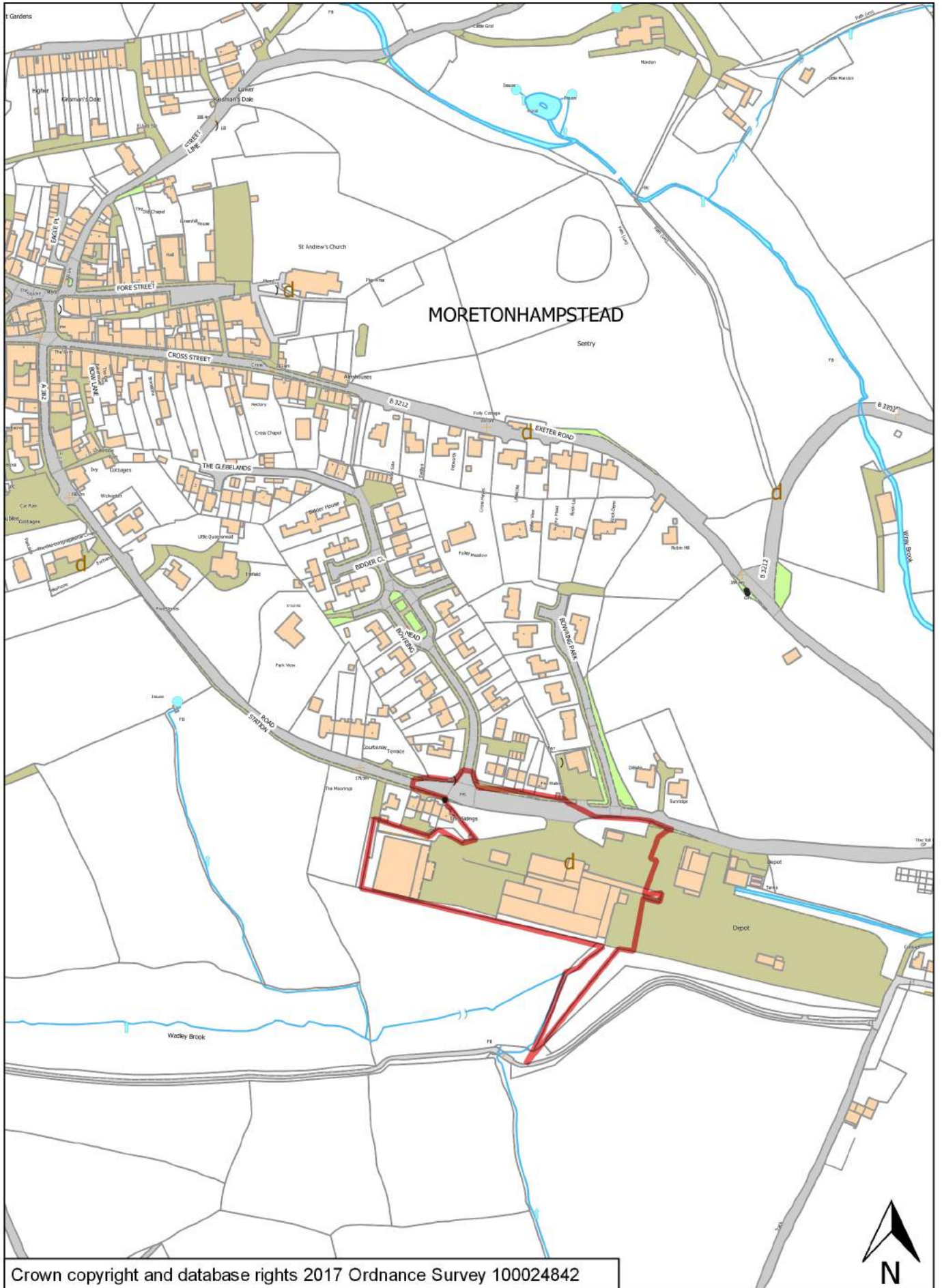
There is insufficient evidence submitted to enable a Habitat Regulations Assessment to be carried out, ensuring there is no harm to protected species.

It is recommended that this proposal be refused as set out.

0588/19 - Thompsons, Moretonhampstead



Scale 1:3,389



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3. Application No: **0588/19** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **Moretonhampstead**
Grid Ref: **SX756856** Officer: **Louise Barattini**

Proposal: **Demolition of vacant depot buildings, erection of 35 residential dwellings together with the provision of associated roads, parking, drainage and open space**

Location: **Land at Station Road, Moretonhampstead**

Applicant: **Baker Estates Ltd**

Recommendation **That, subject to the consideration of any consultation responses to the revised drawings and to the completion of a S106 agreement in respect of the phasing and delivery of the link to the Wray Valley Trail, an education contribution of £35,610, maintenance of all communal spaces and landscaped areas not within the ownership of any dwellings, maintenance of the drainage scheme and culvert ownership and maintenance, permission be GRANTED**

Condition(s)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out strictly in accordance with the following approved drawings and documents: 0671-1000 Topographical Survey-A2L, 0671-1001 Location Plan-A3L, 0671-1002 B Planning Layout-A1L, 0671-1003 B Street Scenes-A1L, 0671-1004 B External Works Layout-A0L, 0671-1005 B Vehicle Tracking Layout-A0L, 0671-1006 B External Detailing-A3L, 0671-1007 B Adoption Plan-A2L, 0671-1008 B Materials Layout-A2L, 0671-1009 B Garages and Walk-Throughs-A1L, 0671-1010 B Site Sections-A2L, 0671-1011 B Refuse and Recycling Plan-A2L, 0671-1012 Buildings Demolitions Plan-A2L, 0671-HTB2 Issue 2 Housetype Booklet-A3L, 1194 Moretonhampstead JRC SuDS Maintenance Regime, 1194_001c Thompsons Yard Flood Risk Assessment P5, 1194_0003_P7 IMPERMEABLE AREA PLAN, 1194_0130_P3 Flood Exceedance Routing, 1194_0500_P8 DRAINAGE STRATEGY, 1194_0501_P6 DRAINAGE STRATEGY, 1194_0520_P1_SURFACE WATER DRAINAGE LONG SECTIONS, 1194_0530_P1_FOUL WATER DRAINAGE LONG SECTIONS, 1194_0700_P5_HIGHWAY LAYOUT, 1194_0705_P7_SECTION 38 AGREEMENT LAYOUT, 1194_0710_P6_VEHICLE SWEPT PATH ANALYSIS, 1194_0720_P2_HIGHWAYS CONSTRUCTION DETAILS, 1194_0730_P2_HIGHWAYS LONG SECTIONS, 1194_0800_P3 EXTERNAL WORKS LAYOUT, 1194_SK06_P1_Footpath Detail, 05371 TRRP, 1138 Planting Schedule New Layout, Planting Plan Generic Specification Notes, 11338_P08d Play Area, 11338_P09d Soft Landscape-P09, 11338_P10d Hard Landscape-P10, 11338_R01a_LVA_CP_MM_111219, 11338_R02_Play Area, Assessment_CP_13111, 191211_P873_CEcoMP v3, 191211_P873_EcIa v5, 191211_P873_LEMP v3, ACD2178 Land at Station Road, Moretonhampstead_v2, SCI 270219_RA, SI Report GCE00819/R1 and 15118-1-B Thompsons Yard – Streetlighting Design.

3. No work shall commence on the development hereby permitted until a written scheme providing for an appropriately qualified archaeologist to carry out a full archaeological watching brief during all stages of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme, which shall be written and implemented at the applicant's expense, shall provide for the observation, recording and recovery of artefacts and post-excavation analysis. A full report detailing the findings shall be submitted to and approved in writing by the Local Planning Authority before the substantial completion of the development, unless otherwise agreed in writing by the Local Planning Authority.
4. No development shall take place until the recommendations stated in Section 9.0 of the contaminated land assessment carried out by Geo-Consulting Engineering Ltd (report ref: GCE00819/ R1 dated September 2017) have been implemented. A further assessment of the nature and extent of any contamination revealed and how this shall be treated shall then be submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person.
5. No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

6. Works to demolish the bat roost building shall not proceed until a European Protected Species Licence (EPSL) for the development has been obtained from Natural England.
7. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be implemented strictly in accordance with the approved drawings and the recommendations in the Construction Ecological Management Plan CEcoMP (EAD, February 2020) and the Landscape and Ecological Management Plan (EAD, February 2020).
8. The replacement bat roost shall be constructed before the demolition of building 2 and in strict accordance with the approved drawings and the recommendations of the Construction Ecological Management Plan CEcoMP (EAD, February 2020), subject to any variation required by Natural England under any license issued.

9. No part of the development hereby permitted shall be commenced until the detailed design of the proposed permanent surface water drainage management system has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. The design of this permanent surface water drainage management system will be in accordance with the principles of sustainable drainage systems, and those set out in the Thompsons Yard, Moretonhampstead Flood Risk Assessment Report (Report Ref. 1194w001a, Rev. P3, dated 11 December 2019).
10. No part of the development shall be occupied until the surface water management scheme serving that part of the development has been provided in accordance with the approved details and the drainage infrastructure shall be retained and maintained for the lifetime of the development.
11. No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. Thereafter, the development shall be carried out in accordance with the approved temporary surface water drainage management system. This temporary surface water drainage management system must satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site.
12. Other than those works specified in this condition, no part of the development hereby approved shall be commenced until:
 - A) The access road has been laid out, kerbed, drained and constructed up to base course level for the first 20 metres back from its junction with the public highway,
 - B) The ironwork has been set to base course level and the visibility splays required by this permission laid out,
 - C) The footway on the public highway frontage required by this permission has been constructed up to base course level, and
 - D) A site compound and car park have been constructed to the written satisfaction of the Local Planning Authority.

13. The occupation of any dwelling in an agreed phase of the development shall not take place until the following works have been carried out to the written satisfaction of the Local Planning Authority:
 - A) The cul-de-sac carriageway including the vehicle turning head within that phase shall have been laid out, kerbed, drained and constructed up to and including base course level, the ironwork set to base course level and the sewers, manholes and service crossings completed;
 - B) The cul-de-sac footways and footpaths which provide that dwelling with direct pedestrian routes to an existing highway maintainable at public expense have been constructed up to and including base course level;
 - C) The cul-de-sac visibility splays have been laid out to their final level;
 - D) The street lighting for the cul-de-sac and footpaths has been erected and is operational;
 - E) The car parking and any other vehicular access facility required for the dwelling by this permission has/have been completed;
 - F) The verge and service margin and vehicle crossing on the road frontage of the dwelling have been completed with the highway boundary properly defined;
 - G) The street nameplates for the cul-de-sac have been provided and erected.
14. When once constructed and provided in accordance with conditions 11 and 12 above, the carriageway, vehicle turning head, footways and footpaths shall be maintained free of obstruction to the free movement of vehicular traffic and pedestrians and the street lighting and nameplates maintained to the satisfaction of the Local Planning Authority.
15. No development shall start until a Method of Construction Statement, to include details of:
 - (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management)
 - (e) provision of boundary hoarding behind any visibility zoneshas been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.
16. Before any of the operations which involve the movement of materials in bulk to or from the site are commenced, facilities shall be provided as must be agreed with the Local Planning Authority, in order that the operator can make all reasonable efforts to keep the public highway clean and prevent the creation of a dangerous surface on the public highway. The agreed measures shall thereafter be retained and used whenever the said operations are carried out.
17. No site clearance, preparation or construction work shall take place on site outside of the hours of Monday - Friday 0800 to 1800 and Saturdays 0900 to 1300, nor at any time on Sundays, Bank or Public Holidays. This includes vehicle movements on the site. Deliveries or collections of materials should only be made during these times, and vehicles should be discouraged from collecting on the public highway outside of these times with their engines and radios left running.

18. A detailed schedule of all materials and finishes to be used on the approved development shall be submitted and approved in writing by the Local Planning Authority prior to their installation. This shall include samples, as necessary, of the roof slate, ridge tiles, rainwater goods, walling stone, details of render finishes, lintels and cills, verge/soffit details, positions of meter boxes, bin stores, surfacing materials, kerbs, any proposed exterior lighting units. Unless otherwise agreed in writing by the Local Planning Authority, only the approved materials shall be used throughout the development, and retained and maintained thereafter.
19. The roof of the buildings hereby approved shall be covered in slate which shall be fixed by nailing only, unless otherwise previously agreed by the Local Planning Authority in writing.
20. Unless otherwise previously agreed in writing by the Local Planning Authority, the frames of all external windows and doors in the building shall be recessed at least 100mm in their openings.
21. Detailed drawings of the proposed porch and dormer window construction shall be submitted and approved in writing by the Local Planning Authority prior to their installation. Unless otherwise agreed in writing, the development shall be carried out in accordance with the approved details, and retained and maintained thereafter.
22. Unless otherwise agreed in writing by the Local Planning Authority, there shall be no bell cast/drip bead lines, boxed eaves or verge boards on the development hereby approved and there shall be no rainwater goods on dormer windows hereby approved.
23. All stone walling on the development hereby approved shall be laid and pointed using traditional techniques and materials. A sample panel of stonework shall be prepared for inspection by the Local Planning Authority and no further stonework shall be carried out until the sample panel has been inspected, and approved in writing, by the Local Planning Authority. Thereafter, all stonework shall be completed to match the approved panel.
24. The development of the goods shed hereby permitted shall be limited to the conversion of the existing building and shall not authorise any works amounting to the demolition or rebuilding of the existing building or any part of it.
25. Detailed drawings of the proposed windows and external doors (including roof lights and garage doors) in the development hereby approved shall be submitted to the Local Planning Authority for approval in writing prior to their installation. Unless otherwise agreed in writing, the development shall be carried out in accordance with the approved details, and retained and maintained thereafter.
26. Prior to the commencement of development, full details of the play space, to include play equipment, landscaping and railings/fencing shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be carried out in accordance with these agreed details, and retained and maintained thereafter for the lifetime of the development. The play space shall be substantially complete and made available for use prior to occupation of the 30th dwelling, unless otherwise agreed in writing by the Local Planning Authority.

27. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order with or without modification, no material alterations to the external appearance of the dwellings shall be carried out and no extension, building, enclosure or structure shall be constructed or erected in or around the curtilage of the dwellings hereby permitted without the prior written authorisation of the Local Planning Authority.
28. The landscaping and planting shall be carried out in accordance with the approved drawings and specification within twelve months of the commencement of the development, or such longer period as the Local Planning Authority shall specify in writing. The landscaping and planting shall be maintained for a period of not less than five years from the date of the commencement of the development, such maintenance shall include the replacement of any trees or shrubs that die or are removed.
29. Prior to the commencement of the development hereby approved, a Construction Environment Management Plan detailing how waste and other materials resulting from the demolition and construction hereby approved will be dealt with and measures to prevent pollution during the construction shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the development shall be carried out strictly in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Introduction

The application relates to a rectangular parcel of land, flanking onto Station Road (A382) on the south eastern approach into Moretonhampstead. The site is presently occupied by vacant buildings associated with Thompsons haulage depot; the business has since focused commercial activities on the western portion of the site.

The site is situated with the identified settlement boundary of Moretonhampstead and allocated for housing in the Local Plan under policy MTN2.

Full planning permission is sought for the erection of 35 dwellings and associated roads, parking, drainage and open space.

The application is presented to members as the scheme does not make provision for affordable housing and is therefore a departure from policy.

Planning History

0139/19	Demolition of vacant depot buildings, erection of 40 residential dwellings together with the provision of associated roads, parking, drainage and open space	Full Planning Permission	Withdrawn	19 December 2019
0400/01	Residential development	Outline Planning Permission	Withdrawn	01 April 2004
0777/03	Redevelopment of haulage yard to provide employment, residential (51 dwellings), community facilities and a section of SUSTRANS cycle/walking path	Full Planning Permission	Withdrawn	01 April 2004
0743/00	Residential development			

Consultations

County EEC Directorate:

INITIAL PLANS:

The proposals are acceptable in principle from a highway safety point of view.

Although the proposed development may generate a modest additional number of vehicle movements compared to the potential of the existing site, the vehicles will generally be smaller and more easily accommodated on the general highway network in the area.

A number of issues require additional information or amendment on the plans before the highway authority are able to offer a response recommending the imposition of appropriate conditions to be imposed on any permission granted. Similar matters were raised at the submission of the earlier application which was withdrawn and these relate to parking arrangements (particularly plots 4 and 6), the use of block paving, transverse bars, cycle link provision, lack of street lighting and lack of service margins by plots 25-28 and 30/35.

REVISED PLANS:

The comments that were made in the original observations reproduced above have now either been addressed or clarified to the satisfaction of the highway authority, who are now able to recommend approval subject to a number of conditions regarding detailed highway construction details and their phasing, and a Construction Method Statement.

Devon & Cornwall
Constabulary:**INITIAL PLANS:**

Two concerns are raised from a designing out crime point of view which relate to the natural play area at the south of the development and the triple garage serving plots 7-9.

The play area lacks natural surveillance and does not have adequate landscaped buffer zones. The triple garage for plots 7-9 is somewhat isolated and its blank elevations has potential to attract graffiti, anti-social behaviour, balls games etc.

Further Recommendations are made to provide key lock access to rear garden gates, demark parking space ownership and boundary hedge security.

REVISED PLANS:

No further comment in relation to the revised design of this scheme. It is pleasing and welcomed that the designing out crime recommendations raised previously have been taken into account and implemented into the design.

Teignbridge District Council:

INITIAL PLANS:

The Waste & Cleansing Team has no objections to the application in principle but requires some clarification on whether the road surface is described as 'reclaimed brick/cobbles' is being offered for adoption? If it is not, the occupiers would have to present their waste and recycling containers for collection at the adopted highway and an area would need to be allocated for them to do this, which would have to be reasonably large to be able to accommodate the containers for the 10 properties that are in this area.

If it is going to be adopted, confirmation will be needed that the surface is suitable for the weight of our collection vehicles, up to 26T. We have had particular issues with block paved areas that are in-filled with sand to improve permeability being insufficiently robust for use by our collection vehicles.

REVISED PLANS:

Clarification and revision to plans welcomed.

DCC (Children Services):

The application has been considered and in order to make the development acceptable in planning terms, an education contribution to mitigate its impact is requested.

It has been identified that the proposed 35 family type dwellings will generate an additional 8.75 primary pupils and 5.25 secondary pupils which would have a direct impact on Moretonhampstead Primary and South Dartmoor Community College.

It has been forecast that the nearest primary and secondary school have currently got capacity for the number of pupils likely to be generated by the proposed development. Therefore, Devon County Council will not seek an education infrastructure contribution.

However, a contribution towards secondary school transport costs is required due to the development being further than 2.25 miles from South Dartmoor Community College. The costs required are as follows: -

5.25 secondary pupils

£7.14 per day x 5.25 pupils x 190 academic days x 5 years
= £35,610

The amount requested is based on established educational formulae (which related to the number of primary and secondary age children that are likely to be living in this type of accommodation) and the costs of transporting children from Moretonhampstead to South Dartmoor Community College.

DNP - Building Conservation
Officer:

The calculations are set out in accordance with approved formulae.

INITIAL PLANS:

The remaining platform and associated goods shed are identified on the Historic Environment Record as heritage assets. The engine shed is Grade II listed, as a good example of a broad gauge engine shed.

The goods shed and associated railway buildings including the Grade II listed engine house at Moretonhampstead have evidential, historical, aesthetic and communal heritage value. They are a testament to historical transport links that still have tangible links in the form of railway lines now used as cycle tracks and buildings that reflect the past use. Developing the station yard area will impact on the setting of the Grade II listed engine shed.

Retaining the relationship between the goods shed and the engine house is a key consideration and Policy MTN2.

The aesthetic value of the goods shed forms part of the significance of the goods shed. DNPA Design Guide states when converting traditional buildings that successful conversions respect and reflect the buildings original form and making new openings is not usually acceptable.

It is unclear from the drawings how the platform is being retained and incorporated within the development therefore we would ask for clarity on this prior to providing comment.

There is inter visibility between the goods shed and engine house and this relationship should be retained as an important element of the setting of these heritage assets.

The conversion of the goods shed respects the original form and retains several architectural details.

There are concerns regarding the amount of new openings to the front and rear elevation. It is acknowledged that in order to convert to a dwelling that an amount of windows will need to be introduced, however the conversion in its current form would harm the character and appearance of the heritage asset and we would ask that the number of openings to front and rear are reduced.

REVISED PLANS:

Following design changes, it is now felt that the proposal in its current form would not harm the character and appearance of the heritage asset.

The platform should be left in situ. If this means that because of levels the platform is lost then we would like to

see the line of the platform picked out in a different material or different colour, to enable the relationship between the Good Shed, Engine Shed and links to the Wray Valley Trail to be understood in context.

Moving the platform edging stones and re-using them elsewhere results in the loss of the relationship of the railway heritage and associated heritage assets.

DNP - Archaeology:

INITIAL PLANS:

Previous concerns regarding the development of the Station Road site have revolved around the treatment of surviving elements of railway infrastructure on the site; primarily the goods shed and passenger platform. While the retention of the former is relatively clear from the documentation and plans provided with this application, the status of the latter is not very apparent. Clarification of the proposed measures for dealing with the retention and conservation of the passenger platform is required.

Finally, if permission for the proposed development is granted then, due to the significance of the site for eastern Dartmoor, and its potential to yield evidence pertaining to the development of the railway terminus and thereby to contribute to Research Aim 48a of SWARF, an archaeological watching brief (standard condition X03) is recommended on all associated groundworks.

REVISED PLANS:

It is understood that, due to environmental considerations, the ground levels on the site must be raised, burying the platform, thereby concealing it from view. In this case, the best and easiest method of preserving the significance of the site would be to mark the location and extent of the platform on the surface with a variation in paving or surfacing, leaving the feature itself buried but intact.

It must be emphasised that the stones of which the platform is constructed have little inherent significance in themselves. Dismantling the platform and re-using the stones elsewhere runs counter to policy MTN2, is therefore unacceptable and cannot be supported.

The marking the location of the former railway platform on the surface via paving or surfacing differences is recommended, while leaving the feature itself buried and intact, is recommended.

DNP - Ecology & Wildlife:

INITIAL PLANS:

An ecological impact assessment EclA (EAD Ecology, December 2019) has been submitted. The survey methods, presentation of results and recommendations are satisfactory.

Bat activity survey in line with BCT recommendations for

low habitat suitability found moderate levels of bat activity (6 species, mainly common pipistrelle) mainly associated with the southern boundary. Building 2 was confirmed by emergence surveys in 2018 and 2019 as a brown long-eared bat maternity roost (maximum 17 individuals emerged) and a non-breeding roost for a small number of common pipistrelle bats (5 individuals).

The EclA assesses the significance of these ecological receptors, applies the mitigation hierarchy, and proposes suitable mitigation to address construction and post-construction impacts:

- Construction mitigation to protect reptiles and nesting birds
- New habitat creation (0.05ha wildflower grassland, 137m native hedge, 19 trees)
- 16 swift boxes integrated into new dwellings, plus 4 bird boxes on trees
- 2 reptile hibernacula
- 16 bat boxes integrated into dwelling
- Replacement bat roost in loft of garage as specified in drawing 0671-1009 'garages and walk throughs')
- Recommendations about site lighting

The recommendations of the EclA are transposed into a Construction Ecological Management Plan CEcoMP (EAD, December 2019) and Landscape and Ecological Management Plan (EAD, December 2019).

Further biodiversity enhancements have been proposed. Standardised 'net gain' calculations have been applied and show with the proposed mitigation and enhancement that the number of biodiversity units could be increased from 1.03 to 2.07, mainly achieved through the creation of the wildflower grassland, and from the new gardens.

The potential for likely significant effect on Dartmoor SAC, South Dartmoor Woods SAC and South Hams SAC has been considered. It is concluded no likely significant effect and I agree with this assessment.

The development would result in the loss of a bat roost in building 2 and therefore a European Protected Species Licence will need to be obtained from Natural England prior to the demolition of building 2.

Because the development requires an EPSL from Natural England the Authority is required to carry out an assessment of the application against the three derogation tests of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019:

1. The development is of overriding public importance
2. There is no satisfactory alternative

3. There will be no significant detrimental population impact (on the bats)

Mitigation for this loss is proposed in the form of a purpose-built new bat roost in the loft of a triple garage, as shown in the EclA, CEcoMP and drawing ref 0671-1009 'garages and walk-throughs'. It is my opinion that the detailed mitigation measures included in the EclA and CEcoMP satisfy test 3 of the Habitats Regulations. It is however essential that the new bat roost is constructed before demolition of building 2, as set out in the aforementioned documents.

Whilst the EclA, CEcoMP and LEMP are all satisfactory, the potential impact on bats from site external lighting is not yet adequately addressed. The EclA (section 3.3.10) asserts that no external lighting will be installed within the site, and for that reason there would be no negative impact on bats post-construction (the impact of lighting during construction is treated separately in mitigation section 4.1.14). The southern boundary, bat roost mitigation and grassland habitat creation areas will all be of importance to bats, and should therefore be dark.

The EclA assertion may be at variance with the design and access statement: "sensitive external lighting design will minimise lighting impact in ecologically sensitive areas" and that it would be "designed in conjunction with the landscaping and tree planting design".

We need an indication of what form that 'sensitive design' would take, and that it has been discussed and agreed with the consultant ecologist. Whilst it may be possible to approve details as a condition, the principles should be set out before determination. I would support the consultant ecologist in the presumption of no external lighting on the site.

Works to demolish the bat roost building shall not proceed until a European Protected Species Licence (EPSL) for the development has been obtained from Natural England.

The replacement bat roost to be constructed before demolition in strict accordance with the approved drawings and the recommendations in Section 3.3.7 and Figures 6 and 7 of the Construction Ecological Management Plan CEcoMP (EAD, December 2019), subject to any variation required by Natural England under any license issued.

Development to proceed in strict accordance with the approved drawings and the recommendations in the Construction Ecological Management Plan CEcoMP (EAD, December 2019) and Landscape and Ecological

Management Plan (EAD, December 2019).

These conditions are necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with DNP policies COR7 and DMD14, and national planning policy.

REVISED PLANS:

The potential impact on bats from site external lighting has now been adequately addressed to ensure the southern boundary, bat roost mitigation and grassland habitat creation areas are maintained dark (<0.5 lux). This is demonstrated in a lighting plan ref 15118-1-B dated 11/2/20.

DNP - Trees & Landscape:

INITIAL PLANS:

Policy MTN2 states that development of this site should include landscaping to the south and east. A mixed hedge is to be planted along the southern boundary of the site. The hedge does not extend the length of the boundary and I would like to see the hedge planted along the whole of the southern boundary.

Vegetation is growing along the western boundary. Most of the vegetation is outside of the development site and should be retained. If for any reason it is to be removed I would like to see the site enclosed with a new bank and with a mixed native hedge planted on top.

A hedge is to be planted along Station Road this should be either a mixed native hedge or a pure beech hedge to reflect the rural character of the area.

Individual plots are to be enclosed with an ornamental hedge along the road frontage; these should be beech hedges which are a feature of this part of Dartmoor.

The route of the link to the cycleway is acceptable.

REVISED PLANS:

Any comments received to be presented at the committee meeting.

Devon County Council (Flood Risk):

INITIAL PLANS:

No in-principle objection from a surface water drainage perspective, assuming that pre-commencement planning conditions to secure the detailed design of the drainage system during construction and end use, and ongoing management for the lifetime of the development.

The current application is a revised design and layout proposal to provide 35 dwellings compared to the previous application submitted under Planning Application 0139/19 for the provision of 40 dwellings. The Drainage Strategy

notes on Drawing Proposed Drainage Strategy (Drawing No. 0500, Rev. P5, dated February 2019) appear to be incorrect in terms of the greenfield runoff rates, proposed oversized piped and attenuation storage volume. The applicant would need to correct this information and resubmit to avoid future confusion.

Environment Agency:

INITIAL PLANS:

The Environment Agency object to this proposal on grounds that insufficient information has been provided in the planning drawings to demonstrate that the proposed development can satisfy the flood risk Exception Test. We recommend that the application is not determined until:

- the planning drawings have been satisfactorily changed to demonstrate that the development will be safe from flooding without increasing flood risk elsewhere; and
- the mechanism has been agreed for transferring future ownership of the culvert to the management company and ensuring that it is in satisfactory condition.

We have reviewed the submitted Flood Risk Assessment (FRA) and consider that this addresses most of our previous concerns. However, we advise that the drawings need to be changed to show a satisfactory level of detail to show how the proposals in the FRA will be implemented within the site.

