

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

7 September 2018

SITE INSPECTIONS

Report of the Head of Development Management

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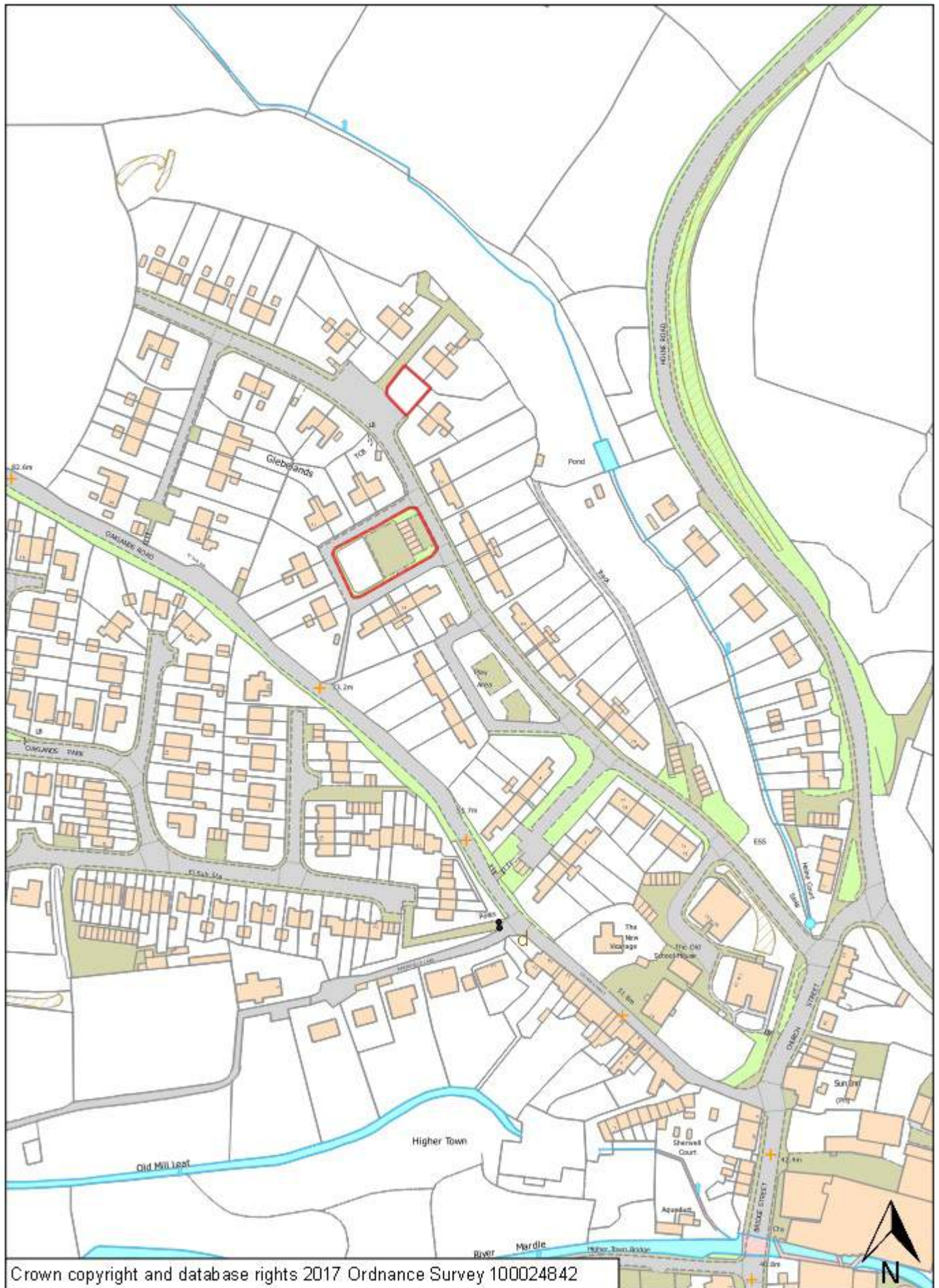
Item No. **Description**

