



NPA/DM/24/008

Dartmoor National Park Authority  
Development Management Committee

6 September 2024

**Applications to be Determined by the Committee**

Report of the Director of Spatial Planning

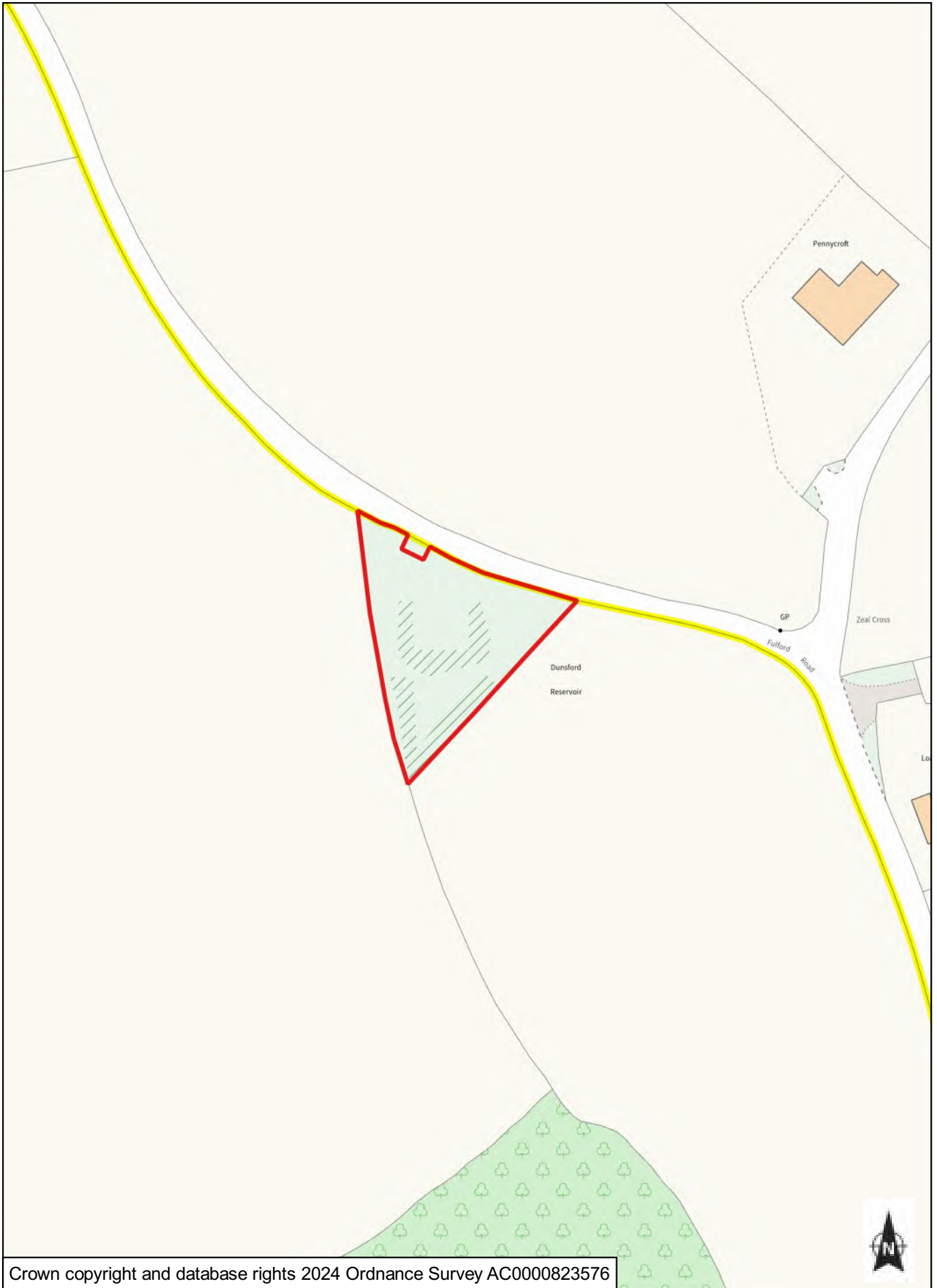
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# Dunsford Reservoir, Fulford Lane, Dunsford