The following details need to be changes and shown on a planning drawing:-

1.We have previously agreed a minimum FFL of 170.9mAOD (to ensure house are safe from flood risk including the effects of climate change), which appears to have been followed for the housing plots. However the garages are as low as 170.75mAOD on plots 10, 14/15 & 16/17, which are not acceptable. These need to be raised to at least 170.85mAOD (the lowest level we will accept) the same as other garages on this line of house.

2.The width of the flood corridor (either side) must be shown on the drawing, and must be at least 9m wide (half width of culvert plus 8m). We are unable to print scaled drawings, and thus need a physical note on the drawing indicating the exact width.

3.Garage for plots 7, 8 & 9 – this building needs to be move northwards and be rotated, plus the floor level shown (no lower than 170.85). This is because the garage building is within the culvert's exceedance route, so needs to be moved further north and rotated to have the width (smallest face) facing south. This will provide the smallest obstruction to flood flows.

4. We cannot accept SUDS attenuation tanks within the flood corridor. They will increase the cost and 'ease of access for the future culvert maintenance. The attenuation tanks must be moved outside of the corridor.

5. The proposed LLA for play, includes a 'native' hedge bank (labelled 1 drawing 11338/P09C) and clipped hedge (labelled 2), across the flood exceedance route, which is not acceptable. These will obstruct flood flows, unless they are the type that has clear stem (0.6m high) with branches/greenery above. Post and rail fencing and single trunk trees are acceptable as a barrier.

In addition to the above matters (which we consider cannot be resolved via a planning condition), the following item relating to ownership of the culvert needs to be resolved. This can be part of the S106 Head of Terms agreement/planning conditions but must be approved before any works start on site.

The culvert ownership needs to be transfer to the management company on the completion of the works, but before any houses are occupied. Also before any houses are occupied the culvert must be either fully repaired to a good condition 2 (EA FCRM Asset Condition assessment) or replaced with a suitable new culvert (same hydraulic performance), with evidence submitted to the LPA for approval.

Paragraph 158 of the National Planning Policy Framework (NPPF) requires decision makers to steer development to areas at the lowest probability of flooding by applying a 'Sequential Test'. We understand that this Test was undertaken by your Authority when the site is allocated under Proposal MTN2 in the Dartmoor Development Management and Delivery Plan. It was concluded that the Test was satisfied in this instance, taking into account wider sustainability objectives that could be delivered by developing the site. These included the aim of reducing flood risk in the area by removing the existing culvert under the yard area and creating a new open watercourse with a shorter culvert length at the downstream end. You will need to consider whether these wider sustainability objectives have been met with reference to the submitted scheme.

The first part of the Exception Test requires the development to provide wider sustainability benefits to the community to outweigh the flood risk. It is for your Authority to consider this matter in relation to the current proposal. To satisfy the second part of the Exception Test, the applicant needs to submit a site specific Flood Risk

Assessment (FRA) which demonstrates that the development will be safe over its lifetime, without increasing flood risk elsewhere. The NPPF states that both parts of this Test should be satisfied for development to be permitted.

Guidance on contaminated land, waste, pollution and biodiversity is also offered.

REVISED PLANS:

Any comments received to be presented at the committee meeting.

Teignbridge District Council:

The Housing Enabling Officer has been consulted but not provided any comments on the application.

Teignbridge DC
(Contaminated Land):

INITIAL PLANS:

Subject to the full implementation of the report's conclusions I have no objections to this application.

As an advisory, if there were a subsequent application to extend the residential use eastwards into the rest of the old Thompsons site then a new phase 2 assessment would be needed, due the proximity of the old gasworks.

Conditions are recommended to deal with (i) Further Site Characterisation, (ii) Submission of a Remediation Scheme, and (iii) Implementation of Approved Remediation Scheme.

REVISED PLANS:

Any comments received will be presented at the committee meeting.

Parish/Town Council Comments

Moretonhampstead PC:

INITIAL PLANS:

The Parish Council supports this proposal, mainly because it develops an unused and unsightly brownfield site which is very visible on one of the main entrances to the town. We also welcome the connection to the Wray Valley Trail and the preservation of local railway heritage.

At the same time we have various concerns, and are not convinced at the reality of some of the suggested benefits.

We are concerned first at flood risk, especially in the light of climate change, and suggest that any grant of PP should be conditional on approval by the Environment Agency in the light of expected climate change.

We are concerned about impacts on traffic and parking. Despite its status as a county primary route, the A382 has a number of single vehicle pinch-points, some of which are

blind, between Bovey Tracey and the A30; and parking in Moreton is already overstretched. It seems inevitable if we add 35 houses with 80 parking places that traffic will increase, especially with the increasing trend towards buying on the internet and van delivery; in that context we are surprised at and doubtful of the applicant's claim that the development would "encourage and sustain travel away from reliance on the personal car". We are concerned also at the probability of increased risk to pedestrians on Station Road - there would be more of them, and we aren't convinced that narrowing the carriageway would have the intended effect; we would ask for appropriate signage on the road (perhaps including a lit sign showing the speed of approaching vehicles) and hope in due course that a 20 mph limit will be imposed.

We welcome the 12 proposed "bungalows", which respond to one local need. We understand that the applicant is not obliged under current legislation to provide any affordable housing, however we regret the applicant's refusal to make any provision despite our telling them that Moretonians feel that this is our most important housing need. We note that in DNPA's latest draft Local Plan, policy MTN 2 says that the site should have no more than 24 houses, and that 45% should be affordable; sadly this plan has not yet been approved and adopted. We feel, especially in this context, that 35 houses on a site of around 2 acres makes the site over-crowded to an extent that that is inappropriate at the edge of a small rural town and conflicts with policy COR 1.

We recognise that some attempt has been made along the road frontage to reflect local character in the form of the frontage, but would like to see more use of granite here as this is the dominant material along Moreton roads. Otherwise however, the proposed housing appears bland and repetitive, with no local reference in the materials used or in the appearance of the houses to sustain local distinctiveness and character, again in conflict with policy COR 1.

We welcome the proposals to retain and use the goods shed and rebuild (at higher level) the old platform edge; however the three houses squeezed into the goods shed seem narrow and unattractive.

We welcome the fact that there is likely to be some benefit to the local economy - especially to builders, tradespeople and service providers; however this appears to be overstated: in particular it seem highly unlikely that the site would generate anything like £1m of additional local spending - that would equate to £30K per house, which seems highly unlikely taking likely household income, other

demands and the trend to buying on the internet into account.

REVISED PLANS:

Any comments received will be updated at committee meeting.

Relevant Development Plan Policies

- COR1 - Sustainable Development Principles
- COR15 - Providing for limited new housing to meet local needs
- COR2 - Settlement Strategies
- COR21 - Dealing with development and transport issues in a sustainable way
- COR3 - Protection of Dartmoor's special environmental qualities
- COR4 - Design and sustainable development principles
- COR5 - Protecting the historic built environment
- COR6 - Protecting Dartmoor's Archaeology
- COR7 - Providing for the conservation of Dartmoor's varied plant and animal life and geology
- COR8 - Meeting the challenge of climate change
- COR9 - Protection from and prevention of flooding
- DMD13 - Archaeology
- DMD14 - Biodiversity and geological conservation
- DMD17 - Development on contaminated land
- DMD18 - Development on unstable land
- DMD1a - Presumption in favour of sustainable development
- DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
- DMD2 - Major Development
- DMD21 - Residential development in Local Centres
- DMD3 - Sustaining the quality of places in Dartmoor National Park
- DMD4 - Protecting local amenity
- DMD40 - Parking provision - Residential
- DMD5 - National Park Landscape
- DMD7 - Dartmoor's built environment
- DMD8 - Changes to Historic Buildings
- DMD9 - The re-use and adoption of historic buildings in the countryside
- DMDMTN2 - Housing at Thompson's Depot

Representations

11 letters of objection 6 letters of support 1 other letter

OBJECTORS

Concern about poor build quality of new housing developments.

The development is in an area of flooding.

A slower, incremental growth of development in Moretonhampstead is favoured.

The development is harmful to character of the rural fringe of this small moorland settlement and is very suburban in design.

3 storey buildings do not fit with the character of Moretonhampstead.

The housing development is too dense.
Blank windows in the garages facing the road is a poor design element.
Lack of open space/recreation provision.
No affordable housing.
Lack of provision for extra car parking around the proposed site.
The proposal will place additional pressure and competition for services and facilities within the settlement. People are already leaving the community as there is no employment here.
Additional pressure on A382 will result for all users of highway; vehicles and pedestrians.
Additional recreational pressure on Dartmoor, impacting negatively on fauna and flora.
Link to Wray Valley trail should be made more prominent.
There should be more green space at the front of the development.
There should be additional provision for swift boxes (at least 2 or 3 per dwelling).
Wetland areas should be incorporated into the scheme.
The plan to reduce the width of Station Road to limit speeding seems questionable. If this were the aim, better signs (including ones that register the speed of oncoming vehicles and flash appropriately) would probably be more effective.
Lack of renewable energy provision. No details provided on heating and insulation of houses. Can sustainable sources be used. Electric car charging points will be needed in the very near future.
Additional congestion on the roads.
There should have been community consultation on this prior to submission. The application was also submitted just before Christmas.
Little change to the previous application.
No consideration to the removal of existing trees and impact on the environment.
The access road for the Thompson lorries is in the wrong place.
The houses are too close to the main road.
The need for this development on this site should be reviewed.
Effective permeable surfaces and absorbent layers need to be used to minimise surface run-off and to create soft visual landscape views rather than yet more tarmac and imported slate on Dartmoor.

SUPPORTERS

The relationship with The Sidings is improved.
The retention of the goods shed is welcome, although the conversion is too intensive.
The proposal is in line with the Strategic Housing Policy contained in the Dartmoor Local Plan.
Careful consideration has been given to environmental factors.
It will benefit and add value to the community of Moretonhampstead.
Good re-use of brownfield site and enhancement of approach into Moretonhampstead.
Density of development and building heights improved.
Safe link to cycleway welcomed.
Positive landscaping scheme and safe access arrangements whilst facilitating adjacent business operation.
Appropriate ecological and flood mitigation incorporated in the scheme.
Bring people and economic benefits to the town.
Will reduce lorry movements and traffic congestion.
Bungalows welcomed.

Observations

ALLOCATION POLICY MTN2

Some members of the public have raised concerns about the site coming forward and expressing a desire for smaller scale incremental growth within the settlement. This site is, however, allocated for residential development and therefore bringing the site forward complies with the Development Plan.

The allocation allows for the partial redevelopment of this previously developed land within the Thompson's site to allow for a more efficient use of the site and allowing the occupant to relocate elements of the existing business without compromising the current employment value of the area.

The policy text is set out below.

“An area of land 0.95 ha in extent at the Thompson's Haulage depot at Station Road, Moretonhampstead, is allocated for housing, not less than 50% of which should be affordable housing to meet identified local needs.

Development of this site should:

- a) be of an appropriate density in order to respect the rural edge location and historic character of the site;
- b) conserve and enhance the site's railway heritage, sensitively incorporating the goods shed and platform;
- c) include landscaping to the south and east of the site;
- d) allow for the provision of a link to the Wray Valley Trail;
- e) be supported by a flood risk assessment which includes consideration of climate change and demonstrates that any development will be safe, not increase flood risk elsewhere and where possible reduces flood risk overall.

Proposals on this site should be supported by a development Brief prepared in association with the local community and relevant stakeholders.”

DEVELOPMENT BRIEF

The policy states that the application should be supported by a Development Brief.

The applicant has worked alongside the National Park Authority and Local Community in preparing a draft Development Brief for the site. A series of meetings and public consultation exercises were held in late 2018 and early 2019 in the process.

A Development Brief has not been adopted by the National Park Authority on this site; The National Park Authority is moving away from the Development Brief approach with its allocation sites within the Local Plan Review and is satisfied with the extent of public consultation carried out in advance of the formal planning submission.

MAJOR DEVELOPMENT

Paragraph 172 of the National Planning Policy Framework (NPPF) states that planning permission should be refused for major developments in National Parks except in exceptional circumstances and where it can be demonstrated they are in the public interest. This is reiterated in policy DMD2 of the Local Plan.

The determination of whether a proposal amounts to 'major development' is a matter of planning judgement to be decided by the decision maker. It is not synonymous with the

definition of a 'major planning application', but rather whether the development could be construed as major development in the ordinary meaning of the word having regard to the character of the development in its local context. Recent headline applications for major developments in England's National Parks include fracking, power line infrastructure, quarrying etc.

Having regard to the character, nature and scale of the proposed residential development on previously developed land within the settlement boundaries of the Local Centre of Moretonhampstead, and taking the local circumstances and context into account, it is not considered to be a 'major development' under paragraph 172 of the NPPF.

PLANNING HISTORY

A previous application for the development of 41 houses on the application site was submitted in March 2019. This application was consequently withdrawn following discussions regarding the detailed design and layout of the scheme and advice from the Environment Agency. The resubmission incorporates the retention and conversion of the historic former goods shed, amendments to the layout and design of dwellings and a reduction in the number of units.

PROPOSAL

The proposal seeks to utilise, with modification, the existing vehicular access into the site to serve the residential development and a new access to the retained haulage depot to the eastern part of the site. The A382 carriageway would be reduced in width across the site frontage to accommodate a pavement extension along this section. A link option to the cycleway is incorporated to the south east corner and the site.

The proposed housing layout incorporates terraced dwellings along the frontage and splayed back to retain the existing oak tree within the site, one and a half storey link detached units along the southern boundary and three storey dwellings along the western boundary. The goods shed is retained on the eastern end of the site and converted into 3 residential units.

The application site is broader than the allocation identified in the Local Plan, effectively extending further east into the Employment Land. The extension enables the demolition of the buildings and associated activities along the party boundary, provides a connection route to Wray Valley Trail, a separate access for the retained commercial site, and incorporation of a replacement bat roost. These points are discussed under various headings that follow.

AFFORDABLE HOUSING

Policies COR15 and DMD21 of the Local Plan establish the requirement for all new housing within Local Centres such as Moretonhampstead to provide not less than 50% affordable housing provision, unless a higher proportion of market housing is essential to secure the overall viability of the development or the delivery of significant local infrastructure provision of clear benefit to the local community.

