

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

04 May 2018

SITE INSPECTIONS

Report of the Head of Development Management

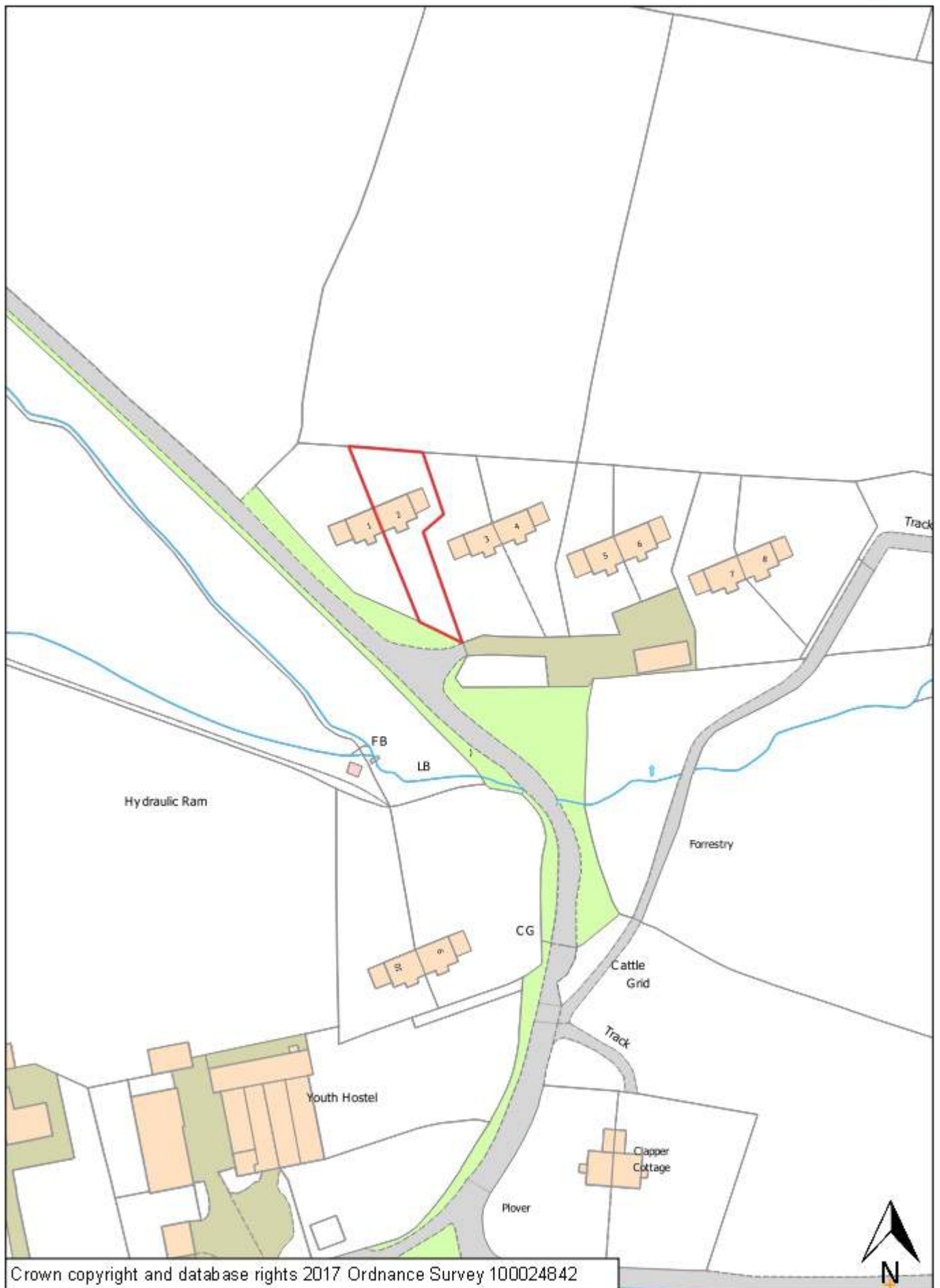
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2 Forestry Houses, Bellever - 0017/18



Scale 1:1,250



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DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

04 May 2018

SITE INSPECTIONS

Report of the Head of Development Management

1 Application No: **0017/18** District/Borough: **West Devon Borough**
 Application Type: **Full Planning Permission - Householder** Parish: **Dartmoor Forest**
 Grid Ref: **SX654775** Officer: **Oliver Dorrell**
 Proposal: **Erection of first floor side extension, single storey front porch extension and installation of external wall insulation**
 Location: **2 Forestry Houses, Bellever, Postbridge**
 Applicant: **Mr A Chetan**
 Recommendation: **That 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 materials to be used in the finishing of the external walls and roof of the development hereby approved shall, unless otherwise previously agreed by the Local Planning Authority in writing, match those used on the existing building.
3. 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 windows, replacement 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.
4. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be implemented in strict accordance with the recommendations in Section 4 of the protected species survey report (Richard Green Ecology, January 2018), subject to any variation required by Natural England under any license issued.
5. The development hereby permitted shall be carried out in accordance with the following approved drawings: the site location plan received 8 January 2018 and two detail drawings numbered 296J-11 and 296J-12 received 9 February 2018.

The officer advised that Historic England have declined to list the property.

Members examined the drawings before the Parish Council representative went through concerns that it has, which were also raised in a written representation to Members. The principle concerns are loss of privacy, the alteration of an iconic group of dwellings and loss of affordable housing.

Members viewed the proposal from the gardens of number 1 and number 2. The Chair and Vice-Chair viewed the extensions from the ground and first floor rooms in number 2 at the request of the owners.

Members were divided in their views with some supporting the application and some raising concerns. Those concerns focussed on the design of the porch and loss of symmetry.

It was noted that the landscaping in front of the property breaks up views of the front elevation and if permission was to be granted, it was considered this should be conditioned to be retained. It was also considered that new windows should be controlled and Members will note that a condition was proposed by officers in the original report in this respect.

2. Application No: **0017/18** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission -
Householder** Parish: **Dartmoor Forest**
Grid Ref: **SX654775** Officer: **Oliver Dorrell**
Proposal: **Erection of first floor side extension, single storey front porch
extension and installation of external wall insulation**
Location: **2 Forestry Houses, Bellever,
Postbridge**
Applicant: **Mr A Chetan**

Recommendation **That 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 materials to be used in the finishing of the external walls of the development hereby approved shall, unless otherwise previously agreed by the Local Planning Authority in writing, match those used on the existing building.
3. 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 windows, replacement 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.
4. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be implemented in strict accordance with the recommendations in Section 4 of the protected species survey report (Richard Green Ecology, January 2018), subject to any variation required by Natural England under any license issued.
5. The development hereby permitted shall be carried out in accordance with the following approved drawings: the site location plan received 8 January 2018 and two detail drawings numbered 296J-11 and 296J-12 received 9 February 2018.

Introduction

No2 Forestry Houses is a semi-detached house located on the edge of Bellever Forest. The house is set into the hillside and forms part of a group of houses constructed in the 1940s to accommodate workers in association with the Forestry Commission plantation at Bellever.

The house is brick construction which has been rendered and painted. The windows are uPVC framed and the roof is natural slate.

There is a shared parking area to the south-east with a track providing access onto the public highway.

This application is for a first floor extension above the existing single storey outshot to the eastern end and for an enlargement of the front porch. Both extensions would be externally clad with external wall insulation and rendered and painted to match the existing house.

Planning History

0522/16 Conversion and extension to form annexe
Full Planning Permission - Refused 21 November 2016
Householder
Appeal lodged: 30 January 17 Result: Dismissed

Consultations

West Devon Borough Council: Does not wish to comment
County EEC Directorate: No highway implications
Environment Agency: Standing advice - flood zone 1
DNP - Ecology & Wildlife Conservation: The proposed works would result in the loss and potential disturbance of a bat roost. A European Protected Species Licence will need to be obtained from Natural England prior to the commencement of works. Section 4 of the report outlines the mitigation required.

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

Works to proceed in strict accordance with the recommendations in Section 4 of the protected species survey report (Richard Green Ecology, January 2018), subject to any variation required by Natural England under any license issued.

Parish/Town Council Comments

Dartmoor Forest PC: Objects to this planning application on the following grounds:

- Unacceptable loss of privacy to neighbouring properties.
- Forestry Houses are an iconic image of Dartmoor and the proposed development would damage the symmetry, character and design of these well-known cottages.

In addition, it is understood that there may be restrictive covenants on these properties, limiting development of this nature. The council therefore request the planning authority to investigate the validity of these covenants and whether they permit such development.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR2 - Settlement Strategies
COR3 - Protection of Dartmoor's special environmental qualities
COR4 - Design and sustainable development principles
DMD14 - Biodiversity and geological conservation
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities

DMD24 - Extensions and alterations to dwellings

DMD7 - Dartmoor's built environment

Representations

5 letters of objection

The proposed development would:

- Erode the character of houses
- Lead to loss of symmetry between the properties
- Harm local landscape character
- Result in overlooking/be overbearing
- Contravene restrictive covenants in place

Observations

PLANNING HISTORY

Planning permission was refused in 2016 for extensions to the front, side and rear. The refused scheme contained a mix of traditional masonry extensions combined with contemporary glazed additions. The application included a self-contained annexe.

The application was refused on the grounds of design, harm to residential amenity and lack of justification for the annexe.

The Authority's refusal was upheld at appeal. In the Appeal Decision the Inspector agreed that the group of properties at Forestry Houses represented an iconic image of Bellever however he also indicated that although the upward extension of the flank outbuilding and alteration to the front porch would lead to loss of symmetry with No1 that they were acceptable in principle.

SITE AND SURROUNDINGS

No2 Forestry Houses forms part of a group of houses which straddle the hillside to the north of Bellever Forest. There are 8 houses arranged in four semi-detached blocks. There are two further semi-detached houses to the south of the road leading to Bellever Bridge. No2 is located in the main group to the western end close to the access road to/from Postbridge.

Together the houses form a unified design. Each house is a mirror of its attached neighbour and of the others in the group. The properties retain much of their original form and have seen little change since their original construction in the 1940's other than some minor variation in the design of the window frames and the change to uPVC.

The positioning of these properties along the hillside and their shared characteristics mean weight is attached to the impact of the proposed development both individually on No2 and to the group.

IMPACT ON No2 FORESTRY HOUSES

The proposed first floor extension to the eastern end would be above the existing single storey outshot. The extension would be subservient to the main house in that it would be set down from the main roof and set back from the front wall. The roof pitch would match the existing and the window design would be consistent with the size, design and positioning of windows in the main house. The exterior materials would be in sympathy with the exterior of the existing house.

The proposed extension is considered in accordance with DNPA design guidance and is within the 30% floorspace increase set out under policy DMD24.

The proposed porch extension would extend along the front face of the house. A new angled bay window would be formed with overhangs at both ends. Where the roof would be extended it would match the pitch of the existing porch. Having regard for the scale and design of the proposed front extension it is not considered to adversely effect the appearance of the property.

Both extensions would be externally clad with wall insulation. The insulation would have the same finish as the existing walls (render, painted). The windows would be adjusted so that they match positioning of the existing windows in the main house in terms of set back from the wall face. The effect of the insulation would be to extend all affected walls out by 200mm. This would be most apparent to the northern side of the building where the extension would be beyond the face of the external wall of the main house. It is proposed to soften the impact on this elevation by forming a tapered finish with the existing wall and re-positioning downpipes. The main face will still sit proud of the main walls and officers have some reservations over how successful the proposed mitigation techniques will be however being located to the rear of the property it is not considered the impact will be significant as to warrant refusal in its own right.

IMPACT ON CHARACTER AND APPEARANCE OF THE LOCALITY

Policy COR4 requires the scale and layout of development within the National Park to conserve the distinctiveness of the built environment and local landscape character. Policy DMD7 states that development proposals should conserve and enhance the local built environment and reinforce local distinctiveness through appropriate scale, design and materials.

There is no doubt that the Forestry Houses as a group of properties make a positive contribution to the appearance of the area, as discussed above. There are public views of the houses from all sides however principal in terms of their setting and placement as a group are those from the east where the staggered and stepped arrangement is most apparent. These come from the public road to Cator and from the common land, both of which rise to give uninterrupted views of the houses and their surroundings.

Several representations have been received, including an objection from the Parish Council, raising concerns that the proposed extension to No2 would damage the symmetry and simple character of this group of houses.

No2 is located to the western end of the group and on the higher ground. The house is visible from all views from the east however due to the staggered nature of the buildings and the rising ground the eastern gable of No2 only becomes fully visible from higher and more distant views from the road to the east, and from the common land further north. For example the proposed first floor extension would be unlikely to negatively impact on important views from Bellever Bridge and other close views from the road to the east. While it is acknowledged that the proposed first floor side addition would still have an impact on the group from certain viewpoints, given the orientation of these buildings it is considered that the important views of this building group would be maintained and therefore their integrity preserved.

