

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

3 February 2023

Applications to be Determined by the Committee

Report of the Head of Development Management

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Scale 1:1,000



Item 1

Application No: **0336/22** District/Borough: **Teignbridge District**

Application Type: **Full Planning Permission** Parish: **North Bovey**

Grid ref: **SX74328476** Officer: **Oliver Dorrell**

Proposal: **Change of use of former Water Works to single-family dwelling with associated landscaping**

Location: **Former Water Treatment Works, North Bovey Road, Moretonhampstead**

Applicant: **Miss Watt & Mr Pearce**

Recommendation: **That permission be REFUSED**

Reason for Refusal

The proposal would result in the change of use of a building, which is not of a form, structure and history that is traditional within the context of Dartmoor's built heritage, to an open market dwelling in the open countryside of the National Park. It would therefore be contrary to the policies SP1.1, SP1.2, SP1.3 and SP2.8 of the Dartmoor Local Plan and to the advice contained in the National Planning Policy Framework 2021.

1 Introduction

- 1.1 This application relates to the former South-West Water treatment site located at Bovey Cross, North Bovey. The site comprises a single storey building with hardstanding and parking. The land within the site is sloping from east to west.
- 1.2 The building is located at the eastern end of the site. It comprises an I-shape building with a dual pitch roof and rendered painted walls and metal frame windows.
- 1.3 There are two subterranean water tanks immediately to the north-west of the building and a further two tanks beyond at a lower level.
- 1.4 There is an existing vehicular access via the unclassified road to the south of the site.
- 1.5 Hospit Cross - grade II listed and a scheduled ancient monument – is located immediately beyond the south-western boundary of the site adjacent to the public highway.
- 1.6 The application is presented to the Committee at the request of Ms Diana Moyse in view of the policy considerations and extensive public interest.

2 Planning History

- 2.1 0363/12 - Conversion of existing treatment works into a holiday cottage
Grant planning permission - 12 Sept 2012

0160/14 - Conversion of redundant waterworks to dwelling
Refused - 8 July 2014

3 Consultations

3.1 West Devon Borough Council - Does not wish to comment

3.2 County EEC Directorate - No highways objection

3.3 Environment Agency - Standing advice – Flood Zone 1

3.4 DNP - Forward Planning & Community

3.4.1 The application site is located in the open countryside north-east of North Bovey, a Village and Hamlet.

3.4.2 The NPPF and Dartmoor Local Plan seek to avoid unjustified housing growth in the open countryside. National and Local policies require that development in our National Parks is focussed upon protecting National Park Special Qualities and meeting the needs of local communities. The Dartmoor Local Plan therefore sets out that speculative housing development is not supported in the National Park and housing development on Dartmoor is only permitted where it is delivering affordable and other identified local housing needs, such as local needs custom and self-build, and rural workers housing. The Local Plan permits these uses in accordance with a spatial strategy that focuses development in classified settlements.

3.4.3 The proposal is for an open market dwelling which is not meeting an identified local housing need. The application proposes to convert a redundant water pumping station, which is of modern construction and not of any historic significance. The site is considered previously developed land.

3.4.4 In the open countryside Local Plan policy allows for residential conversion of redundant historic buildings provided criteria in Policy 2.8 are met, which include (among others) marketing for uses less impactful on historic significance first, the building being well related to a settlement, and where residential uses are accepted the provision of affordable housing. The proposal does not however involve a historic building and as such Policy 2.8 is not applicable. Nor does the policy involve provision of affordable housing, a principal objective of the Local Plan on housing sites of all sizes.

3.4.5 On the basis of the above it is our view the proposal has no policy support and it is recommended the application is refused.

3.5 DNP – Ecology & Wildlife

3.5.1 No bats were observed in the roof void of the property, although potential roost features/access points for bats were identified via wall top gaps and lifted lead flashing. Three aggregations of bat droppings were found – one in the loft, one against the internal blockwork of the southern gable and one on the ground floor at the southern end of the building. Two bat emergence/re-entry surveys were undertaken in June 2022.

- 3.5.2 18/07/22: Two common pipistrelle bats emerged from the top of the valley on the west elevation of the building
- 3.5.3 03/08/2022: One common pipistrelle emerged from the northern gable end and one common pipistrelle emerged from the top of the valley.
- 3.5.4 The sample of droppings retrieved from the loft confirmed the presence of greater horseshoe bats. It appears that the building offers a summer day roost for common pipistrelle and a day roost for Greater Horseshoe bats.
- 3.5.5 Impacts to bats cannot be avoided and therefore an EPSL will be required.
- 3.5.6 The following mitigation will be implemented:
- Works must be carried out under an ecological Watching Brief
 - Compensation for the loss of roosting sites will be provided by discrete, self-contained bat boxes, built into the gable ends of the converted structure.
 - Compensation for the loss of the greater horseshoe bat roost will be provided by allowing access into the storage area within the old water tanks at the northern end of the Site. This mitigation is deemed sufficient.
- 3.5.7 The Authority must consider whether the proposal meets the three derogation tests of the Conservation of Habitats and Species Regulations 2017 (as amended), and accordingly whether Natural England are likely to grant an EPS license which would permit the proposal to lawfully proceed.
- 3.5.8 The first two tests (below) are essentially planning tests and are for the LPA's planner to assess. This assessment needs to be proportionate to the impact on bats.
- 8) The consented operation must be for 'preserving public health or public safety or other imperative reasons for overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment':
- ii) There must be 'no satisfactory alternative';
 - iii) The action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'. In this case, we advise that the first two tests are likely to be met considering proportionality for the impact on bats and the third test I have concluded below.
- 3.5.9 Given bat roosting provision will not be lost and works will be undertaken to avoid impacting bats, it is my opinion that the third test of the Habitats Regulations is satisfied. Therefore, it is reasonable to conclude that Natural England would grant a low-impact class mitigation licence.
- 3.5.10 Biodiveristy Net Gain: Under the recently adopted Dartmoor Local Plan biodiversity enhancement is required. The ecology report states that 220m2 of soft landscaping (wildflower meadow), 5 fruit trees and the erection of two woodstone bird boxes will be provided. This will provide a biodiversity enhancement in line with policy 2.3 of the Dartmoor Local Plan.

3.5.11 Suggested conditions:

- No external lighting shall be installed at any time at the application site without the written permission of the Local Planning Authority.
- Development shall be carried out in accordance with the actions set out in the Ecological Impact Assessment (Lakeway Ecology, August 2022). This condition shall be discharged when the consultant ecologist confirms in writing to the LPA that the recommendations have been implemented.
- No works are to take place during the bird nesting season (01 March to 31 August, inclusive) unless the developer has been advised by a suitably qualified ecologist that the works will not disturb nesting birds and a record of this kept.
- A Construction and Environmental Management Plan which will include details of environmental protection throughout the construction phase, will be submitted and agreed with the LPA.
- A Landscape and Ecological Management Plan which will include details relating to habitat creation, species specification and management, will be submitted and agreed with the LPA.

4 Parish Council Comments

4.1 North Bovey PC – The Council has no objection to the application

5 Relevant Local Plan Policies

- 5.1 Strategic Policy 1.1 Delivering National Park purposes and protecting Dartmoor's Special Qualities
Strategic Policy 1.2 Sustainable development in Dartmoor National Park
Strategic Policy 1.3 Spatial Strategy
Strategic Policy 1.5 Delivering good design
Strategic Policy 1.6 Sustainable construction
Policy 1.7 Protecting local amenity in Dartmoor National Park
Policy 1.8 Higher risk development and sites
Strategic Policy 2.1 Protecting the character of Dartmoor's landscape
Strategic Policy 2.2 Conserving and enhancing Dartmoor's biodiversity and geodiversity
Strategic Policy 2.3 Biodiversity Net Gain
Strategic Policy 2.4 Conserving and enhancing Dartmoor's moorland, heathland and woodland
Strategic policy 2.5 The Water Environment and Flood Risk
Strategic Policy 2.6 Protecting tranquillity and dark night skies
Strategic Policy 2.8 Conservation of historic non-residential buildings in the open countryside
Strategic Policy 3.1 Meeting Housing Need in Dartmoor National Park
Policy 4.4 Parking standards for new development
Policy 4.5 Electric Vehicle Charging Points (EVCPs)
Strategic Policy 5.1 Non-residential Business and Tourism Development

6 Representations

6.1 Support – 120 letters of representation

6.2 Summary of issues raised:

- Good use of redundant site
- Local family would make use as a family home
- Derelict site, eyesore. The building already looks like a house
- Community does not need any more holiday lets
- Use as house would not destroy any green fields as there is an existing building on the site
- Young family should be encouraged to stay in area
- Homes are what is needed here, holiday lets are irrelevant, we need committed people to be part of our community
- The existing building is derelict and unused. Converting it would be supporting a young family and will make the building a contributor to the housing stock in the area
- A Local employer keeping the communities alive far outweighs the need for further holiday homes which brings short and limited benefit to the area
- This property has been derelict and subject to vandalism in the past
- The property lends itself to being a permanent residence and needs to be occupied. Presently it is creating a danger, due to it being vacant.
- There are already more holiday homes in the area than is desirable so why wouldn't we want to enable a young family to live there year-round?
- A disused building can cause all sorts of issues, so if there is someone willing to turn it into something more beneficial to the community and done in an appropriate way, then this should be done
- We need more homes for locals, and it sounds like they will be heavily considering the wildlife and environment
- pleased to see the proposed use of photovoltaic slates on some of the refurbished roof
- Moretonhampstead school is seriously struggling with very low numbers of students. That's not because the school is failing and the children are going elsewhere, it's because young families are simply being priced out of the area. The creation of a new family home should be supported and encouraged every step of the way to help our village community thrive
- This is an excellent proposal to upgrade the waterworks building which is currently derelict and in an unsafe condition. The applicants have lived and worked in the area for a number of years, and employ people from the local community
- This former waterworks wouldn't have any environmentally impact on the environment to change it to a permanent family home. With this permanent residence we will have less change on vandalism (on this old building) on Dartmoor and in our Parish
- There are already enough holiday cottages to support tourism in the village
- It will cost the same amount of money to build for holiday lets as for a family home. As a limited letting business however the costs cannot be justified and such development is unlikely to proceed. This premise was accepted in the case of the middle barn at Collihole, giving a valuable precedent

- Suggested commercial use or, as previously agreed, a holiday let is likely to require significant security when the site is unoccupied, which would create an eyesore
- There has to be some flexibility when a proposal is carefully considered as this is submitted for consideration by a family significantly involved in local employment and building construction
- A business premises would be completely impractical and unpopular due to the amount of extra car parking it would require, not to mention the traffic it would create on single track roads
- If the Local Plan states that houses can only be used for holiday use, the Local Plan is flawed and it is crucial that the planning committee override this error. It may have been appropriate before the pandemic, but if the Authority is seriously promoting a system that forces some people to live in barns during the summer months and other local families to leave the area, it needs to reconsider
- The Local Plan was drafted with the best of intentions before the pandemic, and if the Authority insist on sticking to it for the next four and a half years, it will irrevocably and irredeemably damage the social fabric of Dartmoor. How often does the development of new housing on Dartmoor receive dozens of letters of support? In a case like this – where dozens of local voices have united to support the application – why on earth would the Authority refuse it?
- We need to keep villages like North Bovey alive – and that is exactly what this proposal contributes to – and prevent them from becoming holiday parks for second home owners. The Authority should take the lead in this and learn from the mistakes from other authorities where the character of ancient villages is destroyed
- This particular area needs domestic rather than commercial development, as there is already tremendous congestion along the neighbouring cycle route
- The building's environmental performance would be significantly improved because of the use of environmentally sustainable features such as: ungraded insulation, photo voltaic slates, air source heat pump and water harvesting
- The applicants have a young family and we should encourage people to stay here and support local schools and shops rather than moving away

6.3 Object – 1 letter of representation

6.4 Summary of issues raised:

- There have been many other local water treatment works where planning has been refused. Other more habitable buildings have had planning refused in surrounding areas of Moretonhampstead and near Throwleigh
- Many locals who have lived in North Bovey all of their lives and have their heart here in North Bovey, have considered redeveloping the building but when speaking to local councillors and staff working for the Authority have been told 'not a chance' of getting planning permission on it. Hence why they have had to leave the village and buy elsewhere which is more affordable

7 Observations

PRINCIPLE OF CHANGE OF USE

7.1 The proposal is for the change of use of the existing building and land within its curtilage to an open market dwelling.

- 7.2 The application site is in open countryside approximately 0.8km from North Bovey and 1.2km from Moretonhampstead.
- 7.3 Development in the open countryside of the National Park is strictly controlled and is limited to a narrow set of circumstances. These are set out in Strategic Policy 1.3 which states that outside of the classified settlements development will be acceptable in principle if it is:
- a) *farming, forestry or other land-based rural businesses with a proven need to locate in the open countryside, including farm diversification;*
 - b) *Gypsy and traveller, or low impact development, which is well related to a Local Centre or Rural Settlement;*
 - c) *new business development making use of redundant buildings and development related to existing businesses;*
 - d) *householder or domestic related development;*
 - e) *necessary to sustain buildings or structures of proven conservation value;*
 - f) *for the provision of utility, service, transport or recreational infrastructure; or*
 - g) *needed to pursue National Park purposes.*
- 7.4 None of the criterion a) – d) apply to the proposed development.
- 7.5 Criterion e) would be applicable if the proposed development would involve a building or structures with proven conservation value, and this links with Strategic Policy 2.8 (Conservation of historic non-residential buildings in the open countryside). The building was constructed in the 1970's as a water treatment facility and has no identified architectural merit or historic interest.
- 7.6 Criterion f) relates to buildings and development which are required for the provision of utility, service, transport or recreational infrastructure. The site was developed for utility purposes but is now vacant. The proposed development would take the use of the site away from its former utility use.
- 7.7 Criterion g) supports development in principle where it would further National Park purposes. The supporting information does not indicate how this would be achieved.
- 7.8 In the open countryside Local Plan policy allows for residential conversion of redundant historic buildings provided criteria in Policy 2.8 are met, which include (among others) marketing for those uses which may be less harmful on any historic significance, the building being well related to a settlement, and where residential uses are accepted, the provision of affordable housing.
- 7.9 The proposal does not involve a historic building and as such Policy 2.8 is not applicable. Nor does the proposal involve provision of affordable housing, a principal objective of the Local Plan on housing sites of all sizes.

IMPACT ON THE CHARACTER AND APPEARANCE OF THE NATIONAL PARK

- 7.10 The application site is located at Bovey Cross. The site is largely screened from the Mortetonhampstead to North Bovey Road by trees and hedges which are growing on the southern and eastern site boundaries in front of the 2m chainlink fence which

extends around the whole boundary, although it is possible to distinguish the building owing to the white rendered walls on the property.

- 7.11 The site and building are much more visible from the unclassified road to the south-east where the chainlink fence and metal gates come into clear view. Through the fence and gates it is possible to observe unplanned vegetation growing around the building including through part of the hardstanding/parking area.
- 7.12 The proposal is for the change of use of the building plus external alterations. The existing concrete block walls would be insulated on the outside and clad in 20cm thick coursed rubble granite. The existing concrete tile roof would be replaced with natural slate, which is double-lapped to accommodate the low roof pitch. The doors would be hardwood left to weather naturally and the windows would be double-glazed slim-profile timber with aluminium outer. Horizontal larch cladding would be installed on the north-west gable which would be left to weather naturally to silver-grey.
- 7.13 The four existing flood lights and tall antennae attached to the building would be removed as would the chain link fence and metal gate. Approximately half of the existing hardstanding would be removed, replaced with amenity lawn and meadow planting with fruit trees.
- 7.14 It is considered that the proposed external changes to the building and works planned within the site – including removal of existing unwelcome features such as security fencing, floodlighting and areas of hardstanding, and cladding the building with natural stone/replacement of concrete tiles with slate roof – would enhance the utilitarian building and the appearance of this part of the National Park, in accordance with Strategic Policies 1.1, 1.2, 1.5 and 2.1 of the Local Plan,.

ECOLOGY

- 7.15 Strategic Policy 2.2 states that:
1. Development must conserve and enhance all Dartmoor's biodiversity and geodiversity.
 2. Development proposals, either alone or in combination with other development, having adverse impacts on:
 - a) internationally, nationally or locally designated biodiversity and geodiversity sites; and/or
 - b) Dartmoor's priority habitats and species identified in Table 2.1 (including bats) will only be permitted in exceptional circumstances.
- 7.16 The application is accompanied by an Ecological Impact Assessment. It appears that the building offers a summer day roost for common pipistrelle and a day roost for Greater Horseshoe bats.
- 7.17 Compensation for the loss of roosting sites will be provided by discrete, self-contained bat boxes, built into the gable ends of the converted structure. Compensation for the loss of the greater horseshoe bat roost will be provided by allowing access into the storage area within the old water tanks at the northern end of the Site.