Site allocation policy MTN2 requires not less than 50% of which should be affordable housing to meet identified local needs.

Officer's acknowledge that there is a need for affordable housing in Moretonhampstead and understand the concerns from the public regarding the lack of provision proposed.

It is regrettable that this scheme makes no provision for affordable housing, however, the Authority's negotiating position on this matter is restricted by Central Government's allowance for developers to incorporate a 'vacant building credit' allowance into their affordable housing calculations.

The Vacant Building Credit allowance was introduced to incentivise brownfield development on sites containing vacant buildings.

Government advice is clear that where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floor space of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. A 'credit' equivalent to the gross floorspace of the vacant buildings being brought back into use or demolished as part of the scheme is deducted from the overall affordable housing contribution calculation. Affordable housing contributions therefore may only be required for any increase in floor space above the 'vacant building credit'.

In this case, existing vacant buildings to be demolished amount to 3765sqm and the proposed development will provide 3,564sqm of new floorspace. As the existing floorspace is greater than the proposed floorspace, the Local Planning Authority is unable to require an affordable housing contribution on this development.

The density and scale of the proposed development is considered to be appropriate for this edge-of-settlement site.

The Housing Officer at the District Council has made no comment on this application.

SCALE, LAYOUT AND DESIGN

Policies COR1, COR4, DMD1b, DMD3 and DMD7 are concerned with the conservation and enhancement of Dartmoor's built environment and provision of high quality, locally distinctive design.

The density and layout of the development responds to the heritage, ecological and environmental constraints of the site (a number of these elements are discussed in the sections that follow) and has evolved in discussion with officers following the withdrawal of the previous scheme.

The proposed arrangement of terraced housing along the site frontage provides an appropriate public face to the development, creating a strong building line and approach into the site whilst retaining landscape features and respecting landform. The proposed design of units along this façade is simple in detail and materials and presents as a traditional terrace (incorporating a mix of unit widths) appropriate to Moretonhampstead and set behind a continuation of the existing stone wall along Station Road. Whilst the request for a lower density development has been raised by some members of the public and cited by the Parish Council, the Design Guide is explicit that dispersed low density cul-de-sac development should be avoided as it does not reflect the historic layout of Dartmoor's towns and villages and is an inefficient use of scarce building land. It is noted that the density has reduced from the previously withdrawn scheme.

The proposed layout incorporates recessed garages along the building line and rear parking courtyards so that cars do not dominate the development.

The residential units are set in from the western boundary of the site where the revised access for the retained adjacent employment land is proposed. The goods shed is proposed to be retained in a relatively open setting with the residential access road enabling oblique views to this important heritage building which is retained for residential conversion.

At the rear of the site a more modern approach is proposed for link detached 1½ storey units to offer potential for more flexible downsizing accommodation within the community. These units incorporate contemporary glazed gables and tightly clipped metal clad dormers. This part of the site layout is proposed to be spacious in character.

Along the western site boundary the existing site is cut into higher land to the north and west. This factor, together with the bulk and mass of existing warehouse structures along this boundary, gives scope to consider a taller development along this fringe of the site. A three storey development is proposed here, characterised by simple repeating gable forms. Gables are a strong feature along the historic Courtenay Terrace which is situated prominently on elevated ground to the north west of the site. Some members of the public object to this element of the scheme; It is acknowledged that three storey developments in Moretonhampstead are focused in the historic core, and not typically on the edge of the settlement, however, having regard to the context described, this approach is considered acceptable on this portion of the site.

The proposed development incorporates appropriate pedestrian routes through the site, along the frontage and a connection opportunity to the Wray Valley trail.

The proposed development is considered to provide an appropriate layout and design in accordance with guidance set out in the Dartmoor National Park Design Guide and the policy objectives of the Development Plan. The proposed material palette is simple and traditional, incorporating slate roofs and rendered facades and in tune with Dartmoor's tradition for uncluttered, simple and robust building design.

TREES & LANDSCAPE CONSIDERATIONS

Planning policies COR3, DMD3 and DMD5 deal specifically with Dartmoor's landscape qualities and special features.

The development allocation policy for this site states that development should include landscaping to the south and east of the site. Revised plans have been received incorporating hedging along these boundaries. A hedge is also proposed along the site frontage in tandem with the stone wall. All hedging is to be mixed native planting or beech to tie in with the local landscape.

There is vegetation growing adjacent to the western edge of the application site, outside of the applicant's control. There is no assurance that this vegetation will be retained in the long term and this cannot be made a condition of any planning consent. There are oblique views to this edge of the development site from Station Road and the development will be slightly higher than the existing industrial buildings on this edge of the site. A soft edge to this rural fringe of the development will help to provide an appropriate context and has been secured in the revised plans.

The revised plans now also show the layout of the three storey units pinched to enable the proposed Devon hedgebank to continue across the southern boundary and provide a

landscaped edge to development when it flanks pastoral land.

The siting of the proposed cycle link is logical in landscape terms, contained by existing landscaping and rising ground.

The site is located on the edge of the Local Centre of Moretonhampstead, one of Dartmoor's larger settlements) and there is existing street lighting in the area. The proposed street lighting arrangement is considered to be appropriate to this context and its impact on protected species is reported separately below.

HERITAGE CONSIDERATIONS

The site allocation policy states that development should conserve and enhance the sites railway heritage, sensitively incorporating the goods shed and platform. Policies COR1, COR3, DMD1b, DMD7 and DMD8 seek to conserve and enhance Dartmoor's cultural heritage. Policies COR6 and DMD13 deal with the conservation of Dartmoor's archaeology.

The remaining platform and associated goods shed are identified on the Historic Environment Record as heritage assets. The engine shed is Grade II listed, situated to the west of the application site.

The Moretonhampstead and South Devon Railway opened in 1866 and was used for carrying goods as well as visitors. It was subsequently closed in 1959.

The goods shed and associated railway buildings including the Grade II listed engine house at Moretonhampstead have evidential, historical, aesthetic and communal heritage value. They are a testament to historical transport links that still have tangible links in the form of railway lines now used as cycle tracks and buildings that reflect the past use.

Developing the station yard area will inevitably impact on the setting of the Grade II listed engine shed, however, this is considered in the context of the existing industrial development of the site and the net change is not considered to justify harm that would sustain a refusal on heritage grounds.

Retaining the relationship between the goods shed and the engine house is a key consideration and the inter visibility between the two buildings would be retained as an important element of the setting of these heritage assets. The setting would also be improved by the removal of existing modern span industrial buildings which envelop the goods shed; the public would be able to appreciate the building and its context with the adjacent platform edge (albeit with modification due to requirements to raise site levels up to the platform height at this point to enable residential development on the land).

The majority of the site is situated in the high risk flood zone; to bring forward residential development on the site in line with the housing allocation in the Local Plan levels have had to be raised. This is at the expense of retaining the original expressed platform edge above the adjacent lower land. The platform edge at this location can however be expressed by appropriate hard surfacing details and the building line of the development as a whole respects the line of the former railway.

The goods shed is proposed to be converted into 3 residential units which inevitably places pressure for alterations to accommodate the proposed use. A number of concerns have been expressed regarding the unsympathetic design of the original conversion scheme. The

application seeks to retain the envelope of the building and retain the character of the roadside and rear elevation with only a small roof light modification to these key facades. Additional openings are proposed in the side elevations, however, they would be expressed as simple 'void' style openings being deeply recessed in the stone walls without domestic window detailing. Revised plans show porch details removed and amendments to opening arrangements. Horizontal timber cladding is now proposed in place of the modified sections of the walls where goods were moved along the platform through/into the building. The re-use of this substantial building for residential use will inevitably have an impact on character; officers have negotiated this revised scheme with the agents to try to mitigate overall impact whilst ensuring its retention as part of the overall scheme.

The site has potential to yield evidence pertaining to the development of the railway terminus and an archaeological watching brief is therefore recommended on all associated groundworks.

FLOOD RISK & SUSTAINABLE DRAINAGE ARRANGEMENTS

THE NPPF and policy COR9 establish the requirements for ensuring new development does not increase flood risk. Policy MTN2 requires the application to be submitted by a flood risk assessment to demonstrate that any development will be safe, not increase flood risk elsewhere and where possible reduce flood risk overall. Policies COR1 and DMD3 deal with surface water drainage as a planning consideration.

The majority of the application site falls within flood zone 2 and 3 (medium to high risk) and there are small portions of the site identified at risk of surface water flooding.

The Flood Sequential Test for this site was undertaken during its allocation in the development plan and was satisfied taking into account wider sustainability objectives that could be delivered by developing the site.

The Flood Exception Test is considered through this detailed application. The first part of the Exception Test requires the development to provide wider sustainability benefits to the community to outweigh the flood risk and the second part of the Exception Test requires a site specific Flood Risk Assessment (FRA) which demonstrates that the development will be safe over its lifetime, without increasing flood risk elsewhere.

The proposed development will bring sustainability benefits in respect of providing an environmental enhancement of the site, improving neighbouring use with existing properties and provision of housing within the community. These benefits are set out in relevant sections of the report. The conservation and enhancement of the National Park environment is a key objective of the Development Plan and enshrined in National Park statutory purposes.

A key focus of the FRA is the proposed raised ground levels within the site and observing the flood corridor (culvert) running through the site. The Environment Agency has flagged a number of detailed design points which need amending for the scheme to be acceptable from an FRA point of view and at the time of writing the report the developer has agreed these in principle with the Environment Agency and issued revised plans which the Environment Agency has informally agreed to. The details of which will be presented to committee together with the update from this statutory consultee.

Subject to the revised appropriate FRA and agreed mechanism for transferring future ownership of the culvert to the management company and ensuring that it is in satisfactory condition, the exception test is likely to be satisfied.

An attenuated surface water drainage system is proposed to slow run-off rates to the existing culvert to the east of the site and provide betterment over the existing un-attenuated arrangement on site.

Conditions will be required to secure the detailed design of the drainage system during construction and end use and to ensure ongoing management for the lifetime of the development.

CONTAMINATED LAND

Policy DMD17 deals with development on contaminated land.

The site has historically been used as a Railway Station and Railway Yard prior to its current commercial use as a transport yard with maintenance and refuelling areas, warehouse buildings and associated buildings. A former gasworks was also situated to the southeast of the site and joinery with timber treatment facility operated on the site.

Initial soil sampling results were below relevant screening values. Further investigation is required under existing buildings once access is available, particularly in the location of the former timber treatment facility and around the unleaded fuel tanks. This can be secured by planning condition.

LAND STABILITY

Policy DMD18 deals with development proposals on unstable land.

The site is located on the floodplain and consequently the Geotechnical Report identifies the ground strata to comprise made ground, alluvium, cohesive and granular head, and completely weathered granite comprising stiff to very stiff silty clay and dense silty gravelly sand and weathered granite. The Report makes recommendations for foundation types across the site to address ground conditions.

No subsidence or landslide potential has been identified to evidence that the ground conditions on the site are unstable or will be made unstable by the proposed development to justify further investigation at this stage or to thwart the principle of a development on the site.

HIGHWAY SAFETY & CAR PARKING PROVISION

Policy COR21 sets out the requirement for new development in relation to highway safety.

The Parish Council and members of the public have expressed concerns regarding traffic generation and highway safety and question the efficacy of narrowing the width of Station Road to limit driver speeds.

The application is supported by a Transport Statement and the proposals are acceptable in principle from a highway safety point of view.

Although the proposed development may generate a modest additional number of vehicle movements compared to the potential of the existing site, the vehicles will generally be smaller and more easily accommodated on the highway network in the area.

The Highway Officer raised a number of detailed design concerns with the initial scheme but these have been revised to their satisfaction with the revised plans. A number of conditions are proposed to deal with detailed highway construction details and their phasing, Construction Method Statement.

The scheme also includes off site works within the highway to provide for a pavement along the front of the development to provide safe connection with existing pavement infrastructure. This will be dealt with under separate Agreement under Section 38 of the Highways Act.

A number of objectors cite parking pressure in the vicinity of the application site and have expressed concern about the level of parking proposed on site.

For residential development in the National Park, the parking provision guidelines are based on the number of residents' and visitors' car parking spaces likely, on the basis of experience in Devon, to be needed by the type of development.

Policy DMD40 stipulates that off-street parking provision for new residential should be provided at a minimum of 2 spaces for detached/semi-detached dwellings and a minimum of 1½ spaces for flats/terraced dwellings.

The application makes an over-allocation of off-street parking provision within the development, above the minimal levels specified in policy. Each residential unit is proposed to have a minimum of 2 parking spaces; 83 spaces are proposed on this development site of 35 units.

Whilst acknowledging the public concerns raised, having regard to the over-allocation of parking and lack of objection from the Highway Authority to the levels proposed, it is considered that the scheme will provide for appropriate parking levels and a safe development in this respect.

FOUL DRAINAGE

The development proposes to connect with the mains sewer for foul drainage which is an acceptable means of disposal and no objection has been raised regarding capacity issues by South West Water in this respect.

LINK TO WRAY VALLEY TRAIL

The Local Plan states that there is potential that a link could be provided from this site to the Wray Valley Trail (para. 3.6.4) and the allocation policy MTN2 states that the development should 'allow for the provision of a link to the Wray Valley Trail'.

The development site itself does not physically adjoin the Wray Valley Trail; there is intervening land in separate ownership and therefore the allocation cannot secure delivery within the allocation boundary.

The developer proposes a connection within the planning application boundary (and land within their ownership & control) and include a plan suggesting a route through the adjoining land parcel which is owned by Devon County Council.

The location of the proposed route is considered to be appropriate from a planning perspective.

If the works are carried out by Devon County Council on their land then they are likely to fall within the permitted development rights.

Devon County Council has had discussions with the developer and is amenable to a cycle way connection through this parcel of land but does not have the necessary finances at this point in time to fund such a development.

The developers explain that the scheme shows a pedestrian link to the extent of the land that they control. They explain that it has been designed to ensure the link has a purpose (sense of arrival as it were), benefits from natural surveillance, and is accessible. In this respect they consider that the proposals satisfy the policy requirement which merely states that the development should “allow for the provision of a link”. They explain that the policy does not say that it should deliver a complete link to it and point out that the allocation boundary doesn’t adjoin the Wray Valley Trail at any point along its length and so it can only ever have been anticipated that the proposals would include a link to the boundary of the site which would then “allow” for the provision of a link between the site to the Trail to be provided at a future date in time by the relevant parties – in this instance Devon County Council.