There is little doubt that both the upward addition to the eastern flank and the front extension

would result in loss of symmetry with No1 however having regard for the subservient nature of the extensions and design improvements which have been submitted it is considered that the impact would not be materially harmful on this pair of properties.

RESIDENTIAL AMENITY

The proposed development is for additions to the south and east. No2 is elevated above the immediate neighbours to the east and set back behind their rear walls. These neighbouring properties are therefore sensitive to any change to the front or side.

The original proposal included the introduction of a new first floor window to the south elevation of the first floor extension and a rooflight to the north elevation however these have now been omitted.

The revised arrangement sees the introduction of a new ground floor window to porch on the south elevation and first floor window to the bedroom extension on the north elevation.

The proposed porch window is angled to the west however it is not considered that it would introduce a level of overlooking that would be significantly harmful to the amenities of No3 or No4. The proposed rear window will overlook the garden of the host dwelling and will not negatively affect the neighbouring properties on either side.

Having regard for the scale and height of the proposed extensions it is not considered they would be dominant or overbearing on neighbouring properties.

The proposed development is considered in accordance with policy DMD4.

PARKING

Policy DMD40 requires new residential development to provide off-street parking for two cars in the case of a semi-detached dwelling. This threshold is also relevant to existing dwellings. Parking is known to be a problem locally. There is a shared parking area to the front of the houses which operates on a 'first come first served' basis.

It is understood from the applicant that No2 has rights to park vehicles in the shared parking area. As the proposal is for a domestic extension it is considered that the development will be in accordance with DMD40.

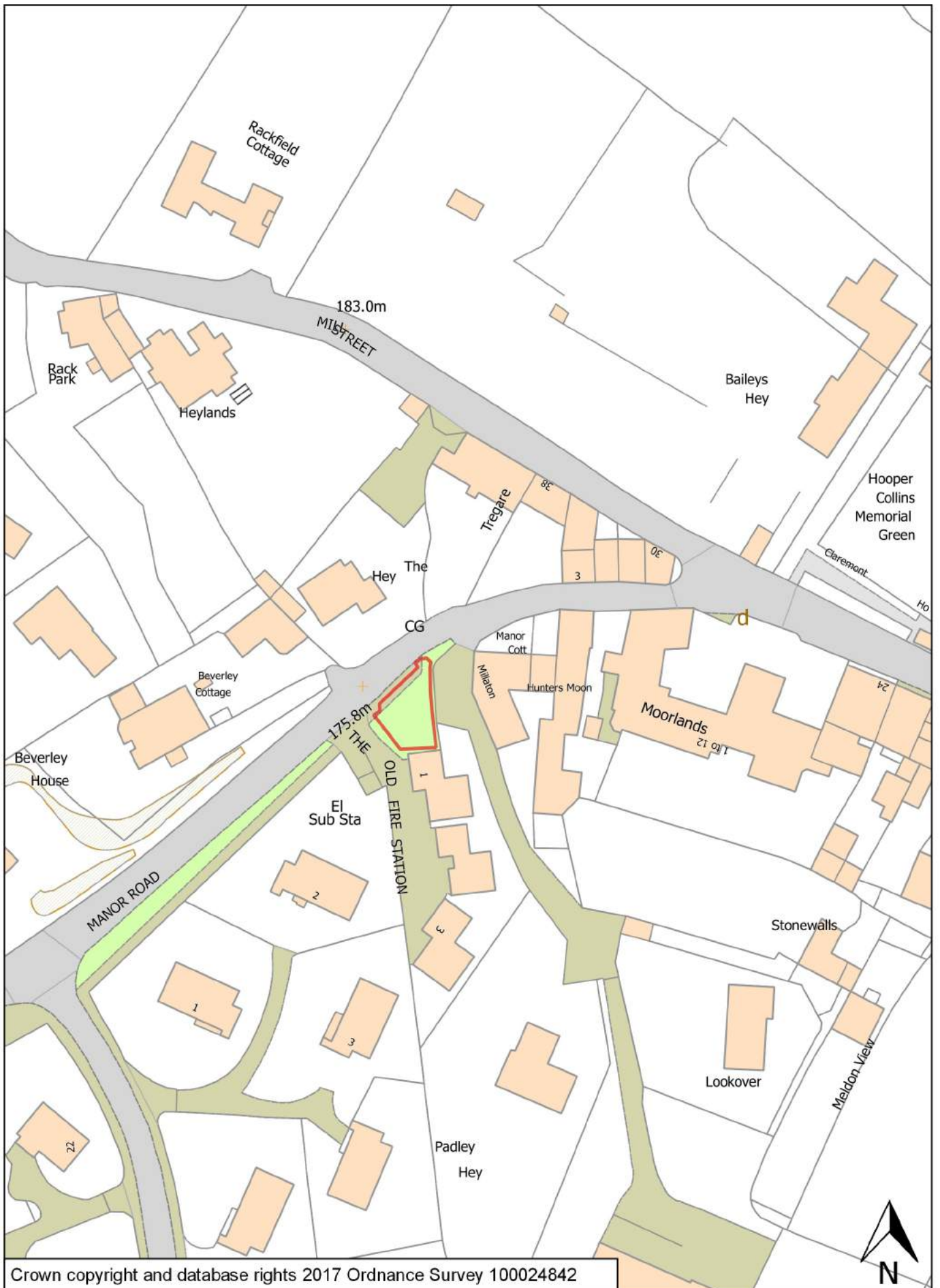
OTHER MATTERS

Several of the representations received in respect of this application have cited the presence of restrictive covenants. This is a private matter and not a material planning consideration relevant to this application.

0101/18 - The Old Fire Station, Chagford



Scale 1:1,000



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2 Application No: **0101/18** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Chagford**
Grid Ref: **SX698875** Officer: **Helen Maynard**

Proposal: **Erection of office**

Location: **The Old Fire Station, Manor Road, Chagford**

Applicant: **Mr M O'Connor**

Recommendation: **That 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 proposed development shall, in all respects, accord strictly with the site location plan received 21 February 2018 drawings 398.1.100B and 398.4.100D received 15 March 2018.
3. Prior to the commencement of the development hereby approved, samples of all proposed surfacing, external facing and roofing materials shall be submitted to the Local Planning Authority for approval; thereafter unless otherwise agreed by the Local Planning Authority in writing, only approved surfacing, external facing and roofing materials shall be used in the development.
4. The premises shall be used for A2 (Professional Services - Architect's office) purposes only and for no other purpose (including any other purpose in Class A2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.
5. The business shall only operate in the premises during 'normal office hours' between the times of 08.00 and 18.00 Monday to Friday and 09.00 and 13.00 Saturdays. There shall be no working on Sundays, Bank or Public Holidays.
6. Unless otherwise agreed in writing by the Local Planning Authority, all external windows in the development hereby permitted, shall be of dark coloured powder coated aluminium construction and shall at all times thereafter be retained as dark coloured powder coated aluminium framed windows.
7. Prior to the commencement of the development hereby permitted, details of the proposed sewage disposal and surface water drainage works to serve the development shall be submitted to the Local Planning Authority for approval. Implementation of the sewage disposal and surface water drainage works shall be strictly in accordance with the approved details.

8. All new external timber on the building hereby approved shall be stained dark brown or black, not later than 30 days after the substantial completion of the development. Prior to the application of any timber stain, a sample of the stained timber showing the timber stain proposed to be used shall be submitted to the Local Planning Authority for approval; at all times thereafter only the approved timber stain shall be used on external timber on the building, unless otherwise agreed by the Local Planning Authority in writing.

The Panel convened on the site and took the opportunity to view site and its surroundings. The Planning Officer explained the proposal as presented, referring to the specific plans and elevations. The Panel noted the footprint of the proposed extension which had been pegged out on the site.

The applicant explained the markers on the site and identified the proposed heights of the ridge and the flat roof area.

Two representatives from the Parish Council attended and reiterated opposition to the project. The Parish feels that the proposal is a disproportionate building to the size of the parcel of land. They noted that there are other new employment units available in Chagford therefore there is no need to develop this site. The Parish was also concerned about the lack of parking provision and the general local opposition to the scheme. They acknowledged that the metal cladding had been removed from the scheme and the ridge height had been reduced by 400mm following their comments; however, they felt that it needed to be reduced further to gain some support.

The Panel outlined some concerns with the scheme, namely the massing, the loss of the landscaped area, the interference into the visibility splay for the dwellings and lack of parking provision. They acknowledged that this was a sustainable location for a business and the need to support local businesses. There were some comments regarding whether the granite cladding would appear too dark and out of keeping with the neighbouring rendered buildings. One member thought that the scheme may be acceptable if it was tied to the dwelling at No. 2 Old Fire Station (home of the applicant) so that the parking provision at this house could be utilised. Two members were opposed to the scheme and the rest of the Panel had not yet come to a balanced judgement.

ORIGINAL REPORT TAKEN TO DEVELOPMENT MANAGEMENT COMMITTEE ON 06/04/2018

6. Application No: **0101/18** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Chagford**
Grid Ref: **SX698875** Officer: **Helen Maynard**

Proposal: **Erection of office**

Location: **The Old Fire Station, Manor Road, Chagford**

Applicant: **Mr M O'Connor**

Recommendation **That 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 proposed development shall, in all respects, accord strictly with the site location plan received 21 February 2018 drawings 398.1.100B and 398.4.100D received 15 March 2018.
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4. The premises shall be used for A2 (Professional Services - Architect's office) purposes only and for no other purpose (including any other purpose in Class A2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.
5. The business shall only operate in the premises during 'normal office hours' between the times of 08.00 and 18.00 Monday to Friday and 09.00 and 13.00 Saturdays. There shall be no working on Sundays, Bank or Public Holidays.
6. Unless otherwise agreed in writing by the Local Planning Authority, all external windows in the development hereby permitted, shall be of dark coloured powder coated aluminium construction and shall at all times thereafter be retained as dark coloured powder coated aluminium framed windows.
7. Prior to the commencement of the development hereby permitted, details of the proposed (sewage disposal) (surface water drainage) works to serve the development shall be submitted to the Local Planning Authority for approval. Implementation of the (sewage disposal) (surface water drainage) works shall be strictly in accordance with the approved details.
8. All new external timber on the building hereby approved shall be stained dark brown or black, not later than 30 days after the substantial completion of the development. Prior to the application of any timber stain, a sample of the stained timber showing the timber stain proposed to be used shall be submitted to the Local Planning Authority for approval; at all times thereafter only the approved timber stain shall be used on external timber on the building, unless otherwise agreed by the Local Planning Authority in writing.

Introduction

ORIGINAL REPORT TAKEN TO DEVELOPMENT MANAGEMENT COMMITTEE ON 06/04/2018

The site is currently a grassy bank that forms part of the site of the old fire station. The site is located on the edge of, but outside, the Chagford Conservation Area boundary. This application proposes a two-storey office building.

The application is presented to the Committee in view of the Parish Council's comments.

Planning History

0656/15	Erection of an office		
	Full Planning Permission	Withdrawn	03 February 2016

Consultations

Environment Agency: Flood zone 1. Standing advice applies.

West Devon Borough Council: Does not wish to comment.

County EEC Directorate: There is no vehicular access proposed as part of the application and there are no parking spaces proposed on the curtilage. The whole of Chagford is subject to a Controlled Parking Zone and the application site lies within the controlled parking area. Parking and loading are prohibited outside the specifically marked bays, and the individual sets of bays are marked with specific restrictions. There are no bays to the front of the application site, preventing on-street parking and loading/unloading (which would also apply to construction vehicles).

The National Planning Policy Framework, makes it quite clear in Paragraph 32 that provided "safe and suitable access can be achieved for all people...development should only be prevented or refused on transport grounds where the residual, cumulative impacts of development are severe". In this instance, the only access to the site itself is from the rear of an existing footway and it would not be possible to sustain an argument on the grounds that the impact of the additional vehicles in the village could be considered "severe".

Parish/Town Council Comments

Chagford PC: Object to the application due to the scale/size and visual impact. Concerns are also raised regarding traffic and parking on one of the main roads in and out of Chagford. The Parish Council would like to see restrictions being enforced regarding residential use.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR18 - Providing for sustainable economic growth

COR2 - Settlement Strategies

DMD1a - Presumption in favour of sustainable development

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

DMD3 - Sustaining the quality of places in Dartmoor National Park

DMD4 - Protecting local amenity

DMD41 - Parking provision - Non Residential

DMD6 - Dartmoor's moorland and woodland

Representations

23 letters of objection

The key objections are summarised below:

- Height greater than previous application
- Other suitable office sites within the centre of Chagford
- Traffic/parking concerns
- Negative impact on the area
- Residential area, not suitable for businesses
- Adverse effect on surrounding properties
- Justification - Is a new office needed?
- Materials are out of keeping with the area
- Overdevelopment of grass verge
- Visual impact
- No parking provided
- Use of building for other purposes

Observations

PROPOSAL

The site fronts Manor Road, Chagford, it is a steeply sloping grassed verge with a tarmac footway alongside the road.