Scale 1:1,250



Item 1

Application No: **0051/24** District/Borough: **Teignbridge District**

Application Type: **Technical Details Consent** Parish: **Dunsford**

Grid ref: Officer: **Oliver Dorrell**

Proposal: **Conversion of a redundant reservoir to dwelling (Technical Details Consent following Permission in Principle application 0186/22)**

Location: **Dunsford Reservoir, Fulford Lane, Dunsford**

Applicant: **Mr S Rowe**

Recommendation: **That permission be refused for the following reasons:**

1. The proposed development would result in the creation of an open market dwelling in the open countryside of the National Park of a size significantly in excess of nationally described technical housing standards. In the absence of any overriding public benefits being identified, such a development would be contrary to Dartmoor's strategic housing policies SP1.3, SP3.1 and SP3.2 of the Dartmoor Local Plan, the guidance contained in the Housing SPD and to the advice contained in the National Planning Policy Framework 2023.

## **1 Introduction**

- 1.1 The site is located on the eastern fringe of Dartmoor National Park. It comprises a triangular shape parcel of land at the northern edge of a pastoral field. The northern boundary of the site is the Fulford Road from which there is direct vehicular access.
- 1.2 The site occupies an elevated position above the village of Dunsford. It is also naturally sloping in a north-south direction. The site is bounded by a hedgebanks on all three sides approximately 1.5m high.
- 1.3 Central within the site is a disused covered reservoir occupying approximately a third of the total ground area. The reservoir is largely subterranean with a small projection above the ground which is more apparent from the southern end. Where it is visible, it is covered in a grey gravel type material with vegetation growing through. The remainder of the site comprised mixed grassland scrub.
- 1.4 There have been recent excavations carried out around the reservoir structure which have revealed a large part of the building. These works require planning permission and are currently unauthorised.

## **2 Planning History**

- 2.1 0186/22 – Permission in Principle - Re-use of building to provide one domestic dwelling. Refused (28/06/2022). Appeal allowed (25/03/2023) (Appeal Ref: APP/J9497/W/22/3302228).

2.2 0300/23 – Technical Details Consent – Conversion of redundant reservoir to dwelling – Refused (10/08/2023).

### **3 Consultations**

#### **3.1 Teignbridge District Council**

Does not wish to comment

#### **3.2 County EEC Directorate**

The proposed access details shown on the application drawings are acceptable and suitable conditions are recommended to be imposed.

Recommendation:

The Director of Climate Change, Environment and Transport, on behalf of Devon County Council, as local Highway Authority, recommends that the following conditions shall be incorporated in any grant of permission:

1. No part of the development hereby approved shall be brought into its intended use until the access and visibility splay improvements, parking spaces, turning area and hardstanding have been provided and maintained in accordance with the application drawings and retained for that purpose at all times. REASON: To ensure that adequate facilities are available for the traffic attracted to the site

#### **3.3 Environment Agency**

Standing advice – flood zone 1

#### **3.4 Devon County Council – Lead Local Flood Authority**

Recommendation:

Our objection is withdrawn and we have no in-principle objections to the above planning application at this stage.

Observations:

Following my previous consultation response (FRM/DNP/0051/2024; dated 15th Feb. 2023), the applicant has submitted additional information via email in relation to the surface water drainage aspects of the above planning application, for which I am grateful.

The applicant has submitted the infiltration test and Micro Drainage Model Output.

#### **3.5 DNPA Ecology**

Site lies within the Cirl Bunting 250m buffer zone (<0.1km from confirmed breeding territory) and Consultation Zone (2km). Cirl bunting may be negatively impacted by the proposed development.

Further information is required on the suitability of the site for Cirl buntings and proposed mitigation measures (if required).

### **4 Parish Council Comments**

4.1 With reference to this application, Dunsford Parish Council voted to object. The concern is the visual impact that the building will have being behind St Mary's

Church, which is Grade I listed. This impact will increase at night with lights on in the building.

## **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
- 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 2.8 Conservation of historic non-residential buildings in the open countryside
- Strategic Policy 3.1 Meeting Housing Need in Dartmoor National Park
- Strategic Policy 3.2 Size and accessibility of new housing
- Policy 4.3 Enabling sustainable transport

The Dartmoor Design Guide (2011)

The Dartmoor Local Plan Draft Housing SPD

## **6 Representations**

- 6.1 No public comments have been received.