- 7.18 A European protected species license (EPSL) will be required from Natural England.
- 7.19 The Authority's Ecologist considers that the proposal meets the three derogation tests of the Conservation of Habitats and Species Regulations 2017 (as amended). He has suggested appropriate planning conditions if approval is forthcoming.

HERITAGE IMPACT

- 7.20 The application site is immediately adjacent to Hospit Cross on its south-eastern corner boundary. The granite cross is registered as a grade II listed building and an scheduled ancient monument.
- 7.21 Strategic Policy 2.7 states that all development must conserve and/or enhance heritage assets and their settings
- 7.22 The cross is sited on the grass verge adjacent the crossroads between a finger post and highway grit box on land which is outside of the application site and the ownership of the applicant.
- 7.23 The proposed development is considered to have a neutral impact on the setting of the cross. No conflict with SP 2.7 has been identified.

SUSTAINABLE CONSTRUCTION

- 7.24 The site is acknowledged as having an elevated level of embodied energy and carbon. The existing building on site is constructed from concrete block and the roof is concrete tile. There are concrete bunds within the building at the upper end and concrete lined tanks within the curtilage.
- 7.25 The principle of re-use and adaption of the site is supported by the National Planning Policy Framework (NPPF) and Strategic Policies 1.2 and 1.6. A series of energy saving measures are proposed within the development to reduce the reliance of the site on fossil fuels during occupation as a dwelling. These include; external wall insulation to improve thermal qualities of the building; photo voltaic roofing slates on the south elevation; air source heat pump and heat recovery system; rainwater harvesting within one of the existing upper tanks.

PLANNING BALANCE

- 7.26 The strategic focus of housing development in Dartmoor National Park is the delivery of affordable, well-designed, efficient homes to meet the needs of local people with an expectation that these are delivered within existing (or in a limited set of cases, adjoining) existing settlements. The proposed development would not accord with this strategy as it would deliver an open market dwelling in the open countryside. There are some exceptions, as outlined the Spatial Strategy (SP1.3) however it has been identified that none of these would apply in the case of the proposed development.
- 7.27 The site, while redundant, retains its classification for employment use. The committee report for the 2014 refusal of planning permission (ref: 0160/14) for a

dwelling stated that if a commercial use cannot be found for the site, then the preference would be for this modern building to be removed from the site to enhance the character and appearance of this part of the National Park to meet the first purposes of the National Park designation.

7.28 The 2014 decision was taken under previous local plan policies, but the above comments remain valid today. There are other examples of similar isolated utilitarian buildings throughout the Park and if a decision is taken to approve this application contrary to policy then the Authority would be under pressure to approve other schemes under similar circumstances.

7.29 It should also be noted there are policies in the new Local Plan which recognise that there are sites such as this one (i.e., sites containing non-historic, isolated, utilitarian buildings) within the open countryside of the National Park that may be better adapted and re-used than removed. For example, Strategic Policy 5.1 states that:

Within Villages and Hamlets and the open countryside non-residential business and tourism development will be acceptable where it is needed to support:

- a) *small-scale expansion of existing businesses;*
- b) *farm diversification in accordance with Policy 5.9; or*
- c) *the establishment of appropriate new businesses where: i) the proposal involves the conversion of redundant buildings only and suitable historic buildings are used first in accordance with Strategic Policy 2.7 and/or Strategic Policy 2.8; or ii) the proposal and activity is small-scale, low impact and is focussed on improving opportunities for the quiet enjoyment and understanding of the National Park's Special Qualities.*

7.30 In this case it is understood that the application site was transferred from the previous owners to the new owners without being advertised on the open market. This prevented any alternative business use being considered at today's date which might be compliant with policy SP5.1.

7.31 The application offers some positives which would be delivered through the proposed scheme, such as improved aesthetics and energy from renewable sources, however its conversion to an unrestricted, open market dwelling would be contrary to policy in this location. Were the site to be marketed for a realistic price it may be that an alternative business use of the site could be found – one which accords with policy SP5.1 while also delivering equal benefits in terms of a suitable re-use of the site and the enhancement of its surroundings. It should be noted that allowing a site to fall into disrepair is not, in itself, a valid reason for departing from policy.

7.32 It is considered that the proposed enhancements are not sufficient to justify what would be a clear departure from policy.

8 Member Site Visit – 21 October 2022

8.1 Members of the site inspection panel convened on the site where the Planning Officer outlined the application and provided a summary of the site history. The

Planning Officer confirmed that the 2012 planning permission for conversion to a holiday let was not extant.

- 8.2 Members inspected the internal of the building where the Planning Officer confirmed the proposed layout of the dwelling.
 - 8.3 Members walked around the site and the Planning Officer confirmed the proposed changes to the surfacing within the site and to the external elevations of the building and the settling tanks. The boundaries of the site were confirmed.
 - 8.4 The applicant advised that the foul drainage would be managed by a new package treatment plant.
 - 8.5 Members viewed the site from the public road and inspected the location of the listed Hospit Cross. The Cross was confirmed as being located outside of the application site. Members noted the vegetation on the boundary at the crossroads which afforded the building and wider site screening from the public highway.
 - 8.6 The Planning Officer provided a precis of the relevant Local Plan policies, namely the spatial strategy and the strategic housing policies. The planning history of the site was discussed. The Planning Officer confirmed that the 2012 permission for holiday let was assessed under previous local plan policies and that should planning permission be sought for a holiday let use it would require a re-assessment against current local plan policies.
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9 Commentary from Head of Development Management

- 9.1 At the meeting on 2 December 2022 a vote on the officer recommendation to refuse planning permission was not carried. A motion seeking to grant planning permission was debated but withdrawn before a vote was taken. It was resolved to defer a decision to allow for the application to be advertised as a potential departure from the Local Plan.
- 9.2 Members were advised that if they were minded to grant planning permission, this would represent a departure from adopted local plan policy, where it would be necessary to comply with the publicity requirements set out in Article 15(3) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. This requires a site notice to displayed for no less than 21 days, and a notice to be posted in a publication circulated in the locality before a decision could be reached.
- 9.3 The potential for departure has now been advertised. No comments have been received in respect of this process.
- 9.4 We are now in a position where Members can review the application and reach a decision.
- 9.5 The report preceding this section is that which was presented at the meeting in December. This is important as it sets out the policy context and material

considerations that are relevant to the decision to be made by Members. The recommendation at the head of the report is that which Officers, with professional judgement, consider remains the appropriate recommendation. Members can of course come to a decision that is contrary to the officer recommendation, but they are strongly advised to base that decision on policy and material planning considerations in order to ensure that a sound decision is made.

- 9.6 If members are minded to move a grant of planning permission it will be necessary for a motion to be tabled (and seconded). The reasons for the motion should be specific and refer to Local Plan policy and/or other material planning considerations. That will be recorded alongside any vote taken.
- 9.7 Without prejudice to any decision, Officers have prepared an appropriate set of conditions and two planning obligations. These are based on the standard policy approach for the closest equivalent development type in the Local Plan, principally Strategic Policy 2.8. The obligations would need to be secured via a s106 legal agreement.
- 9.8 The applicant is seeking an unfettered permission for an open market dwelling in the countryside of the National Park. The reasons why that would not normally be allowed are rehearsed in the preceding part of this report. There is no specific Local Plan policy which would permit an unfettered permission to be granted.
- 9.9 Local Plan policy only allows for the conversion of suitable historic buildings in the open countryside of a 'form, structure and history that is traditional within the context of Dartmoor's built heritage' (Strategic policy 2.8). Where residential accommodation is acceptable, Strategic Policy 2.8 requires the new dwelling be an affordable dwelling. Section 4 of that policy, allows flexibility for a financial contribution ('commuted sum') in lieu of on-site affordable housing provision, where the conversion is, inter alia, by size and location not suitable for an affordable dwelling. The dwelling would also be restricted to occupation by a local person in perpetuity.
- 9.10 The Local Plan states (paragraph 3.5.4) that financial contributions should be calculated on an equivalence basis; the developer should be no worse or better off where they provide the affordable housing required on-site or as a financial contribution. Using the methodology in the draft Housing SPD a commuted sum of £148 838 would be sought. The trigger for payment would normally be substantial completion or first occupation of the dwelling.
- 9.11 A 'Local Person' occupancy restriction would also be consistent with Strategic Policy 2.8. In this case the definition which could be applied would read as follows;
- a) currently lives in the Parish of North Bovey or adjacent Parishes of Chagford, Lustleigh, Manaton or Moretonhampstead and having done so for at least 5 years;
 - b) has lived in the Parish of North Bovey or adjacent Parishes of Chagford, Lustleigh, Manaton or Moretonhampstead for at least 5 years, but moved away within the last 5 years;
 - c) is currently employed within the Parish of North Bovey or adjacent Parishes of Chagford, Lustleigh, Manaton or Moretonhampstead, working for not less than

16 hours per week, and having done so for at least 26 weeks out of the preceding year; and

- d) has a strong connection to the Parish of North Bovey or adjacent Parishes of Chagford, Lustleigh, Manaton or Moretonhampstead by virtue of, for example: upbringing, employment, or having a requirement to provide substantial care for a close relative who currently lives in the National Park and has done so for at least 5 years.

10 Suggested Planning Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town & Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out strictly in accordance with the site location plan and drawings numbered 1004 A201, 1004 A202, 1004 A203, 1004 A204, 1004 A205 and 1004 A206, Ecological Impact Assessment Rev1 ref: 2-218-CT-EcIA (Lakeway Ecological Consultancy) and British Standard 5837:2005 Arboricultural Survey (Advanced Arboriculture, 16 May 2012) received on 9 August 2022

Reason: In the interests of clarity and to ensure the development is carried out as approved.

3. Notwithstanding the drawings hereby approved, prior to their installation, samples of all proposed external facing and roofing materials for the buildings and surfacing materials for the permeable parking area shall be submitted to the Local Planning Authority for approval; thereafter, only approved surfacing, external facing and roofing materials shall be used in the development.

Reason: To protect the character and appearance of this part of the Dartmoor National Park in accordance with policies SP1.1, SP1.2, SP1.5 and SP2.1 of the Dartmoor Local Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking and re-enacting that Order with or without modification, no extension to the dwelling hereby permitted shall be constructed without the prior written authorisation of the Local Planning Authority.

Reason: To protect the character and appearance of the building and its setting and the amenity of this area of the Dartmoor National Park, in accordance with Policy 3.7 of the Dartmoor Local Plan.

5. Prior to the commencement of any works, demolition or development on the land, a tree survey giving details of (a) the location and condition of all trees; (b) those to be retained; and (c) any felling, topping, lopping or other surgery required, shall be submitted to the Local Planning Authority for approval. Thereafter, no tree shall be felled, uprooted, lopped or topped unless strictly in

accordance with the approved survey scheme or with the prior written consent of the Local Planning Authority. Any tree removed without consent, or found to be dying, damaged or diseased, shall be replaced on a like for like basis unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of this part of the National Park, in accordance with policies SP1.1, SP 1.2, SP 2.1 and SP 2.4 of the Dartmoor Local Plan.

6. The development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements of the Ecological Impact Assessment (Lakeway Ecological Consultancy, dated 8 August 2022).

Reason: To safeguard statutorily protected in accordance with policies SP 1.1, SP 1.2 and SP 2.3 of the Dartmoor Local Plan.

7. The development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements of the Bat Licence issued by Natural England.

Reason: To safeguard statutorily protected in accordance with policies SP 1.1, SP 1.2 and SP 2.2 of the Dartmoor Local Plan.

8. Prior to the dwelling being occupied, the biodiversity/ecological enhancement measures described in the Ecological Enhancement report valid 9 February 2022, shall be completed such that they comply with Part 3 of Policy 2.3 of the Dartmoor Local Plan (Biodiversity Net Gain). Thereafter, the approved biodiversity/ecological enhancement measures shall be maintained in perpetuity.

Reason: To ensure that the development makes a proportionate contribution to biodiversity enhancement, in accordance with Strategic Policy 2.3 of the Dartmoor Local Plan.

9. No external lighting shall be installed at any time at the application site.

Reason: To protect the character and appearance of this part of the Dartmoor National Park in accordance with policies SP1.1, SP1.2, SP1.5 and SP2.1 of the Dartmoor Local Plan.

10. No works are to take place during the bird nesting season (01 March to 31 August, inclusive) unless the developer has been advised by a suitably qualified ecologist that the works will not disturb nesting birds.

Reason: To protect nesting birds, in accordance with policies SP 1.1, SP 1.2 and SP 2.2 of the Dartmoor Local Plan.

11. One electric vehicle charging point shall be installed and available for use prior to the first occupation of the dwelling.

Reason: To meet the requirements of Dartmoor Local Plan policy 4.5.

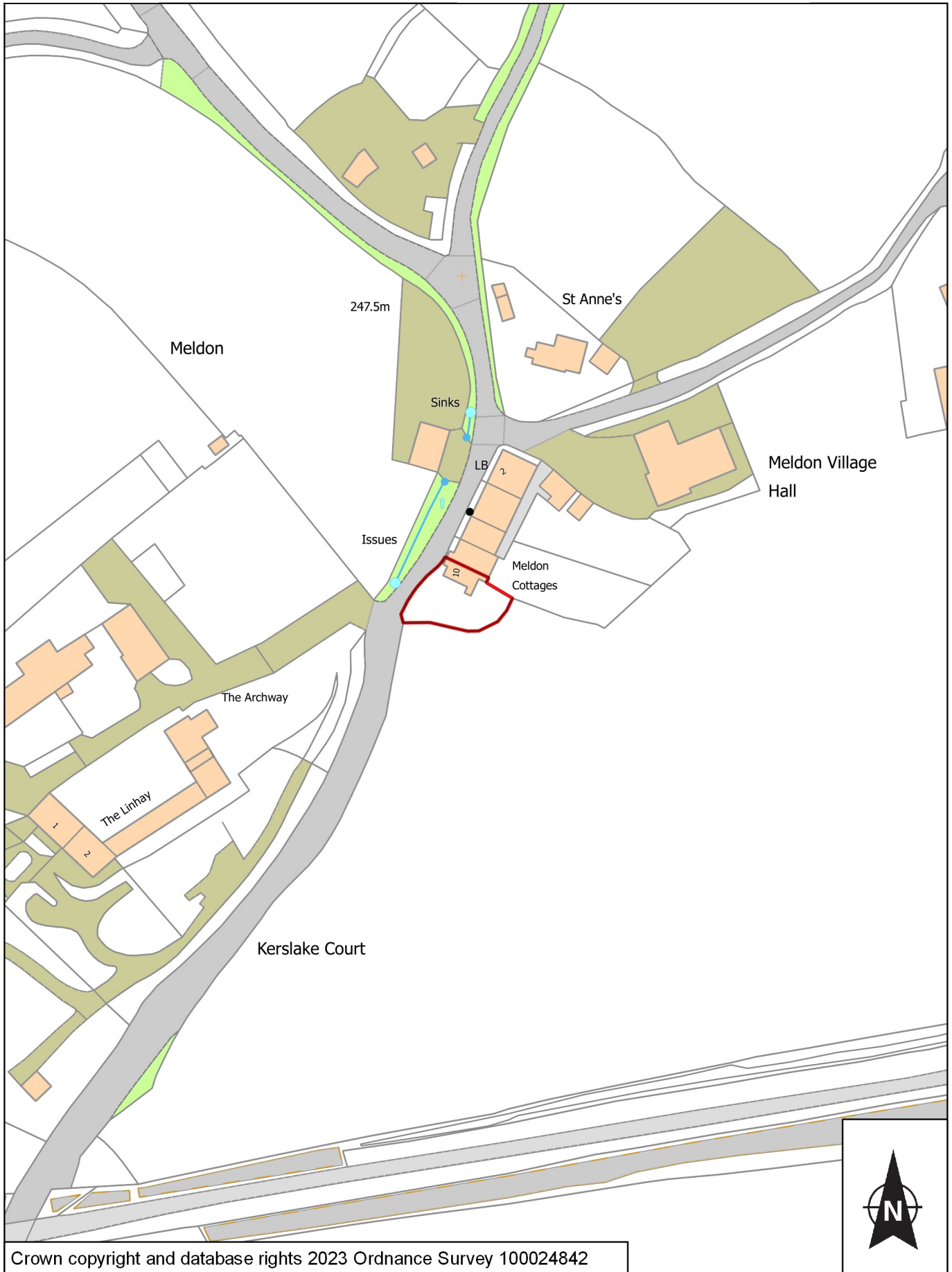
Dartmoor National Park Authority

0474/22



Scale 1:1,250

Compiled by gdriver on 24/1/2023



Item 2

Application No: **0474/22** District/Borough: **West Devon**
Application Type: **Full Planning Permission** Parish: **Okehampton Hamlets**
Grid ref: Officer: **Sassie Williams**
Proposal: **Retrospective application for variation in design for application 0262/18 and change of use from extension for living accommodation to a dwelling**
Location: **8 Meldon Cottages, Meldon , Okehampton, EX20 4LU**
Applicant: **Mr D Heard**
Recommendation: **That permission be REFUSED**

Reasons for Refusal

1. The proposal would result in the creation of an open market dwelling in the open countryside of the National Park, contrary to policies SP1.1, SP1.2, SP1.3 and SP3.7 of the Dartmoor Local Plan and to the advice contained in the National Planning Policy Framework 2021.
2. The retrospective design amendments, by reason of their size, form and detailing, have a detrimental impact on the character and appearance of the non-designated heritage asset and a harmful impact on the local built environment, contrary to policies SP1.1, SP1.2, SP1.3, SP1.5, SP2.7 and P3.7 of the Dartmoor Local Plan, to the advice contained in The English National Parks and The Broads UK Government Vision and Circular 2010, The National Planning Policy Framework 2021 and The Dartmoor National Park Authority Design Guide.