This application proposes the erection of a 78sqm two-storey office building for Squirrel Design. Squirrel Design are an established Architectural practice who have been operating in Chagford for over 25 years. The existing business is located at basement level in the dwelling known as 2 Old Fire Station, Chagford. The existing space comprises a small open plan office suitable for two employees with meeting table in the centre. This application has been submitted to allow the business to grow and allow the occupants to take advantage of the living accommodation at basement level at 2 Old Fire Station.

An application for a similar proposal was submitted in 2015 (ref: 0656/15). This application was for a new office building in the same location. The principle of having an office building in this location was accepted during this application, however the application was withdrawn as Officers had concerns regarding the design of the building. The applicant has engaged with the Officers and through the pre-application process has altered the design to remain more in-keeping with the locality. This application has been submitted following the pre-application changes.

This application proposes a flat roof single storey building (to the rear - facing 1 The Old Fire Station) with dual pitch two-storey element fronting Manor Road. The dual pitch roof is considered to be more in keeping with the area than the flat roof proposed in the previous scheme (ref: 0656/15)

Further amended drawings have been received. The amendments predominantly comprise

ORIGINAL REPORT TAKEN TO DEVELOPMENT MANAGEMENT COMMITTEE ON 06/04/2018

changes to the proposed materials. The key changes to the proposal are as follows:

- 1 Natural slate roof in lieu of corrugated iron.
- 2 Corrugated iron side cladding omitted and replaced with granite.
- 3 Ridge height reduced by approx. 400mm.
- 4 One rooflight omitted.

The materials proposed for the flat roof part will be granite walls and a sedum roof. The materials proposed for the two-storey element will be granite walls with natural slate. The windows are to be powder coated aluminium with a vertical timber boarded front door. The ridge height of the south west elevation will be approximately 5m and the east elevation is approximately 3.5m in height (the building is dug into the ground at this end).

KEY POLICY CONSIDERATIONS

PRINCIPLE OF BUSINESS USE

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

The site is located within the Local Centre of Chagford, and it is within the settlement boundary, where one could expect to see new business premises located. The proposal to establish a new office building to assist in the growth of the existing business is justified in this location.

The development of an office building for an established architectural practice (incorporating workspace and meeting space) would not conflict with the above policies and is a development principle that officers support.

DESIGN & IMPACT ON BUILT ENVIRONMENT

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

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

The site lies to the east of the village centre outside, but adjacent to the Conservation Area. The site was previously the Old Fire Station - a corrugated metal dual pitched roof building

ORIGINAL REPORT TAKEN TO DEVELOPMENT MANAGEMENT COMMITTEE ON 06/04/2018

from which the design of this proposal has been informed. The site occupies a small plot of land flanking directly onto Manor Drive. In order to provide a viable building with office, meeting space and storage provision a two-storey building is proposed. The narrow site constraints and proximity to other buildings, namely dwellings have informed the plan of the building. The proposed development would present a more dominant building than the currently vacant site, however, the detail and design proposed is high quality and would not detract from the character and appearance of the area (having regard to the scale of surrounding buildings and topography); would not harm the Conservation Area and would secure this site, within the local centre, with a new viable use to help support a local business.

NEIGHBOUR AMENITY

The proposed business would be situated within close proximity of residential properties. The nature and scale of the business in the location proposed is not considered to detract from the residential amenities of neighbouring occupiers subject to appropriate working hour conditions.

A number of neighbours and the Parish Council have submitted comments raising concerns about the scale and size of the building. The proposed building has, however, been designed with windows facing away from neighbouring properties and the juxtaposition of respective buildings, and levels, is such that there should be no overbearing or loss of light. The size of the building has been justified by the applicant and is considered to be within the policy requirements of COR18 in terms of small scale business expansion.

The applicant has stated that a larger office is required because the company's workload has increased and they are introducing more high tech equipment such as 3D printing and laser cutting (which is currently outsourced to a company in Exeter). The existing offices have limited space and no private meeting space. The company has taken on larger projects having been successful on a number of new "paragraph 55 dwellings" within the South West. The staffing levels are due to increase in 2018 from two full time employees and one part time employee to four full time and two part time employees.

HIGHWAY SAFETY

No parking or vehicular access is proposed for this office. The Highway Authority has no objection to the proposal. A number of representations have noted parking and vehicular movement as a concern in this application. This small scale office is unlikely to produce a large volume of traffic and it is considered that there is adequate parking available within the Chagford Local Centre. Enforcement of 'illegal' parking is a separate issue, not a planning consideration related to this application.

Local Centres are considered to be a sustainable location Policy DMD41 sets out the parking provision for new non residential development. For staff a maximum of 1 space is required per 100sqm floorspace. The proposed development is less than 100sqm therefore no parking provision is required by this policy. 1 space is required per 14sqm for visitors. In this case, this equates to a maximum of 5 parking spaces. These can easily be accommodated within Chagford's existing parking provision or at the property known as 2 Old Fire Station.

No parking provision assessment has been provided with the application to identify why less than a normal minimum number of car parking spaces would be appropriate. However, the building is located within a town centre location where occupiers would have access to public transport.

ORIGINAL REPORT TAKEN TO DEVELOPMENT MANAGEMENT COMMITTEE ON 06/04/2018

It is also noted that at least one employee lives adjacent to the site and therefore requires no parking on site.

It is considered that a refusal on the grounds of lack of parking provision, particularly given that the existing business use also had no parking provision, would be difficult to refuse the application on and difficult to sustain a successful argument for such a refusal reason at Appeal.

SURFACE WATER DRAINAGE AND FLOODING

The proposed development falls within the less vulnerable flood risk classification and would be an appropriate use in this location

Policy DMD3 requires development to dispose of surface water in accordance with sustainable methods to minimise risk of flooding and pollution of watercourses. A surface water drainage strategy will be secured by condition to ensure that the proposal does not lead to increased flooding elsewhere.

OTHER ISSUES

The Town Council have expressed concerns about the proposed building being changed into residential use in the future. If the application was to be approved then planning permission would be required for conversion into a dwelling which would need to be assessed on its merits.

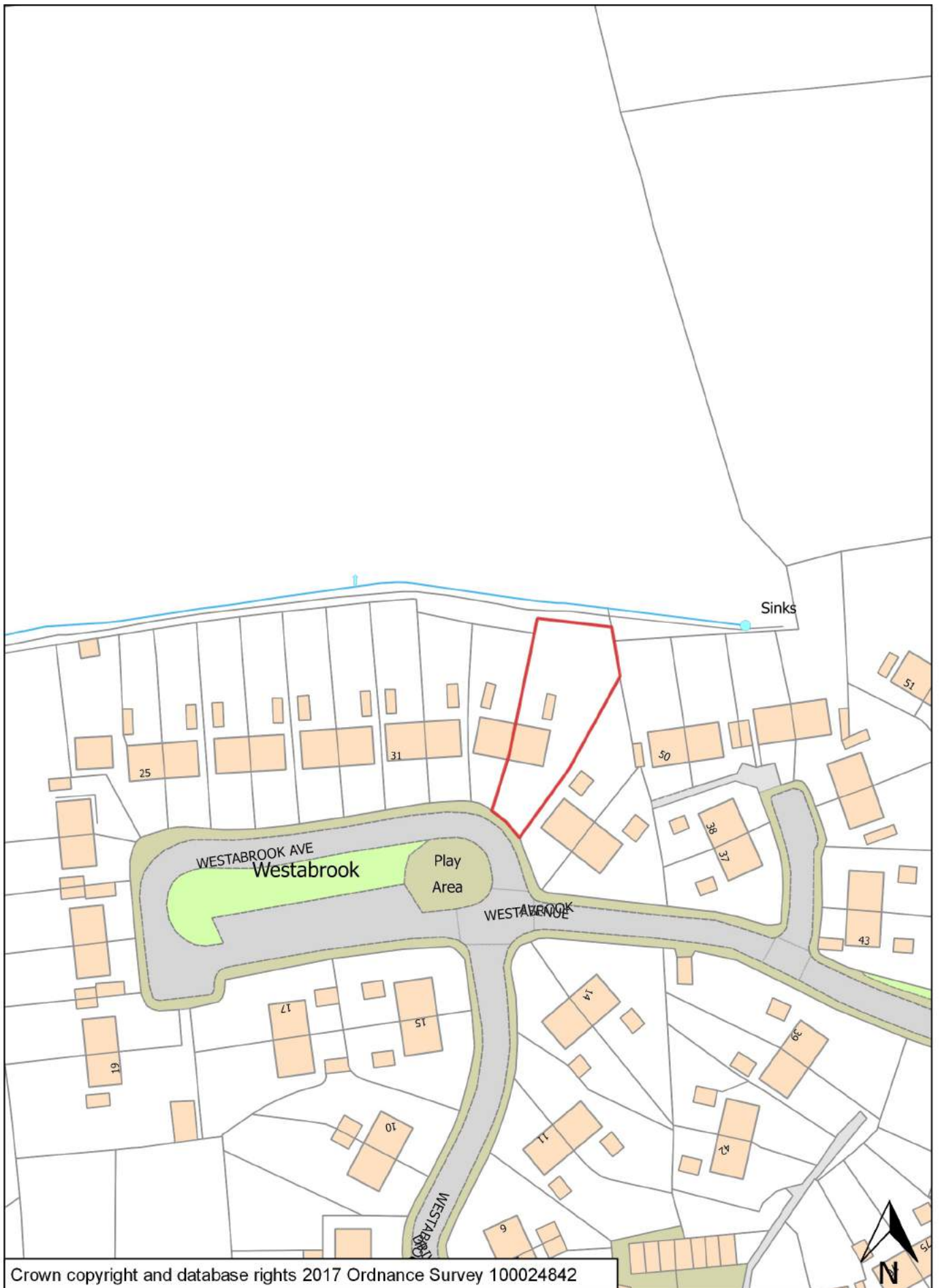
CONCLUSION

On balance, the proposal is considered to present a sustainable form of development and is recommended for approval subject to appropriate conditions.

0064/18 - 34 Westabrook, Ashburton



Scale 1:1,000



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3 Application No: **0064/18** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission - Householder** Parish: **Ashburton**
Grid Ref: **SX752704** Officer: **Helen Maynard**
Proposal: **Erection of two-storey side extension**
Location: **34 Westabrook, Ashburton**
Applicant: **Mr & Mrs Nicholas & Gemma Laity**
Recommendation: **That permission be REFUSED**

Reason(s) for Refusal

1. In the absence of any overriding need or clear design considerations, the proposed extension, by reason of its size would be contrary to policies COR1, DMD1b and DMD24 of the Dartmoor National Park Development Plan and to the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.

The Panel convened on the site and took the opportunity to view the building and the surrounding estate. The Planning Officer explained the proposal as presented, referring to the plans and elevations.

Representatives from the Town Council attended and reiterated its support for the proposal. They felt that this provided a sensible solution for the needs of the family and noted that there was no impact on the neighbours. They advised that there are very few larger houses available in Ashburton and this was a good way of providing a large family dwelling and this proposal would prevent the loss of another young family to another parish.

The Panel was in favour of the proposed addition as a practical way of resolving the need for larger family homes in Ashburton. Members acknowledged the policy dilemma presented but, on balance, felt that the proposed solution would be sympathetic to the existing Cornish Unit.

ORIGINAL REPORT TAKEN TO DEVELOPMENT MANAGEMENT COMMITTEE ON 06/04/2018

7. Application No: **0064/18** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission -
Householder** Parish: **Ashburton**
Grid Ref: **SX752704** Officer: **Helen Maynard**
Proposal: **Erection of two-storey side extension**
Location: **34 Westabrook, Ashburton**
Applicant: **Mr & Mrs Nicholas & Gemma
Laity**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. In the absence of any overriding need or clear design considerations, the proposed extension, by reason of its size would be contrary to policies COR1, DMD1b and DMD24 of the Dartmoor National Park Development Plan and to the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.

Introduction

34 Westabrook is a semi-detached property within the Westabrook housing estate to the north of Ashburton. This application proposes a two-storey side extension.

The application is presented to the Committee in view of the comments from the Town Council.

Consultations

Teignbridge District Council: Does not wish to comment.
County EEC Directorate: No highway implications
Environment Agency: Flood zone 1. Standing advice applies.
DNP - Ecology & Wildlife Conservation: No impact on ecology.

Parish/Town Council Comments

Ashburton TC: Support.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR2 - Settlement Strategies
COR4 - Design and sustainable development principles
DMD1a - Presumption in favour of sustainable development
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD24 - Extensions and alterations to dwellings
DMD4 - Protecting local amenity
DMD7 - Dartmoor's built environment

Representations

None to date.

Observations

PROPOSAL

This application proposes a two-storey side extension to provide enlarged living accommodation on the ground floor and two additional bedrooms on the first floor. The proposed materials are to match the existing dwelling: clay roof tiles, brick walls at ground floor, clay wall tiles at first floor with white PVCu windows. Two large French windows are proposed - one on the front elevation and one on the rear elevation.