They consider that their approach can and should be supported by officers and Members alike in that it accords with DNP’s policy requirements.

They explain that discussions with Devon County Council have been positive, albeit without reaching a definitive conclusion on delivery. Both parties are understood to remain committed to working together to ensure the appropriate mechanism for delivery is mutually agreed.

Any update on this matter will be presented at the committee meeting but ultimately a decision may need to be taken on whether the development is required to finance the link having regard to the specifics of the policy and land ownership issues.

PUBLIC OPEN SPACE & SURVEILLANCE

Teignbridge District Council commented that the previous application provided limited onsite public open space provision for the scale of development, recommending a mix of on-site green infrastructure to serve the development and contribute to wider green networks.

The allocation policy does not identify a specific need for recreational open space as part of this housing allocation.

The developer has submitted a Play Area Assessment Report for Moretonhampstead. It refers to the Dartmoor Local Plan Open Space, Sport and Recreation Study 2019 (Version 2) which sets out an assessment of open space, sport and recreation (OSSR) provision in Dartmoor and informed the local plan review:

The assessment identified 3 play areas within Moretonhampstead; (i) Locally Equipped Area for Play (LEAP) within King George V Playing Fields (approximately 0.04Ha and comprising 7 separate pieces of play equipment), (ii) Play Space Skate Park within King George V Playing Fields (approximately 0.085Ha - including the skate park and surrounding greens which include natural play elements), and (iii) LEAP within The Sentry (approximately 0.048Ha) with 7 separate pieces of play equipment.

The report outlines that the majority of the proposed development is within 400m accessibility of the Sentry LEAP with only the south-eastern corner falling outside of this radius.

It goes on to state that the 3 play areas provide a total of 0.173Ha and acknowledges the requirement to provide 0.12Ha of equipped play space per 1000 population.

The consultants explain that the population of Moretonhampstead was 1,339 in 2011, which is the figure that has been used in the Open Space study to determine whether or not here is a shortfall or surplus in open space provision. They explain that the existing equipped play space provision in Moretonhampstead is equivalent to 0.129Ha/1000 which is a 0.09Ha surplus. In addition to this the proposed development would deliver a further 0.06Ha of Local Landscaped Area for Play which will include natural play elements. As well as the area surplus the existing two LEAPs also provide a greater amount of individual play equipment than the LEAP guidance requires.

In line with the above, it is difficult to pursue a greater amount of play space within the site and it is also acknowledged that the policy does not make a specific requirement in this respect.

The revised plans have taken on board the comments from the Police Architectural Liaison Officer for natural surveillance and boundary enclosure, with particular reference to the informal play space at the south eastern corner of the site, however, these have had to be balanced with the requirements of the Environment Agency in this corner of the site.

ECOLOGY

An ecological impact assessment (EIA) was submitted with the application. The site is mainly commercial buildings and hard standing, with small peripheral areas of amenity grassland, poor semi-improved grassland, scrub and scattered trees. Survey results revealed presence of slow worms, grass snake, bats and nesting birds. Buildings were assessed for the presence of bats and nesting birds.

The EIA assesses the significance of these ecological receptors, applies the mitigation hierarchy, and proposes suitable mitigation to address construction and post-construction impacts which are detailed in corresponding drawings.

Further biodiversity enhancements have also been proposed using standardised 'net gain' calculations and show that with the proposed mitigation and enhancement that the number of biodiversity units could be increased from 1.03 to 2.07, mainly achieved through the creation of the wildflower grassland, and from the new gardens.

The potential for likely significant effect on Dartmoor SAC, South Dartmoor Woods SAC and South Hams SAC has been considered and no likely significant effect is concluded.

The development would result in the loss of a bat roost in the existing office building on the site and therefore a European Protected Species Licence will need to be obtained from Natural England prior to the demolition of this building. The Authority is required to carry out an assessment of the application against the three derogation tests of the Conservation of Habitats and Species Regulations 2017:

- 1.The development is of overriding public importance
- 2.There is no satisfactory alternative
- 3.There will be no significant detrimental population impact (on the bat).

The proposed development will secure the satisfactory redevelopment of the site for housing and secure the environmental enhancement of the land, providing opportunity for improvement

in existing flooding and land drainage. The land is already allocated for housing in accordance with policy MTN2. The existing office building on the site is poor quality in terms of construction and design and its retention would compromise the comprehensive redevelopment of the site and environmental benefits of the scheme. Mitigation for this loss is proposed in the form of a purpose-built new bat roost in the loft of a triple garage, and will not cause significant detrimental impact on the bat population. The proposal is considered to comply with the 3 derogation tests.

Conditions are required to secure appropriate mitigation, phasing and requirement for European Protected Species Licence (EPSL) to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with policies COR7 and DMD14.

The potential impact on bats from external lighting on the site has now been adequately addressed to ensure the southern boundary, bat roost mitigation and grassland habitat creation areas are maintained dark (<0.5 lux).

RESIDENTIAL AMENITY

Policy DMD4 deals with the protection of residential amenity having regard to factors such as loss of light, privacy, overbearing/dominance, noise, light, fumes, etc. and broader objectives of highway safety and the special qualities of an area.

The proposed residential use will present a more neighbourly development than the commercial use of the land for the occupiers of nearby dwellings.

The noise and disturbance created through the construction period can be addressed through a Construction Management Plan and potential impact from noise will be localised and for a limited period.

The proximity of the proposed residential redevelopment to the adjacent commercial use has been assessed as acceptable in principle through the Local Plan site allocation, having regard to the residential amenities of occupiers and satisfactory retention of adjacent employment site.

The proposed layout plan with its footprint extended beyond the allocation zone secures the removal of commercial buildings along the party boundary, the activities within which could potentially create conflict with the residential units. The reduction in site area of the existing employment premises is not considered significant to prejudice the retention of the existing employer or future occupiers.

The proposed detailed layout and relationship with neighbouring properties is assessed below.

The residential properties most directly affected by the proposed development are those flanking the existing site on its north western boundary (No's 1-4 The Moorings & The Sidings).

These neighbouring dwellings are elevated above the application site which does help to mitigate potential impact. The proposed layout has been carefully considered and proposed units 25-27 are spaced appropriately from the neighbouring dwellings, and their scale and layout is such that the proposed development should not impact adversely on residential amenity (overlooking/loss of light/overbearing).

The proposed three storey buildings would straddle the rear boundaries of The Moorings and No. 1 The Sidings and be located approximately 14m to the south of these neighbouring dwellings. There is a marked difference in levels between the development site and neighbouring properties, the ground floor of the latter being equivalent to the top floor (2nd floor) of the former. Having regard to the separation distances involved, together with the level difference and design of the proposed three storey building with roofline pitched away from the party boundary, it is considered that the proposed development would not harm the residential amenities of these neighbouring occupiers (loss of light/overbearing impact). No windows are proposed on the elevation facing neighbours and as such no loss of privacy will result.

The residential properties to the north of the site are separated by the A382 and having regard to the distances involved, together with their elevated position above the application site, it is considered that the proposed development would not be harmful to the residential amenities of these neighbouring occupiers by reason of overlooking, loss of light or overbearing/dominance.

With regard to any potential adverse impact from traffic leaving and entering the site, only minor amendments are made to the existing access and whilst traffic numbers would be moderately increased, vehicles size would be reduced. The proposed separate access for the retained smaller employment site is considered appropriate in siting and use not to adversely impact on residential amenities of neighbouring occupiers.

The proposed site layout and design will provide an appropriate relationship between respective properties and appropriate living conditions for future occupiers.

IMPACT ON LOCAL SERVICES (EDUCATION)

Devon County Council has requested an education contribution to mitigate the impact of the development on local education provision.

It has been identified that the proposed 35 family type dwellings will generate an additional 8.75 primary pupils and 5.25 secondary pupils which would have a direct impact on Moretonhampstead Primary and South Dartmoor Community College.

It has been forecast that the nearest primary and secondary school have currently got capacity for the number of pupils likely to be generated by the proposed development. Therefore, Devon County Council will not seek an education infrastructure contribution.

However, a contribution towards secondary school transport costs is required due to the development being further than 2.25 miles from South Dartmoor Community College, amounting to a developer financial contribution of £35,610.

The developer has confirmed that they will pay this sum of money and this will be secured with a s106 planning obligation.

Some members of the public have expressed concern that the proposed development will place additional pressure on facilities within the settlement. Housing allocations within the Local Plan are focused in the Local Centres which are the most sustainable locations for development and the provision of additional population will also help to support local shops and facilities.

ENERGY EFFICIENCY

Members of the public have expressed concern regarding the lack of on-site renewable energy provision and questioned scope for electric car charging points.

Policy COR8 states that development should ensure that natural resources are used in efficient and sustainable ways with aims for energy efficient design and on-site renewable energy provision. The Design Guide advocates a fabric first approach and reduction in energy demands through passive design considerations at the heart of this, in contrast to bolt on renewable technology.

The developer has provided an Energy and Sustainability Statement referencing the consultation on the proposed changes to be adopted in the 2020 Building Regulation Approved Document L, including a proposed 20/30% reduction in carbon emissions beyond 2013 standards. At this stage the final targets and implementation timescale are unclear, however, the report states that the dwellings will be designed to meet and exceed the current standards, whilst remaining adaptable to any future requirements to be introduced.

Policy COR8 was adopted in 2008. Since this time, the report identifies that the 2013 edition of Approved Document L has been introduced, superseding the 2006 Building Regulations that were in place during the adoption of the Core Strategy. The current Building Regulations require regulated CO2 emission levels from new build domestic buildings to be approximately 30% lower than 2006 levels.

Therefore, the developer proposes that by constructing the dwellings to exceed current Building Regulations, the proposed dwellings will have reduced carbon emissions of more than 30%, meeting and exceeding the requirement in Policy COR8 for a 20% reduction in carbon emissions.

OTHER MATTERS

A comment was made that the larger developments on Dartmoor will present additional recreational pressure on the National Park, impacting negatively on fauna and flora. The development allocation has been assessed against sustainability objectives through the Local Plan process and the proposed development will not result in a negative impact on the Special Areas of Conservation within the National Park.

CONCLUSION

The site is within a residential development allocation on Station Road, Moretonhampstead (policy MTN2). The business use is vacant and the existing buildings on site mean that the development benefits from Vacant Building Credit in line with National Planning Guidelines and consequently the Authority is unfortunately not in a position to require affordable housing for the detailed scheme proposed.

The scheme has evolved through negotiations with officers to address the heritage and environmental constraints of the site to deliver a layout and design that officers can now support. These discussions initiated through the previous application have been refined during the course of this application.

The scheme has been subject to some late amendments and officers will update Members on any additional consultee responses at the meeting.

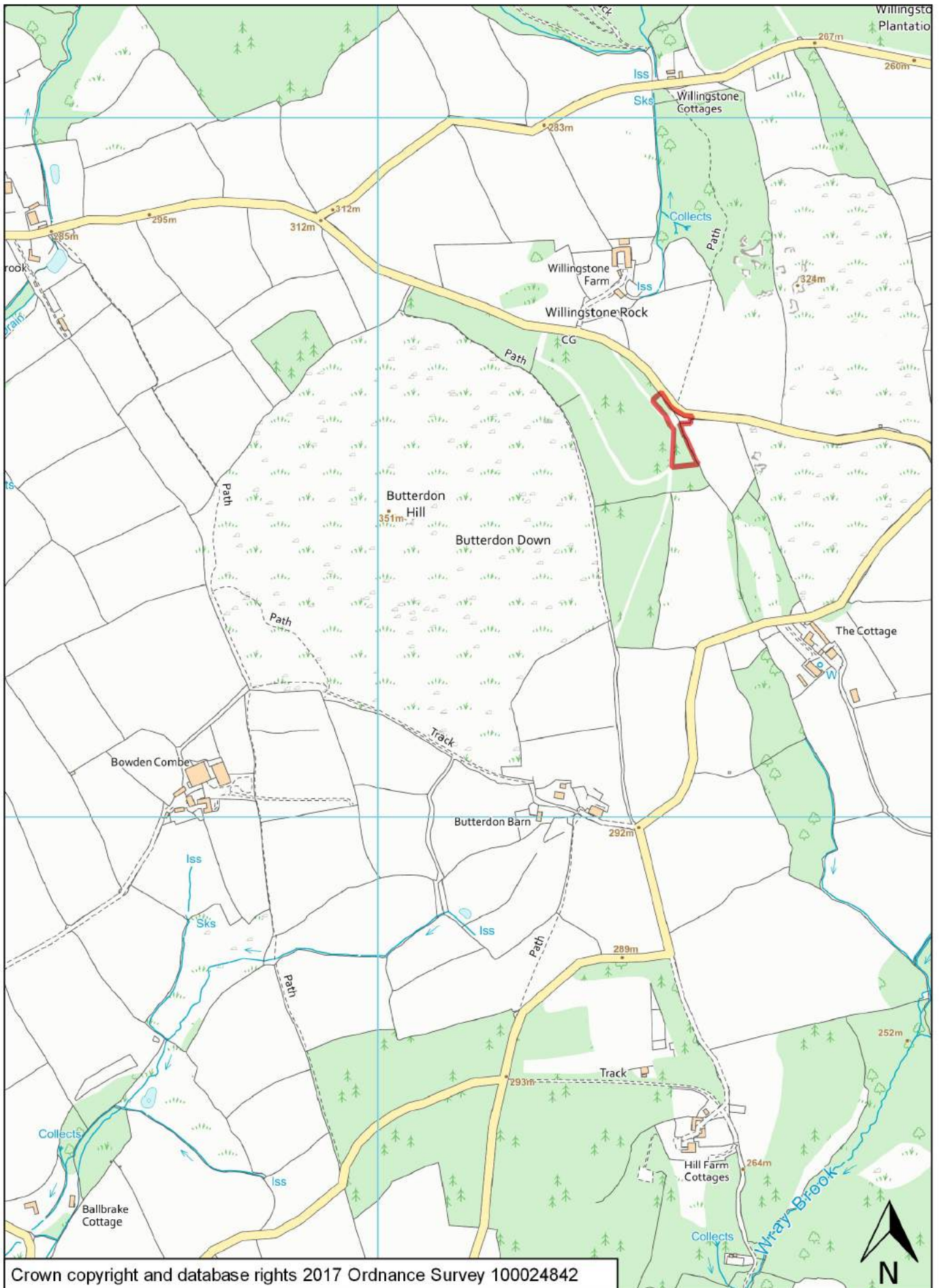
Subject to the consideration of any additional comments, the proposal is considered to be

acceptable and is recommended for approval accordingly.