1 Introduction

- 1.1 This application relates to 8 Meldon Cottages situated adjacent to Meldon Village Hall, facing the road to Meldon Reservoir.
- 1.2 No. 8 is an end of terrace property. The terrace is of traditional style, and the houses have slate roofs and walls of painted render, windows and doors are recessed and of timber construction. The terrace features on the 1864 historic map but is not listed nor is it included on the Dartmoor Historic Environment Record.
- 1.3 The application seeks retrospective planning permission for the change of use of an extension (approved in 2018 under planning application reference 0262/18) to an independent open market dwelling, together with a number of retrospective design alterations to the approved scheme, namely:
 - the raising of the ridge line of the extension to match that of 8 Meldon Cottages
 - the addition of one dual pitched enclosed porch on the front elevation, one dual pitched enclosed porch on the side elevation, and a rear lean-to extension

- the enlargement of the rear dormer window and inclusion of a triple side-hung casement window in place of a double side-hung casement window.
- the addition of boxed eaves
- use of uPVC windows in place of the timber windows and doors secured by condition

1.4 The application is presented to the Committee as the tenant of the extension which is the subject of this application is an employee of Dartmoor National Park Authority.

2 Planning History

2.1 0262/18 - Erection to two storey extension to replace existing attached storage building - planning permission granted 3 Sept 2018

3 Consultations

3.1 West Devon Borough Council - Does not wish to comment

3.2 County EEC Directorate - No highways comments

3.3 Environment Agency - Standing advice – Flood Zone 1

4 Parish Council Comments

4.1 Okehampton Hamlets PC – The Council resolved to support the application

5 Relevant Local Plan Policies

5.1 Strategic Policy 1.1 Delivering National Park purposes and protecting Dartmoor's Special Qualities

Strategic Policy 1.2 Sustainable development in Dartmoor National Park

Strategic Policy 1.3 Spatial Strategy

Strategic Policy 1.5 Delivering good design

Strategic Policy 2.7 Conserving and Enhancing Heritage Assets

Policy 3.7 – Residential extensions, alterations and outbuildings

6 Representations

6.1 No representations received

7 Observations

LOCATION OF PROPOSAL

7.1 Strategic Policy 1.3 sets out the spatial strategy for development within the National Park, ensuring that development is directed to sustainable locations and avoid unnecessary development in unsustainable locations, such as where there are limited services and facilities, fewer connections and a greater reliance on private transport.

7.2 Meldon is not a recognised settlement in Strategic Policy 1.3, and is therefore classed as open countryside in planning terms.

7.3 The site is around 2 miles south west of Okehampton, 3.5 miles west of Belstone and 2 miles north east of Sourton, about 600m from open moorland and 400m from the A30 trunk road.

PRINCIPLE OF CREATION OF A NEW DWELLING IN THE OPEN COUNTRYSIDE

7.4 Planning application 0262/18 granted permission for a side extension at no. 8 Meldon Cottages. This application now applies to change the previously approved extension to an independent dwelling. In planning terms this amounts to the subdivision of 8 Meldon Cottages, with the original cottage footprint retained as one dwelling and the extension approved in 2018 together with retrospective design changes becoming an additional independent open market dwelling.

7.5 Development in the open countryside of the National Park is strictly controlled and is limited to a narrow set of circumstances. These are set out in Strategic Policy 1.3 which states that outside of the classified settlements development will be acceptable in principle if it is:

- a) *farming, forestry or other land-based rural businesses with a proven need to locate in the open countryside, including farm diversification;*
- b) *Gypsy and traveller, or low impact development, which is well related to a Local Centre or Rural Settlement;*
- c) *new business development making use of redundant buildings and development related to existing businesses;*
- d) *householder or domestic related development;*
- e) *necessary to sustain buildings or structures of proven conservation value;*
- f) *for the provision of utility, service, transport or recreational infrastructure; or*
- g) *needed to pursue National Park purposes.*

7.6 None of the criterion a) – g) apply to the proposed development.

7.7 The Housing Strategy Summary Diagram on pages 72-73 of the Local Plan makes clear that in the open countryside, new housing is tightly restricted as per national policy, and opportunities are generally limited to agriculture, forestry and rural workers' housing to meet needs of rural land-based businesses, and conversion of redundant historic buildings in line with policy 2.8. None of these scenarios apply to the proposed development.

7.8 Policy 3.7 part 6 allows for the subdivision of an existing dwelling in the open countryside only where it subdivides the habitable floorspace of the original dwelling, and the new dwelling is affordable housing or rural workers' accommodation, or where this is demonstrated to be unviable or inappropriate, an equivalent off-site affordable housing contribution is made.

7.9 The new dwelling comprises entirely of floor area created by the grant of planning permission in 2018; no floor area from the original dwelling is included. The proposal is therefore clearly contrary to policy 3.7 part 6.

7.10 Though not strictly relevant as the proposal does not comply with the first part of policy 3.7 part 6, it is noted that the proposed new dwelling would be open market, with no provision of affordable housing or rural workers accommodation, and no contribution in lieu of such provision.

DESIGN, IMPACT ON CHARACTER AND APPEARANCE, HERITAGE

7.11 In addition to the creation of a new dwelling, this application proposes several retrospective design amendments to those approved under the 2018 planning application, namely the addition of:

- the raising of the ridge line of the extension to match that of 8 Meldon Cottages
- the addition of a dual pitched enclosed porch on the front elevation, one dual pitched enclosed porch on the side elevation, and a rear lean-to extension
- the enlargement of the rear dormer window and inclusion of a triple side-hung casement window in place of a double side-hung casement window.
- the addition of boxed eaves on the extension and the dormer
- use of uPVC windows in place of the timber windows and doors secured by condition

7.12 The application site fronts onto an unclassified road which runs out to Meldon Reservoir, with an open field to the rear, on the other side of which runs a public cycleway. A driveway to access 7 properties lies almost opposite the area where the extension has been built.

7.13 Given the age of the cottages, they are considered to be non-designated heritage assets.

7.14 The design changes are considered in the context of the approved planning use as an extension to 8 Meldon Cottages.

7.15 Local Plan policy 3.7 and advice contained the Design Guide state that extensions should be subservient in scale and form to the main dwelling and should conserve or enhance its character and appearance.

7.16 Local Plan policy 1.5 states that all development should create a strong sense of place with a clear and distinctive character by reinforcing local character and respecting Dartmoor's vernacular. It makes clear that planning applications exhibiting anything less than good design will be refused.

7.17 Local Plan policy 2.7 makes clear that all development must conserve and / or enhance heritage assets and their settings. It goes on to say that the extension of non-designated heritage assets will only be permitted where any harm has been balanced against the significance of the asset and found to be reasonable and justified.

7.18 When viewed from the road, the addition of the front porch means that the extension competes for dominance with 8 Meldon Cottages and prevents it from being viewed as a subservient addition. This is clearly contrary to planning policy and guidance and cannot be supported.

7.19 The addition of the side porch, essentially an extension on an extension, fails to respect the simple form of this historic traditional row of cottages. This side projection cumulatively with the other projections to the front and rear of the extension creates a complicated and fussy impression which does not respect the character, appearance and heritage of the row of cottages. This is contrary to policies SP1.5 and P3.7 and design guidance and cannot be supported.

7.20 The enlargement of the rear dormer directly contradicts advice contained in the Dartmoor Design Guide, which states on p.76:

“Dormer windows are common on Dartmoor especially on cottages where the head height of rooms is low and a sloping ceiling prevents windows being placed in the walls below the eaves. Dormers should be no wider than a double side hung casement with simple swept or gabled roofs. When used in loft conversions they should relate to the size and position of existing windows. Large, flat roof box dormers should be avoided”.

The dormer is considerably larger than that approved by the 2018 permission, holds a triple side-hung casement window and has large boxed eaves. Following a site visit it is clear that the drawings submitted do not accurately represent the proportions of the dormer, nor the adjacent dormer on the neighbouring property.

7.21 The size, form and detailing of the dormer window create a dominant and alien feature on the roof, creating an unbalanced and a top-heavy impression when viewed from the side and rear which is entirely out of keeping in the historic context of this modest row of traditional Dartmoor cottages. The dormer is visible from the public road and from the public cycleway which runs along the far field boundary to the rear of the property.

7.22 The use of boxed eaves and uPVC windows also fails to respect the historic character of the cottages and wider Dartmoor vernacular, contrary to Local Plan policies and design guidance.

7.23 It is considered that the retrospective external changes to the extension discussed above mean that the extension is not subservient in scale, form or design to the main dwelling, nor does it conserve or enhance its character and appearance or respect Dartmoor’s vernacular. This planning application is therefore considered to be contrary to policies SP1.5, SP2.7, P3.7 and advice contained in the Dartmoor Design Guide.

8 Conclusion

8.1 There is no policy support for the creation of a new-build open market dwelling in the open countryside of the National Park, and this proposal does not align with the requirements for subdivision of dwellings in the open countryside set out in policy 3.7.

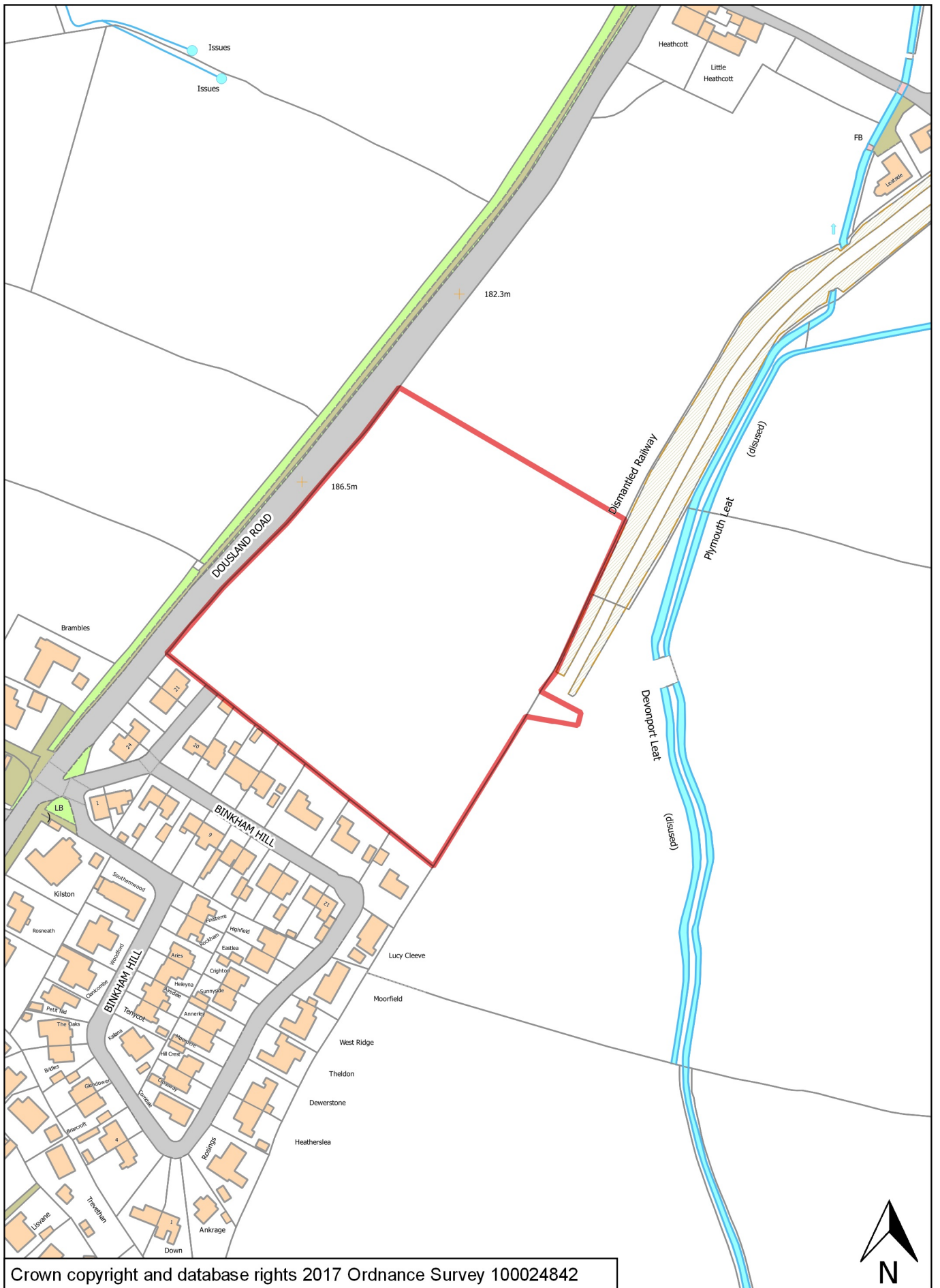
8.2 The extension as built is not subservient in scale, form or design to the main dwelling, nor does it conserve or enhance its character and appearance or respect Dartmoor’s vernacular

8.3 This planning application is therefore considered to be contrary to policies SP1.1, SP1.2, SP1.3, SP1.5, SP2.7, P3.7 and advice contained in the Dartmoor Design Guide.

0266/21 - Land at Binkham Hill, Yelverton



Scale 1:2,000



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Item 3

Application No: **0266/21** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Buckland Monachorum**
Grid Ref: **SX52646819** Officer: **Christopher Hart**
Proposal: **Development of 41 houses (22 open market, 19 affordable dwellings), associated access, parking and creation of open space**
Location: **Land at Binkham Hill, Yelverton**
Applicant: **Greenvolt Development Ltd & Winston George Tucker**
Recommendation: **That, subject to the completion of a s106 legal agreement to include:**

- i. 19No affordable homes as a mix of 14No affordable rented and 5No shared ownership properties in perpetuity;
- ii. Maintenance of all landscaping and areas not within the ownership/control of individual properties;
- iii. Implementation of biodiversity net gain measures;
- iv. Maintenance of the proposed surface water network including SuDS drainage system.
- v. A contribution of £12,414 towards education transport requirements.
- vi. A highway authority contribution of £5,000 towards the investigation, consideration and if approved, installation of a reduced speed limit in the vicinity of the site access.

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 approved shall be carried out in accordance with the approved drawings.
3. No development shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:
 - (i) Soakaway test results in accordance with BRE 365 and groundwater monitoring results in line with Devon County Council groundwater monitoring policy.
 - (ii) Evidence that there is a low risk of groundwater re-emergence downslope of the site from any proposed soakaways or infiltration basins/tanks.
 - (iii) A detailed drainage design based upon the approved Sustainable Drainage Assessment and the results of the information submitted in relation to (i) and (ii) above
 - (iv) Detailed proposals for the management of surface water and silt runoff from the site during construction of the development hereby permitted.
 - (v) Proposals for the adoption and maintenance of the permanent surface water

drainage system.

- (vi) A plan indicating how exceedance flows will be safely managed at the site.
- (vii) A detailed assessment of the condition and capacity of the Devonport Leat, should this option be progressed at the next stage. The assessment should identify and commit to, any repair and/or improvement works to secure the proper function of the surface water drainage receptor.
- (viii) Evidence there is agreement in principle from either South West Water or the third party landowner, to lay the surface water sewer across their land to the Leat, dependent on which option is progressed in the future.

Thereafter, no building hereby permitted shall be occupied until the works have been approved and implemented in accordance with the details under (i) - (viii) above.

4. No development shall commence until a Method of Construction Statement (MCS), to include details of:
- (i) parking for vehicles of site personnel, operatives and visitors
 - (ii) loading and unloading of plant and materials
 - (iii) storage of plant and materials
 - (iv) programme of works (including measures for traffic management)
 - (v) provision of boundary hoarding behind any visibility zones
 - (vi) timing of works on site

has been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development hereby approved shall be undertaken in accordance with the approved MCS.

5. No development shall commence until a detailed Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details of all permits, precautionary methods of working including consideration of trees and protected species, contingency plans, mitigation measures that shall be put in place to control the risk of pollution to air, soil and controlled waters, protect biodiversity and avoid, minimise and manage the productions of wastes with particular attention being paid to the constraints and risks of the site. The Plan shall include details of the timings of the work to be agreed with the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and any subsequent amendments shall be agreed in writing by the Local Planning Authority.
6. No development shall commence until a waste audit statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall demonstrate how the demolition, construction, and operational phases of the development will minimise the generation of waste and provide for the management of waste in accordance with the waste hierarchy, including:
- (i) sustainable procurement in construction phase; and
 - (ii) methods for limiting the generation of waste and maximising recycling in construction phase.