### **PROPOSAL**

- 6.2 The proposal is for the conversion and extension of the existing reservoir structure to form one open market dwelling.
- 6.3 This is the second application for Technical Details Consent following the grant of the Permission in Principle (0186/22) at appeal in 2023. The first TDC application (0300/23) was refused due to visual/landscape impact, conflict with housing policies and highway safety.
- 6.4 Under this TDC application it is proposed to remove the roof and construct a new building above the eastern half of the reservoir. This new building would be set inside the shell of the walls and the finished floor level of this building would be set down from the existing roof height. The new floor would lead out onto a terrace which would be formed behind the walls of the reservoir structure. The remainder of the roof would be planted up as a green roof.
- 6.5 The proposed building would take the form of a dual pitch structure with a metal corrugated roof orientated on the north-south axis. The walls would comprise a mix of timber cladding and natural stone. The new glazed openings proposed at ground

floor within the new building on the southern and western elevations would be set behind horizontal louvred screens. Floor to ceiling glazing would be formed within the southern elevation of the existing structure which would serve the lower ground floor.

- 6.6 To the southern side of the building it is proposed to form a permeable terrace area which would be accessed from the lower ground floor. The terrace would sit behind a retaining wall which would be planted up at the sides.
- 6.7 To the northern side of the building the roof of the proposed building would continue beyond the walls of the reservoir structure to create a car port. A small lean-to garden store building would be formed to the east of the car port, again beyond the reservoir wall.

#### HOUSE TYPE, SIZE AND TENURE

- 6.8 The principle of re-using this structure to form a single dwelling was established on appeal following an application for permission in principle for 'reuse of an existing building to provide one domestic dwelling'.
- 6.9 This technical details consent application is the second stage in a two-stage process. The granting of technical details consent has the effect of granting planning permission for the development.
- 6.10 The proposal is for conversion and extension of the existing reservoir building to form an open market dwelling.
- 6.11 Planning Policy Guidance: Permission in Principle makes it clear at paragraph 15 that the requirements that apply to decisions on other types of applications for planning permission also apply to applications for technical details consent, including that the decision must be made in accordance with relevant policies in the development plan unless there are material considerations, such as those in the National Planning Policy Framework and national guidance, which indicate otherwise.
- 6.12 In the case of the appeal decision for the PiP the Inspector concluded that there were material considerations which indicated that a decision on that application should be made other than in accordance with the policies of the development plan, referencing Paragraph 80(c) of the NPPF (now paragraph 84(c) of the 2023 revision) in respect of the re-use of redundant or disused buildings within the open countryside, which he stated had 'in principle support' within National Policy.
- 6.13 It is important to recognise that the matters available for consideration for the PiP application were limited to location, land use and amount of development. The decision to issue the PiP was therefore restricted to the approval of one dwelling within the red-line application site. The Inspector was not able to consider matters such as design, highways, ecology, drainage and affordable housing. These are all matters which are reserved for consideration at this TDC stage. The PPG makes it clear that planning conditions and planning obligations - which are the only way of securing affordable housing, for example - only be applied at the TDC stage.

- 6.14 Strategic Policy 3.2 sets the size parameters for new housing within the National Park. It states that all new housing development should contribute towards creating and sustaining sustainable and balanced communities by delivering a mix of dwelling sizes and types, that will meet the needs of present and future generations. Also, that all new housing should meet and not significantly exceed nationally described technical housing standards.
- 6.15 The proposed development is a four-bedroom two storey property. Technical housing standards for a property of this type are up to 124sqm GIA. The proposed dwelling would have a GIA of 206sqm. This is equivalent to a dwelling with a floorspace 66% larger than housing standards.
- 6.16 The application site is in open countryside approximately 0.5km from Dunsford.
- 6.17 Development in the open countryside of the National Park for housing is strictly controlled and is limited to a narrow set of circumstances. These are set out in paragraph 3.1.7 of the strategic housing chapter of the Local Plan which states:
- 6.18 Beyond the classified settlements, in the Open Countryside, the broader housing needs of communities may be met through:
- (i) rural workers' houses;
  - (ii) subdivision of existing dwellings; and
  - (iii) in locations well-related to necessary services and infrastructure:
    - conversion of suitable redundant historic buildings
    - Gypsy and traveller accommodation
    - low impact development – enabling small-scale residential development which has exceptionally low environmental impact
- 6.19 Officers responses to these criterion are as follows:
- (i) No evidence has been submitted to support a proposal to a rural workers dwelling, as required under Policy 3.9.
  - (ii) The building is not an existing dwelling.
  - (iii) The existing building is formed of concrete walls on a reinforced concrete slab floor and a roof formed of pre-cast concrete planks. It was constructed in the late 20th century. The building is not considered to be a suitable historic building within the context of Dartmoor's built heritage, as required under policy SP2.8.
    - The proposed building is not being proposed as gypsy and traveller accommodation.
    - The proposed development does not comply with the criteria for low impact residential development as set out in Policy 3.12.
- 6.20 National and Local policies require that development in the National Park is focused upon protecting their Special Qualities and meeting the needs of local communities. The Dartmoor Local Plan does not, therefore, support speculative housing development, and housing development on Dartmoor is generally only permitted where it is delivering affordable and other identified local housing needs.
- 6.21 There is some flexibility built into local plan policies in how affordable housing can be provided on small sites to ensure policy is not unduly restrictive. This is achieved