1. 0253/18 – Demolition of garages and erection of three dwellings and parking together with additional replacement parking on separate land parcel - Land at Glebelands, Buckfastleigh

Land at Glebelands, Buckfastleigh 0253/18



Scale 1:2,250



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SITE INSPECTIONS

1	Application No:	0253/18	District/Borough:	Teignbridge District
	Application Type:	Full Planning Permission	Parish:	Buckfastleigh
	Grid Ref:	SX734665	Officer:	James Aven
	Proposal:	Demolition of garages and erection of 3 dwellings and parking together with additional replacement parking on separate land parcel		
	Location:	Land between 13-24 Glebelands and Land adjacent to 53-56 Glebelands, Buckfastleigh		
	Applicant:	Teign Housing		
	Recommendation:	That permission be GRANTED subject to the completion of a S106 legal agreement to secure two units of affordable housing for local persons		

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings: 1622-100B, C-GA-300 P1, C-GA-106 P1, C-GA-105 P1, 1622-103 C, 1622-101 C, 1622-104 C, 1622-102 C and C-GA-100 P2
3. No works in connection with the permission hereby approved shall commence on the site until a Construction Method Statement has been agreed in writing with the Local Planning Authority. It shall include details of:
 - (a) Parking of vehicles for site personnel, operatives and visitors
 - (b) Loading and unloading of plant and materials
 - (c) Storage of plant and materials
 - (d) Programme of works including the provision of the parking areas, measures for access arrangements and traffic management
 - (e) Location of welfare/site office facilities requiredThe development shall thereafter be constructed in full accordance with the Construction Method Statement unless otherwise agreed in writing with the Local Planning Authority.
4. Site clearance, preparation or construction work shall only take place on site between 08:00 and 18:00 Monday to Friday and 08:00 and 13:00 on Saturdays, not at any time on Sundays, Bank or Public Holidays.

5. 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 in section 4 of preliminary ecological appraisal report by Tor Ecology, dated 16/1/17.
6. A remediation scheme stated in the Report by Terraforma (south) January 2018 Ref No 6067 submitted with this application shall be implemented in accordance with the approved timetable of works. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority for approval.
7. 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. 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 the Local Planning Authority for approval.
8. Prior to the commencement of the development hereby permitted, details of the proposed landscaping and planting scheme shall be submitted to the Local Planning Authority for approval. The landscaping and planting shall be carried out in accordance with the approved scheme within twelve months of the commencement of the development, or such longer period as the Local Planning Authority shall specify in writing. The landscaping and planting shall be maintained for a period of not less than five years from the date of the commencement of the development, such maintenance shall include the replacement of any trees or shrubs that die or are removed.
9. No part of the development hereby approved shall be brought into its intended use until the accesses, parking facilities, visibility splays and access drainage have been provided and maintained in accordance with the drawings hereby approved and retained for that purpose at all times thereafter.
10. The existing redundant accesses shall be effectively and permanently closed, including the reinstatement of the kerbs to full height in accordance with details which shall previously have been submitted to the Local Planning Authority for approval as soon as the new access is completed in accordance with the approved plans.
11. Notwithstanding the plans hereby approved and 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 prior to the relevant works/installation of materials taking place; 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.

12. 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 or other openings shall be created, formed or installed in the side elevations of the dwellings hereby approved at first floor level or above without the prior written authorisation of the Local Planning Authority.
13. Details of any proposed boundary fencing, walling or railings, shall be submitted to the Local Planning Authority for approval prior to their installation. Thereafter, the development shall be constructed in accordance with the approved details.
14. Details of the proposed windows and doors shall be submitted to the Local Planning Authority for approval prior to their installation. Thereafter, the windows and doors shall be installed in accordance with the approved details.
15. Unless otherwise previously agreed in writing by the Local Planning Authority, the frames of all external windows and doors in the building shall be recessed at least 100mm in their openings.
17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking and re-enacting that Order with or without modification, no extension to the affordable dwellings hereby approved shall be constructed without the prior written authorisation of the Local Planning Authority.