The property would move from a modest three bedroom dwelling to a five bedroom property.

POLICY CONSIDERATIONS

The National Planning Policy Framework (NPPF) recognises good design is a key aspect of sustainable development, indivisible from good planning. Development should respond to local character and history, and reflect the identity of local surroundings and materials. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

Policies DMD1, COR1, COR4 and DMD7 establish the objectives for conserving and enhancing the character and appearance of Dartmoor's built environment. This is reflected in The English National Parks and Broads UK Government Vision and Circular 2010.

Policies DMD7 and COR4 set out design considerations for new development, notably; scale, height, alignment, layout, detailing and materials. The proposed design and materials are to match the existing building- with a mansard roof. The property is a semi-detached "Cornish" unit forming part of a wider estate on this aspect of the town. There are no objections to the proposed finishing of the building.

Policy DMD24 requires extensions to not increase the habitable floor space of the existing dwelling by more than 30%, be consistent with advice contained in the Dartmoor Design Guide and not to adversely affect the appearance of the dwelling and its surroundings. The 30% floor space increase is reiterated in the Design Guide.

Policy DMD4 sets out the objectives for protecting residential amenity and policies DMD14 and COR7 establish the requirement to safeguard biodiversity and protected species.

The extension is not considered to be subservient to the existing dwelling and overwhelms the existing building. The DNPA Design Guide states that extensions should be set back from the main elevation and any side extension should not have a width greater than half the width of the original house. The proposed extension at ground floor level, including the flat roof projection is wider than half the original house. The characteristic of this estate is one of symmetry provided by the terraces of semi-detached "Cornish" units. While they are not architecturally significant in their own right, many retain their simple original form. The proposed extension by reason of its scale, would dilute that quality. The flat roofed side extension does not enhance this approach. The proposed extension would present a 56% increase in habitable floor space; a significant increase in accommodation which would take

ORIGINAL REPORT TAKEN TO DEVELOPMENT MANAGEMENT COMMITTEE ON 06/04/2018

the property from a modest and affordable 80sqm to one with five bedrooms and a floor area of 125sqm.

Policy DMD24 states that householder developments should not adversely affect the appearance of the dwelling even if not generally visible from public viewpoints. In this particular case, it is clear that the symmetry of the semi-detached properties will be compromised by the proposed development.

There are no special circumstances or clear design considerations that would outweigh this policy requirement and allow for this large two-storey extension. There could be alternative ways of designing an extension to take advantage of the views from this dwelling and meet the needs of the occupiers which could have less of an impact.

IMPACT ON NEIGHBOUR AMENITY

Having regard to the scale, design, orientation and layout of the proposed development, relative to neighbours and adjacent site levels, it is not considered that the proposed development would harm the residential amenities of neighbouring occupiers. No representations have been received from the immediate neighbours.

CONCLUSION

While it is acknowledged that the design approach has sought to mimic the style of that which currently exists, there is a fundamental conflict with the application of policies intended to restrict the size of extensions relative to the existing property.

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

04 May 2018

APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Report of the Head of Development Management

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0158/18 - Rear of Millaton, Chagford



Scale 1:500



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1. Application No: **0158/18** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Chagford**
Grid Ref: **SX699875** Officer: **Helen Maynard**

Proposal: **Replace existing single garage with double length garage**

Location: **Rear of Millaton, Old Fire Station, Chagford**

Applicant: **Mr S Hill**

Recommendation **That 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 proposed development shall, in all respects, accord strictly with drawings: site location plan, block plan and drawing SH-G-PE-01 received 26 March 2018.
3. The vehicular access doors of the garage hereby approved shall, unless otherwise previously agreed by the Local Planning Authority in writing, be of vertical timber boarded construction.
4. Prior to the commencement of the development hereby approved, samples of all proposed surfacing, external facing and roofing materials shall be submitted to the Local Planning Authority for approval; thereafter unless otherwise agreed by the Local Planning Authority in writing, only approved surfacing, external facing and roofing materials shall be used in the development.
5. Unless otherwise agreed in writing by the Local Planning Authority, all external doors and windows in the development hereby permitted, shall be of timber construction and shall at all times thereafter be retained as timber framed windows and doors.

Introduction

The site is located to the south-west of Millaton. It is accessed along the track off Manor Road, adjacent to Millaton. The site is located on the edge of, but outside, the Chagford Conservation Area.

This application proposes the replacement of an existing garage.

This application is presented to Members due to the applicant being a Member of the Authority.

Planning History

03/08/0914/84 Erection of a private lock-up garage.
Full Planning Permission Grant Conditionally 07 September 1984

Consultations

West Devon Borough Council: Does not wish to comment.

County EEC Directorate: No highway implications.

Environment Agency: Flood zone 1. Standing advice applies.

Parish/Town Council Comments

Chagford PC: Support

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR4 - Design and sustainable development principles

DMD1a - Presumption in favour of sustainable development

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

DMD24 - Extensions and alterations to dwellings

DMD4 - Protecting local amenity

DMD7 - Dartmoor's built environment

Representations

None to date.

Observations

PROPOSAL

This application proposes the replacement of an existing single garage with a larger 2 car garage.

The site is located within an enclosed strip of land bordered by the garden of the property 'Stonewalls' and the garden of the property 'Lookover'. The site is bounded by a 3.5m hedge to the south and a 2.5m stone wall to the north, as such its significantly constrained.

The existing garage is approximately 12.5sqm and accommodates one modest sized car. The existing garage is still functioning but is in a poor state of repair. It is constructed in rendered blockwork, corrugated metal roof with timber doors. The building is approximately 2.5m in height.

The proposed garage is to be approximately 27.5sqm. The proposed height is the same as the existing building (approximately 2.5m). It comprises a double length garage with a simple mono-pitch corrugated metal roof and timber clad walls. The materials and design are similar to the existing garage and are considered appropriate to the local environment.

The steeply sloping ground to the rear of the existing garage is to be excavated, to a maximum of approximately 1.5m to accommodate the new garage building.

ASSESSMENT

The proposed replacement building would occupy the same position as the existing garage but will extend further back into the site on its eastern side. The site is significantly constrained, and the proposed replacement building would be no more visible than the existing garage and there is no additional increase in height.

The garage would be domestic in scale and is located in a discreet location and is significantly

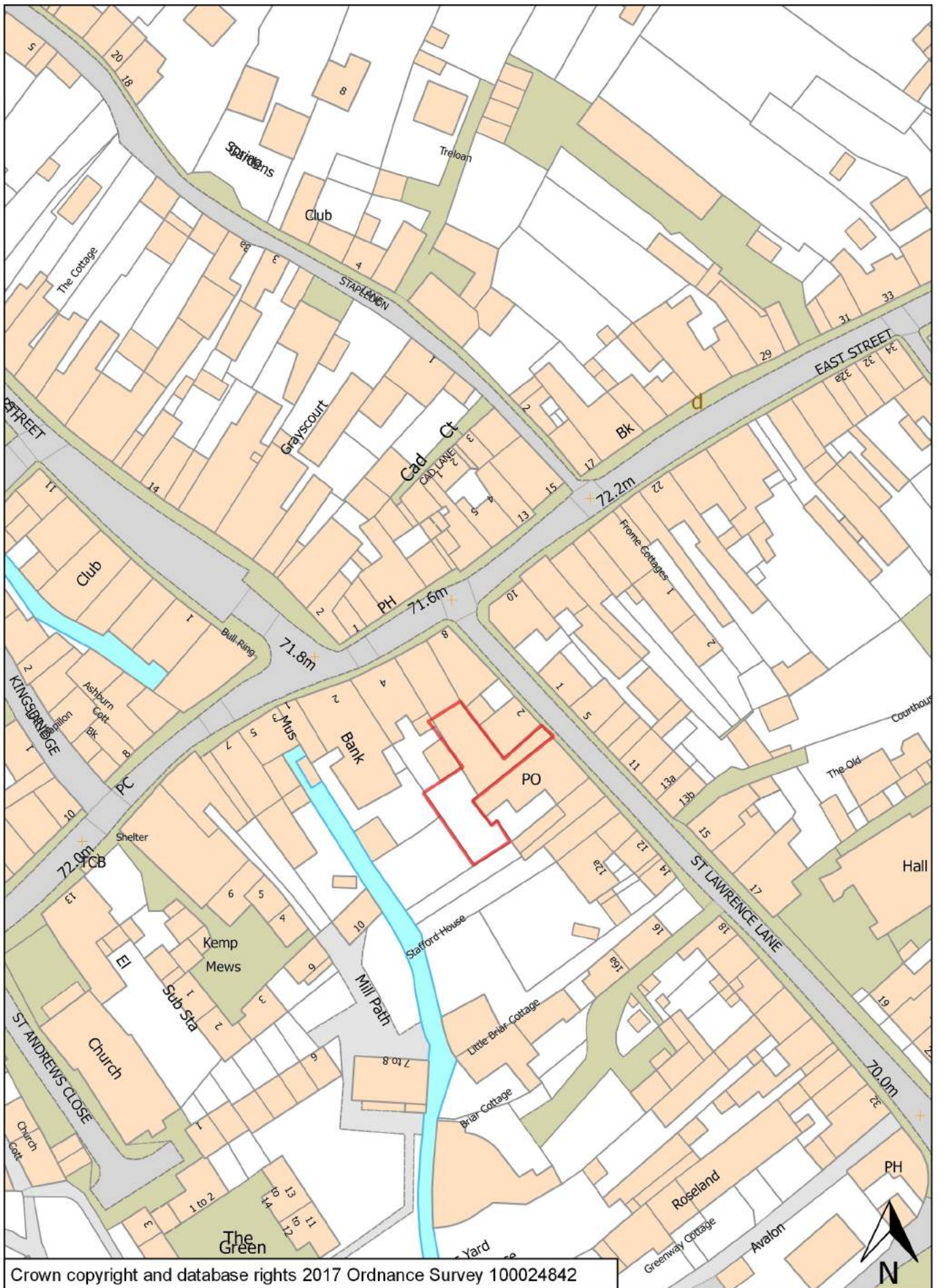
screened from neighbouring properties. No representations have been received from neighbours.

The proposal would demonstrate a scale and design which would be appropriate to its surroundings, in accordance with policies COR4, DMD7 and the advice contained in the Authority's Design Guide. The proposed development represents a positive enhancement of the existing dilapidated building on the site.

0066/18 - 6 East Street, Ashburton



Scale 1:1,000



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2. Application No: **0066/18** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **Ashburton**
Grid Ref: **SX756698** Officer: **Helen Maynard**

Proposal: **Change of use of rear of building and rear courtyard to mixed use comprising A1 (Shop), A3 (Restaurant/café) and B2 (workshop) and internal alterations**

Location: **6 East Street, Ashburton**

Applicant: **Mrs A Dunscombe**

Recommendation **That 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. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be carried out strictly in accordance with drawings numbered 1801 P01; 1801 P02; 1801 P03; 1701 P04 received 31 January 2018.
3. Noise arising from the use of any mechanical or electrical equipment used in association with the development hereby approved shall not exceed the background noise levels of 42dB unless otherwise agreed in writing by the Local Planning Authority.
4. The acoustic silencer hereby approved shall be installed and completed prior to the extraction system being brought into use and shall achieve levels of sound reduction in accordance with the Noise Impact Assessment for the Re-development of Rear of 6 East Street, Ashburton dated 19 March 2018.
5. The number of tables to be located within the rear courtyard shall not exceed 9.
6. The use of the courtyard for dining shall only operate between the hours of 0900 and 2100 hours.
7. Unless otherwise agreed in writing by the Local Planning Authority, external doors and windows to the courtyard in the development hereby permitted, shall be of aluminium construction and shall at all times thereafter be retained as aluminium framed windows and doors.
8. No plant, machinery or equipment hereby approved shall be operated on the premises between the times of 0900 and 2100 hours Monday to Friday and 0900 and 2200 hours on Saturdays and Sundays.
9. No external lighting shall be installed without written permission from the Local Planning Authority.

Introduction

6 East Street is a Grade II listed building within the Ashburton Conservation Area and Central Shopping Area. The building relates to a 19th Century house with motor works. The front ground floor portion of the building is occupied as a retail outlet. The rear is currently vacant; it was formerly a workshop for the construction of kitchen units.

This application proposes the change of use of the rear of the building and courtyard to a

mixed use comprising A1, B2 and A3 class uses.

This application is presented to Members in view of the Town Council objection to the application.