by allowing financial contributions (or 'commuted sums') in lieu of affordable housing on-site.

- 6.22 Financial contributions are calculated on an equivalent basis, i.e. the contribution would be equivalent to the provision of an affordable dwelling on-site. The principle being that the developer of a scheme should be no worse or better off where they provide the affordable housing required on-site or as a financial contribution. The calculation of a commuted sum would therefore be based upon the difference between the value of a development providing the required amount of affordable housing in line with policy, and the value of that development as 100% market housing. Applications which propose a contribution in lieu must therefore be supported by a viability appraisal and we will seek independent verification of this appraisal, as required, by a suitable professional instructed by the Authority and at the applicant's cost. In the case of this application no viability appraisal has been submitted
- 6.23 The applicant has requested that Vacant Building Credit (VBC) be applied to the proposed development. The Government introduced VBC to incentivise brownfield development and regeneration and allow developers to reduce their affordable housing obligations where certain criteria are met. Officers have appraised the proposed development against the criteria set out in Section 4.8 of the Housing SPD and have concluded that VBC would not be applicable in this case.
- 6.24 Furthermore, there has been no unilateral undertaking submitted with the application to secure financial contributions to affordable housing and the applicant has not suggested any mechanism for delivering affordable or other identified local housing needs either on or off site.
- 6.25 Officers conclude that the provision of market housing in this location would not assist in the delivery of affordable housing and there is no evidence submitted with the application to demonstrate that the proposed development would deliver specialist housing in response to an identified need, for example housing for older and/or disabled people.
- 6.26 On the basis of the above, the proposed development to deliver an open market dwelling would not be in accordance with Dartmoor's strategic housing objectives as set out in the Local Plan.

#### IMPACT ON LANDSCAPE

- 6.27 The site occupies an elevated position to the north of Dunsford. The northern boundary of the site is adjacent to the Fulford Road which connects the upper Teign valley to Cheriton Bishop. The site is naturally steeply sloping in a southerly direction.
- 6.28 The site was first examined in 2021 for the pre-app enquiry ref: PRE/0264/21. At the time of the inspection, the walls of the reservoir were not visible as they are now following the excavation works in 2022. The platform which forms the roof of the reservoir, along with the edging stones and access hatches, were visible from the access gateway in the north-eastern corner of the site but there were turfed banks against the external walls which were graded in the direction of the natural topography. As a result, the structure was much less obtrusive in the landscape.