The Panel convened outside the site of the proposed housing and viewed the development site from within the existing parking area to the west. The Deputy Head of Development Management described the proposal and referred to the submitted site plan and elevation drawings for orientation and design details.

The panel was aware of local concern over congestion and loss of parking during the construction phase of the development and the Town Council representative agreed that it would help considerably if the disruption could be kept to a minimum by phasing the development such that the proposed parking area to the west of the site could be provided at the start of the development. It was acknowledged that this may have some cost implications for the developer but the officer confirmed that this would be acceptable in principle and could be secured through a condition requiring a 'construction management plan' or similar to be submitted and approved. The applicant appeared to be in agreement with the principle of this suggestion.

The panel sought clarification over the position of the car park, the number of spaces to be provided, the proposed surfacing materials and means of enclosure. The existing hedge that encloses the proposed parking area on three sides was noted as not being very well maintained and although hedges were acknowledged as being a feature of this estate, it was suggested that a close boarded timber fence may be more practical and appropriate for this site.

The panel moved on to the second part of the application site where approximately half of an existing grassed area is to be developed to provide five additional parking spaces. The panel noted the current on-road parking arrangements in the area and it was acknowledged how busy the roads are, particularly in the evenings. Questions were again raised over the proposed surfacing and means of enclosure of this part of the application site and it was

suggested by the panel that the use of 'grasscrete' in this area was unnecessary and difficult to maintain and that the use of tarmacadam to match that existing would be more appropriate. For similar reasons the new hedge proposed along the south western edge of the parking spaces in particular was considered unnecessary, although it was acknowledged that there should be a means of enclosure around the grassed area to be retained. It was also noted that the 'existing hedge' to the south east, as annotated on the submitted drawing, doesn't actually exist.

The Town Council representative advised that the council supported the proposed housing scheme but did have concerns over the temporary loss of parking during the development phase.

The panel acknowledged the need for additional housing in the area and was unanimous in supporting the principle of the housing scheme however, all appeared to share the Town Council's concerns over the impact the development would have on parking and access to properties and reiterated the need for a construction management plan to be agreed in order to maintain parking provision during the development of the site.

Finally, and whilst acknowledging that this fell outside the current application site, it was suggested that access along the road surrounding the main site could be improved by reducing the angle of both bends at the higher, western end of the site.

Taking into consideration the comments of the panel, the Town Council and others that attended the site inspection, the recommendation to grant permission, subject to a s106 legal agreement, has been maintained, as have recommended conditions numbered 8 and 11 which require amongst other things landscaping, planting and surfacing details to be approved. Draft condition no.3 has been expanded so that the necessary 'Construction Method Statement' includes details of phasing in order to maintain parking provision during the development of the site.

2. Application No: **0253/18** District/Borough: **Teignbridge District**
 Application Type: **Full Planning Permission** Parish: **Buckfastleigh**
 Grid Ref: **SX734665** Officer: **Louise Barattini**
- Proposal: **Demolition of garages and erection of 3 dwellings and parking together with additional replacement parking on separate land parcel**
- Location: **Land between 13-24 Glebelands and Land adjacent to 53-56 Glebelands, Buckfastleigh**
- Applicant: **Teign Housing**
- Recommendation **That permission be GRANTED subject to the completion of a S106 legal agreement to secure two units of affordable housing for local persons**

Condition(s)

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Introduction

Glebelands is a housing estate on the northern edge of Buckfastleigh, comprising flats, terraced and semi-detached units with most properties being owned by Teign Housing.

The application is split across two sites and proposes the following development works; (i) the redevelopment of a garaging/parking/green space to provide 3 new dwellings and parking area, and (ii) the removal of a green space to provide additional parking.