Planning History

0067/18	Installation of extraction duct and grille, alterations to internal block walls, installation of toilet cubicles and replacement of external courtyard doors Listed Building Consent	Grant Conditionally	23 March 2018
0463/17	Change of use of rear workshop to workshop/retail, provision of tea room facilities, replacement doors to rear, demolition of internal wall and internal alterations to provide toilet facilities Full Planning Permission	Grant Conditionally	10 November 2017
0464/17	Change of use of rear workshop to workshop/retail, provision of tea room facilities, replacement doors to rear, demolition of internal wall and internal alterations to provide toilet facilities Listed Building Consent	Grant Conditionally	09 November 2017
0156/16	Change of use of workshop and internal alterations to extend retail floor space Change of Use	Grant Unconditionally	16 May 2016
0157/16	Change of use of workshop and internal alterations to extend retail floor space Listed Building Consent	Grant Conditionally	16 May 2016
5/2/0835/31/5D	RAC & AA signs Advertisement Consent	Grant Unconditionally	13 June 1975
5/2/0836/31/3D	Replacement of entrance doors and ancillary works Full Planning Permission	Grant Unconditionally	13 June 1975

Consultations

Environment Agency:	Flood zone 2 and 3. Standing advice applies.
Teignbridge District Council:	Does not wish to comment.
County EEC Directorate:	No highway implications.
DNP - Building Conservation Officer:	The proposed works are not considered to have an adverse impact on the significance of this listed building.
Teignbridge District Council (EHO):	Due to the close proximity of residential dwellings complaints of noise and odour nuisance may be received. The applicant should submit technical details of any mechanical kitchen extraction system in sound pressure levels at one metre (LAeq@1m) and the proposed methodology for the control of noise and odour from kitchen exhaust systems. The applicant should also state the intended times of opening for the proposed restaurant/café in addition to the areas allocated for the storage and subsequent disposal of food waste.

UPDATE: Having studied the information contained in the

noise report the EHO officer is satisfied that the figures quoted together with recommendations given by the Sound Consultant, it would prove sufficient to mitigate noise levels to an acceptable degree and enable this application to be approved.

Parish/Town Council Comments

Ashburton TC: Object. People talking, the kitchen, extraction system, the movement of tables and chair and external lighting will create noise, odour and light disturbance to other business owners who live above the adjacent shops.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR2 - Settlement Strategies

COR4 - Design and sustainable development principles

COR5 - Protecting the historic built environment

COR9 - Protection from and prevention of flooding

DMD12 - Conservation Areas

DMD19 - Sustainable Communities

DMD1a - Presumption in favour of sustainable development

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

DMD4 - Protecting local amenity

DMD7 - Dartmoor's built environment

DMD8 - Changes to Historic Buildings

Representations

5 letters of objection 7 letters of support

Objection

- There are already enough cafes in Ashburton
- Lack of demand for café/restaurant
- Noise from customers
- Odours from kitchen extractor fans
- Storage of rubbish attracting rodents
- Not enough information submitted.
- Fire regulations not met
- Increased traffic
- Loss of privacy

Support

- New business good for Ashburton
- Increase footfall to the town will bring more visitors
- Help Ashburton's economy
- Benefits outweigh limited harm to neighbours
- Commercial activity is normal in a town centre - previous use was manufacturing which was equally noisy to residents

- Not suitable for residential use so this is a good use of a vacant building.
- Provision of employment

Observations

PROPOSAL

The proposal seeks to change the use of the rear portion of the ground floor at 6 East Street to provide a mixed use unit comprising retail, workshop, cafe & restaurant.

The applicant has advised that the retail element is the core of the existing business and is a substantial part of the overall space and not a subsidiary to the café/restaurant element. The applicant intends to renovate and sell antiques and run a restaurant/café to make the business more viable.

Works include: the provision of a disabled toilet within the existing retail unit and in the rear workshop; erection of an extraction duct; removal of some concrete block wall and replacement of the rear external doors with aluminium bi-fold doors.

The first and second floors comprise residential accommodation. No change is to be made to this part of the building.

The building is Grade II listed and located at a prominent location in the Conservation Area. The access to the building is on St. Lawrence Lane.

PLANNING HISTORY

In November 2017 planning permission was granted for the change of use of the rear part of the building (excluding the courtyard) to provide a workshop, retail and tea room (ref: 0463/17). That permission has not yet been implemented as the applicant has submitted the application subject of this report to include the courtyard area and a restaurant use. It is the Officer's understanding that the permission will be implemented if the application subject of this report is unsuccessful.

An application for listed building consent has been recently approved for the proposed alterations to the fabric of the building (ref: 0067/18).

POLICY CONTEXT

The site is in a Local Centre. Policy DMD19 supports development that is intended to improve the range of community facilities within the National Park. DMD19 allows for development for cafes/restaurants within the defined settlement boundaries of Local Centres, where they are well related to the centre of the community they are intended to serve. The principle of the use is therefore acceptable.

The ground floor plan appears to have been substantially modified in the past and the proposed alterations will not result in the loss of historic fabric and will have a neutral impact on the significance of the grade II listed building. Joinery details for the proposed new toilet door are required for the recently approved Listed Building application. It is considered that in this context the external alterations to the building associated with the change of use to a restaurant will cause minimal harm to the significance of the building and that any harm is outweighed by the public benefits of the proposal in terms of beneficial use of the building and

thus the proposal is in accordance with DMD8 and DMD12.

The site is within the medium and high risk flood zones, however, the proposal does not present any change to flood vulnerability of uses and all existing ground floor levels will be maintained.

It is not clear whether signage will be introduced but it is likely that this will be the subject of a separate advertisement application.

The works associated with the change of use are considered to preserve the character and appearance of the conservation area. The proposal is in accordance with DMD12.

NEIGHBOUR AMENITY

A number of neighbours and the Town Council have submitted comments raising concerns regarding the amenity of the neighbours. The nearest residential property (6 St. Lawrence Lane) is approximately 1.5m from the courtyard. The nearest property on Mill Path (10 Mill Path) is approximately 20m from the courtyard and the property on Kemp Mews (4 Kemp Mews) is approximately 31m from the courtyard.

This is an existing business in a town centre location, where one would expect retail and café/restaurant units to be located. The nature and scale of the business is not considered to detract from the residential amenity of the neighbouring occupiers subject to appropriate conditions relating to the opening hours. The proposed use is considered to be less intrusive to neighbours than the former, permitted use (a workshop for the construction of kitchens).

Following receipt of a noise impact assessment the Environmental Health Officer is satisfied that the information submitted, together with the recommendations given by the Sound Consultant, are sufficient to mitigate noise levels to an acceptable degree and that planning permission can be granted subject to appropriate conditions.

CONCLUSION

The Authority aims to help in sustaining and improving the range and quality of commercially provided facilities such as shops, post offices and public houses that are important to the continued vitality of Dartmoor's communities. The proposal will help to sustain this retail unit in Ashburton's vibrant central shopping area and will not compromise the other uses in the building. The proposal will improve the range of facilities within Ashburton and contribute to improving the well-being of the resident population of the local community. It is well related to the build form of the building and does not require substantial alteration to the Listed Building. The proposal will not conflict with policies COR12, COR18 and DMD19.

The application is recommended for approval subject to appropriate conditions.

0117/18 - 4 Lewthorn Cottages



Scale 1:1,000



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3. Application No: **0117/18** District/Borough: **Teignbridge District**
 Application Type: **Full Planning Permission - Householder** Parish: **Ilington**
 Grid Ref: **SX779761** Officer: **Helen Maynard**
 Proposal: **Removal of flat roof extension and erection of two-storey extension and conservatory**
 Location: **4 Lewthorn Cottages, Ilington**
 Applicant: **Mr J Ash**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed extension by virtue of its inappropriate scale, massing and design would fail to conserve or enhance, and would be detrimental to, the character and appearance of the host dwelling and this part of the National Park, contrary to policies COR1, COR4, DMD1a, DMD1b, DMD7, and DMD24 of the Dartmoor National Park Development Plan and to the advice contained in the English National Parks and the Broads UK Government Vision, Circular 2010, the National Planning Policy Framework 2012 and the Dartmoor National Park Design Guide.

Introduction

The property at 4 Lewthorn Cottages, Ilington, is an end-terrace dwelling fronting onto the lane to the east side of the row of cottages. The property is accessed from the west elevation via the service track to the rear of the properties. It is located 400m west of Ilington village.

It is a two-storey dwelling with a previously constructed two-storey, flat roofed extension on the front elevation.

The proposal submitted is for the removal of the flat roofed extension and its replacement with a three storey pitched roof extension on the east elevation and a conservatory. It would provide a utility and bathroom at ground floor, a bedroom and bathroom at first floor level and a bedroom at second floor level.

The application is presented to Members in view of the Parish Council support of the application.

Planning History

0612/17	Removal of flat roof extension and erection of two-storey extension and conservatory	Full Planning Permission - Householder	Refused	02 February 2018
5/1/1230/09/1	Agricultural dwelling, stores etc. intensive market gardening	Outline Planning Permission	Refused Result: Dismissed	14 March 1975

Consultations

Environment Agency: Flood zone 1. Standing advice applies.

Teignbridge District Council:	Does not wish to comment.
County EEC Directorate:	No highway implications.
DNP - Ecology & Wildlife Conservation:	Works to proceed in accordance with the recommendations in the ecological survey report (David Wills, 28 November 2017)
Teignbridge District Council (EHO):	<p>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 the developer has submitted, and obtained written approval from the Local Planning Authority for an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.</p> <p>Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority</p>

Parish/Town Council Comments

Ilington PC:	Support - Improved visual appearance and supports additional family accommodation.
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Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR2 - Settlement Strategies
COR4 - Design and sustainable development principles
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD24 - Extensions and alterations to dwellings
DMD7 - Dartmoor's built environment

Representations

None to date.

Observations

PROPOSAL

This application proposes the removal of the flat roofed extension and its replacement with a three storey gable extension. The key changes to the proposal when compared to the previously refused scheme (ref: 0612/17) are:

1. Materials changed from fully glazed gable extension to rendered extension with reduced

number of windows

2. Reduced width of extension (east elevation) at second storey level
3. Roof material of conservatory changed from zinc to slate

The proposed extension has a rendered gable with stone quoins for the upper two-storeys with one casement window on the front (east) elevation and a large extent of patent glazing on the side (north elevation). The south elevation is to be of natural stone walling. The ridge of the extension would match that of the host dwelling and be roofed in tiled roof slates. The glazing would be framed in oak and the flank walls constructed in stone. It would project 7.5m from the ridge, 5.6m from the rear elevation, and be 8.2m from ground level to ridge.

There is also a conservatory extension proposed over the original front door which would be 2.7m high, 4.6m wide across the frontage and 2.4m deep. This would have a dwarf stone wall and glazed front and flank wall with a slate roof.

The extension would extend the floor area by 30%, which is within the threshold of domestic householder extensions permitted by policy DMD24.

POLICY

The National Planning Policy Framework (NPPF) recognises good design is a key aspect of sustainable development, indivisible from good planning. Development should respond to local character and history, and reflect the identity of local surroundings and materials. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

Policies DMD1, COR1, COR4 and DMD7 establish the objectives for conserving and enhancing the character and appearance of Dartmoor's built environment. This is reflected in The English National Parks and Broads UK Government Vision and Circular 2010.

Policies DMD7 and COR4 set out design considerations for new development, notably; scale, height, alignment, layout, detailing and materials.

Policy DMD24 requires extensions to not increase the habitable floor space of the existing dwelling by more than 30%, be consistent with advice contained in the Dartmoor Design Guide and not to adversely affect the appearance of the dwelling and its surroundings. Both DMD7 and DMD24 require a design approach which is consistent with the Authority's Design Guide. It is also acknowledged in the Design Guide that small original buildings have less opportunity to extend. The Design Guide also identifies that eaves and ridge heights of extensions should be no higher than the existing house and the roof pitch should match the existing, in this particular case it is considered by officers that this applies to the roofline of the whole terrace.

The Dartmoor Design Guide requires high quality locally distinctive design and stipulates that scale is a major issue with all extensions to existing properties. It advises that new extensions should not overwhelm the existing property and should be set back from the main elevation. It states that buildings that have been extended previously can reach a point where further extensions dominate the original dwelling to the point of being inappropriate to the site and building.

Policy DMD4 sets out the objectives for protecting residential amenity and policies DMD14 and COR7 establish the requirement to safeguard biodiversity and protected species.

PRE APPLICATION ADVICE

Despite extensive discussions with the applicant following the refusal of the scheme earlier in the year, there has been little acknowledgement of the need to fundamentally re-think the design approach to the extension of this property.

ASSESSMENT

The proposed scheme fails to adhere to the design principles set out in policy and the Design Guide and the proposed extensions would overwhelm the original proportions of terrace, undermining the scale, proportions and character of the original terrace plan. The proposed high ridge line presents an uneasy design that could not be argued to be of high quality or locally distinctive. The reduced width of the upper floor of the extension provides a very steep pitch and creates uneasy proportions which are not reflected elsewhere on this simple terrace.

The extension is of a form that is not considered to be acceptable, in this case the proposed development would harm the character and appearance of the small end-terraced cottage by introducing a poorly designed prominent feature to the front elevation. The removal of the existing flat roof extension is welcomed, however its replacement with a dominant extension on the front of this modest cottage is not considered appropriate.