- 6.29 The proposal focuses on the re-use of the existing reservoir structure to form a new dwelling rather than removal of the reservoir and erection of a new dwelling. This is considered an acceptable approach; the land has already been the subject of significant excavation and alteration and there is a colossal amount of embodied carbon within the reinforced concrete walls.
- 6.30 Paragraph 176 of the National Planning Policy Framework states 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.
- 6.31 Strategic Policy 2.1 of the Dartmoor Local Plan states that all development should conserve and enhance the character of the Dartmoor landscape by:
- a) respecting the Valued Attributes of the Landscape Character Types identified in the Dartmoor National Park Landscape Character Assessment;
  - b) ensuring its location, layout, scale and design conserves and/ or enhances what is special or distinctive about landscape character;
  - c) retaining, integrating or enhancing distinctive local natural, semi-natural or cultural features;
  - d) avoiding unsympathetic development that will harm the landscape;
  - e) respecting the tranquillity and sense of remoteness of Dartmoor and not introducing or increasing light pollution; and
  - f) seeking opportunities to enhance landscape character.
- 6.32 SP2.1 goes on to state that in the National Park's landscape setting the Authority will seek to ensure development respects Dartmoor's landscape character, particularly the Valued Attributes and key characteristics of the relevant Landscape Character Types.
- 6.33 The site falls within landscape character type 5A: Inland Elevated Undulating Land. Key characteristics of this landscape include:
- Gently rolling farmland with occasional streams creating small wooded valleys.
  - Fields are bounded by low cut hedgebanks with few hedgerow trees.
  - Patches of species-rich neutral grassland, marsh and rush pasture provide nature.
  - Settlement is dispersed and characterised by scattered isolated farms on elevated slopes.
  - Buildings are traditionally constructed from local stone, slate and thatch with colourwashed cob/render also common.
  - Small narrow winding lanes thread over slopes and follow the valley floors.
  - Gaps in hedgerows sometimes afford long views towards central Dartmoor and the high moorland on the horizon.
  - Traditional orchards associated with farmsteads and settlements.

- 6.34 This landscape character type identifies a number of strategies and guidelines to be employed to achieve the overall landscape strategy of protecting the strong historic character of the Inland Elevated Undulating Land LCT, including;
- Protect the sparsely settled character and intermittent long views to the high moorland. Carefully manage any new development outside the built form of the landscape's small, clustered medieval settlements, including along roads, and avoid development on prominent ridgelines where it will interrupt the character of undeveloped skylines. Protect the landscape's traditional agricultural character, avoiding a spread of suburban influences.
- 6.35 The Landscape/Visual Appraisal and Proposed Landscape Strategy document submitted with the application identifies the site as visible and exposed in the landscape from a number of public viewpoints due to its elevated and southerly sloping nature combined with its relatively low level boundaries. These include views from Dunsford Footpath no4 to the east, Dunsford Footpath no 12 to the south-west and Bridford Byway no 40 to the south.
- 6.36 The LVA also highlights the degree of isolation to which the site appears from Dunsford from southern and south-westerly views in to the site. In the opinion of officers the imagery captured and presented clearly identifies the undeveloped rolling hills to the north of the village as a defining characteristic of the area and demonstrates the contribution of this green backdrop to setting of the historic linear village plan form and the grade I Church of St Mary.
- 6.37 With the exception of Zeal Cross to the east– a site outside of the National Park boundary – there are few buildings located amongst these hills to the north of the village, particularly dwellings. Where there are buildings visible in the landscape they tend to be clustered around and extending out from the main village core or within the folds of the hills, not on the skyline as the proposed dwelling will appear from many viewpoints.
- 6.38 There is little doubt that the proposed dwelling would result in a significantly more visible development on this site. The addition of a new building on top of the existing reservoir will obviously make the site more perceptible in the landscape, while the addition of a glazing to the southern walls of the both the new building and within the walls of the existing reservoir structure will introduce a presence during the hours of darkness which does not currently exist.
- 6.39 The Parish Council highlight concerns regarding the impact of the proposed dwelling, with particular reference to the setting of St Mary's Church – a grade I listed building. The proposed dwelling will be visible from a number of publicly available positions from the south, including from laybys on and footpaths extending from the B3212 to the south, where it would be seen in the hillside above the village.
- 6.40 The proposed additional building would have a traditional, simple form. The steeply pitched roof which would be formed of corrugated metal sheeting does not reflect a domestic character, more so that of a traditional agricultural field barn. The use of natural stone combined with horizontal timber cladding is a common form of presentation for rural buildings in the area.