0595/19 - Running Deer, Moretonhampstead



Scale 1:7,371



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4. Application No: **0595/19** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **Moretonhampstead**
Grid Ref: **SX754885** Officer: **Louise Barattini**

Proposal: **Change of use of the land to provide school (retrospective) and associated works and buildings**

Location: **Butterdon Wood,
Moretonhampstead**

Applicant: **Running Deer CIC**

Recommendation **That TEMPORARY permission be GRANTED**

Condition(s)

1. The development hereby permitted shall be for a limited period of 3 years from the date of this permission and thereafter the use hereby permitted shall be discontinued, the buildings removed and the land restored to its former condition.
2. The development hereby permitted shall be carried out strictly in accordance with the approved Location Plan, 'Block Plan - Parking Area' and drawings numbered P131 3 PL01 Rev G, No. 1 ELEVATION 01, No. 2 ELEVATION 02, No.3 FLOOR PLAN and No.4. SECTIONS, valid 20 December 2019.
3. The land edged red on the approved Location Plan shall only be used for educational purposes for Running Deer CIC School, operating Monday to Friday and during school academic terms only and for no other purpose, including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.
4. Vehicle parking for the school shall only take place within the 6 spaces designated on approved drawing number P131 3 PL01 Rev G. There shall be no parking associated with the development hereby approved on the highway verge.
5. The highway verge shown on approved drawing 'Block Plan – Parking area' shall be cleared of stone chippings and re-seeded with grass or laid with turf within 2 months of the date of this decision notice.
6. The drop off point for taxis shown on the approved drawing 'Block Plan – Parking area' shall only be used for vehicle drop-off and collection and shall not be used for the parking of vehicles.
7. The school shall be limited to a maximum student intake of 10 students at any one time. An up-to-date register of students shall be maintained and made available to the Local Planning Authority upon request.
8. The school shall operate strictly in accordance with the Running Deer CIC Travel Plan submitted with the application and received on the 12 December 2019 and an up-to-date register shall be maintained of all vehicle movements to the site (including visitors) which shall be made available to the Local Planning Authority upon request.
9. The teaching pods hereby approved shall be clad in timber and left to weather naturally, unless otherwise agreed in writing by the Local Planning Authority.

10. Prior to the installation of the pods hereby approved, details of the materials and external finish of the window and door frames shall be submitted to the Local Planning Authority for approval in writing. Thereafter, unless otherwise agreed by the Local Planning Authority in writing only the approved window and door frames shall be used in the development.
11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 or any Order revoking and re-enacting that Order with or without modification, no new buildings, structures, extensions, hard surfacing, means of enclosure or other boundary treatments shall be constructed without the prior written authorisation of the Local Planning Authority.
12. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be implemented strictly in accordance with the recommendations set out in section 4.4 and 4.6 of the Preliminary Ecological Appraisal Report by Colin Wills, dated 21 December 2018.
13. Prior to the commencement of any works, demolition or development on the land, the existing trees within the site shall be protected strictly in accordance with the Arboricultural Impact Assessment and Tree Protection Plan (Ref CT-5489.19). Such fences or barriers shall be maintained until the completion of the development on the land. Within these protected areas there shall be no storage, deposit, tipping or placing of any materials, soil, spoil or other matter, no parking or movement of vehicles or trailers, no erection or siting of buildings or structures, no excavation or raising of ground levels and no disposal of water or other liquid. Furthermore, no fire(s) shall be lit within 20m of any protected area without the prior written authorisation of the Local Planning Authority.
14. At no time shall any exterior lighting be installed within the development site without the prior written consent of the Local Planning Authority.
15. The public right of way shall remain free from obstruction at all times during construction works.
16. Notwithstanding the plans hereby approved, there shall be no new hard surfacing of the proposed parking, turning and access arrangements hereby approved unless otherwise previously agreed in writing by the Local Planning Authority.
17. Within 1 month of the installation of the pods hereby approved, the 4 existing structures highlighted to be removed on approved drawing P131 3 PL01 Rev G shall be permanently removed from the site and the land restored to its former condition.

Introduction

Running Deer is a small independent school providing therapeutic support and education for children with special needs, located in a woodland on the fringe of Butterdon Down, approximately 2km to the north of Moretonhamsstead.

The school was established in 2016 and this application seeks retrospective permission for the use of the land as a school and the erection of 5 new timber teaching pods and associated works. The scheme also incorporates the removal of existing shipping container classroom and office units. The highway verge has been used for parking but is to be re-seeded and provision made within the site for 6 parking spaces and a drop off point at the site access.

The application is presented to Members as the development is likely to be a departure from

the Local Plan.

Planning History

0386/19	Change of use of the land to provide school (retrospective) and associated works and buildings	Full Planning Permission	Withdrawn	10 January 2020
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Consultations

Teignbridge District Council:	Does not wish to comment
County EEC Directorate:	I remain entirely satisfied that the intervisibility between drivers on the lane and vehicles and pedestrians using the parking area is entirely adequate having regard to vehicle approach speeds for through traffic (and that includes all types of vehicle that would use the lane), especially having regard to the very low number of vehicles using the lane.
Environment Agency:	No objection - flood zone 1 standing advice only
DNP - Archaeology:	None
DNP - Trees & Landscape:	The site is being used as a forest school that operates year round. If there is a need for a school on this site we will have to accept structures in the wood. The structures will not reflect local building patterns, but their design and organic form will have limited impact on the character of the local landscape. Moving the car park into the wood and restoring the roadside verge will improve the character of the local landscape and will remove this visually intrusive feature. The woodland is not designated as a Woodland of Conservation Importance and the forest school would not be contrary to DMD6.
	No objection, subject to conditions requiring the applicants to restore the roadside verge to its former state and the trees within the site to be protected in accordance the Arboricultural Impact Assessment and Tree Protection Plan (Ref CT-5489.19).
DNP - Recreation, Access & Estates:	No objection provided the public right of way is kept clear at all times (including during the construction phase of the development)

Parish/Town Council Comments

Moretonhampstead PC:	The Parish Council supports the change of use of the indicated parcels to a small special needs school on the grounds of the social and educational benefit of the school, and the local employment that it provides. We would be concerned at environmental impacts if the school were to increase significantly in size, and so welcome the applicants' statement, during our site inspection, that they do not want the school to grow beyond 10 pupils. We ask that it is made a condition of consent that the size of the school is limited to no more than 10 enrolled pupils.
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We support the proposal to build five wood-clad pods on the grounds that suitable accommodation is clearly needed, and that these pods would have low and acceptable visibility and environmental impact; we welcome the intention to remove the two porta cabins (which have been on the site for some time without planning permission), and ask that this also is made a condition of consent.

We welcome also the proposal to make a car park inside the site and revegetate the roadside verge, which has been damaged by off-site parking. We have some concern, even having seen the transport plan, that 7 parking spaces (as shown on the plan - the application says 8) will not be sufficient for staff and visitors, and that the proposed car park looks a little formal and municipal in the context of this rural site. We would also comment that while we welcome the proposal for car sharing, this is likely to put more pressure on parking in Moretonhampstead, which is already under pressure.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR11 - Retaining tranquillity

COR12 - Meeting the need for local infrastructure, community facilities and public services

COR18 - Providing for sustainable economic growth

COR2 - Settlement Strategies

COR21 - Dealing with development and transport issues in a sustainable way

COR3 - Protection of Dartmoor's special environmental qualities

COR4 - Design and sustainable development principles

COR6 - Protecting Dartmoor's Archaeology

COR7 - Providing for the conservation of Dartmoor's varied plant and animal life and geology

DMD13 - Archaeology

DMD14 - Biodiversity and geological conservation

DMD1a - Presumption in favour of sustainable development

DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities

DMD4 - Protecting local amenity

DMD41 - Parking provision - Non Residential

DMD42 - Public Rights of Way

DMD5 - National Park Landscape

DMD6 - Dartmoor's moorland and woodland

DMD7 - Dartmoor's built environment

Representations

2 letters of support

The letters of support highlight the enhancement of Butterton Wood by providing low

impact buildings and services which will be sympathetic to the natural environment and create a supportive educational environment in place of existing facilities.

Observations

POLICIES, PARK PURPOSES & MATERIAL PLANNING CONSIDERATIONS

The Local Plan cannot cater for all development types; where applications are not neatly allied to a specific policy they need to be considered against the planning policies of the National Park as a whole and in particular policies DMD1a and DMD1b.

Policy DMD1a establishes the presumption in favour of sustainable development and a positive approach to working toward this, working with applicants to find solutions where applications can be approved wherever possible and to secure development that improves the economic, social and environmental conditions of the area.

Policy DMD1b is concerned with delivering Dartmoor National Park's special qualities, promoting the understanding and enjoyment of those qualities and delivering the social and economic well-being of its communities.

The proposal does not neatly align with the development types permissible in principle within the open countryside of the National Park under policy COR2, although it is notable that this particular special needs school benefits from its positioning within a rural setting to support the learning and well-being of the students and is 2km from Moretonhampstead (a designated Local Centre).

The 2019 Landscapes review of National Parks and AONBs by Glover acknowledges that our system of national landscapes should be a positive force for the nation's wellbeing and policy DMD1b supports the National Park Purpose of promoting the understanding and enjoyment of the special qualities of the National Park.

Policy COR1 sets out a number of sustainability principles which should be taken into account when assessing development proposals. Included within this are the provision of essential services to the public, conservation of National Park landscapes and high quality design, sustainable transport considerations and support for the socio-economic vitality of the Park.

Further relevant policies are referred to in the list of policies and in the topic discussions below.

PROPOSAL & PLANNING HISTORY

The proposed change of use relates to a small parcel of woodland which is bisected by a public right of way and flanks the public highway in part.

Running Deer school was established in 2016 and this application seeks retrospective permission for the use of the land as a school and the erection of 5 new timber teaching pods and associated works. The scheme also incorporates the removal of existing shipping container classroom and office units. The highway verge has been used for parking but is shown on the plans to be re-seeded and not used for parking. The proposal makes provision within the site for 6 parking spaces and a drop off point at the site access. The school has a roll of 10 students.

The application is effectively a resubmission of the previous scheme which was modified

during the application timescale and withdrawn due to technical reasons. The principal difference between the previous application and this one relates to the small area of parking on the verge being omitted from the scheme and inclusion of a small taxi drop off zone at the site access.

PRINCIPLE OF DEVELOPMENT

The site is NOT within a woodland of conservation importance where the principle of development is only permitted in exceptional circumstances where it is necessary for the proper management of that woodland. The woodland in question does not have a specific designation.

The proposal relates to a small parcel of land within the woodland and there is no felling/woodland clearance proposed to facilitate the proposed pods. The applicant has been explicit that they do not wish to expand the school beyond its current intake as they are mindful of the carrying capacity of the site to accommodate the development and the benefits of the small scale of the school to the well-being of those students attending. The site makes use of existing small cleared areas and sensitive integration with existing trees informed through the Arboricultural Report.

The proposal does not incorporate any residential elements or desire to live on site; it is principally for educational use during the academic calendar.

The proposal relates to an established school (set up in 2016 on the site), the intake of students being allocated by Devon County Council. It received a 'Good' Ofsted inspection in July this year.

The school does not specifically cater for the needs of Dartmoor's community; it draws children from across Devon to be able to support those needing this specific education setting and provider. It is unique in this respect and whilst it is a socially positive development, it cannot be said to be a service that is specifically focused at Dartmoor's young community.

It does however currently draw a number of staff from within Dartmoor's community and goes some way toward providing local employment opportunities. In this sense it could be said to contribute, albeit in a small manner, to the economic well-being of the Park. The majority of businesses on Dartmoor are small scale and this establishment is no different in this sense. The school currently employs 13 staff on site.

The school is understood to have evolved from the outdoor intervention service it provided on the site for the education sector, the rural location within the National Park proving a positive setting for the therapeutic learning delivered. It is likely that the special qualities of the Park assist in this respect and at the same time this education facility helps to promote an understanding and enjoyment of National Park special qualities for those teachers and students alike. The Glover Review makes particular reference to children and enhancing their interaction with National Parks.

Policy DMD1a promotes sustainable forms of development. Policy COR1 provides commentary on the types of considerations that should be taken into account, namely; the socio-economic vitality of the Park, sustaining Dartmoor's special qualities, natural resources and accessibility of facilities.

With regard to this development proposal, key sustainability considerations relate to its impact

on the character and appearance of this part of the National Park, traffic generation and means of transportation to the site. These matters are assessed in the sections below.

IMPACT ON LANDSCAPE CHARACTER & APPEARANCE

Policies DMD1b, DMD5, COR1, COR3 and COR4 deal with the conservation and enhancement of the Dartmoor National Park landscape.

The application site is a conifer wood near Butterdon. The woodland is under active management with some tasks being carried out by pupils. Most of the woodland is larch with several cleared compartments planted with mixed native broadleaved trees. The felling in the past was carried out under a plant health notice. There is no management plan for the wood or a valid felling licence. The woodland is not designated as a woodland of Conservation Importance or has any other designation.

The proposed pods will be located close to the existing toilet structures and close to siting of shipping containers proposed to be removed. Several trees have been identified for removal and the proposed felling will have minimal impact on the woodland. The applicants have submitted an Arboricultural Impact Assessment and Tree Protection Plan which demonstrates an acceptable impact on landscape features.

The northern boundary of the site is formed by a bank with a mixed native hedgerow growing on top. The development will have no impact on this boundary feature. A modest parking area is proposed within the woodland, adjacent to the access. The woodland will have to be thinned or felled at some time in the future and the owners will need to create a hard standing area to enable the timber to be stacked prior to removal. The proposed car park could be used as a stacking area also and would not be unreasonable in terms of woodland management. Stacking bays are features found in woodlands of this type and the car park would not be an incongruous feature in this woodland in this respect.

The proposed development is located in a conifer woodland. The land to the east is undulating agricultural land comprising of small to medium sized fields enclosed by Devon hedge banks. Isolated and linear groups of trees are growing on the hedge banks. The agricultural land is grazed pasture. The land to the west is open common. Winding lanes bounded by high hedges thread across the landscape with sunken lanes a feature of this landscape type. Mixed woods are found interspersed with the enclosed farmland. A small area of moorland lies to the south. There is a sparse settlement pattern with small hamlets, villages and nucleated farmsteads nestled into the folded rolling landform. The site is located within the Moorland Edge Slopes Landscape Character type.