The extension would extend the floor area by 30% which is within the threshold of domestic householder extensions. This is only appropriate however where the design is acceptable.

This modest cottage cannot suitably host a very large extension such as this, despite the materials predominantly matching the existing dwelling. The fenestration design does not reflect the character of the site, and are poorly proportioned particularly the second storey and where the extension wraps around the sides of the projection.

Although Officers are sympathetic to the needs of the applicant and advice has been given that other measures may be possible to assist in providing adequate accommodation for the applicant's family, this does not outweigh the considerations outlined above.

IMPACT ON RESIDENTIAL AMENITY

Despite the proposed increase in massing and height of the building, it is considered that, on balance, the proposal would not result in a significant loss of amenity for local residents and therefore raises no conflict with that part of policy DMD4.

CONCLUSION

Although the proposed extension complies with the floor space requirements of DMD24, the impact of the extension on the dwelling is considered to harm the character and appearance of the building and the wider setting and the integrity of the terrace. It remains a poorly considered scheme in relation to the simple cottage and is therefore contrary to the provisions of policy DMD7 and DMD24.

0144/18 - Blindfield Meadow



Scale 1:1,250



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4. Application No: **0144/18** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Throwleigh**
Grid Ref: **SX689885** Officer: **Jo Burgess**

Proposal: **Remove existing nissen hut and erect general purpose livestock building**

Location: **land at Blindfield Meadow, Murchington**

Applicant: **Mr & Mrs R Davis**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed building by virtue of its isolated location, size, together with the extent of excavations, will not conserve or enhance what is special and locally distinctive about the pastoral character of this landscape contrary to policies COR1, COR3, DMD1b, DMD5 and DMD34 of the Dartmoor National Park Development Plan and the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.

Introduction

The site is adjacent to the road in a field which forms part of a 14.5ha (38.5 acre) holding upon which the applicants have established a beef and sheep enterprise. The only building on the land is a post-war Nissen Hut immediately inside the gate from the highway. The proposed building is to be sited partially on the footprint of the Nissen Hut.

It is proposed to construct a general purpose building (27m x 12m). The ridge of the building will be 5.3m to the ridge with the floor level of the building being a maximum of 1.2m below natural ground level. A new hedgebank is proposed to the north and east of the building.

The application is presented to Committee in view of the support received from the Parish Council.

Planning History

0452/17	Erection of general purpose livestock building (12m x 27m)		
	Full Planning Permission	Refused	04 December 2017
0114/17	Erection of two general purpose agricultural buildings		
	Full Planning Permission	Refused	10 April 2017
0519/16	Erection of general purpose agricultural building		
	Full Planning Permission	Refused	17 November 2016

Consultations

West Devon Borough Council: Does not wish to comment

County EEC Directorate: No highway implications

Environment Agency: Flood Risk Zone 1 - standing advice applies

DNP - Trees & Landscape: The proposed development will have an impact on local landscape character. The isolated building and the

excavation works necessary to create a level site will inevitably alter the character of the grazed pasture. The proposed development is poorly related to other buildings and it does not reflect the agricultural pattern found in this landscape. Most agricultural buildings are found in folds of the landform and not on high prominent parts of the land. The site will be very visible in the landscape, from minor roads and Meldon Common. From these viewpoints the building will appear as an isolated structure that has little relationship with other farm buildings and will be a visually intrusive feature in the landscape. The development will also have a significant impact on the historic field system.

Parish/Town Council Comments

Throwleigh PC: Support because the applicant is from a local farming family wanting to care for their livestock. The hedge along the roadside will be allowed to grow and added to with additional planting

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR2 - Settlement Strategies

COR3 - Protection of Dartmoor's special environmental qualities

COR4 - Design and sustainable development principles

DMD1a - Presumption in favour of sustainable development

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

DMD34 - Agricultural and forestry

Representations

1 letter of objection 2 letters of support

Two letters of support have been received referring to the reduction in height of the building, the quality of the applicants land and stock, his local links and role in the community. Reference is also made to the contribution made by farmers to the maintenance of the landscape.

A nearby resident has objected on grounds that the same reasons given in respect of previous applications still apply. It is stated that the application is on the crest of a ridge of high ground that runs south from Way Down and is visible over a very large area. The raising of the hedges does not affect the fundamental problem that this is the wrong place for a development of this type.

Observations

INTRODUCTION

The applicants have established a beef and sheep enterprise on 14.5ha (38.5 acres) of land at Murchington. This comprises 38 suckler cows with calves at foot, an additional 30 head of young cattle, together with a flock of 180 breeding ewes. The applicants also graze 32.3ha (80 acres) of local grass within a 10 mile radius.

The applicants live at Leigh Bridge Farm 2km (1.24m) away. The buildings at Leigh Bridge Farm are the base for the enterprise operated by the applicant's brother.

It is proposed to erect a general purpose livestock building which will be open on three sides with treated timber boarding above concrete wall panels on the prevailing (west) elevation. The roof will be anthracite grey fibre cement corrugated roof sheets with one rooflight per bay on the east and west elevations. The building will have six bays and will be 5.3m high at the ridge. The previously proposed building was 6.1m to the ridge.

In order to create a level site it will be necessary to excavate an area nearly 50m long and 23m wide to a maximum depth of 1.2m. New Devon hedgebanks will be constructed on the north and east sides of the site.

The size of the building (27 x 12m) has been justified against the current livestock numbers and has a total floor space of 324sqm. It is argued that this is the minimum size required to sustain their livestock numbers and ensure the stability of their farming enterprise. It is clear that there is a demonstrable need for a building of this size that is proportionate to the use of the land.

PLANNING HISTORY

An application (ref 0452/17) for a building measuring 27 x 12m on a site to the east was refused following a site inspection by Members in November 2017 for the following reason - 'The proposed building by virtue of its isolated location, size, together with the extent of excavations relating to its siting and the access track will not conserve or enhance what is special and locally distinctive about the pastoral character of this landscape contrary to policies COR1, COR3, DMD1b, DMD5 and DMD34 of the Dartmoor National Park Development Plan and the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.'

An application (ref 0519/16) for a building measuring 27 x 12m on a site adjacent to the road but further north and further out into the field was refused in November 2016 for a similar reason.

A further application (ref 0114/17) for two agricultural buildings measuring 18.3 x 9.1m on a similar site (which very slightly overlaps the site being proposed) was also refused in April 2017.

POLICY

COR2 & COR18 - Policy COR2 states that 'Outside settlements development will be acceptable in principle if it is necessary to meet the proven needs of farming'. Policy COR18 states that outside classified settlements local employment and business opportunities will be sustained by ... support for development to assist the agricultural sector.

DMD34 - Agricultural related development will be permitted where there is a demonstrable need that is proportional to the use of the land, it relates well to local landscape features and other building groups, it is located and orientated with respect to local topography so as to reduce intrusive effects, it demonstrates a scale and form that is well related to its function, will not cause unacceptable harm to amongst other things natural drainage and efficient use is made of existing buildings.

It is recognised that there is a need that is proportional to the use of the land and the building is of an appropriate size to serve its purpose; however it is a large isolated building that does not relate well to other building groups. In this respect the proposed building is considered to be contrary to policy DMD34.

LANDSCAPE IMPACT

Policy COR1 requires that development respects or enhances the character of the local landscape and Policy COR3 requires that development conserves or enhances the characteristic landscapes that contribute to Dartmoor's special qualities.

Policy DMD5 with reference to the Landscape Character Assessment states in addition that development should respect the valued attributes of landscape character types. In this case this includes a strong pattern of medieval fields and pastoral fields and there are few isolated buildings in this landscape.

The building will be very much in the public view despite it being excavated into the ground. The proposed new hedge bank and additional planting of the road side hedge is welcome but it is not considered that in the short or longer term it will provide appropriate mitigation. It will clearly be visible from the immediate and the wider area and will be out of character with the surrounding pattern of development in a landscape dominated by a historic field system which is pastoral in character. It is considered that the proposed building will be an isolated building which by virtue of its location, size and position, will have a detrimental impact on the character of the immediate and wider landscape. It is therefore considered that it is contrary to policies COR1, COR3 and DMD5.

OTHER MATTERS

There will be no foul water to dispose of. Straw dung will build up under the cattle when they are housed in the winter and will be spread on the land providing natural fertiliser in the spring/summer months. Clean surface water will be dealt with by means of soakaway. Infiltration tests have been carried out to demonstrate that the soil will accommodate this.

REPRESENTATIONS

Together with the objection letter referred to above, two letters of support have been received referring to the reduction in the height of the proposed building, the quality of the applicant's land and stock, the role of farmers in maintaining the landscape, the applicant's local links and role in the community.

SUMMARY

The Parish Council has supported the application, citing need and the proposal for additional planting of the roadside hedge which will also be allowed to grow. One letter of objection has been received raising similar concerns to those expressed by officers.

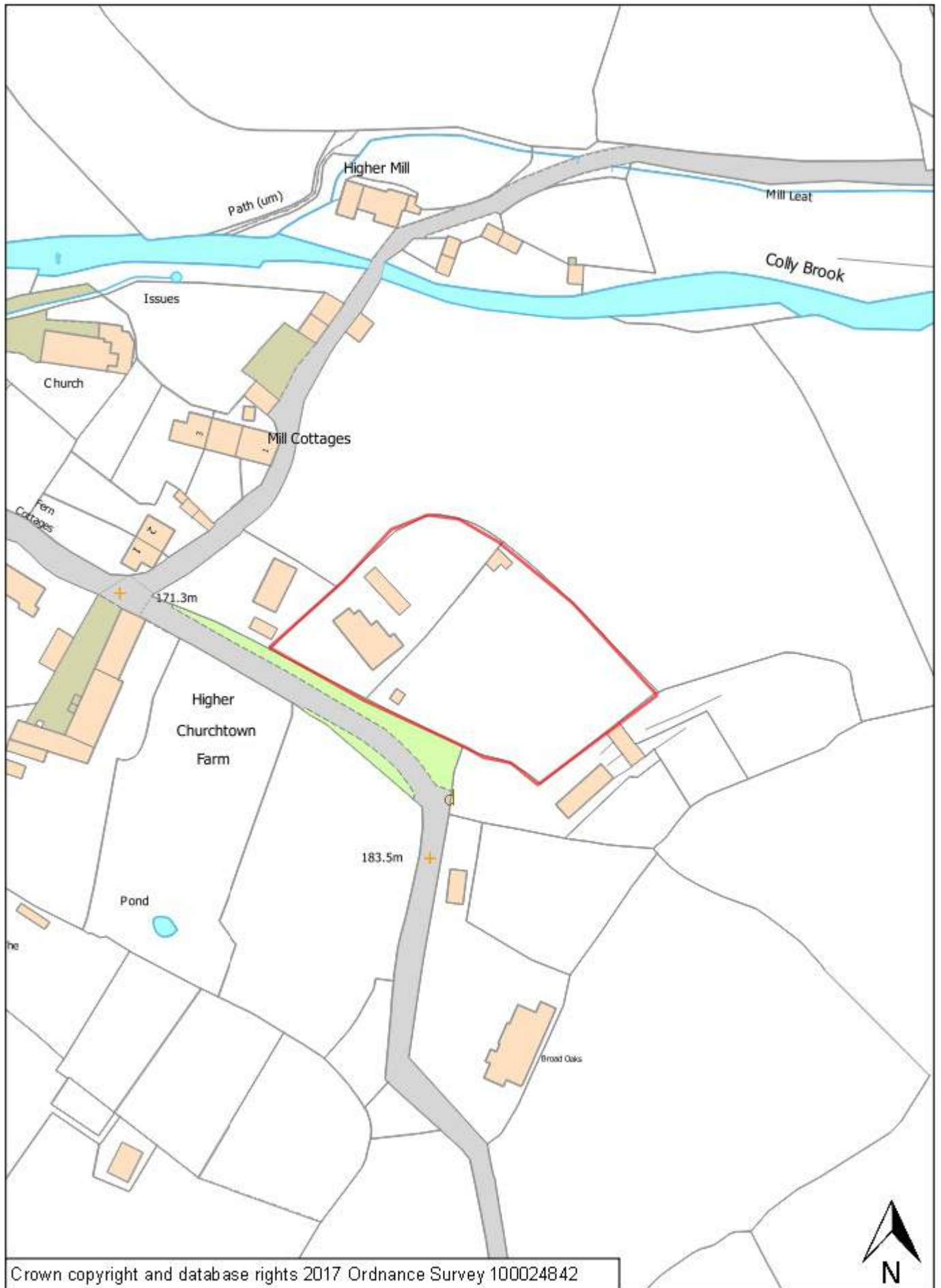
It is acknowledged that the building shares part of its footprint with the existing Nissen Hut. Officers have concluded that the need for the building is proportionate to the use of the land and it is acknowledged that the applicant has sought to address the concerns raised by Members, when considering the previous application, in terms of the footprint and location. It is also recognised that the height has been reduced.