Thereafter, the development hereby approved shall be undertaken in accordance with the approved waste audit statement.

7. No development shall commence until a Landscape and Ecological Management

Plan has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details relating to habitat creation, including integrated bird nesting/bat roosting boxes, species specification and management.

Thereafter, the development hereby approved shall be undertaken in accordance with the approved Landscape and Ecological Management Plan.

8. No development shall commence until a detailed Lighting Strategy has been submitted to and approved in writing by the Local Planning Authority. The required strategy must provide detail with regards to lighting associated with the pre-construction, during construction and operational phase activities, and demonstrate how the best practice (BCT/ILP, 2018) guidance has been implemented. This Strategy will include details including the following: artificial lighting associated with public realm lighting, car headlights associated with traffic movements through the development, internal and external lighting associated with the dwellings.

Thereafter, the development hereby approved shall be undertaken in accordance with the approved Lighting Strategy.

9. No development shall commence until a repeat survey for the presence of badgers on the site and surrounding suitable habitat, with associated mitigation/compensation measures if required, has been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development hereby approved shall be undertaken in accordance with any approved mitigation/compensation measures.

10. No vegetation clearance shall take place during the bird nesting season (1 March to 31 August, inclusive), unless a suitably qualified ecologist confirms in writing to the Local Planning Authority that the clearance works will not disturb nesting birds.
11. Details of a landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping and planting shall be carried out in accordance with the approved scheme 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 ten 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.
12. A detailed schedule of the materials and finishes to be used on the approved development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the dwellings. This shall include samples of the roof slate, hanging slate, details of render finishes and cladding materials, window/exterior door units, verge/soffit details, positions of meter boxes, boundary fence and wall design, waste and recycling stores, driveway surface materials, electric vehicle charge units, roadway surface materials, pathway surface materials, kerbs and any proposed exterior lighting units. Thereafter, the development shall be undertaken in accordance with the approved schedule of materials and finishes.
13. All external windows and doors in the development hereby permitted, shall be of timber and/or aluminium construction and shall at all times thereafter be retained as timber and/or aluminium framed windows and doors.
14. All gutters and downpipes on the development hereby approved shall be of metal construction, round or half-round in section, and shall be painted black not later than

30 days after the substantial completion of the development.

15. No part of the development hereby approved shall be commenced until:
 - (i) 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
 - (ii) The ironwork has been set to base course level and the visibility splays required by this permission laid out
 - (iii) A site compound and car park have been constructed to the written satisfaction of the Local Planning Authority
16. 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:
 - (i) 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;
 - (ii) 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;
 - (iii) The cul-de-sac visibility splays have been laid out to their final level;
 - (iv) The street lighting for the spine road and cul-de-sac and footpaths has been erected and is operational;
 - (v) The car parking and any other vehicular access facility required for the dwelling by this permission has/have been completed;
 - (vi) The verge and service margin and vehicle crossing on the road frontage of the dwelling have been completed with the highway boundary properly defined;
 - (vii) The street nameplates for the cul-de-sac have been provided and erected;
 - (viii) The electric vehicle charging points have been installed and are live for the use of residents.
17. Once constructed and provided in accordance with condition 16 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.
18. The proposed estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture, including electric vehicle charging points, shall be constructed and laid out in accordance with the approved drawings.

19. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.
20. The development of the residential dwelling houses hereby permitted must achieve either:
 - (i) a minimum 10% reduction in carbon emissions over Building Regulations Part L 2013, using a fabric-first approach; or
 - (ii) Association for Environment Conscious Building (AECB) or Passivhaus certification.

With regard to part (i), the Local Planning Authority shall be provided with evidence of air tightness tests on all new buildings; and Passivhaus or equivalent accredited on-site training for airtightness and avoiding thermal bypass and thermal bridging; or with regard to part (ii), relevant certification.

21. 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 extension shall be constructed or erected in or around the curtilage of the 19no. affordable dwellings hereby permitted, and no windows or roof lights other than those expressly authorised by this permission shall be created, formed or installed, without the prior written authorisation of the Local Planning Authority.
22. No work shall commence on the development hereby permitted until the expiration of 28 days following the date that written notice has been received by the Local Planning Authority of the intention to commence the development. At all times thereafter, until the completion of the development on the land, access shall be afforded at all reasonable times to any archaeologist accredited by the Local Planning Authority. This access shall include the right to observe and inspect any excavation and to retrieve and record any items of interest and finds.
23. Notwithstanding the provided detail, prior to the commencement of development, full details of the Local Equipped Area for Play, 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 area shall be substantially complete and made available for use prior to occupation of the 25th dwelling, unless otherwise agreed in writing by the Local Planning Authority.

1 INTRODUCTION

- 1.1 The application is for the development of 41 houses on land at Binkham Hill. The land has been allocated for housing in the Dartmoor Local Plan (2021) - Proposal 7.19.
- 1.2 The site extends to approximately 1.73 hectares and is predominantly open field, with established hedgerows to the perimeter.
- 1.3 The site fronts Dousland Road and the village of Yelverton neighbours it to the south-west. There is also a disused section of the Princetown railway to the eastern boundary.

- 1.4 The application was first presented to members in March 2022. A decision was deferred to allow for further consideration of the layout and design of the development. The original report is appended to this agenda. It provides the background to this report and initial views on the application as submitted. Members undertook a site inspection following the initial meeting.
- 1.5 This report sets out the latest position and includes updated responses received as part of the re-consultation exercise undertaken following the receipt of revised plans.

2 PLANNING HISTORY

0407/21 Construction of a cycleway/community trail
Full Planning Permission Grant Conditionally 10 November 2017

3 CONSULTATION RESPONSES

Responses on the initial application/plans are contained within the report annexed to this agenda. Consultations were undertaken on the full set of revised plans and reports. The following updated comments have now been received:

3.1 DCC - Highways:

The amendments recently received do not affect the recommendations made in response to the earlier scheme, dated 17 February 2022. These recommendations still apply to the amended scheme. Namely:

- 3.1.1 The plans are acceptable to the highway authority from a highway safety perspective.
- 3.1.2 In addition, the Highway Authority has considered the proximity of the application of the site to the extension to the cycle route between Southella Road in Yelverton and Lake Lane at Dousland, to which the application plans show a connection. The cycleway, as a whole, is 680 metres in length and would comprise a 3m wide surfaced path for use by pedestrians and cyclists. This section would have an overall cost somewhere between £300-350k to build.
- 3.1.3 The wider scheme is part of the Strategic Cycle Network and would link NCN27 (Coast to Coast Route) to Princetown in the easiest possible way given the difference in elevation - by using the disused railway line.
- 3.1.4 It is considered appropriate to recommend that the applicant contributes £20,000 towards the provision of this identified scheme to the benefit of sustainable transport options for the residents of the proposed development.
- 3.1.5 Appropriate contributions are therefore requested and the following conditions are recommended to be imposed on any planning permission granted:
1. £5,000 towards the investigation, consideration and, if approved, the installation of signage associated with the revision to the limits of the 30m.p.h. speed limit on B3212.
 2. £20,000 towards the pedestrian / cycleway extension between Yelverton and Dousland.

3. No part of the development hereby approved shall be commenced until:
 - (i) 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
 - (ii) The ironwork has been set to base course level and the visibility splays required by this permission laid out
 - (iii) A site compound and car park have been constructed to the written satisfaction of the Local Planning Authority
4. 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:
 - (i) 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.
 - (ii) 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.
 - (iii) The cul-de-sac visibility splays have been laid out to their final level.
 - (iv) The street lighting for the spine road and cul-de-sac and footpaths has been erected and is operational.
 - (v) The car parking and any other vehicular access facility required for the dwelling by this permission has/have been completed.
 - (vi) The verge and service margin and vehicle crossing on the road frontage of the dwelling have been completed with the highway boundary properly defined.
 - (vii) The street nameplates for the cul-de-sac have been provided and erected.
5. When once constructed and provided in accordance with condition 2 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.
6. No development shall start until a Method of Construction Statement, to include details of:
 - (i) parking for vehicles of site personnel, operatives and visitors
 - (ii) loading and unloading of plant and materials
 - (iii) storage of plant and materials
 - (iv) programme of works (including measures for traffic management)
 - (v) 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.

3.2 West Devon Borough Council (Housing)

3.2.1 The Housing Authority (HA) support the provision of affordable housing on this development in accordance with Local Plan policy.

3.2.2 The HA has reviewed the latest housing needs assessment and revised tenure mix. It is noted that Aster RP are potentially in line for this scheme and are satisfied that they can work with the NDSS element.

3.2.3 There are no further comments from the Housing Authority's perspective as these will now be delivered as Affordable Rented and shared ownership units, with the 80% staircasing cap in place.

3.3 Devon County Council – (Education)

3.3.1 The request for a monetary contribution of £12 414 towards secondary school transport provision still stands. The details of how this request is justified is as set out in the original report.

3.4 Devon County Council (DCC – Lead Local Flood Authority)

3.4.1 At this stage, DCC object to this planning application because they do not believe that it satisfactorily conforms to Strategic Policy 2.5 of the Dartmoor Local Plan which requires developments to dispose of surface water in accordance with sustainable methods that minimise the risk of flooding of property and land or the pollution of watercourses. The applicant will therefore be required to submit additional information in order to demonstrate that all aspects of the proposed surface water drainage management system have been considered.

3.5 DNP – Trees & Landscapes

3.5.1 The revised plans show an acceptable landscaping strategy for the development. This should be conditioned.

3.6 Ecology

3.6.1 The Biodiversity Net Gain (BNG) calculations and plan evidence a net gain of 91.52% in habitat units and 198.87% of linear units. It is noted that areas of 'Ornamental hedge' fall within the ownership of private homeowners, meaning there is no guarantee over their future management. Even with these features removed from the metric calculations entirely, there is still a proposed net gain of 179.91% in linear units. All other proposed habitats are outside of the ownership of private homeowners and the proposed condition of each habitat is deemed achievable. The BNG calculations submitted with this application are deemed acceptable. Conditions relating to construction phase and ongoing management should be applied. In addition, mitigation conditions relating to provision of nest boxes, a repeat Badger survey, lighting strategy and limitations on vegetation clearance should be added as previously requested.

3.7 DNP – Archaeology

3.7.1 Continue to raise no objection, subject to a watching brief to be secured by condition.

4 PARISH/TOWN COUNCIL COMMENTS

4.1.1 Buckland Monachorum Parish Council continue to object to the proposal for the following reasons:

- Insufficient provision for the use of renewable energy sources. The plans do not indicate that solar panels will be installed on the new properties.
- The PC would like further consideration to be given to the sustainability of the proposal.
- The PC request that the developer enters into an appropriate legal agreement to provide a substantial financial contribution towards the development of the pedestrian/ cycle way from Yelverton to Dousland

5 REPRESENTATIONS MADE BY GENERAL PUBLIC

27 additional letters received

5.1 General

- applicants under state the negative impact their development will have on existing residents, local infrastructure and the surrounding countryside
- development does not support National Park purposes
- fails to comply or recognise the footprint of the allocated land; it has placed SUDs pond and pedestrian walkway outside of that line
- access to local jobs is flawed – report mentions villages that have little to no possibilities due to the amount of employing businesses there

5.2 Principle of Development

- who decided the Land at Binkham Hill should be ear marked for development and the criteria used to make this decision? I have lived in Binkham Hill for over 15 years, I don't recall any consultation or approach from local councillors or Authorities on this issue.
- the current Local Plan specifically defined the area for all potential future works/ land development to be carried out 'within'. The developers have extended DNP's line by a further 17%. Although, there are no houses in this extension beyond the village boundary, there are clearly features and functional areas that are required to make the whole development policy compliant.
- there should be absolutely no development of Housing Estates on Greenfield sites within the National Park, especially ones that are in a rural area of extreme value and sensitivity
- Devon County Council has declared a climate emergency, building new housing is contrary to what you should be trying to achieve in reducing carbon emissions.
- the National Park is also extremely important for tourism, and turning the edges into a vast housing estate will detract from the desirability to visit
- brownfield sites should be developed first

5.3 Housing Need

- applicant overstates the need for additional housing in Yelverton and bases its proposal on a weak and inaccurate Housing Needs Assessment (HNS) and survey completed back in 2020, the data used is inaccurate out of date and inflated due to its low response rate it also makes assumptions on boundary lines

- and doesn't take into account any housing developments already completed or about to be delivered
- question whether there is sufficient need at this time to warrant a development of this size and nature - need which did exist has been fulfilled by developments that have already happened or in the process of being built
 - the developers HNS does not include data from any of the new homes recently built in the area (the old Devonian nursing home site has been developed as well as development at Crapstone) there is a further 2000 homes planned for Woolwell which is just 5 miles away and would more than cover any local housing requirement due to its close proximity to Yelverton
 - restrictions should be imposed on the sales of these properties to local people and not for investment as AirBNB or holiday lettings
 - there appears to be no undersupply of rental houses or flats in the area
 - Local Plan policy requires a valid housing needs survey to be undertaken by the 'community and the local stakeholders' impacted by the current and future housing situation. This is unambiguously clear and does not include any reference to housing developers utilising their own data to try and convince planning authorities
 - the Local Plan states that there is a projected need for 12 houses from 2026/27. There are significant additional considerations which render the figures in the table redundant and out of date
 - Yelverton's housing needs should be identified at a local level.
 - the following new houses have either been built or in the process of completion: - Yelverton - Briar Tor development of 32 homes (11 affordable and 21 open market). - Yelverton - 11 new homes at the Devonian House Nursing Home (2 & 3 Bed Homes) - Crapstone - 22 homes at Abbey Meadow Crapstone. These equate to a total of 65 new houses built in and around Yelverton.
 - what is DNP's agreed and written procedure for ensuring proposed new developments comply with DNP's housing needs qualification criteria?
 - the resubmitted HNS does not address evidence of local housing needs already being met by other developments within the Yelverton area, and adjacent villages
 - the application should be rejected due to not meeting the requirements for affordable housing Space Standards. The proposal from Aster Group (dated July 22) notes the intention to develop affordable homes at 85% of the space standards which will make them subject to Homes England
 - whilst this intentionally does not meet the Dartmoor National Park standards stated in the local plan, it also does not consider the post-Covid pandemic utilisation of homes both as a place to live and a place to work under modern hybrid working practices. With 8 affordable homes being one bedroom flats, being built at 85% of the regulation standard size, will reduce the opportunity for home hybrid work, increasing commuting costs
 - affordable rent will be more difficult due to paying for required SUDS ponds drainage management and maintenance as an additional cost
 - the electric vehicle charging points are away from most of the houses/flats in car parks away from the house and using communal EV charging at higher cost than using home electricity
 - for those residents that do not have an EV, or even a car, the revised Resident Travel Plan (dated 7th Oct 22) is misleading. This plan highlights the 'bus stop located in the centre of Yelverton, approximately a seven-minute walk (600m)

from the site' is the shortest distance from the South West corner of the development and not the average (from the centre) or furthest (from the North East corner approximately 900m away). It also identifies the 'Lake Lane stop, approximately a convenient five-minute (400m), operates on a 'hail and ride' basis', which only has a very limited local village bus service (number 56) that only goes to Tavistock twice a day, not the 5 times suggested, whilst the number 55 service only stops there once a day. The frequency of the main number 1/1X bus at 15 mins peak times is also wrong since the stagecoach time tables were updated on 4th September 2022, before the Travel Plan was published in October 22. The off peak frequency of this number 1 bus service is not mentioned in the plan, and is half hourly until 1939 and then hourly to 2339 when the service stops

- affordable housing - affordable to whom? Local jobs are on the whole low paid. What will be in place to stop more well off or businesses buying them and then selling them, living in them for six months and then selling them for a profit, or renting them out?

5.4 **Surface water**

- development on the site will create multiple hard surfaces. This will inevitably cause water run-off onto the B3212 near a sharp bend. A large puddle, sometimes extending over half the road, is already a regular happening in this area whenever there is moderately heavy rain.
- developers haven't addressed how they will stop the road access from Dousland Road flooding. The current agricultural access always floods following rain. The bulk of the flooding is out on the main road, rather than in the proposed development site and the plans don't appear to have any dedicated drainage at the entrance to address this.
- location of the SUDS pond; this location increases the risk of flooding along this section of Dousland Road, its low lying and already has a history of flooding
- it is not uncommon for the B3212 road to flood up to a depth of 1 foot or more. The result is massive flooding down into my field, totally eroding the original 3 ft. deep ditch and culvert, wrecking fencing and spreading pollution onto my land. The flooding extends down neighbouring field, and on to two domestic dwellings causing severe floods and damage. I understand a water-retention system was tested for the site, after some several months of drought. It therefore could never measure effectiveness in winter. I do not believe in any event that the 1,000+% increase in waste and runoff water could be handled by a retention scheme, and it is very clear that no account has been taken of the inevitable road hazard and very considerable damage to my and other farmland and buildings, and the domestic dwellings which will also be severely impacted.
- concern that covering areas of water absorbent land with houses, roads, pavements, paths, patios etc will mean a vast amount of water will need to be channeled and redirected as part of the development, and eventually head downhill.
- rain run off causes this field and the road to flood, the only additional water control is via the SuDS feature which will require regular service and stated to be pumped to the leat to the east of the site, this is not a free flowing water course but disused and majority of time in a year is dry or standing water only.