Revised plans were received during the course of the application and any additional comments received during the consultation period will be updated at the meeting.

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

Consultations

Environment Agency:	No objection - flood zone 1 standing advice
County EEC Directorate:	No highway objections subject to the following conditions: (i) Accesses, parking facilities, visibility splays and access drainage to be provided in accordance with the application drawings prior to the development being brought into its intended use. (ii) Redundant accesses to be closed and kerbs reinstated.
DNP - Ecology & Wildlife Conservation:	Works to proceed in strict accordance with the recommendations in section 4 of preliminary ecological appraisal report (Tor Ecology, 16/1/17).
DNP - Trees & Landscape:	No objection, subject to a condition requiring the applicants to submit and have approved an appropriate landscape scheme.
Teignbridge DC (Contaminated Land):	No objection - subject to conditions securing remediation scheme and to deal with any unexpected contamination.
Teignbridge District Council:	Teignbridge District Council Housing Officer supports the scheme.

Delivering Affordable Housing is an essential part of creating and maintaining a sustainable community. This windfall housing site would be expected to deliver not less than 50% Affordable Housing as part of the DNP Core Strategy Policy requirement (subject to viability). Housing Enablers are working with the applicant (a partner Housing association) and Homes England (government funding Agency) with a view to funding all of the proposed houses

as Affordable Housing. New Affordable Housing funding options have recently been opened by the government, and Enablers consider that it is very likely that all of the proposed houses could be delivered in affordable tenures – subject to maintaining scheme viability.

Enablers have been liaising with community representatives in Buckfastleigh as part of Community Housing Fund initiatives, and we understand that the provision of new affordable housing is a high priority for the local community, to be able to retain its younger residents and support the sustainability of the Town.

There are several indicators of housing needs evidence - including the most recent Rural Housing Needs Survey (2014) for Buckfastleigh which shows 39 households in need (26 current and 13 future).

In addition we can access more recent data from the Housing Register (Devon Home Choice) which shows that 34 households have registered their housing need across a range of property sizes and a substantial proportion of those on the housing register have an accessible housing need (13 this is 38%) – for step free/adaptable housing. Note also that the Help to Buy SW register has 2 households from Buckfastleigh who wish to access intermediate Affordable Housing.

Given the very high levels of evidenced Affordable Housing need in Buckfastleigh (and the fact that the allocated sites within Buckfastleigh are not currently being brought forward for delivering affordable housing) Enablers have been working closely with Teign Housing to put together options for this small affordable housing development on underused land at Glebelands. This windfall housing opportunity represents an excellent chance to meet the housing needs of 3 households from Buckfastleigh, that would otherwise remain overcrowded/unsuitably housed or be forced to move out of the Town to meet their housing needs.

The Housing Enabling team are aware of the parking difficulties in the wider Glebelands estate, and it is possible that parking pressures here are an overspill from the parking restrictions elsewhere in Buckfastleigh. The applicant has maximised replacement parking provision as part of this proposal, in order to lessen the impact of the scheme on immediate surrounding residents. The application has been amended to include the provision of several wider disabled spaces for local residents – and there are additional parking spaces proposed elsewhere in the estate. However this difficulty needs to be balanced with an assessment of affordable housing needs for the

Town as a whole. The options for windfall affordable housing delivery in the Town are few and far between – which makes it imperative to deliver the maximum possible affordable housing all the more important.

Parish/Town Council Comments

Buckfastleigh TC:

The Town Council supports proposals for social housing but objects due to insufficient clarity for the following reasons:

- Unclear what type of affordable housing is proposed?

Social housing is preferred

- Access and parking are already limited, clearly the works will exacerbate this and cause considerable disruption for residents. What plans are in place for contractor vehicle parking?

- There are 4 registered disabled residents in the affected area. The area is already difficult to access with narrow access and no pavements. There needs to be a guarantee that access will be prioritised for these residents.