- 6.41 It is proposed to clad all of the exposed walls of the existing reservoir structure with natural stone to match that proposed for the new addition. This would represent an enhancement over the reinforced concrete walls which are currently visible.
- 6.42 The revised scheme shows restraint in the amount of new glazing being proposed, particularly in the most sensitive elevations facing south and west. Where glazing is proposed in the upper floor it would sit behind horizontal louvred screens, examples of which are provided in the supporting statement and can be conditioned for agreement of finer details.
- 6.43 The glazing proposed on the lower floor in the south elevation would to a degree shielded by the retaining wall proposed beyond the building, which will also act as a buffer for spill of domestic paraphernalia.
- 6.44 The orientation of the building above reservoir to the western side of the structure will preserve the current view down the site to the tower of St Mary's Church and Bridford Wood beyond that is available from the existing gateway which provides access to the site from the public road. It will however effectively remove the spectacular views of the Teign Valley which are currently afforded from the access gateway and stretch out to the south-west.
- 6.45 The landscape character assessment specifically refers to one of the key characteristics of the LCT 5A being 'gaps in hedgerows sometimes afford long views towards central Dartmoor and the high moorland on the horizon'. In this case, the proposed dwelling, with the addition of the building atop, would effectively entirely block public views down the Teign valley which currently exist from the gateway. This would have a negative effect on ability of users of the public highway to being able to appreciate the beauty of the valley.
- 6.46 As regards the spaces around the proposed dwelling, it is proposed to create a garden which would be largely dominated by a 300sqm wildflower meadow, with a small formal lawn area proposed to the west of the house. Native planting is also proposed throughout the site which could have benefits in enhancing biodiversity on the site and forming a soft edge to the dwelling. The relocation of the parking area to the north of the dwelling will help to contain the domestic elements of the site closer to the house.

#### HIGHWAY SAFETY

- 6.47 Policy 1.7 states that development proposals should not inter-alia have an adverse impact on highway safety.
- 6.48 The proposed development identifies the existing vehicular access as the proposed access for the dwelling.
- 6.49 Drawing number 501.1.110D (Proposed Site Layout Ecology and Drainage) identifies a section of hedgebank approximately 12m long to the east of the existing access which would be reduced to a height of 600mm to provide improved visibility. It is proposed to enhance the hedgebank on its southern side to compensate for the loss.
- 6.50 There are no works proposed to the western side of the access.

- 6.51 The proposals have been appraised by the Highways Officer who has concluded that there would be satisfactory visibility to facilitate the safe access movement of vehicles in and out of the site.

#### SURFACE WATER DRAINAGE

- 6.52 Policy 2.5 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.
- 6.53 The application proposes the use of soakaway to manage the surface water arising from the site and has shown the proposed location of the soakaway on the submitted plans as well as infiltration tests and a Micro Drainage Model Output.
- 6.54 The Lead Local Flood Authority has appraised the proposals and raises no objections from a surface water drainage perspective.

#### ECOLOGY

- 6.55 The application site is within Cirl Bunting 250m buffer zone (less than 0.1km from confirmed breeding territory) and Consultation Zone (2km).
- 6.56 Cirl buntings are a nationally protected species.
- 6.57 In order to assess whether cirl buntings might be affected by the proposed development further information is sought on the suitability of the site for cirl buntings.

#### PLANNING BALANCE

- 6.58 The application site has an extant permission in principle for a dwelling.
- 6.59 The existing reservoir has introduced an unwelcome manmade feature into the landscape and altered the natural topography of this part of the field to the detriment of the character of the local landscape.
- 6.60 The detailed design submitted with this technical details consent application overcomes the principal visual and landscape objections set out in the previous refused application. The incorporation of traditional form and detailing alongside contemporary design solutions and a sensitive approach to placement of domestic spaces within the site result in a scheme which engages more positively with the landscape.
- 6.61 The concerns over highway safety have also been adequately addressed.
- 6.62 Furthermore, the matters raised in relation ecology can likely be overcome through the submission of additional information prior to determination.
- 6.63 However, there remains clear conflict with the Authority's strategic housing policies. The housing strategy for the Local Plan is founded upon delivering the development required to meet the needs of the National Park and its communities, sustaining

them as vibrant and viable places to live and work, whilst also ensuring Dartmoor's Special Qualities are conserved and enhanced.

- 6.64 The Settlement Profile for Dunsford prepared in 2019 in support of the new Local Plan identified a need for smaller (one or two bed) affordable housing within the village, with a priority for affordable homes to rent and smaller housing for elderly downsizers
- 6.65 While it is noted that the proposed dwelling would be wheelchair accessible and have a lift installed to contribute to whole life living, it has not been demonstrated that the proposal to deliver an unrestricted three-bedroom open market dwelling with a floor area significantly in excess of national space standards on this site would otherwise respond to any identified local need.

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DEAN KINSELLA