The proposed development does not reflect the local building pattern. However, if there is a justifiable need for a forest school there will also be a need to have structures within the woodland. The pods will inevitably have an impact on the character of the local landscape, but in this instance the impact will be modest. Moving the car parking into the woodland will prevent the verge being used as a car park and will enable this land to be restored to its original grass verge character, improving the character of the local landscape. The structures will not reflect local building patterns, but their design and organic form will have limited impact on the character of the local landscape. The woodland is not designated as a Woodland of Conservation Importance and the forest school would not be contrary to policy DMD6.

The site is visible from a minor road that runs along the boundary of the site. The most visually intrusive feature at present is the car parking area on the roadside verge. Moving the car park

into the woodland, as proposed, will reduce the visual impact of the development; the proposed drop off bay is for drop off and collection only and will not be an eyesore with parked cars. The pods may be glimpsed from the road, but they will mostly be hidden from public view. The development will be very visible from the public footpath that cuts through the woodland.

All new development in the National Park has potential to impact on the special qualities of Dartmoor, especially in the countryside away from designated settlements. This impact is weighed against the justification for new development and the nature of that impact.

The impact on local landscape character and visual amenity will be modest and is assessed against the positive social and economic impact of this unique development in this setting.

IMPACT ON PUBLIC RIGHT OF WAY

A public right of way bisects the site and shares the same access point. The proposal does not include any building on the public right of way. The proposed parking area for the site is adjacent to the public right of way.

The level of traffic generated for this educational use, which operates outside of the holiday seasons when the public use of footpath use is likely to be reduced, is not considered to be detrimental to the enjoyment of users of this right of way. The site access also forms an entrance into the woodland for its management and associated traffic.

The Authorities Head of Access, Recreation and Estates raises no objection, provided the public right of way is kept clear at all times (including during the construction phase of the development).

The proposed development, given its layout, scale and nature is not considered to significantly increase vehicular traffic on the public right of way to the detriment of the enjoyment of its users and the development has clear social benefits. The scheme is not considered to conflict with policy DMD42.

TRAVEL PLAN & IMPACT ON HIGHWAY SAFETY

The proposed development is located 2km from Moretonhampstead accessed by narrow roads. It is not a location which would facilitate travel to and from the site by public transport or lend itself ideally to commuting on foot.

The school has submitted a travel plan with its application based on its current arrangements to reduce vehicle numbers to, and from, the site:

- 7 staff travel together in the running deer minibuss to the site from Bovey Tracey
- 2 staff car share from Drewsteignton
- 2 staff car share from Teign Valley

As part of Devon County Council's Educational Health Care Plan there is a requirement for students to travel individually to and from the site (accounting for the specific needs of the student)

Having regard to the nature of this educational establishment, the travel plan is about as sustainable as it can be. The proposed modest car park arrangement within the site is also self-limiting in terms of the numbers of vehicles that can be accommodated (whilst allowing

provision for visitor parking as necessitated).

Whilst the proposal is not a neat fit with policy COR1 in terms of its accessible location, the proposed travel arrangements are considered to be sustainable in the context of its rural location and constraints of the business.

The Highway Officer is satisfied that the intervisibility between drivers on the lane and vehicles and pedestrians using the parking area is entirely adequate having regard to vehicle approach speeds for through traffic (and that includes all types of vehicle that would use the lane), especially having regard to the very low number of vehicles using the lane. The proposal would therefore not conflict with the objectives of policy COR21 for highway safety.

IMPACT ON BIODIVERSITY

The preliminary ecological appraisal report highlighted that there is an existing dormouse nest box scheme at the site. The report states that there will be no significant effects arising from the erection of classroom pods within the site, provided that no habitat suitable for Dormice will be effected by their installations or suitable habitat effected from artificial light spill. The report provides recommendations in terms of any potential dormouse habitat disturbance, lighting levels, timing of vegetation removal and biodiversity enhancement.

The proposal will not conflict with the objectives of policy DMD14 and COR7.

IMPACT ON THE AMENITIES OF THE AREA

The scale of this proposed specialist school, together with the level, frequency and nature of noise associated with the use of the land, on the edge of a managed woodland and within proximity of working farms, is not considered to be detrimental to the residential amenity or the tranquility of this part of the National Park so as to sustain an objection against policy DMD4 or COR11.

CONCLUSION

This is a unique proposal for a specialist outdoor school for students with special educational needs who are benefiting tremendously from this therapeutic teaching environment and is affiliated with a number of partner organisations. The special qualities of the National Park assist in this respect and at the same time this education facility helps to promote an understanding and enjoyment of Park special qualities for teachers and students alike. The Glover Review makes reference to enhancing children's interaction with National Parks.

It is not an experimental educational business or speculative proposal; the school is established and has emerged from its educational outreach activities on the site and now evolved to meet an existing need. It is not a question of guiding the proposal to a chosen location; the school is existing (albeit without the benefit of formal planning permission) and a decision needs to be taken on the proposal before us.

There has been established educational activity on the site in connection with educational outreach workshops as an exempt organisation for some time now which pre-dates the formation of the school.

The proposal does not create planning harm in respect of residential amenity, ecology or highway safety.

The key issues are the sustainability of the business in this rural location and its impact on this part of the National Park landscape.

All new development in the National Park has potential to impact on the special qualities of Dartmoor, especially in the countryside away from designated settlements. This impact is weighed against the justification for new development and the nature of that impact. The application is not within a woodland of conservation importance, does not require felling/clearance to accommodate the development, and includes no residential element. The impact on landscape character and visual amenity, essentially associated with the proposed timber teaching pods and car park, has been concluded to be moderate in this particular case.

In terms of sustainability, whilst the site is accessed from narrow roads it is not very remote being located approximately 2km from Moretonhampstead and the applicant has submitted a Green Travel Plan.

The proposed development has clear social benefits for the children attending the school and employs 14 people. The proposal has clear social and economic benefits and helps to promote understanding and enjoyment of National Park special qualities, whilst having some impact on landscape character and visual amenity.

Officers consider that the scheme has merits in this regard and are recommending that the application is approved subject to a temporary three year consent to enable the Local Planning Authority to assess its impact in the short term before confirming if a permanent permission is sustainable in planning terms.

CHRISTOPHER HART

1,560 of which are anticipated to come forward within the plan period). Development should provide the following:

1. *Delivery in accordance with strategic masterplan and design code that should be prepared for the site and consulted upon in advance of the consideration of any planning application. The masterplan will:*
 - (i) *Identify the design philosophy and phasing of the development.*
 - (ii) *Include a detailed transport and access strategy which establishes key road, walking and cycling routes and public transport, maximising the permeability of the site by all forms of sustainable transport, both within the development and to connecting routes in the vicinity.*
 - (iii) *Set out a landscape strategy that responds to the site's location and relationship with Dartmoor National Park.*
2. *The main access arrangements are to be agreed prior to the commencement of development and delivered commensurately with the associated phase of the development. Additionally, there should be no occupation of new homes until the A386 Woolwell to the George Junction Transport Scheme has been implemented, with the exception of where this can be accommodated without resulting in a severe impact on the operation of the local road network.*
3. *A form of development which utilises natural features with appropriate strategic landscaping that is sensitive to its location and relationship with the Dartmoor National Park resulting in a clearly defined edge to the city.*
4. *Delivery of a new Community Park that will form part of the network of strategic Greenspace sites. It will therefore need to be of a sufficient scale, design and quality and must be multi-functional in nature. The park must:*
 - (i) *Meet the recreational needs of the new community to prevent an unacceptable impact on South Dartmoor Woods European Protected Site.*
 - (ii) *Provide a minimum of a 40m landscape buffer between the edge of development and the Plym Valley Strategic Green Space and setting of Dartmoor National Park.*
 - (iii) *Deliver high quality accessible greenspace that incorporates areas for active recreation and plan in line with local standards.*
 - (iv) *Provide a high quality network of walking, cycling and horse riding routes through the Park that link into the adjacent Plym Valley Strategic Green Space.*
 - (v) *Incorporate elements of the Sustainable Urban Drainage system that must be designed to fit within the landscape setting of the Park and provide wildlife and amenity benefits.*
 - (vi) *Incorporate new playing pitches in line with local standards and associated infrastructure, such as changing rooms, required to support the new community. Facilities will be located in an appropriate area that does not conflict with the other functions of the park.*
 - (vii) *Mitigate the impacts of the development on biodiversity and incorporate biodiversity enhancement measures.*
 - (viii) *Utilise the old tramway for pedestrian and cycle connections through the development and providing the opportunity for onward links to the Plym Valley Strategic Green Space.*

5. *Appropriate local facilities to support the new and existing residents and to enhance the sustainability of the area, including a new primary school and appropriate contributions to mitigate the development on secondary schools in Plymouth.*
6. *A second road access to Woolwell which is capable of accommodating traffic from the existing community and planned new development, with due consideration to the needs of public transport accessibility, and which leads to improved traffic flow around the area and which reduces the impact of the development on the key transport corridor and routes.*
7. *Contributions to strategic highway improvements and programmes.*
8. *Provision of opportunities and plots for self or custom build homes.*
9. *Maximise opportunities for on-site energy generation.”*

The land covered by PLY44 sits approximately 600m from the southern edge of the National Park boundary; with the first block of dwellings shown around 70m inside the red line application site boundary, albeit this is an indicative layout, and will be fixed by subsequent reserved matters applications; only access is under consideration at this stage.

Due to the scale and potential impacts of the proposals, an Environmental Statement has been submitted alongside the applications; DNPA Officers were involved in the “Scoping” of this statement, essentially setting out what needed to be considered. The scheme has also been developed based on an agreed masterplan and a lengthy pre-application process, including several meetings at which Officers were present.

To summarise each application:

4185/19/OPA relates to a total area of 117 hectares (ha), proposes up to 1,640 new dwellings ranging between of 1 and 3 storey in height on 45ha; up to 1,200 square metres of commercial, retail and community uses; a new primary school; public open space including a community park of 13ha around the northern edge of the site; new sport and playing facilities; new access points, vehicular, cycle and pedestrian links, including a new roundabout in the north-western corner of the site; strategic landscaping, surface water attenuation basins and a primary substation.

4181/19/OPA measures 11.6ha and proposes up to 360 dwellings on an area of the allocation measuring 7.2ha, along with new access points, landscaping and associated infrastructure.

The residential elements have a density averaging 35.4 dwellings per hectare (dph); maximum densities reach 50dph.

The remainder of the allocation is in separate ownership and development of this will require further planning applications.

The Authority’s specialist Officers have assessed the proposal and consider the key impacts the proposal might have upon the National Park to be:

- Landscape and visual impact
- Increased visitor pressure leading to impacts on habitats and species

- Light pollution
- Traffic generation

Due to separation distances, it is considered there will be no harm to any historic or archaeological features and structures. Nor will there be any significant impacts anticipated in respect to air quality, dust, odour and noise, both during the construction phase and once complete, noting that such matters would be controlled by conditions on any approval and other applicable legislation.

Landscape and visual impact

The allocated site comprises of undulating land, being highest towards the west at 170 AOD, dropping down to the north (towards the National Park), south and east, towards the River Plym; the lowest point being 55 AOD.

The site is visible from many vantage points within the southern area of the National Park, although less so from closer points due to intervening landscape features. A detailed Landscape and Visual Impact Assessment has been carried out, which is accompanied by numerous viewpoints and photomontages of the proposed development.

The community park is proposed as a buffer along the northern and eastern boundaries, closest to the National Park and the (albeit indicative) drawings indicate landscaping throughout this park, as well as between the park and the proposed dwellings.

It is recognised that the site will be very much viewed against the backdrop of Woolwell and the wider Plymouth area, although much of this is screened by the elevated site itself. It is also recognised that considerable landscaping and greenspace is proposed as part of the community park, and throughout the wider site, however, given the topography and the inclusion of 3 storey structures, it is not clear how effective this will be in screening the development.

There is a concern that the dwellings with greatest potential for visual impacts (2½ and 3 storey) appear to be located on the highest and most prominent part of the site, and on the nearest point to the NP boundary. Even with the proposed landscaping, due to the topography of the site, screening the entire development will not be possible.

Little detail has been given with regard to the off-site works to create the new roundabout. This is a key gateway into and out of the National Park, and therefore consideration needs to be given, especially given that 3 storey dwellings are proposed near this entrance. It is not clear how this will present a) a high quality gateway, and b) an appropriate transition from an urban area into the National Park.

The Authority therefore requests that it receives consultation for subsequent reserved matters approvals and any conditions relating to this element and the site wide landscaping.

Increased visitor pressure leading to impacts on habitats and species

It is inevitable that any population growth on the edge of the National Park will result in more visits, either by car or more sustainable means such as cycling or on foot.

The Authority is pleased to see sustainable transport methods have been taken into consideration, in that existing cycle passes are to be upgraded with segregated provision

towards Tavistock, although conversely, this could encourage visitors on bikes into the National Park, with Roborough Down being particularly vulnerable as the nearest to the site (discussed in more detail later in this report).

The Authority would encourage consideration of the 2018 SWEEP report “*Population Futures and Dartmoor National Park*”, available at <https://sweep.ac.uk/wp-content/uploads/SWEEP DNPA-Dartmoor-Recreation-Futures-Report.pdf>. This has assessed current visitor figures and predicted impacts from expected population growth:-

- 81% of visits are “roaming recreation”, i.e. walking, biking or horse riding, all with the potential to cause harm to habitats and species. The remaining 19% are activity focussed, such as fishing, eating out or visiting a specific attraction.
- Of the “roaming recreation” visits, walking and running account for 78%.

There are several potentially vulnerable locations, some with European designations, within a 10 km radius, however, whilst referred to in the supporting documents, not all have been adequately considered in the supporting documents. The sites of concern within the National Park are:-

- Dartmoor SAC (23,159 ha 6.2km to the east)
- South Dartmoor Woods SAC (2,159 ha 2.2km to the east)
- Shaugh Prior Woods SSSI (contained within South Dartmoor Woods SAC)
- Roborough Down
- Cadover Bridge
- Burrator Reservoir

Policy PLY44 sets out the requirement for a new community park which must be able to meet the recreational needs of the new community to prevent unacceptable impacts on South Dartmoor Woods SAC.