However an isolated building which requires significant excavation will result in a development that will not conserve or enhance landscape character. While there may be a need for an agricultural building to serve this particular land holding, despite numerous attempts, it has proved difficult to find a solution which does not have an unacceptable impact in this sensitive location. In this case the needs of the farming business should be carefully assessed against the undoubted landscape impact of this substantial building. Once again, the need is not considered to outweigh the substantial harm that would be caused by the proposed development in this location.

0113/18 - Southernwood Peter Tavy



Scale 1:1,250



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5. Application No: **0113/18** District/Borough: **West Devon Borough**
 Application Type: **Full Planning Permission - Householder** Parish: **Peter Tavy**
 Grid Ref: **SX515775** Officer: **Jo Burgess**

Proposal: **Erection of single storey extension to south east of existing property. Erection of studio workspace to north east together with cladding to original bungalow with rendered insulation system**

Location: **Southernwood, Peter Tavy**

Applicant: **Mr & Mrs Seez-Magner**

Recommendation **That 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. Prior to the commencement of the development hereby approved, samples of all proposed external facing and roofing materials shall be submitted to the Local Planning Authority for approval; thereafter unless otherwise agreed by the Local Planning Authority in writing, only approved external facing and roofing materials shall be used in the development.
3. A sample panel of stonework shall be prepared for inspection by the Local Planning Authority and no stonework shall be carried out until the sample panel has been inspected, and approved by, the Local Planning Authority.
4. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements of the ecological survey report dated 22 February 2018.

Introduction

Southernwood is a detached extended bungalow in substantial grounds on the edge of Peter Tavy.

It is proposed to erect a single storey extension to the rear of the extended section of the bungalow, erect a studio workspace at the rear of the original bungalow and clad the original bungalow with rendered insulation.

The application is presented to Committee in view of the Parish Council's comments.

Planning History

0076/07	Single storey rear extension containing kitchen and bathroom, plus insertion of windows and rooflights into workshop/shed at rear		
	Full Planning Permission	Grant Conditionally	20 March 2007
0815/01	Demolition of garage and stables and extension of existing two-bedroom bungalow		
	Full Planning Permission	Grant Conditionally	07 March 2002

Consultations

Environment Agency: Flood Risk 1 - standing advice applies

West Devon Borough Council: Does not wish to comment
County EEC Directorate: No highway implications
DNP - Ecology & Wildlife Conservation: Works shall not proceed until a European Protected Species Licence (EPSL) for the development has been obtained from Natural England and works shall proceed in accordance with the report.

Parish/Town Council Comments

Peter Tavy PC: Object - not in keeping with property or aim to retain smaller properties

Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR2 - Settlement Strategies
COR4 - Design and sustainable development principles
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD24 - Extensions and alterations to dwellings
DMD7 - Dartmoor's built environment

Representations

None to date.

Observations

INTRODUCTION

Southernwood is an extended brick bungalow on the outskirts of Peter Tavy. The 2007 permission permitted a linear extension to the rear of the bungalow where there is also a substantial corrugated iron workshop.

The property is in an elevated location, visible from the centre of the village to the west and open moorland to the north.

PRE-APPLICATION ADVICE

The applicants sought pre-application advice and as a result of the advice given, have amended the design of the extension to reduce the height of the ridge such that it is below the height of the ridge of the existing extension.

THE PROPOSAL

The proposed extension is single storey but at the upper garden level and connected to the existing single storey extension by means of a glazed link. In addition a small infill extension is proposed on the rear of the original building to provide an artist's studio.

The bungalow is brick construction with a slate roof. It is proposed to clad the bungalow with a rendered insulation system. In the National Park this cladding requires planning permission.

DESIGN

The proposed extension at the upper level has a mono-pitch roof, the highest point of which is 200mm below the ridge of the extended bungalow. It is to be clad in stone on the elevation facing the road, cedar cladding, self coloured render with substantial areas of glazing and a zinc standing seam roof.

Although it is sited on garden which is elevated above the bungalow, from the road it is well set back and the mono-pitch design means it will appear to be subservient to the main dwelling. The very top of the roof may be visible beyond the existing ridge but it is at a lower level and will not overwhelm the dwelling as the pre application proposal would have done. The form and design is considered to be acceptable in the context of DMD7 and the Design Guide.

The small flat roof extension on the rear of the existing bungalow is very modest and will be seen in the context of the large existing extension beyond and the corrugated iron workshop. The form and design is considered to be acceptable in the context of DMD7 and the Design Guide.

The render cladding will dramatically change the appearance of the dwelling but there are many other rendered properties within the village and with the overhanging roof and single storey construction, the character and appearance of the National Park will be conserved and enhanced.

Policy DMD24 requires that the total habitable floor space of the dwelling will not be increased by more than 30%. In this case the extensions together amount to 30.6% which is considered to be acceptable. The concerns of the Parish Council in this respect are acknowledged but are not considered to be material considerations.

ECOLOGY

The ecological matters can be dealt with by condition.

CONCLUSION

The Parish Council has objected to the application. It is of the opinion that the extensions are not in keeping with the current dwelling and the locality.

Officers are of the opinion that although the design is contemporary, it is modest, subservient and in the context of the existing extension when viewed from the north east, the extensions will present a coherent appearance to the rear of the dwelling.

From the front the lean-to at the upper level will be visually subservient and avoids excessive excavation. The applicants have amended the design to achieve an extension that does not dominate the existing dwelling.

The proposal is therefore considered to be acceptable.

0140/18 - Kingswood House South Brent



Scale 1:1,250



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6. Application No: **0140/18** District/Borough: **South Hams District**
Application Type: **Full Planning Permission** Parish: **South Brent**
Grid Ref: **SX699596** Officer: **Jo Burgess**

Proposal: **Extension to building with first floor terrace and alterations to front elevation**

Location: **Kingswood House, Exeter Road, South Brent**

Applicant: **Mr & Mrs Perry**

Recommendation **That 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 extended living accommodation on the first floor of the live/work unit hereby permitted shall not be used or occupied other than for the provision of accommodation to a person (together with their spouse or partner, children and dependents) solely or mainly working in the business on the ground floor of the building, currently known as Kingswood House and shall not at any time be used, let, sold or otherwise occupied as a separate dwelling including for holiday purposes.
3. The ground floor of the premises shall constitute one business unit and be used for Class B1 purposes only and for no other purpose (including any purpose in Class B8) of the Schedule to the Town and Country Planning (Use Classes) Order 1987), or in any provision equivalent to that Class or permitted by Part 3, Class I(b) of the Town and Country Planning (General Permitted Development) (England) Order 2015 or in any statutory instrument revoking and re-enacting that Order with or without modification.
4. The materials to be used on the external walls and roof of the development hereby approved and the new joinery, shall match those used on the existing building unless otherwise previously agreed by the Local Planning Authority in writing.
5. Notwithstanding the drawing hereby approved, the materials to be used to construct the screens to the first floor flat roof amenity area, shall be submitted to and approved in writing by the Local Planning Authority. The approved screen shall be retained to a height of 1.7m on the north and part of the west elevation.

Introduction

Kingswood House consists of a workshop at ground level with living accommodation above. It is located within South Brent.

It is proposed to erect a single storey extension to the side of the building including a first floor terrace. A new door is also proposed on the front elevation in association with changes to the internal layout.

The application is presented to Committee in view of the Parish Council's comments.

Planning History

0002/16	Change of use to live-work unit		
	Full Planning Permission	Grant Conditionally	07 March 2016
0618/04	Conversion of stone barn to dwelling		
	Full Planning Permission	Refused	27 September 2004

Consultations

Environment Agency:	Flood Risk Zone 1 - standing advice applies
South Hams District Council:	Does not wish to comment
County EEC Directorate:	No highway implications
DNP - Ecology & Wildlife Conservation:	The potential impact on protected species is unlikely.

Parish/Town Council Comments

South Brent PC:	The Parish Council recommend refusal of this application, as the proposal is detrimental to the amenity of the neighbouring property.
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Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR18 - Providing for sustainable economic growth
COR2 - Settlement Strategies
COR4 - Design and sustainable development principles
COR7 - Providing for the conservation of Dartmoor's varied plant and animal life and geology
DMD14 - Biodiversity and geological conservation
DMD1a - Presumption in favour of sustainable development
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD24 - Extensions and alterations to dwellings
DMD4 - Protecting local amenity

Representations

The neighbour to the rear has objected on grounds of loss of privacy.

Observations

INTRODUCTION

Kingswood House was granted permission as a live/work unit in 2016 subject to conditions limiting the occupation of the living accommodation on the first floor of the live/work unit to be for the provision of accommodation to a person (together with their spouse or partner, children and dependents) solely or mainly working in the business on the ground floor of the building, currently known as Kingswood House. The ground floor of the premises was restricted to Class B1 purposes only.

The permission also included a two-storey extension to the rear of the building.

PRE-APPLICATION ADVICE

No specific pre-application advice was sought in respect of this proposal.

THE PROPOSAL

The internal arrangements within the ground floor workshop are to be re-configured to provide an office. It is proposed to provide an entrance door into the front of the building and a single storey extension on the side to provide a ground floor utility area and toilet.

At first floor level a French door will provide access to the flat roof of the extension which will be used as outdoor amenity space. A balustrade is proposed on the front and side of the roof with a 1.7m screen at the rear.

POLICY

Policy COR18 allows for the provision of controlled expansion and development of existing businesses in Local Centres.

Policies COR4 and DMD4 reflect the need to protect residential amenity including privacy.

Policy DMD7 and the Design Guide set out design principles.

PLANNING CONSIDERATIONS

The modest extension of the building is in keeping with the overall appearance of the building and will appear subservient. The introduction of the door in the front elevation is considered to be appropriate given the window above. It enables access to the new office and the extension provides welfare facilities in association with the permitted B1 business. The use of the ground floor can be limited to one unit of employment to ensure that the office relates solely to the business being carried out in the workshop. It is therefore considered that the proposal is in accordance with policies COR18 and DMD7.

PRIVACY

The Parish Council and the neighbour at the rear have raised concerns regarding the impact of the roof top amenity area on privacy in the house and garden. A 1.7m screen is proposed along the rear of the roof top amenity area to protect privacy of both parties. It is considered that, subject to confirmation of the colour and form of this screen, the height and location of the screen are such that the privacy of the neighbours will be protected and that an objection on these grounds could not be sustained. Officers are of the view that the proposal is in accordance with policy DMD4.

CONCLUSION

Although the concerns of the neighbour and Parish Council are recognised, having considered the details of the screen and visited the neighbour, officers are confident that their amenity will be protected and that the development can be supported.

NPA/DM/18/018

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

04 May 2018

MONITORING AND ENFORCEMENT

Report of the Head of Development Management

INDEX

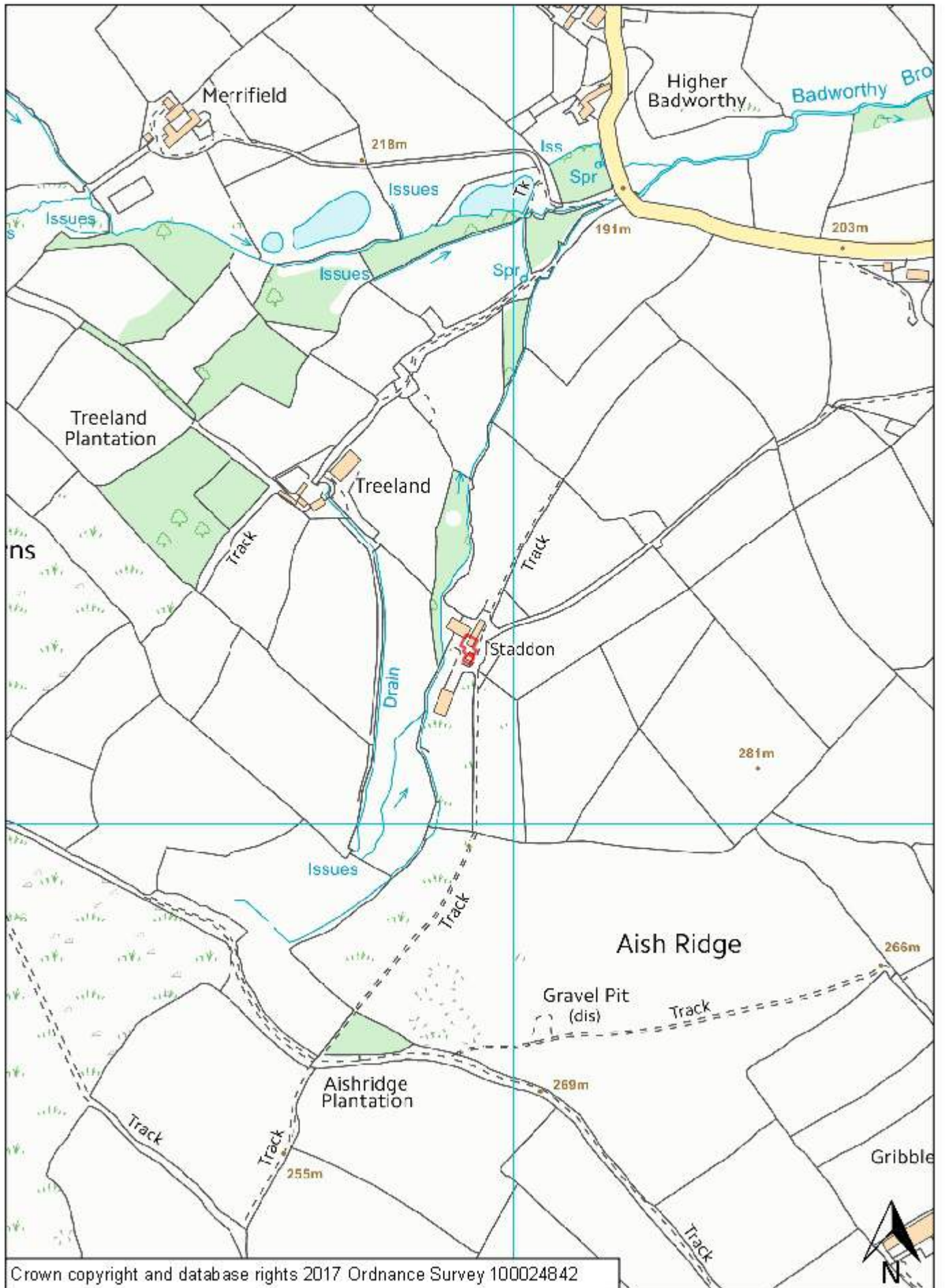
Item No. **Description**

1. ENF/0103/17 - Unauthorised building works incorporating a large 'extension', two residential units and a two storey workshop, Staddon Farm, nr. Badworthy, South Brent