- no acknowledgement that there is no mains drainage extending below Binkham Hill, and those properties that exist from Woodmans Corner must be serviced by septic tanks paid for and maintained at the owners costs. There is suggestion that accumulated water will flow towards Drakes leat. Gravity does not work up hill! The leat is not maintained and flowing and without significant infrastructure of pumping station and reinstatement of the leat to Plymouth this statement is fantasy.
- tapping into Devonport Leat on the opposite side of the discussed railway embankment - this Leat sits higher than the proposed site and is of poor construction and blockages, rendering it unsuitable to carry excess water.

5.5 **Drakes Trail/footway links**

- what is the point in including references to the Drakes Trail extension? The link to Lake Lane isn't suitable for cyclists and there are no alternative routes for the trail towards Burrator. The fact the developers no longer have to contribute towards the cost of the Drakes Trail extension, but are still allowed to use it to get their application approved is also very odd.
- why not get the developer to contribute, or build the extension?
- opposed to any new access point or link to Drake's trail and the disused railway line via Binkham Hill. This is a quiet residential estate, not suitable as an access point for large numbers of walkers, cyclists, and individuals seeking access points to the moors for recreational activities

5.6 **Access/Road safety**

- road access to the North and East of the new development appears to be to allow developers the option to extend the site rather than for agricultural access. There is no agricultural access required to the East for example because the fields are accessed through Southella Road and Lake Lane. The farmers rarely use the access on Dousland Road as it stands. If the Drakes Trail extension did ever happen there wouldn't be anywhere for the farmers to go to the East.
- vehicles can and regularly reach speeds exceeding 60mph along this section of road and there have been numerous reports regarding serious incidents or near misses at the blind bend at Woodman's corner. The proposed development will increase the risk of a serious incident involving pedestrians, cyclists or other motorists occurring, It will increase noise & pollution levels as well as lower air quality for residents who live along Dousland Road.
- the access/departure to the site is onto a very busy thoroughfare along which traffic continually ignores safe driving practices. It is completely hidden around a dangerous junction which drivers misjudge on many occasions.
- serious consideration should be given to imposing a 30mph from Dousland to Yelverton, perhaps enforced by an average speed camera.
- the road from Binkham Hill to Dousland/Princetown is extremely busy, weekends people wishing to visit the moor and week days morning and evenings commuter traffic both to Plymouth and the prison.
- submitted transport plan uses outdated information as the bus operator has changed and timetable reduced.
- pedestrian access to Yelverton is via a footpath, it does not reflect that the pedestrian has to cross the road twice to make safe transit to the footpath.

- a minimum 82 vehicles are likely to be using this development rather than the 32 stated.
- population Workplace distribution is now 12 years out of date and must be revisited given the extensive development that has taken place in Tavistock, Gunnislake and surrounding areas. The traffic flow information is selective in looking at 08:00 to 09:00 hr. A breakdown from 05:00 to 23:59, would present a much clearer record of traffic flow
- approaching traffic - this will make any vehicles entering or leaving at risk and also any traffic stopped wishing to turn into the junction at risk from collision as the road is not wide enough to allow for a slip road.
- report assumes a 20 minute cycle is on flat land – this is not the case
- resulting traffic will contribute to tailbacks and long queues each morning / evening at Robrough roundabout

5.7 Design & Layout

- design and layout is poor and unsustainable, it lacks any environmental or energy reducing features - materials and the exterior appearance of the buildings will not fit in with the surrounding landscape
- nice to see the "garden buffer" between new houses and Binkham Hill; residents not looking at blank gable ends
- houses are stated to being 85% of space standards which will require Homes England approval
- boundary hedges to the existing houses is said to be a Devon hedge and trees; the new householders will not be able to access both sides and also how will the access required for Western Power to the 11Kv main supply to Meavy be maintained?
- electric vehicle charging points will be installed, but no mention of solar or wind generated power have been raised

5.8 Privacy

- Plots 6, 7, 12, 13 and 14 will also have windows that will overlook properties in Binkham Hill
- Plot Nos 14 to 20 take away views. The original plans were better in this respect

5.9 Play space

- development should contribute to building a play park for children
- Yelverton should also benefit from some type of legacy. Funding for local memorial hall, sports ground, tennis club, bowls club, church hall, scout field, village charity run play park should be sought.

5.10 Parking

- the creation of 14 parking spaces, which will negatively impact on my property and privacy
- it is obvious that there is insufficient parking in the plan, visitors will end up parking in Binkham Hill & causing obstruction

5.11 Biodiversity

- the updated Ecological Appraisal (and corresponding BNG calculations) outline that there will be a net gain of 97.72% habitat units and 80.56% hedgerow units resulting from the development. As such, the proposed ecological enhancements

are demonstrated to far exceed minimum policy requirements and will deliver significant environmental benefits. The direct inference of 97.72 habit units net gain is associated with the 17% additional site size. DNP carried out its own ecological appraisal of the site on 31 Jan 2022. Their report states a total Biodiversity net gain of 4.49%, post development, for the whole site. This is significantly short of the claimed gain from the developers

- the total loss of agricultural land which can no longer be used for grazing and will be lost forever
- the proposed biodiversity plans and landscaping will negatively impact on existing properties and residents in Binkham Hill
- insufficient ecological mitigating measures
- the environmental report states there is no evidence of amphibians and no pond for more than 500m from the site. However, there is at least one pond, within 15m of the site boundary. Newts and toads are found in Binkham Hill. We regularly see bats, hedgehogs and on the road adjacent to the proposed development have seen foxes, not to mention the birdlife

5.12 Infrastructure

- the development will have a negative impact on local facilities and services - Doctors, Schools and the NHS
- parking in Yelverton for the shops is already at breaking point & it's often impossible to find a space there.
- children moving into these houses would have to be taken by car to school as it would be dangerous to either walk or cycle to the local schools.

5.13 Support

- I used to live in Yelverton but I had to move overseas as most jobs in the area tended to be lower paid. I am now in my 40s and I still rent, I wonder if I will ever be in a position to own my own home. Please, please build more homes in the area. Home ownership in Devon shouldn't just be for the wealthy. People who are against house building applications tend to be those that already have a house and want to protect their investments by keeping supply low and prices high.

6. DARTMOOR LOCAL PLAN 2018 – 2036

Strategic Policy 1.1	Delivering National Park purposes and protecting Dartmoor's Special Qualities
Strategic Policy 1.2	Sustainable development in Dartmoor National Park
Strategic Policy 1.3	Spatial Strategy
Strategic Policy 1.4	Major Development
Strategic Policy 1.5	Delivering good design
Strategic Policy 1.6	Sustainable construction
Strategic Policy 1.7	Protecting local amenity in Dartmoor National Park
Strategic Policy 2.1	Protecting the character of Dartmoor's landscape
Strategic Policy 2.2	Conserving and enhancing Dartmoor's biodiversity and geodiversity
Strategic Policy 2.3	Biodiversity Net Gain
Strategic Policy 2.5	The Water Environment and Flood Risk
Strategic Policy 2.6	Protecting tranquillity and dark night skies
Strategic Policy 3.1	Meeting Housing Need in Dartmoor National Park
Strategic Policy 3.2	Size and accessibility of new housing
Strategic Policy 3.3	Housing in Local Centres
Strategic Policy 4.2	Supporting public open space and sports facilities

Policy 4.4	Parking standards for new development
Policy 4.5	Electric Vehicle Charging Points (EVCPs)
Policy 6.4	Waste Prevention
Policy 7.1	Settlement Boundaries and Development Sites Proposal 7.19 Land at Binkham Hill, Yelverton

7 Observations

THE REVISED PROPOSAL

- 7.1 A decision on the application was deferred to allow for reconsideration of the submitted site boundary as the initial plans showed this to extend beyond the site allocation defined in the Local Plan. The built form of the development has been pulled back within the defined allocation boundary. Landscaping, sustainable drainage and ecological enhancements are within the remainder of the application site area.
- 7.2 The application remains for the "Development of 41 houses (22 open market, 19 affordable dwellings), associated access, parking and creation of open space."
- 7.3 Since the meeting in March, the Applicant has entered into contract with Aster Homes, a registered affordable housing provider. These negotiations seek to bring forward a policy-compliant scheme that will be commercially deliverable.
- 7.4 The key amendments are outlined below:
- The point of access into the site from Dousland Road remains unchanged.
 - The housing mix has been altered to meet the requirements of Aster Homes. The number of affordable homes remains unchanged (19 units), but the tenure split has been altered from 50/50 to 74/26 split (affordable rent/shared ownership) to represent a viable and deliverable scheme for Aster, as outlined below:
 - Affordable rent- 14 units (previously 10 units)
 - Shared ownership- 5 units (previously 10 units)
 - A Supplementary Report to the previously submitted Housing Needs Survey (HNS) has been submitted to reflect the revised affordable housing mix. The Report highlights that the proposed affordable housing mix (74/26) more closely aligns with the Adopted Dartmoor Local Plan policy position of 70:30. The proposed mix will also make a significant contribution to the unmet housing need in the area.
 - The five shared ownership units will comply with the 80% restrictive staircasing requirements, as required by the Dartmoor Affordable Housing SPD.
 - Access to the landowner's retained land is provided to adoptable standards to the north and east to enable continued access by agricultural vehicles for maintenance purposes.
 - Turning heads are provided to ensure large vehicles (fire and refuse) can safely manoeuvre and serve the proposed dwellings to the east of the site and for maintenance of the SUDS basin in the north.
 - The previous landscape solution on the southern boundary has been replaced by a back to back layout to address security issues raised by residents and Members
 - Pedestrian access is retained through the site, linking the existing residents to the south and the proposed development to the Drakes Trail extension to the

east.

- A play area and open space is retained on the site's eastern boundary.
- No built form now falls outside the allocation area. The rear boundary fences of the dwellings on the northern boundary follow the allocation boundary.
- The area beyond the allocation, but within the application Red Line, is now proposed as a landscape/ecological corridor to create new wildlife habitats to contribute positively towards biodiversity net gain. The updated Ecological Appraisal (and corresponding BNG calculations) outline that there will be a net gain of 91.52% habitat units and 198.87% hedgerow units resulting from the development, subject to the proposed mitigations and recommendations in the Ecological Appraisal being implemented. As such, the proposed ecological enhancements are demonstrated to far exceed minimum policy requirements and will deliver significant environmental benefits.

POLICY BACKGROUND

- 7.5 The policy background set out in section 7 of the appended report remains valid and is the framework for the decision.
- 7.6 The National Planning Policy Framework has been updated in 2021. Specifically, Paragraph 78. States that; 'In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs and consider whether allowing some market housing on these sites would help to facilitate this.
- 7.7 Paragraph 79 promotes 'sustainable development in rural areas.... housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services'.
- 7.8 Paragraph 176 emphasises that '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 all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas'.
- 7.9 Paragraph 177 states that: 'When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, 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 proposed development accords with these ambitions.

MAJOR DEVELOPMENT TEST

- 7.10 Observations on the major development test are contained in paragraphs 7.7 – 7.10 of the appended report.
- 7.11 It is confirmed that having regard to the character, nature and scale of the proposed development adjoining the settlement boundary, and taking the local circumstances and context into account, the proposal is not considered to fall under the paragraph 177 definition of 'major development'.

ENVIRONMENTAL IMPACT ASSESSMENT

- 7.12 The development is not considered to be EIA development.

STRATEGIC POLICY CONSIDERATIONS

- 7.13 Policies SP1.1 and SP1.2 serve to ensure development is undertaken in a sustainable manner, to secure development that improves the economic, social and environmental conditions in the area, taking into account the ‘special qualities’ of the National Park.
- 7.14 Policy SP1.3 establishes the spatial strategy for Dartmoor, defining Yelverton as a Local Centre. As such, Yelverton is a location where development to meet identified housing needs is prioritised. The strategy, including SP 3.1 & SP 3.3, identifies the role of allocated sites serving to meet identified local housing needs and informed by up-to-date assessments, where the threshold for affordable housing is now set at 45%. It recognises that this may be varied by viability considerations where this is proven essential and where the development is still making a meaningful contribution to the provision of affordable housing, community infrastructure or environmental betterment.
- 7.15 In order to meet identified local housing need, Local Plan Proposal 7.19 identifies land at Binkham Hill, Yelverton as an area of land for residential development of around 41 homes. It recognises a threshold of not less than 45% affordable housing and that applications must include landscaping to the south and east, provide a link to the Princetown cycle trail, and include appropriate highway improvements.
- 7.16 Delivering good design is at the heart of the NPPF. This is translated into policy SP1.5 that seeks to maintain a strong sense of place and distinctive character. There are also requirements to pursue sustainable construction (SP 1.6) through a ‘fabric first’ approach.

HOUSING NEED

- 7.17 A supplementary report has been produced, updating the position since the consideration of the application in March 2022.

- 7.18 The report shows that the proposal would make a significant impact in meeting the 5-year need in years 2 and 3 as measured by the housing register. The Local Plan has allocated two sites in Yelverton and one in Horrabridge. The Horrabridge allocation envisages 35 homes of which 16 would be affordable. The HNS provides the evidence to support a planning application in respect of the Local Plan Proposal 7.19, Land at Binkham Hill (41 homes of which would be 19 affordable). The other allocated site would accommodate 40 homes of which 18 would be affordable. Therefore, it is anticipated that 53 affordable homes would be enabled over the life of the plan across the 2 local centres
- 7.19 The Housing Authority (WDBC) has confirmed that the assessment and the revised affordable housing tenure mix is aligned with known housing need in this location. It notes that Aster Housing are now engaged with the developer giving confidence that the affordable housing will be delivered.

ACCESS/HIGHWAY SAFETY/PARKING

- 7.20 It is noted that concerns about highway safety continue to exercise local residents. The primary vehicular access into the site remains a new entrance off of the B3212, roughly midway along the north-western site boundary. The new access road is designed to adoptable standards with sufficient turning areas. Pedestrian links through the site to the surrounding footpath network have been incorporated into the scheme to maximise accessibility and links to the existing settlement. A pedestrian access point has been introduced on the eastern boundary, connecting those within the site to the proposed recreational footpath/cycle route along the disused Princetown Railway Line. To the south, a secondary pedestrian link helps to integrate the new development with existing residential developments within the village.
- 7.21 The Highway Authority has confirmed that the proposed access and highway layout are considered safe. It has reiterated its request for a monetary contribution to extend the 30mph limit in this location.
- 7.22 Parking provision meets the requirements set out in the Local Plan. Visitor parking is required as a ratio of 1 per 10 dwellings, 4 spaces have been provided across the site. In response to the Dartmoor Design Guide, parking courts have been prioritised over individual plot parking. The proposed plan gives each plot a private garden which cycle storage facilities.
- 7.23 Paragraph 111 of the NPPF21 is key with highway matters, stating "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."
- 7.24 It is inevitable with any development, that there will be an increase in vehicular traffic and parked cars. However, the impacts of this proposal cannot be said to be unacceptable or severe. The revised proposal is therefore considered to accord with policy subject to the imposition of the conditions as suggested by the Highways Officer.
- 7.25 DCC Highways has also reiterated its request for contributions as below:

- 7.25.1 £5,000 towards the investigation, consideration and, if approved, the installation of

signage associated with the revision to the limits of the 30 m.p.h. speed limit on B3212.

7.25.2 £20,000 towards the pedestrian / cycleway extension between Yelverton and Dousland

7.26 In the first instance, a potential revision to the 30mph zone in the vicinity of the new access point is considered worthy of further investigation. This would accord with local concerns and ensure those accessing and exiting the development can do so in a safe manner.

7.27 The second request was previously debated. It is a significant contribution that is not directly related to the development. The Local Plan policy requires a defined link to the expected cycleway (which already has planning permission). The plans show that will be achieved. While the requested contribution may be desirable and assist the shortfall in funding for this cycleway, it is not considered appropriate to require a £20000 contribution. The Authority does not operate a CIL charging regime and there are no explicit details as how the figure of £20000 is justified in this case. Such a request would be offset against the overall viability of the scheme and may have an impact on the delivery of the maximum number of affordable housing units. Maximising affordable housing provision is a stated Authority priority. As a consequence, the second part of this request cannot be justified.