Taking those with the statutory designations, the Dartmoor SAC and South Dartmoor Woods SAC (which includes Shaugh Prior Woods SSSI), impacts upon these have been dismissed based on the proposed mitigation, the sole form of which appears to be the community park. It is stated throughout various documents that this will alleviate visitor pressure from the National Park, and whilst significant in size at around 13ha, it is not clear how this will be achieved or monitored. It would certainly be expected the park would cater for day-to-day dog walking or informal play, but the Authority questions how this will alleviate visitor pressure on the National Park, for example, from “Honey Pot” sites such as Burrator Reservoir. The Authority would also question the phasing of the development, and the timescales for the creation of the community park. It is not clear if the park be available for use early in the development at a scale that will appeal for recreation, or if it will be a later feature which then has implications for recreation pressure on the National Park.

Detrimental impacts upon Shaugh Prior Woods SSSI appear to have been discounted by way of there being steep paths and access into the woods, which are stated to be a deterrent to visitors. The Authority wishes to point out that the Designation Criteria is Priority Western Oak Woodland with associated bryophyte, lichen flora and fritillary butterflies, as well as lowland heath, all of which are vulnerable to physical damage.

The “Tamar EMS Form”, one of the online documents, fails to refer to either of the Dartmoor SACs, despite them being referenced in the Applicant’s Environmental

Statement. It is anticipated a new Habitats Regulations Assessment (HRA) will be carried out taking into account all of the European sites and the Authority's Ecologist requests that as a minimum, South Dartmoor Woods SAC is fully considered in this HRA with in-combination effects, even if the conclusion is there will be no likely significant effect due to distance from the development. The Authority welcomes further discussion around this.

With regard to the non-statutory sites, it appears potential harmful impacts have been dismissed due to separation distances, despite these being referenced in the application documents as supporting "...a variety of nationally and internationally important habitats and species."

The SWEEP report identifies 3 key areas likely to see an increase in visitors – Burrator, Haytor and Princetown. Burrator is the closest of these to the site, approximately 6km to the northeast, and is identified as a vulnerable wildlife location where strong increases in footfall are expected. The footfall growth is predicted to be almost exclusively from Plymouth, West Devon and South Hams.

Furthermore, as highlighted by the Authority at the EIA Scoping Stage, Roborough Down is closest area to the application site. Active management takes place across the whole common for its lowland heathland, grass/bracken moorland, scrub and woodland, as well as notable species including fritillary butterflies, breeding birds (including Schedule 1 species Dartford Warbler and red listed species such as skylark, linnet, yellowhammer and bullfinch), reptiles, otters and bats. Notable plant species include Vigur's Eyebright and Lesser Butterfly Orchid. All of these are vulnerable from increased recreational use in the area through disturbance (including dogs), increased footfall, erosion, increased fire risk and litter.

Cadover Bridge is also not considered in supporting documentation, but there are risks to the watercourse and surrounding non-designated priority habitats through increased visitors.

In the Authority's 2017 EIA Scoping Opinion response mitigation was requested "...including provision of green infrastructure within the site away from Dartmoor and assistance with wardening Roborough to mitigate impacts." There appears to be no suggestion of assistance with wardening or any additional mitigation other than the community park.

The Authority would request that consideration be given to not just mitigating against increased visitors to the statutory designated sites within the National Park, but to the other sites at risk from increased visitors.

The applicant has stated there will be significant financial contributions made through the S106 obligation, and the Authority would welcome further discussion surrounding this.

Light Pollution

The Authority is pleased to see the Lighting Assessment has been prepared taking into account comments previously made at pre-application stage, that the National Park is classified as Institute of Lighting Professionals (ILP) Environmental Zone E1 "Intrinsically Dark" and the Environmental Statement recognises one of the challenges facing the National Park is the loss of tranquility due to, amongst other criteria, light pollution.

The Assessment notes that there are distant views of the site, either in part or full, from a number of viewpoints within the National Park, including Roborough Down, and particularly from elevated areas. It is noted that lighting from existing housing in Woolwell and Plymouth, as well as the factories at Roborough and from Bickleigh Marine Barracks, is evident from the majority of viewpoints. Sky glow is visible over Plymouth from all viewpoints.

Due to the distance between the site and the National Park and the intervening areas of agricultural land, hedgerows and woodland which act as a buffer, the Assessment considers there is unlikely to be any light intrusion from the proposal into the National Park; glare could be visible from street lighting if this is not adequately screened. The Authority would agree with these conclusions.

The Assessment acknowledges that the development could add to the level of sky glow, although seemingly discounts this as harmful by stating it will be seen in the context of the wider urban area and existing sky glow from Plymouth. It is anticipated that impacts from lighting could be Minor-Moderate Adverse, although will vary between locations across the National Park.

Whilst the detailed lighting will be dealt with as part of future reserved matters applications, the suggestion that lighting will be dimmed or part night lighted (switched off between 00:30 and 05:30) is welcomed by the Authority. The community park will, as suggested, assist with reducing light intrusion but not in reducing an increase in sky glow; this raises a major concern.

There is reference in the Lighting Assessment to the detailed lighting design, which "...will aim to meet the light limitations associated with Environmental Zone E2 which would reduce any residual upward light to within guideline levels" and in reference to where "...a 'noticeable' change in lighting conditions may be experienced. This however will primarily relate to change in night-time scene and sky glow and will be seen in the context of the backdrop of the existing urban areas of Woolwell and Plymouth." It is not clear in regards to the levels of anticipated increase in sky glow that the National Park would experience, and whether this would alter the ILP zone from E1 "Intrinsically Dark" to E2 "Low District Brightness".

The CPRE, Natural England and the Universities of Northumbria and Newcastle produced a tranquillity map of England - *Campaign to Protect Rural England (2007) 'Tranquillity Map: England'*. This study found the National Park was the single largest unbroken area of tranquillity in southern England, with 70% of the land classified as tranquil or very tranquil. The dark skies of the National Park are an integral part of tranquillity and the sense of wildness. The study found the dark-sky resource is under increasing threat as artificial lighting becomes more prevalent and sky glow from the rapidly growing urban centres of Exeter and Plymouth increases.

The Authority wishes to make South Hams District Council aware of its future intentions to work towards achieving "Dark Sky Park" (DSP) status, awarded by the International Dark Sky Association; initial survey work indicates that the upland areas would be eligible for DSP designation. DSP status requires a rigorous application process and there is a possibility of the National Park achieving this during the course of the next plan period (up to 2036), however, this could be affected not just by lighting within the National Park, but by lighting outside. More detail on this can be found in the Natural Environmental Topic Paper which has been prepared as part of the evidence for the Dartmoor Local Plan 2018 to 2036, which is due to be submitted for examination later this spring, and is available

here: https://www.dartmoor.gov.uk/data/assets/pdf_file/0019/1416520/2019-09_Natural_Environment_Topic_Paper_V3.pdf

Of further concern is flood lighting that might be required for any sports pitches or commercial areas given these generally need higher levels of illumination, which could change the lighting designation on the site from E2 (Rural) low district brightness to E3 (Suburban) medium district brightness. These would inevitably be visible from the National Park, potentially significantly adding to the sky-glow and causing glare, which would be difficult to screen given flood lights are generally elevated.

The Authority therefore requests involvement in future discussions concerning lighting.

Traffic Generation

The Authority expects the County Council's Highway Officer and Highways England to provide a response on the Transport Assessment, and the acceptability of the proposal both in terms of capacity and impact on local residents, but would point out the potential impacts of works to the A386 which could result in traffic diverting across the Moor via Cadover Bridge to reach Plympton and wider Plymouth.

Any methods to develop green transport infrastructure would be welcomed.

Conclusion

It is recognised that some housing outside of the National Park will be close to its boundary and no objections are raised subject to there being robust mitigation secured by way of a S106 agreement, appropriate conditions and the Authority being consulted at reserved matters stage. However, the Authority does wish to highlight concerns, namely:

- Potential for harm to habitats and species as a result of increased visitor pressure; the proposed mitigation does not appear to be sufficiently robust and impacts on non-statutory sites have not been considered.
- The uncertainty over phasing and the delivery of the community park, and future monitoring to ensure it serves its purpose in terms of relieving pressure on the National Park.
- Potential for increased light pollution, which could impact upon the aim of achieving Dark Sky Park status
- Landscape and visual impacts in that proposed landscaping and the community park might not provide effective screening. Furthermore, that there is a lack of detail concerning the proposed new roundabout at what is a "gateway" into the National Park and where 3 storey dwellings are proposed. The National Park seeks reassurance that there will be an appropriate transition from the urban area to the National Park.

The Authority would wish to be a party to any discussions regarding potential S106 community benefits that may accrue from the development, the Habitats Regulations Assessment in respect of the Dartmoor SACs and any proposed mitigation.

A copy of this report will be forwarded to South Hams District Council.

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

06 March 2020

APPEALS

Report of the Head of Development Management

Recommendation : **That the report be noted.**

The following appeal decision(s) have been received since the last meeting.

1 Application No:	W/19/3236517	District/Borough:	West Devon Borough
Appeal Type:	Refusal of Full Planning Permission	Parish:	Belstone
Proposal:	Removal of existing chalet and construction of timber replacement		
Location:	The Chalet, Belstone		
Appellant:	Mr J Davies		
Decision:	ALLOWED		

2 Application No:	W/19/3238221	District/Borough:	South Hams District
Appeal Type:	Refusal of Full Planning Permission	Parish:	Buckfastleigh West
Proposal:	Removal of condition 2 to approved planning ref: 0714/08		
Location:	Beards Barn, Coombe, Buckfastleigh		
Appellant:	Ms K Pillar		
Decision:	DISMISSED		

The following appeal(s) have been lodged with the Secretary of State since the last meeting.

1 Application No:	C/20/3244238	District/Borough:	West Devon Borough
Appeal Type:	Enforcement Notice	Parish:	Chagford
Proposal:	Erection of agricultural building		
Location:	Forder Farm, Chagford		
Appellant:	Mr E Thorn		

2 Application No:	W/19/3243823	District/Borough:	West Devon Borough
Appeal Type:	Refusal of Full Planning Permission	Parish:	Drewsteignton
Proposal:	Static caravan for warden		
Location:	Barley Meadow Camping And Caravan Park,		

Appellant: **Crockernwell**
Mr M Brant

CHRISTOPHER HART

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

06 March 2020

ENFORCEMENT ACTION TAKEN UNDER DELEGATED POWERS

Report of the Head of Development Management

Members are requested to contact the Office before 5pm on Thursday if they wish to raise questions concerning any of the above.

(For further information please contact James Aven)

Recommendation: **That the following decisions be noted.**

1 Enforcement Code:	ENF/0014/20	District/Borough:	Teignbridge District
Grid Ref :	SX751802	Parish :	Manaton
Breach :	Erection of high solid wooden gate and fence at entrance, Velux windows in the roof and mains electricity connected.		
Location :	Devon Horse & Pony Sanctuary, near Southcott Farm, Manaton		
Action taken / Notice served	No Action		

2 Enforcement Code:	ENF/0128/19	District/Borough:	Teignbridge District
Grid Ref :	SX687724	Parish :	Widcombe-in-the-Mo
Breach :	Unauthorised "log cabin"		
Location :	Rowbrook House, Widcombe-in-the-Moor		
Action taken / Notice served	No further action taken		

CHRISTOPHER HART

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

6 March 2020

PRE-COMMITTEE SITE INSPECTION

Report of the Head of Development Management

Recommendation: **That a Pre-Committee Site Inspection be held.**

1	Application No:	0348/15	District/Borough:	West Devon
	Application Type:	Full Planning Permission	Parish:	Burrator
	Grid Ref:	SX542686	Officer:	James Aven
	Proposal:	Extension of the working plan area of the existing active quarry		
	Location:	Yennadon Quarry, Iron Mine Lane, Dousland		
	Applicant:	Yennadon Stone Ltd		
	Recommendation:			

Yennadon Quarry is located in the south west of the National Park, 300m to the east of Dousland on the moorland fringe of Yennadon Down. The site is on land owned by the Walkhampton Trust and administered by Lord Roborough's Maristow Estate and leased to the operator. The site produces dimensional building stone (stone with sawn and natural faces to make a block suitable for construction) and stone used in walling and landscaping.

The existing quarry is very close to its permitted boundaries. The depth of working in a quarry is restricted by the properties of the material extracted and how that material allows the height and angle of the quarry faces to be developed safely. The proximity of faces to the permitted boundaries limits the depth to which the quarry can continue to be worked. In order to extend Yennadon Quarry, it is necessary to extend the quarry laterally rather than continue with deeper working.

The application is to extend the existing stone quarry laterally to the north, increasing its size by roughly a third from 2.2ha to 3.2ha. This is an increase of 1ha (roughly equivalent to 1.4 full sized football pitches). Within the proposed 1ha extension to the quarry, the proposed extraction area amounts to around 50% (0.53ha) with the balance being used for landscaping.

Members may recall resolving to GRANT permission for this proposed development at the Committee's meeting on 6 October 2017, subject to conditions and a Section 106 legal agreement.

Draft 'Heads of Terms' for the agreement were exchanged with the applicants shortly after the Committee resolution but this has not been progressed further as the applicants have been working to secure the lease beforehand.

The planning decision notice cannot be issued until the S106 has been signed and so, despite the Committee's earlier resolution, no formal decision has yet been made on this application.

The lease has now been signed and the applicants' attention has now turned to drafting the S106 for the Authority's consideration. Officers are working to ensure that any decision made is legally robust by seeking support from counsel, with assistance from DCC lawyers.

Given the time that has lapsed since the original resolution in 2017, during which time the National Planning Policy Framework (NPPF) has been revised and the Authority's Local Plan reviewed, it is considered appropriate to re-present this application to Members for determination.

The Applicants are still working on the S106 agreement and have recently provided some additional information on which we are seeking further advice. Notwithstanding this, it is anticipated that we should be in a position to bring this application back to Members within the next couple of months.

As was the case previously, and as we now have several new Members who may not be as familiar with this site, it is recommended to hold another pre-committee site inspection for familiarisation purposes. This will provide an opportunity to view the existing quarry and the proposed extension area before being presented with the officer's report and recommendations.

CHRISTOPHER HART