Staddon Farm, Badworthy



Scale 1:5,000



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1 Enforcement Code: **ENF/0103/17** District/Borough: **South Hams District**
Grid Ref: **SX679611** Parish: **South Brent**
Officer: **Alex Lawrey**

Description: **Unauthorised building works incorporating a large 'extension', two residential units and a two storey 'workshop'**

Location: **Staddon Farm, nr. Badworthy, South Brent**

Land owner: **Mr Skinner**

Recommendation **That the appropriate legal action be authorised to secure the removal of the development from the site and the restoration of the land to its former condition.**

Relevant Development Plan Policies

COR2 Settlement Strategies
COR3 National Park landscape
COR4 Design and sustainable development
COR15 Housing to Meet Local Needs
COR18 Sustainable Economic Growth
COR21 Development and Transport Issues
DMD1b Delivering National Park purposes
DMD3 Quality of Place
DMD5 Landscape
DMD7 Dartmoor's built environment
DMD23 Residential development outside Local Centres and Rural Settlements
DMD24 Extensions and Alterations to Dwellings

Representations & Parish/Town Council Comments

Any comments from the Parish Council will be reported at the meeting.

Observations

INTRODUCTION

This report details significant departures from a planning permission granted in 1990 for extensions to a dwellinghouse at Staddon Farm, Badworthy. It seeks to identify the breach of planning control, and recommend appropriate action to remedy the breach, which in this instance would be the removal of works conducted since 2013.

Whilst this matter could be dealt with under delegated powers, given the scale of the development and significant financial losses that the recommended enforcement action would incur, it is felt appropriate to seek members authorisation to take appropriate legal action, and to allow the owner the opportunity to present his case before members.

THE SITE

Staddon Farm is a former farmhouse with attached land and a range of outbuildings. It is situated close to the hamlet of Badworthy to the north of South Brent. The dwellinghouse is located away from the public highway and is accessed along a private road. The site is secluded and in an open countryside location. The farmhouse has some antiquity although it is not a listed building. There are several outbuildings grouped around the farmhouse including a large enclosed barn used for

domestic storage and workshop. The house is situated on sloping ground resulting in a two-storey façade to the front, eastern elevation and a three storey elevation to the rear.

HISTORY AND BACKGROUND

The site has been the subject of several planning applications but the application of relevance to this enforcement case dates to 1990 (ref. 09/45/1942/88). This application was for 'extensions' to an existing farmhouse, which provided for a substantial two/three storey extension, incorporating the conversion and enlargement of the attached barns at ground floor and lower ground floor level to the rear. The original farmhouse had a linear form and, with attached agricultural outbuildings, resembled the vernacular style of a Devon longhouse.

Devon Building Control has advised that this development was commenced in 1994 by the construction of a porch on the original house and although there were some minor differences between the porch as-built and that approved, officers are not concerned about this element of the scheme.

The 1990 permission was based on and incorporated the conversion of existing agricultural outbuildings which were attached to the southern end of the main dwelling. It is clear from photographic evidence held by the Authority that these associated outbuildings were still in-situ in 2010 but were removed in their entirety in 2013. Subsequent aerial photographs from 2015 also clearly show the complete removal of the attached outbuildings and workshop/barn buildings to the south of the parent dwelling. This is significant in planning terms as an element of the breach of planning control concerns the erection of a new building which the landowner has described as a "conversion" to a workshop.

BREACH OF PLANNING CONTROL

In 2017 the Authority was informed that a breach of planning control had occurred at the site and since then several visits to the site have taken place. Although the buildings currently under construction are not yet complete, it is possible to clearly identify several significant breaches of planning control that represent major departures from approved plans and current Local Plan policies.

The as-built structure departs significantly from the approved drawings and facilitates the creation of at least two unauthorised residential annexes and an unauthorised "workshop".

The approved extension was large but did not include any accommodation on the lower ground floor. The current works include the provision of two self-contained annexes on the lower ground floor to the rear of the extension which have created an entirely different façade to that shown on the approved drawings and represent a very different development to that approved.

It should be noted that there was no approved drawing showing the internal layout of the lower ground floor and no joinery details for the openings, which appears to confirm that the lower ground floor was never intended to be habitable space. The annexes now appear to be self-contained and do not have internal connections such as doors or stairs linking the annexes to the rest of the 'extension'. There is a space for stairs to the rear garden at lower ground floor level but no internal access to the annexes. The annexes have a matching pair of square-edge doors and windows which contrast with the three arched cellar door openings that were approved to match those on the existing house. Due to the layout of the unauthorised annexes, the rear elevation cannot be changed to accord with the approved drawings without the internal walls interfering with the approved openings.

The 'extension' is not currently connected to the main dwelling with a gap of approximately 1 metre. The north wall of the new build has been constructed as an external wall with a cavity and its separation from the main house suggests that there was never any intention to build the development as shown on the approved drawings. Even if the extension could eventually be connected to the main dwelling via a passage-type link, the distance between the two would represent a material change in the footprint of the extension.

A further material departure from the approved drawings relates to a two storey (with additional loft space) building under construction attached to the south-west end of the 'extension', referred to as a "workshop" by the landowner. There is no planning permission for this building which has the appearance of a dwellinghouse, not a workshop. Its design and style does not represent a simple utilitarian workshop and it is very unlikely that a planning application for retrospective permission would gain officer support. It is therefore considered necessary to seek appropriate legal action to secure the removal of this building.

POLICY CONSIDERATIONS

The extension was approved in 1990 under a different set of local, regional and national policies and if submitted today, the scheme would not meet current policy or design criteria. The changes from the approved drawings represent a significant departure. The workshop building has never been the subject of a planning application and would not meet current design requirements. The site benefits from several outbuildings and agricultural structures, so there appears to be no need for an additional and substantial workshop space. The design looks domestic in character and in terms of scale, at two storeys with additional loft space, is out of proportion with most residential workshop requirements.

Policies COR4 and DMD7 state that proposals should conform to a number of design principles, which include the need to demonstrate a scale and layout appropriate to the site and its surroundings. The siting and location of developments should be sustainable and appropriate. The buildings currently under construction do not meet the design principles as set out in policy COR4 and the site is an unsustainable location for new dwellings.

Policy DMD3 states that development proposals should help to sustain good quality places in the National Park by reflecting the principles set out in the Design Guide. The unauthorised creation of additional dwellings and an unauthorised workshop building would not help sustain the quality of place as set out in DMD3.

Policies COR3 and DMD5 seek to conserve and/or enhance the character and special landscape and qualities that contribute to Dartmoor's distinctiveness. Whilst the site is secluded the overall impact on landscape character and visual impacts on the pastoral nature of the wider surroundings would be detrimental and would significantly impact on Dartmoor's special qualities and sense of tranquillity and openness.

Policies COR15 and DMD23 seek to restrict the erection of new dwellings outside Local Centres or Rural Settlements, except where a proven need for an essential rural worker has been established. No proven need for any new dwellings at this location has been established.

LESSER STEPS

When considering legal action against an unauthorised development, officers need to consider whether lesser steps will remedy the breach of planning control. Whilst it is often possible to

regularise minor departures through a non-material-amendment, legal advice concluded that “the departures in this case are so significant that they take development outside of the scope of permission 09/45/1942/88” and, accordingly, “the whole development is unauthorised and liable to enforcement action”. Further advice stated that there are “strong reasons requiring the total removal of the development” and potential lesser steps, such as demolishing the workshop and regularising the cellar space through a retrospective application would be unlikely to gain officer support as any scheme which retained the bulk and size of the 1990 permission would be contrary to policy DMD24 and the Authority’s Design Guide.

It is therefore the view of officers that the breach can only be remedied through the removal of the ‘extension’ and ‘workshop’ building, however the extended porch is considered to be acceptable and would not be included in any legal action which the committee may be minded to authorise.

The HUMAN RIGHTS ACT 1998

The courts have held that provided a balanced and proportionate approach is taken, having regard to all relevant considerations and not giving irrational weight to any particular matter, the UK planning system (including the enforcement process) is not incompatible with the Human Rights Act.

Tackling breaches of planning control and upholding Local Plan policies is clearly in accordance with the law, protects the National Park from inappropriate development and enshrines the rights and freedoms of everyone to enjoy the natural beauty and special qualities of the National Park.

The owner has a dwelling which would be unaffected if enforcement action was to be supported at the Development Management committee and the authorisation of appropriate enforcement action would not affect their human rights in terms of removing an existing dwelling which is occupied.

CONCLUSION

The development represents a significant breach of planning control and appears to be indicative of an unauthorised attempt to create additional dwellings in an open countryside location, which would not be supported in policy terms and are contrary to National Park purposes. It is therefore considered necessary to seek authorisation for appropriate legal action to secure the removal of the unauthorised development, which would specifically include removal of the extension, annexes and workshop building, removal of resulting debris, and restoration of the land to its former condition.

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

04 May 2018

APPEALS

Report of the Head of Development Management

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

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

1	Application No:	W/17/3191364	District/Borough:	Teignbridge District
	Appeal Type:	Refusal of Full Planning Permission	Parish:	North Bovey
	Proposal:	Construction of a general purpose agricultural building (18.3m X 12.2m) and formation of a new hardstanding		
	Location:	Hele Farm, North Bovey		
	Appellant:	Mr C Godfrey		

2	Application No:	W/17/3191749	District/Borough:	Teignbridge District
	Appeal Type:	Refusal of Full Planning Permission	Parish:	Moretonhampstead
	Proposal:	New dwelling and improved access to the highway		
	Location:	Braemar, Court Street, Moretonhampstead		
	Appellant:	Mr & Mrs M Woolner		

3	Application No:	W/17/3194784	District/Borough:	West Devon Borough
	Appeal Type:	Refusal of Full Planning Permission	Parish:	Peter Tavy
	Proposal:	Erection of farm managers dwelling		
	Location:	Land adjoining Sowtontown Farm, Peter Tavy		
	Appellant:	Mr & Mrs W Bellamy		

4	Application No:	W/18/3192788	District/Borough:	Teignbridge District
	Appeal Type:	Refusal of Full Planning Permission	Parish:	Ashburton
	Proposal:	Erection of two bedroom chalet and decking area (retrospective) for short- term holiday use and ancillary guest accommodation		
	Location:	Lavender House Hotel, Knowle Hill, Ashburton		
	Appellant:	Devon Wedding Venue Ltd		

5 Application No: W/18/3194058 District/Borough: West Devon Borough
Appeal Type: Refusal of Full Planning Permission - Householder Parish: Buckland Monachorum
Proposal: Conversion of store to form ancillary accommodation
Location: **Greenway, Harrowbeer Lane, Yelverton**
Appellant: **Mr K Keegan**

6 Application No: W/18/3195125 District/Borough: West Devon Borough
Appeal Type: Refusal of Full Planning Permission - Householder Parish: Whitchurch
Proposal: Construction of first floor extension above staff accommodation block to form hobby room
Location: **Birch Cleave, Horrabridge**
Appellant: **Mr F Phillips**

CHRISTOPHER HART