ECOLOGY

7.28 The site is within the Zone of Influence for new residents with regards to recreational impacts on the Plymouth Sound and Estuaries EMS (comprising the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA). This Zone of Influence has recently been updated as part of the evidence base gathering and Duty to Cooperate relating to the Joint Local Plan, namely the study completed to consider recreational pressure of residents from new development upon the Plymouth Sound and Estuaries EMS.

7.29 Mitigation is provided for through the newly established Strategic Mitigation Strategy for the SPA/SAC. This Strategy is accounted for and currently delivered wholly through contributions provided through development within the Zol outside of the National Park. It is identified through the Duty to Co-operate process for the Local Plan, that additional contributions from residential development in the National Park, which is negligible in the scale of growth within the Zol as a whole, are not required to be sought.

7.30 The need for the development to deliver a 10% net gain in Biodiversity has been addressed. Analysis of the Biodiversity metric and strategy reveals that the impact and positive features contained in the layout will far exceed this requirement when carried out. The planning conditions seek to ensure the mitigation works are undertaken. This approach has been endorsed by DCC ecology consultants working on behalf of the Authority.

7.31 The development incorporates green infrastructure features within the public realm comprising of new native trees and shrubs. The site's ecological value

will be enhanced through incorporating the following measures:

- improved and new green infrastructure protecting existing habitats and creating new areas for ecological enhancement and diversification.
- additional habitat enhancement through the inclusion of bat and bird boxes
- hedgehog fencing to allow movement across the site.

TREES AND LANDSCAPES

7.32 The revised layout and landscape strategy is considered acceptable and will ensure the development will integrate with its surroundings on the rural fringe of Yelverton. This meets the requirement of Local Plan policy SP 1.2.

7.33 Public open space is used throughout the site to create a visually attractive place to live. The LEAP space has been positioned close to the eastern boundary, adjacent to the link to the trail. The site boundaries will be planted with native species to create a visual buffer to the development whilst offering ecological benefits

DRAINAGE AND FLOOD RISK

7.34 Objectors highlight continuing concerns about flooding in this location, particularly that which affects the adjacent highway. The development is located in an area of low flood risk and incorporates a surface water management strategy to reduce surface water discharge from the site. The strategy aims to reduce overall surface water runoff by incorporating Sustainable Drainage Systems taking into account a 1 in 100 year storm event including a 30% increase for climate change. The attenuation measures are contained in the landscape swale on the northern boundary of the site. The strategy will ensure no additional water enters the public highway from this site. While DCC Flood risk team has raised a holding objection on technical matters, it is understood that this objection is likely to be overcome in the consultations that are ongoing. Any revised comments that are received will be reported at the meeting.

PLACEMAKING & BUILT FORM

7.35 The revised plans maintain the good connectivity with the existing adjacent development and links to the centre of Yelverton. It retains excellent pedestrian and cycling permeability, encouraging more sustainable trips to locally accessible facilities and services. Bus stops are conveniently located within a five-minute (400m) walk of the site to the north of the site and the main bus stop in the centre of Yelverton and is located a seven-minute (600m) walk to the south.

7.36 While the house designs have been modified to conform with the new layout, it includes light coloured timber cladding and off-white render, commonly found in neighbouring residential areas. Together, these materials help the development to respect the traditional vernacular of Dartmoor National Park whilst maintaining a contemporary appearance. Vernacular stone, as seen on nearby Dousland Road, has also been introduced to some housetypes in order to offer tonal and textural variation to their elevations.

- 7.37 The Authority does not encourage the use of uPVC for windows or doors and, as such, timber frames have been proposed throughout the development. Natural slate roofing has also been proposed in line with Dartmoor Design Guidance.
- 7.38 The development aims to deliver new buildings which reduce energy demand and carbon emissions through a range of targeted passive and active measures suited to the specific energy needs of the intended occupant. Measures incorporated into the buildings to reduce energy demand include: • Optimising passive solar gain; • Prioritising natural daylighting; • a Fabric First approach to design and construction; • Energy efficient lighting and controls; Overall the development aims to deliver new buildings which at minimum meet the Building Regulations.
- 7.39 Accessibility issues are incorporated. Each dwelling has a level or gently sloping access. All entrances are envisaged to be illuminated, have level access over the threshold, suitable door widths having more than sufficient weather protection and a level external landing to all main entrance doors.
- 7.40 Internally, there is generous circulation and considered room arrangements, allowing for the recommended manoeuvring space and wheelchair turning circles. All dwellings will have an entrance level accessible W/C (in accordance with Part M)
- 7.41 All properties will benefit from an Electric Vehicle Charging point.
- 7.42 Sufficient and convenient space for storage of waste and recycling is included. A waste audit statement is recommended to be secured by condition to appropriately manage waste during construction and operational phases.
- 7.43 The Local Plan incorporates additional measures to encourage energy efficiency in new build residential dwellings. Policy SP1.6 establishes the requirement for all new residential buildings to achieve either:
- a) a minimum 10% reduction in carbon emissions over Building Regulations Part L 2013, using a fabric-first approach; or
 - b) Association for Environment Conscious Building (AECB) or Passivhaus certification.
- 7.44 To minimise the risk of an energy performance gap when meeting the above, developers will be required to:
- a) with regard part (a) above, provide:
 - i. evidence of air tightness tests on all new buildings; and
 - ii. Passivhaus or equivalent accredited on-site training for airtightness and avoiding thermal bypass and thermal bridging; or
 - b) with regard part (b) above, relevant certification.
- 7.45 The requirements of SP1.6 are recommended to be secured by condition.

8 Nationally Described Space Standards (NDSS)

- 8.1 NDSS standards form part of the Local Plan requirements for new development.

They should be used as a benchmark to ensure that all new affordable and open market housing is not excessively large or small for its intended needs.

- 8.2 Aster Homes current approach is for dwellings to be delivered at a minimum size of 85% below space standards. The Aster Group letter, alongside one from Homes England, clarifies that public subsidy funding is available to affordable housing providers for dwellings delivered 85% or above NDSS. Therefore, the approach adopted by Aster Group is acceptable and consistent with the standards set by Homes England.
- 8.3 In this instance this is an acceptable approach proving that funding will be forthcoming ensuring the scheme is deliverable.

9 Infrastructure Requirements

- 9.1 There remains a DCC Education request for developer contributions of £12,414 towards secondary school transport costs due to the development being further than 2.25 miles from Tavistock College.
- 9.2 A Highway Authority contribution of £5,000 is also requested towards the investigation, consideration and if approved, installation of a reduced speed limit in the vicinity of the site access.

10 Conclusion / Planning Balance

- 10.1 The revisions presented have sought to address the primary concerns of restricting the development to the area of land allocated within the Local Plan. That has required a careful redesign of the layout and revisions to house types. The built form of the development lies wholly within the allocated site. A landscape buffer and SUDs attenuation area lies on the northern side of the development, forming an attractive boundary between the development and the remaining farmland. It is accepted that this green infrastructure forms an appropriate treatment.
- 10.2 The principle of development is established through the allocation contained within the Local Plan. Residential developments within Local Centres must be predicated on a defined local housing need, bringing forward affordable housing to meet identified demand. That has been adequately demonstrated and is supported by the Housing Authority. It is good to note that the delivery of the affordable units is already linked to an established provider. The applicant has submitted an attractive, policy compliant proposal that brings forward this significant public benefit of affordable homes for local people.
- 10.3 This application represents an opportunity to deliver one of the key objectives of the Dartmoor Local Plan. The proposal features high quality design and placemaking standards and integrates well with the wider area.

CHRISTOPHER HART

1.

Application No: **0266/21** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Buckland Monachorum**
Grid Ref: **SX52646819** Officer: **Phil Twamley**
Proposal: **Development of 41 houses (22 open market, 19 affordable dwellings), associated access, parking and creation of open space.**
Location: **Land at Binkham Hill, Yelverton**
Applicant: **Greenvolt Development Ltd & Winston George Tucker**

Recommendation: **That, subject to the completion of a s106 legal agreement to include:**

- i. The affordable housing as a mix of affordable rented and shared ownership properties in perpetuity including future review of viability.
- ii. Maintenance of all landscaping and areas not within the ownership/control of individual properties.
- iii. Implementation of biodiversity mitigation measures.
- iv. Maintenance of the proposed surface water network including SuDS drainage system.
- v. A contribution of £12,414 towards education transport requirements.
- vi. A highway authority contribution of £5,000 towards the investigation, consideration and if approved, installation of a reduced speed limit in the vicinity of the site access.
- vii. A contribution to open spaces to be confirmed by WDBC Open Spaces Team.

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 approved shall be carried out in accordance with drawings numbered:
PL020, TCXX(90)4001(1of2) and TCXX(90)4001(2of2), valid 25 May 2021, PL004 rev.D, valid 9 September 2021, PL003 rev.J, PL004 rev.C, PL005 rev.C, PL006 rev.D, PL007 rev.A, PL010 rev.A, PL011 rev.A, PL012 rev.A, PL013 rev.A, PL015 rev.A, PL016 rev.A, PL017 rev.C, PL018 rev.C, PL019 rev.B, PL201 rev.D, PL202 rev.D and PL203 rev.B, valid 23 November 2021.
3. No development shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:
 - (i) Soakaway test results in accordance with BRE 365 and groundwater monitoring results in line with Devon County Council groundwater monitoring policy.
 - (ii) Evidence that there is a low risk of groundwater re-emergence downslope of the site from any proposed soakaways or infiltration basins/tanks.

- (iii) A detailed drainage design based upon the approved Sustainable Drainage Assessment dated February 2021 and the results of the information submitted in relation to (i) and (ii) above
- (iv) Detailed proposals for the management of surface water and silt runoff from the site during construction of the development hereby permitted.
- (v) Proposals for the adoption and maintenance of the permanent surface water drainage system.
- (vi) A plan indicating how exceedance flows will be safely managed at the site.
- (vii) A detailed assessment of the condition and capacity of the Devonport Leat, should this option be progressed at the next stage. The assessment should identify and commit to, any repair and/or improvement works to secure the proper function of the surface water drainage receptor.
- (viii) Evidence there is agreement in principle from either South West Water or the third party landowner, to lay the surface water sewer across their land to the Leat, dependent on which option is progressed in the future.

Thereafter, no building hereby permitted shall be occupied until the works have been approved and implemented in accordance with the details under (i) - (viii) above.

4. No development shall commence until a Method of Construction Statement (MCS), 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 zones

has been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development hereby approved shall be undertaken in accordance with the approved MCS..

5. No development shall commence until a detailed Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details of all permits, precautionary methods of working including consideration of trees and protected species, contingency plans, mitigation measures that shall be put in place to control the risk of pollution to air, soil and controlled waters, protect biodiversity and avoid, minimise and manage the productions of wastes with particular attention being paid to the constraints and risks of the site. The Plan shall include details of the timings of the work to be agreed with the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and any subsequent amendments shall be agreed in writing by the Local Planning Authority.
6. No development shall commence until a waste audit statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall demonstrate how the demolition, construction, and operational phases of the development will minimise the generation of waste and provide for the management of waste in accordance with the waste hierarchy, including:

- (i) sustainable procurement in construction phase; and
- (ii) methods for limiting the generation of waste and maximising recycling in construction phase.

Thereafter, the development hereby approved shall be undertaken in accordance with the approved waste audit statement.

7. No development shall commence until a Landscape and Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details relating to habitat creation, including integrated bird nesting/bat roosting boxes, species specification and management. Thereafter, the development hereby approved shall be undertaken in accordance with the approved Landscape and Ecological Management Plan.
8. No development shall commence until a detailed Lighting Strategy has been submitted to and approved in writing by the Local Planning Authority. The required strategy must provide detail with regards to lighting associated with the pre-construction, during construction and operational phase activities, and demonstrate how the best practice (BCT/ILP, 2018) guidance has been implemented. This Strategy will include details including the following: artificial lighting associated with public realm lighting, car headlights associated with traffic movements through the development, internal and external lighting associated with the dwellings. Thereafter, the development hereby approved shall be undertaken in accordance with the approved Lighting Strategy.
9. No development shall commence until a repeat survey for the presence of badgers on the site and surrounding suitable habitat, with associated mitigation/compensation measures if required, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development hereby approved shall be undertaken in accordance with any approved mitigation/compensation measures.
10. No vegetation clearance shall take place during the bird nesting season (01 March to 31 August, inclusive), unless a suitably qualified ecologist confirms in writing to the Local Planning Authority that the clearance works will not disturb nesting birds.
11. Details of a landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping and planting shall be carried out in accordance with the approved scheme 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 thirty 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.
12. A detailed schedule of the materials and finishes to be used on the approved development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the dwellings. This shall include samples of the roof slate, hanging slate, details of render finishes and cladding materials, window/exterior door units, verge/soffit details, positions of meter boxes, boundary fence and wall design, waste and recycling stores, driveway surface materials, electric vehicle charge units, roadway surface materials, pathway surface materials, kerbs and any proposed exterior lighting units. Thereafter, the development shall be undertaken in accordance with the approved schedule of materials and finishes.
13. All external windows and doors in the development hereby permitted, shall be of timber and/or aluminium construction and shall at all times thereafter be retained as

timber and/or aluminium framed windows and doors.

14. All gutters and downpipes on the development hereby approved shall be of metal construction, round or half-round in section, and shall be painted black not later than 30 days after the substantial completion of the development.
15. No part of the development hereby approved shall be commenced until:
 - (i) 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
 - (ii) The ironwork has been set to base course level and the visibility splays required by this permission laid out
 - (iii) A site compound and car park have been constructed to the written satisfaction of the Local Planning Authority
16. 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:
 - (i) 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;
 - (ii) 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;
 - (iii) The cul-de-sac visibility splays have been laid out to their final level;
 - (iv) The street lighting for the spine road and cul-de-sac and footpaths has been erected and is operational;
 - (v) The car parking and any other vehicular access facility required for the dwelling by this permission has/have been completed;
 - (vi) The verge and service margin and vehicle crossing on the road frontage of the dwelling have been completed with the highway boundary properly defined;
 - (vii) The street nameplates for the cul-de-sac have been provided and erected;
 - (viii) The electric vehicle charging points have been installed and are live for the use of residents.
17. Once constructed and provided in accordance with condition 16 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.
18. The proposed estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture, including electric vehicle charging points, shall be

constructed and laid out in accordance with the approved drawings.

19. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

20. The development of the residential dwelling houses hereby permitted must achieve either: (i) a minimum 10% reduction in carbon emissions over Building Regulations Part L 2013, using a fabric-first approach; or (ii) Association for Environment Conscious Building (AECB) or Passivhaus certification.

With regard to part (i), the Local Planning Authority shall be provided with evidence of air tightness tests on all new buildings; and Passivhaus or equivalent accredited on-site training for airtightness and avoiding thermal bypass and thermal bridging; or with regard to part (ii), relevant certification.

21. 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 extension shall be constructed or erected in or around the curtilage of the 20no. affordable dwellings hereby permitted, and no windows or roof lights other than those expressly authorised by this permission shall be created, formed or installed, without the prior written authorisation of the Local Planning Authority.

22. No work shall commence on the development hereby permitted until the expiration of 28 days following the date that written notice has been received by the Local Planning Authority of the intention to commence the development. At all times thereafter, until the completion of the development on the land, access shall be afforded at all reasonable times to any archaeologist accredited by the Local Planning Authority. This access shall include the right to observe and inspect any excavation and to retrieve and record any items of interest and finds.

1 INTRODUCTION

1.1 The application is for the development of 41 houses on land at Binkham Hill. The land has been allocated for housing in the Dartmoor Local Plan (2021) - Proposal 7.19.

1.2 The site extends to approximately 1.73 hectares and is predominantly open field, with established hedgerows to the perimeter.

1.3 The site fronts Dousland Road and the village of Yelverton neighbours it to the south-west. There is also a disused section of the Princetown railway to the eastern boundary.

1.4 The application is presented to Members in light of it being major development and there being significant public interest and an objection from the Parish Council.

2 PLANNING HISTORY

0407/21	Construction of a cycleway/community trail		
	Full Planning Permission	Grant Conditionally	10 November 2017

3 CONSULTATIONS

3.1 **Environment Agency:** Flood Risk Zone 1 - standing advice applies

3.2 **DCC - Highways:**

Original observations dated 17th June 2021:

- 3.2.1 The proposed development has been the subject of previous pre-application discussions and the consultant engineer representing the applicant has been in pre-application discussions with the highway authority. Although the application is a 'full' application, the transport statement, refers to principles rather than details; but this is not necessarily an issue.
- 3.2.2 Visibility has been provided at the proposed junction in accordance with the speed survey as previously discussed and agreed and is considered adequate to serve safely the proposed development from a highway safety point of view.
- 3.2.3 The Highway Authority would not normally require a Residential Travel Plan for a development of this size in a rural location such as Yelverton but there are no objections or adverse comments to be made on the proposed Residential Travel Plan accompanying the application if the planning authority were to choose to require it.
- 3.2.4 With respect to the internal layout of the site there are some recommended amendments before the plans are acceptable from a highway point of view. They are as follows:-
1. Footways are not necessary on any cul-de-sac less than 100 metres in length – a shared surface is a suitable design option, minimising hard surfacing
 2. There should be a proper T-junction rather than the bend with access off at the entrance by plots 20-21.
 3. Cul-de-sac for plots 25-29 and 37-38 seems to be longer than 30 metres with no turning facility. A turning facility for a refuse vehicle will be required. The refuse collection authority (West Devon Borough Council) may also wish to comment on this aspect).
 4. There will need to be grass service margins on shared surfaces if this is chosen as a design option (see 1 above)
 5. Rumble strips and coloured transverse bands shall ONLY be used at the transition from a road with footways to a shared surface road and should always be by-passed with footways for pram / wheelchair access.
 6. Plots 1-4 appear to have parking that is so remote that it will lead to vehicles habitually being parked on the carriageway near the main road junction which will be prejudicial to highway safety.
 7. The highway authority is considering recommending the provision of a contribution of £5,000 towards the investigation, consideration and if approved,

installation of a reduced speed limit in the vicinity of the site access if it is considered appropriate and in compliance the County's criteria.

3.2.5 The Highway Authority reserves the right to comment further on any amended plans, and would be prepared to attend meetings (virtual or real) to discuss the comments made in respect of the application.

Further observations following receipt of additional information and amended plans, particularly zeb1356_PL003 Rev J, TCXX(90) 4002, 4003 and 4004.

3.2.6 The applicant has addressed the issues raised in the original response and the plans are now acceptable to the highway authority from a highway safety perspective.

3.2.7 In addition, the Highway Authority has considered the proximity of the application of the site to the extension to the cycle route between Southella Road in Yelverton and Lake Lane at Dousland, to which the application plans show a connection. The cycleway, as a whole, is 680 metres in length and would comprise a 3m wide surfaced path for use by pedestrians and cyclists. This section would have an overall cost somewhere between £300-350k to build.

3.2.8 The wider scheme is part of the Strategic Cycle Network and would link NCN27 (Coast to Coast Route) to Princetown in the easiest possible way given the difference in elevation - by using the disused railway line.

3.2.9 It is considered appropriate to recommend that the applicant contributes £20,000 towards the provision of this identified scheme to the benefit of sustainable transport options for the residents of the proposed development.

3.2.10 Appropriate contributions are therefore requested and the following conditions are recommended to be imposed on any planning permission granted:

1. £5,000 towards the investigation, consideration and, if approved, the installation of signage associated with the revision to the limits of the 30 m.p.h. speed limit on B3212.

2. £20,000 towards the pedestrian / cycleway extension between Yelverton and Dousland.

1. 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) A site compound and car park have been constructed to the written satisfaction of the Local Planning Authority

2. 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 spine road and 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.
3. When once constructed and provided in accordance with condition 2 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.
 4. 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 zones
 has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.

3.3 West Devon Borough Council (WDBC Housing)

- 3.3.1 The Housing Authority support the provision of affordable housing on this development in accordance with Local Plan policy.
- 3.3.2 In response to the applicants proposed affordable housing tenure mix of 9 rented units and 10 shared ownership units -
- 3.3.3 WDBC have some reservations regarding the evidence that they have to support home ownership to that degree. The housing authority have recommended some flexibility in the s106 to change to rented if need be.
- 3.3.4 It was highlighted that Homes England will not fund shared ownership if there is a local connection attached. WDBC recommended we ensure that wording in the s106 is tight to Yelverton and the mechanism for any future registered provider to allocate those properties to local people.

3.4 Devon County Council – (Education)

3.4.1 Regarding the above application of 41 dwellings, Devon County Council (DCC) has identified that the proposed increase of 33 family type dwellings would generate an additional 8.25 primary pupils and 4.95 secondary pupils which would have a direct impact on Lady Modifords Primary and Tavistock College.

3.4.2 In order to make the development acceptable in planning terms, an education contribution to mitigate its impact is requested.

3.4.3 DCC has forecasted that there is capacity at Lady Modifords Primary and Tavistock College for the number of primary pupils likely to be generated by the proposed development and therefore a contribution towards primary and secondary education infrastructure will not be sought.

3.4.4 DCC will however require a contribution towards secondary school transport costs due to the development being further than 2.25 miles from Tavistock College.

3.4.5 The costs required are as follows:

- 4.95 secondary pupils £2.64 per day x 4.95 pupils x 190 academic days x 5 years
= £12,414

3.4.6 The school transport contribution above has been calculated using the current contract cost of transporting a pupil from the development to the named school. The number of academic days and years is based on the number of term days in a school year and the number of years a pupil is expected to attend school.

3.4.7 The contribution will ensure pupils living within the development will have school transport available for every year they are attending the school. All contributions would be subject to indexation using BCIS. It should be noted that in accordance with the County Council's Education Infrastructure Plan, education contributions are required from all family type dwellings, including both market and affordable dwellings.

3.4.8 Affordable housing generates a need for education facilities and therefore any affordable units to be provided as part of this development should not be discounted from the request for education contributions set out above. Such an approach would be contrary to the County Council's policy and result in unmitigated development impacts.

3.5 Devon County Council (DCC – Lead Local Flood Authority)

3.5.1 No in-principle objections, subject to recommended conditions

3.5.2 The applicant should consider the impact of potential overland flows from the land to the west of the site. DCC would encourage the applicant fully investigate the use of infiltration at the site as per the top preference within the surface water management hierarchy.

3.5.3 DCC acknowledges the comment in the Sustainable Drainage Assessment concerning the potential for contamination from the derelict railway line and we recommend that this is also investigated at the next stage.

3.5.4 The applicant has provided a feasible surface water management strategy which utilises under drained permeable paving, an above ground attenuation basin and oversized pipework to restrict flows to existing greenfield rate in line with SuDS for Devon Guidance (2017).

3.5.5 The applicant has also incorporated long term storage requirements into the design of the proposed network. At this stage, it is understood that maintenance of the proposed surface water network will be undertaken by a private management company. Two options have been proposed for the discharge location; into the existing Devonport Leat or into the nearby combined sewer. The option to discharge into the Leat may require a pump due to the presence of the old railway embankment which is located between the site and the Leat. Any connection into the South West Water (SWW) network would require agreement in principle from SWW.

3.6 **Devon & Cornwall Constabulary**

3.6.1 There are aspects of the design that cannot be supported as they have proven to increase the opportunity for crime and anti-social behaviour (ASB).

3.6.2 The two main aspects that give cause for concern from a designing out crime perspective, is the amount of unrestricted access to the rear boundaries of plots and the amount of permeability.

3.6.3 Guidance from Safer Places – The Planning System & Crime Prevention which outlines the principles of Crime Prevention Through Environmental Design (CPTED) recommends that: ‘it is desirable to restrict public access to the rear of buildings. Secluded footpaths or alleyways, in particular, should not run along the rear of, and provide access to, buildings or gardens’ and that ‘crime and anti-social behaviour are more likely to occur if: there are several ways into and out of an area - providing potential escape routes for criminal activity.’

3.6.4 Additionally, Secured by Design Home 2019 recommends that ‘the designer must ensure that the security of the development is not compromised by excessive permeability, for instance by allowing the criminal legitimate access to the rear or side boundaries of dwellings, or by providing too many or unnecessary segregated footpaths’. And that ‘Public footpaths should not run to the rear of, and provide access to gardens, rear yards or dwellings as these have been proven to generate crime’.

3.6.5 From the proposed Site Plan there are numerous examples where there is public access to the boundary of rear gardens, with many such routes lacking natural surveillance opportunities. There also appear a somewhat excessive number of routes around and through the scheme. Both features can contribute towards the potential for crime and ASB.

3.6.6 I also note from the Boundary Treatment Plan that the proposed boundary for many rear gardens will consist of 1200 high timber post and rail fencing complemented with hedging. Typically, it is advised that boundaries to rear gardens are a minimum 1800mm high in order to prevent unauthorised access and burglary attempts.

3.7 DNP – Trees & Landscapes

- 3.7.1 The land has been allocated for housing in the draft local plan 7.19.
- 3.7.2 The applicants have submitted a Landscape and Visual Impact Assessment, the submitted assessment is acceptable.
- 3.7.3 The principle of development on this land had been accepted by the Authority and the visual impact and its impact on the character of the local landscape has been considered when allocating the land.
- 3.7.4 Access onto the site will be from Dousland Road and will require the removal of a small section of hedgerow. The creation of an access onto Dousland Road forms part of policy 7.19.
- 3.7.5 Numerous trees are growing along the boundaries of the site. The trees have been assessed in accordance with British Standard 5837:2012 and appropriate tree protection has been set out in the submitted arboricultural report. The tree assessment and proposed tree protection measures are acceptable.
- 3.7.6 The applicants have submitted a plan showing boundary treatment for the development. The intention is to have a timber post and rail fence along the northern boundary with no obvious form of enclosure along the southern and eastern boundaries of the site.
- 3.7.7 I would like to see a low Devon bank planted with a mixed native hedgerow planted along the northern and eastern boundaries and a mixed native hedge planted along the southern boundary. We should request the applicants submit an appropriate landscape plan

3.8 DNP – Ecology

- 3.8.1 No objection, subject to conditions regarding ecological best practice and mitigation measures.

3.9 DNP – Archaeology

- 3.9.1 No objection, subject to a watching brief to be secured by condition.

3.10 **West Devon Borough Council (Open spaces)** - Comments awaited

4 Parish/Town Council Comments

- 4.1 Buckland Monachorum PC: Advice from DNPA during the production of our Neighbourhood Plan and re-laid to the applicant was that further development within Yelverton would only be considered if accompanied by a validated Affordable Housing Needs Assessment (AHNA).
- 4.2 This application not only concedes that it contradicts DNPA policy on development, but has not been accompanied by an AHNA endorsed by the Authority. The Parish Council therefore cannot support the application and therefore at this stage, OBJECTS.

- 4.3 It is recognised that the site is one identified in both the NP and the emerging DNPA Local Plan. Were DNPA to approve the application, having satisfied themselves that it delivers the required Affordable Housing to meet Yelverton's needs.
- 4.4 The Parish Council requests that the Authority engages when drawing up the appropriate s106 agreement to ensure that the needs of the Parish are supported through the Parish Council.

5 Current Local Plan Policies

Dartmoor Local Plan 2018 – 2036

Strategic Policy 1.1	Delivering National Park purposes and protecting Dartmoor's Special Qualities
Strategic Policy 1.2	Sustainable development in Dartmoor National Park
Strategic Policy 1.3	Spatial Strategy
Strategic Policy 1.4	Major Development
Strategic Policy 1.5	Delivering good design
Strategic Policy 1.6	Sustainable construction
Strategic Policy 1.7	Protecting local amenity in Dartmoor National Park
Strategic Policy 2.1	Protecting the character of Dartmoor's landscape
Strategic Policy 2.2	Conserving and enhancing Dartmoor's biodiversity and geodiversity
Strategic Policy 2.3	Biodiversity Net Gain
Policy 2.5	The Water Environment and Flood Risk
Strategic Policy 2.6	Protecting tranquillity and dark night skies
Strategic Policy 3.1	Meeting Housing Need in Dartmoor National Park
Strategic Policy 3.2	Size and accessibility of new housing
Strategic Policy 3.3	Housing in Local Centres
Strategic Policy 4.2	Supporting public open space and sports facilities
Policy 4.4	Parking standards for new development
Policy 4.5	Electric Vehicle Charging Points (EVCPs)
Policy 6.4	Waste Prevention
Policy 7.1	Settlement Boundaries and Development Sites
Proposal 7.19	Land at Binkham Hill, Yelverton

6 Representations

6.1 50 letters of objection 0 in support 3 general comments

6.2 Summary of objections;

- Loss of green field site.
- Impact on local amenity / proximity of proposed development to existing residences.
- Excessive traffic generation.
- Impact on ecology / wildlife.
- Lack of infrastructure to support proposal.
- Shortage of school places available in the local area.
- Objection to the building of more houses on Dartmoor.
- Belief that housing need has already been met in the area.
- Impact on highway safety.

- Impact on character and appearance of the area.
- Criticism of the provided Housing Need Survey.
- Concerns with potential existing contamination on the site and impact of disturbance on local residents.
- Noise pollution during construction phase.
- Concerns with no dog waste bins.
- Concerns with future management / maintenance of site and dwellings.
- Lack of restrictions on second homes / holiday rentals.
- Impact on local flooding.
- Potential for light pollution.
- Development leading to urban sprawl.

6.3 Summary of general comments;

- Not sure why extra houses are required.
- Has any thought been given to infrastructure and footpaths?

7 Observations

THE PROPOSAL

7.1 This full planning application proposes 41 residential units, comprised of 19 affordable units and 22 open market dwellings (46% affordable provision). The mix is as follows:

Affordable housing –	9 affordable rent / 10 shared ownership
	8 x 1 bed, 3 x 2 bed, 4 x 3 bed, 4 x 4 bed
Open market dwellings -	2 x 2 bed, 11 x 3 bed, 6 x 4 bed, 3 x 5 bed

7.2 The dwellings are all two storey, with a mix of 4 x 1 bed terrace, 4 x 1 bed semi-detached, 5 x 2 bed terrace, 15 x 3 bed terrace, 4 x 4 bed terrace, 6 x 4 bed detached, and 3 x 5 bed detached properties.

7.3 A new vehicular access is proposed from Dousland Road (B3212). A walking and cycling link is proposed to the south west of the site through to the existing Binkham Hill estate and beyond to Yelverton. A future link is included to the proposed pedestrian / cycleway extension between Yelverton and Dousland.

7.4 The application has been subject to consultation and review with the public and the Authority to deliver a scheme that delivers good placemaking principles.

POLICY BACKGROUND

7.5 The National Planning Policy Framework has been updated in 2021. Specifically, Paragraph 78. States that; ‘In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs and consider whether allowing some market housing on these sites would help to facilitate this.

7.6 Paragraph 79 promotes ‘sustainable development in rural areas.... housing should be located where it will enhance or maintain the vitality of rural communities.

Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services’.

- 7.7 Paragraph 176 emphasises that ‘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 all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas’.
- 7.8 Paragraph 177 states that: ‘When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, 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 proposed development accords with these ambitions.
- 7.9 In early 2020, a pre-application response was provided by the Dartmoor National Park Planning Enabler regarding the likelihood of development on this site being seen favourably by the Authority. It was explained at the time that, based upon the information presented, the Authority would not support the principle of development at the site until the emerging Local Plan, including the site allocation for Binkham Hill (Proposal 7.19) was adopted. The Local Plan and site allocation were formally adopted on 3 December 2021.

MAJOR DEVELOPMENT TEST

- 7.10 In accordance with paragraph 177 of the National Planning Policy Framework (NPPF 2021) there is a requirement to assess the characteristics of the development. Local Plan policy SP 1.4 reiterates this stance.
- 7.11 The NPPF makes it clear that whether a proposal amounts to ‘major development’ is a matter to be determined by the decision maker, taking into account the nature, scale and setting of the proposal, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined – its ‘special qualities’. 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.
- 7.12 The Dartmoor Local Plan is clear that ‘the definition of ‘Major Development’ is not the statutory definition (i.e., 10 dwellings or more, a building with 1,000m² of floorspace or more etc.)’. Recent examples of major developments in National Parks include applications for fracking, power line infrastructure and quarrying.

- 7.13 Having regard to the character, nature and scale of the proposed development adjoining the settlement boundary, and taking the local circumstances and context into account, the proposal is not considered to fall under the paragraph 177 definition of 'major development'.

ENVIRONMENTAL IMPACT ASSESSMENT

- 7.14 The proposal has been screened under the Environmental Impact Assessment (EIA) Regulations and determined not to have a significant environmental impact requiring the submission of an EIA. This does not negate the need for relevant technical reports that have been submitted with the application.

STRATEGIC POLICY CONSIDERATIONS

- 7.15 Policies SP1.1 and SP1.2 serve to ensure development is undertaken in a sustainable manner, to secure development that improves the economic, social and environmental conditions in the area, taking into account the 'special qualities' of the National Park.
- 7.16 Policy SP1.3 establishes the spatial strategy for Dartmoor, defining Yelverton as a Local Centre. As such, Yelverton is a location where development to meet identified housing needs is prioritised. The strategy, including SP 3.1 & SP 3.3, identifies the role of allocated sites serving to meet identified local housing needs and informed by up-to-date assessments, where the threshold for affordable housing is now set at 45%. It recognises that this may be varied by viability considerations where this is proven essential and where the development is still making a meaningful contribution to the provision of affordable housing, community infrastructure or environmental betterment.
- 7.17 In order to meet identified local housing need, Local Plan Proposal 7.19 identifies land at Binkham Hill, Yelverton as an area of land for residential development of around 41 homes. It recognises a threshold of not less than 45% affordable housing and that applications must include landscaping to the south and east, provide a link to the Princetown cycle trail, and include appropriate highway improvements.
- 7.18 Delivering good design is at the heart of the NPPF. This is translated into policy SP1.5 that seeks to maintain a strong sense of place and distinctive character. There are also requirements to pursue sustainable construction (SP 1.6) through a 'fabric first' approach.

HOUSING NEED

- 7.19 The applicant provided an independent Housing Needs Survey (Chris Broughton, arc4, October 2020) to evidence local housing needs. The affordable provision at 45% of the site was not questioned and is policy compliant. Notwithstanding this, WDRC Housing raised concern with the survey methods and tenure mix of the affordable housing provision at 50% affordable rent / 50% shared ownership. The concerns indicated that a tenure split of 70% affordable rental properties to 30% intermediate sale as included in the Dartmoor Local Plan as an indicative split may be more appropriate.
- 7.20 An updated Housing Needs Survey (HNS) (Chris Broughton, arc4, update December 2021) with supplementary HNS report was provided in January 2022 in response to concerns raised. The original HNS found that that between 15 and 18

households were in affordable housing need. The supplementary report found that of all the households in affordable need, only 5 were seeking affordable rented housing. The balance of households were seeking some form of affordable home ownership. This means that a much higher proportion of affordable home ownership is evidenced by the HNS than the indicative proportion stated in the local plan at paragraph 3.2.3. The applicant proposed a revised provision at 80% shared ownership and 20% affordable rent as evidenced.

- 7.21 WDBC Housing maintain their concerns with agreeing a high level of shared ownership where mortgage availability may be limited, particularly where local connection occupancy restrictions apply.
- 7.22 Following negotiations, the applicant has agreed to revert to the provision of a tenure mix of 9 affordable rentals and 10 shared ownership dwellings. The applicant maintains their position that the evidence base is robust and supports a higher proportion of affordable shared ownership dwellings. WDBC Housing have recommended flexibility in the s106 to change property tenure to rented should shared ownership prove to be unmarketable. A recommendation has also been made to ensure that wording of the s106 is tight to Yelverton and the mechanism for the RP to allocate those properties to local people.
- 7.23 It is expected that the affordable housing offer will be taken up by a local Registered Provider. The legal agreement would ensure they are retained in perpetuity and will control the tenure arrangements.
- 7.24 On this basis the Authority is satisfied that the HNS and affordable housing offer is in accordance with stated Local Plan policy. It should be noted that, as a policy compliant proposal, there has been no need to conduct a detailed viability assessment in this case.

HIGHWAY SAFETY

- 7.25 The application proposes a new vehicular access into the site from Dousland Road; this will be the sole access for vehicles into and out of the site. A walking and cycling link is proposed to the south west of the site through to the existing Binkham Hill estate and beyond to Yelverton. A future link is included to the proposed pedestrian / cycleway extension between Yelverton and Dousland.
- 7.26 Parking is proposed at 2 spaces per dwelling and 1.5 per flat, giving a total of 50 spaces; none of the dwellings have garages. There is limited dedicated visitor parking proposed and it is expected on-street parking within the development would serve this function; the roads have been designed to allow this without causing obstruction.
- 7.27 The proposal has been assessed by Devon County Council Highways, which requested minor changes be made in the original road layout and revised rear access be provided to properties adjacent to the vehicular access. The applicant has provided an updated site plan agreed by DCC Highways.
- 7.28 Objectors have raised comments regarding safety concerns with access onto the Dousland Road and with increased traffic from the site. DCC Highways has stated that visibility has been provided at the proposed junction in accordance with the

speed survey as previously agreed and is considered adequate to serve safely the proposed development from a highway safety point of view.

7.29 Paragraph 111 of the NPPF21 is key with highway matters, stating "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

7.30 It is inevitable with any development, that there will be an increase in vehicular traffic and parked cars. However, the impacts of this proposal cannot be said to be unacceptable or severe. The proposal is therefore considered to accord with policy subject to the imposition of the conditions as suggested by the Highways Officer.

7.31 DCC Highways has also requested contributions as below:

1. £5,000 towards the investigation, consideration and, if approved, the installation of signage associated with the revision to the limits of the 30 m.p.h. speed limit on B3212.

2. £20,000 towards the pedestrian / cycleway extension between Yelverton and Dousland

7.32 In the first instance, a potential revision to the 30mph zone in the vicinity of the new access point is considered worthy of further investigation. This would accord with local concerns and ensure those accessing and exiting the development can do so in a safe manner.

7.33 The second request is less easy to support and is a significant contribution that is not directly related to the development. The Local Plan policy requires a defined link to the expected cycleway (which already has planning permission). The plans show that will be achieved. While the requested contribution may be desirable and assist the shortfall in funding for this cycleway, it is not considered appropriate to require a £20000 contribution. The Authority does not operate a CIL charging regime and there are no explicit details as how the figure of £20000 is justified in this case. Such a request would be offset against the overall viability of the scheme and may have an impact on the delivery of the maximum number of affordable housing units. Maximising affordable housing provision is a stated Authority priority. As a consequence, the second part of this request cannot be justified at this time.

ECOLOGY

7.34 The site is within the Zone of Influence for new residents with regards to recreational impacts on the Plymouth Sound and Estuaries EMS (comprising the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA). This Zone of Influence has recently been updated as part of the evidence base gathering and Duty to Cooperate relating to the Joint Local Plan, namely the study completed to consider recreational pressure of residents from new development upon the Plymouth Sound and Estuaries EMS.

7.35 Mitigation is provided for through the newly established Strategic Mitigation Strategy for the SPA/SAC. This Strategy is accounted for and currently delivered wholly through contributions provided through development within the Zol outside of the National Park. It is identified through the Duty to Co-operate process for the Local

Plan, that additional contributions from residential development in the National Park, which is negligible in the scale of growth within the ZoI as a whole, are not required to be sought.

- 7.36 Hedges - The proposal includes the loss of 24m of native hedgerow alongside the western site boundary. Mitigation measures include the planting of 337m of native hedgerow onsite. 0.13km of retained hedge will be enhanced.
- 7.37 Biodiversity net gain - The proposal includes the loss of 1.7ha of improved grassland. The ecological habitat baseline for the site is 4.11 units. Onsite provision of habitats equates to 0.35ha neutral grassland, 0.019ha SUDS basin, 0.087ha amenity grassland and 0.4ha of vegetated garden lawns. This equates to 4.29 units.
- 7.38 Post development, the scheme equates to a 4.49% net gain in biodiversity habitat units. Created and retained habitats on the northern and western boundaries will be demarked by timber post and rail fencing and fall outside the curtilage/ownership of private homeowners. Management of created habitats will fall under the responsibility of a management company for the development – this will be detailed in the conditioned LEMP document.
- 7.39 Protected and priority species - The Authority's Ecologist has recommended conditions to ensure appropriate working methods and mitigation measures are included with any permission to secure the protection, conservation, and enhancement of protected and priority species and their habitats.
- 7.40 Whilst many objectors refer to the detrimental impacts the proposed development would have on protected species and biodiversity in general, subject to the detailed mitigation and maintenance being secured, the scheme is not considered to be of detriment to the ecological interests of the site.

TREES AND LANDSCAPES

- 7.41 Local Plan policy SP 1.2 requires development to conserve or enhance the Dartmoor landscape and features that contribute to its special qualities.
- 7.42 The principle of development on this land had been accepted by the Authority and the visual impact and its impact on the character of the local landscape has been considered when allocating the land.
- 7.43 Access onto the site will be from Dousland Road and will require the removal of a small section of hedgerow. The creation of an access onto Dousland Road forms part of policy 7.19.
- 7.44 Numerous trees are growing along the boundaries of the site. The trees have been assessed in accordance with British Standard 5837:2012 and appropriate tree protection has been set out in the submitted arboricultural report. The tree assessment and proposed tree protection measures are acceptable.
- 7.45 The applicants have submitted a plan showing boundary treatment for the development. The intention is to have a timber post and rail fence along the northern boundary with no obvious form of enclosure along the southern and eastern boundaries of the site.

- 7.46 In accordance with the recommendations of the authority's Trees and Landscapes Officer, an appropriate landscape plan has been recommended to be secured by condition.
- 7.47 A number of objectors raised concern with the impact of the development on the character and appearance of the National Park. Whilst it is recognised that development at this scale will change the character of this green field site, the site has been subject to scrutiny as an allocation included in the Local Plan. The site in this context is considered appropriate to realise the significant public benefit of both affordable and open market housing provision.

DRAINAGE AND FLOOD RISK

- 7.48 Objections were received highlighting concern with the potential for flood impact from the proposed development.
- 7.49 Devon County Council (DCC), as the Lead Local Flood Authority, has been consulted. The applicant has provided a feasible surface water management strategy which utilises under drained permeable paving, an above ground attenuation basin and oversized pipework to restrict flows to existing greenfield rate in line with DCC's SuDS for Devon Guidance (2017).
- 7.50 The applicant has also incorporated long term storage requirements into the design of the proposed network. Future maintenance of the proposed surface water network including SuDS drainage system are recommended to be secured by condition.
- 7.51 The proposed development is considered to accord with Policy P2.5 which serves to conserve and enhance Dartmoor's water environment.

PLACEMAKING & BUILT FORM

- 7.52 The site layout is well considered, with excellent pedestrian and cycling permeability and links to existing housing and proposed access routes. The site integrates with the wider area and will offer convenient access for local residents to the proposed cycleway.
- 7.53 Generous tree-lined pedestrian circulation routes within the site tie together the various public open spaces. Many dwellings within the development front onto these pedestrian routes, rather than the roads, thus enforcing the prioritisation of sustainable internal movement. The allocated Local Equipped Area for Play space has been positioned close to the eastern boundary of the application site, at the far end of the primary pedestrian walkway, in order to benefit from a close relationship with the newly proposed connection point on the eastern boundary to the nearby cycleway/trail. Each site boundary will be planted with native species to create a visual buffer to the development.
- 7.54 Light coloured timber cladding and off-white render, commonly found in neighbouring residential areas, are the two main external wall materials applied throughout the development. Together, these materials help the development to respect the traditional vernacular of Dartmoor National Park whilst maintaining a contemporary appearance. Vernacular stone, as seen on nearby Dousland Road,

has also been introduced to some housetypes in order to offer tonal and textural variation to their elevations.

- 7.55 The Authority does not encourage the use of uPVC for windows or doors and, as such, timber frames have been proposed throughout the development. Natural slate roofing has also been proposed in line with Dartmoor Design Guidance
- 7.56 The Authority has worked with the applicant to ensure a mix of appropriate dwelling sizes and types are delivered to meet the needs of present and future generations in accordance with Policy SP 3.2.
- 7.57 All dwellings meet nationally described technical housing standards with affordable dwelling sizes being closely aligned to minimum floorspace requirements.
- 7.58 The parking provision meets the required standards for each unit and parking areas have been integrated with the SUDS.
- 7.59 A policy compliant Electric Vehicle Parking Plan has been provided with provision prior to occupation of the dwellings recommended to be secured by condition.
- 7.60 The proposal meets the requirements of Policy 6.4 (1) through the identification of sufficient and convenient space for storage of waste and recycling. A waste audit statement is recommended to be secured by condition to appropriately manage waste during construction and operational phases.
- 7.61 The Local Plan incorporates additional measures to encourage energy efficiency in new build residential dwellings. Policy SP1.6 establishes the requirement for all new residential buildings to achieve either:
- a) a minimum 10% reduction in carbon emissions over Building Regulations Part L 2013, using a fabric-first approach; or
 - b) Association for Environment Conscious Building (AECB) or Passivhaus certification.
- 7.62 To minimise the risk of an energy performance gap when meeting the above, developers will be required to:
- a) with regard part (a) above, provide:
 - i. evidence of air tightness tests on all new buildings; and
 - ii. Passivhaus or equivalent accredited on-site training for airtightness and avoiding thermal bypass and thermal bridging; or
 - b) with regard part (b) above, relevant certification.
- 7.63 The requirements of SP1.6 are recommended to be secured by condition.
- 7.64 Policy SP3.2 requires all new build dwellings to be constructed in accordance with Building Regulations Requirement M4(2) for accessible and adaptable dwellings, or successive regulations. The applicant has confirmed that the houses have been designed to meet M4 (2).

LOCAL AMENITY

- 7.65 Policy 1.7 addresses local amenity issues. New development is recognised to introduce change and include a level of impact on the existing character of an area. Proposals should not however significantly reduce the levels of daylight and privacy enjoyed by the occupiers of nearby properties; have an overbearing and dominant impact; or introduce levels of noise, vibration, lighting, odours, fumes or dust that would adversely affect human health or quality of life.
- 7.66 The site is bounded to the southwest by an existing mature residential estate, featuring 2 storey detached and semi-detached dwellings. The dwellings to the southwest are set at a higher level to the site and will be partially screened by the landscaping as proposed.
- 7.67 Properties are aligned to minimise the potential for overlooking with the majority being orientated at right angles to the bordering dwelling houses. Detached properties 33 and 34 feature rear elevations that face southwest, however the proposed separation and landscaping are considered sufficient to protect local amenity.
- 7.68 Disturbance during construction is inevitable with any development. Conditions are imposed to control hours of construction and minimise disturbance to surrounding properties from noise, dust, and lighting. A detailed Construction Method Statement will be required to ensure impacts are kept to a minimum. This should ensure the development meets policy objectives.

INFRASTRUCTURE REQUIREMENTS

- 7.69 DCC Education has made a request for developer contributions of £12,414 towards secondary school transport costs due to the development being further than 2.25 miles from Tavistock College.
- 7.70 A Highway Authority contribution of £5,000 is requested towards the investigation, consideration and if approved, installation of a reduced speed limit in the vicinity of the site access.
- 7.71 A contribution to open spaces is to be confirmed by WDBC Open Spaces Team.

8 Conclusion / Planning Balance

- 8.1 This proposal relates to an allocated site for housing development as found to be necessary, relevant and deliverable, in the recently adopted Dartmoor Local Plan.
- 8.2 Residential developments within Local Centres must be predicated on a defined local housing need, bringing forward affordable housing to meet identified demand. It is clear that there is a latent demand for affordable housing within the settlement. It is recognised that, in the absence of significant Government funding, open market returns will be necessary to bring forward affordable housing delivery. The Authority sets a high threshold (45%) for affordable provision within the National Park. The applicant has submitted a policy compliant proposal that brings forward this significant public benefit of affordable homes for local people.

8.3 This application represents an opportunity to deliver one of the key objectives of the Dartmoor Local Plan. The proposal features high quality design and placemaking standards and integrates well with the wider area.

CHRISTOPHER HART



NPA/DM/23/002

Dartmoor National Park Authority
Development Management Committee

3 February 2023

Tree Preservation Orders, Section 211 Notifications (Works to
Trees in Conservation Areas) and Hedgerow Removal Notices
Determined Under Delegated Powers

Report of the Trees and Landscape Officer

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

TPO APPLICATIONS

Teignbridge

Ref: 22/0038 2 Duckspond Road, Buckfastleigh SX 7339 6577

Application to fell a birch tree. The tree is poorly rooted and liable to failure. Consent was granted subject to conditions:

1. Five working days' notice to be given to the Authority prior to the commencement of approved works.
2. Replacement planting of one half standard birch tree within the crown spread of the original during the first planting season following felling.

Ref: 22/0040 Horrabridge Station SX 5102 6943

Application to fell an oak tree. The tree is in danger of collapse. Consent was granted subject to conditions:

1. Five working days' notice to be given to the Authority prior to the commencement of approved works.

SECTION 211 NOTICES

Teignbridge

Ref: 22/0034 The Vicarage, Ilsington SX 7432 7610

Notification to coppice three sycamore trees. The trees are in very poor condition.

A Tree Preservation Order has not been made.

Ref: 22/0035 Ring of Bells Inn, North Bovey SX 7406 8388

Notification to cut back a willow tree. The works will prevent the tree damaging adjacent buildings.

A Tree Preservation Order has not been made.

Ref: 22/0036 Little Gate House, North Bovey SX 7406 8385

Notification to crown lift a cherry tree. The works will prevent the tree damaging passing vehicles.

A Tree Preservation Order has not been made.

Ref: 22/0037 Gate House, North Bovey SX 7406 8385

Notification to fell a silver birch. The tree is preventing access into the property.

A Tree Preservation Order has not been made.

Ref: 22/0039 Lynnfield, Lustleigh SX 7843 8107

Notification to fell a birch tree and thin an oak tree. The felling will prevent the tree damaging an adjacent building and the works to the oak tree area minor.

A Tree Preservation Order has not been made.

West Devon

Ref: 22/0041 Sycamore House, Sticklepath SX 6421 9405

Notification to fell two juniper trees and pollard a sycamore tree. The junipers are hidden from view and have minimal amenity value and the sycamore is poorly rooted and has multiple wounds and pollarding will prevent branch/stem failure.

A Tree Preservation Order has not been made.

BRIAN BEASLEY