- The road is too narrow to accommodate on street parking

- We do not support the removal of children's play area for replacement parking; it is important and a well-used amenity.

- Residents have suggested dropped kerbs for existing properties could partially alleviate parking issues. This has previously been rejected by Teign Housing.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR15 - Providing for limited new housing to meet local needs

COR2 - Settlement Strategies

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

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

DMD17 - Development on contaminated land

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

DMD21 - Residential development in Local Centres

DMD3 - Sustaining the quality of places in Dartmoor National Park

DMD39 - Provision of car parks

DMD4 - Protecting local amenity

DMD40 - Parking provision - Residential

DMD7 - Dartmoor's built environment

Representations

9 letters of objection

Petition against the proposal, with 24 signatures

Petition against the proposal, with 95 signatures

Local residents have raised the following objections:

- the land should be made available for allotments
- the road is too narrow and it is our footpath
- parking is already at capacity
- bin lorries have trouble getting past parked cars currently
- dropped kerbs would take cars off the road
- the new parking area in front of No 53 will be dangerous for persons leaving their houses
- the access point is already poor
- roads in desperate need of repair; more traffic will exacerbate this.
- the new parking area will cause noise pollution and harmful fumes
- public transport is poor and people need their cars
- the footpath behind the main play park at north end is crumbling a sewer/water main pipe and will finally tumble with heavy construction traffic
- can dedicated disabled parking spaces be issued for those residents in the cul-de-sac
- there is no need for additional parking spaces there is sufficient parking available.
- new housing should not be crammed in.
- it will overlook neighbouring properties and cause loss of light.
- it will adversely impact on wildlife habitats
- a higher density flat development would provide more housing
- only two of the units will be for affordable housing
- it should provide for those in most housing need and be for social rent
- loss of the play area up the road, this is a safe fenced play area used by local toddlers and small children.
- major disruption to neighbours during construction; noise and access

Observations

PRINCIPLE OF HOUSING

The site is within the settlement boundary of Buckfastleigh (Local Centre) where policies COR15 and DMD21 support the principle of new housing development. Policy DMD21 specifically permits the principle of new dwellings on previously developed land or on small infill plots within an existing built frontage.

The application proposes 2 houses for social rent and 1 open market dwelling which is consistent with the 50% affordable housing requirements of policy DMD21.

The applicant, Teign Housing, is a registered provider of affordable housing. Limited funding is available for affordable housing from the government and the proposal includes a market dwelling to help finance the development and provide much needed affordable housing at low rent.

The 2014 housing needs survey identified 36 households in need in Buckfastleigh. More recent data on the Devon Home Choice Housing Register shows a registered need for 34 households.

The proposal is housing policy compliant and would help to meet identified housing need in the parish.

DESIGN

The proposal represents a simple terrace of 3 two-storey properties situated on the lower land at the front of the plot to reduce impact on neighbouring properties and maintain a continuous street scene. A simple design and palette of materials is proposed. The proposal would facilitate the removal of a flat roofed row of garages and would still maintain a degree of spaciousness in this part of the estate. Parking would be screened at the rear and new front boundary hedging introduced to provide continuity with the green boundaries seen along the estate. The existing hedge would be maintained where possible and replacement trees planted to the rear of the site.

The proposed additional car parking area to the north east introduces 5 spaces with grasscrete surfacing to retain a green character. A new hedge would be planted and a small area of grass retained behind.

The proposal would conserve the character and appearance of this part of the National Park and accord with design policies COR1, COR4, DMD1b, DMD3 and DMD7.

LOSS OF OPEN SPACE

Policy DMD32 seeks to protect community open space, sport and recreation areas. The open space survey conducted by DNPA does not identify the two development sites in this application. The Town Council was asked to comment on the DNPA open space survey and did not identify these sites.

There is a formal children's public play space immediately to the south east which is identified in the survey.

Some members of the local community have described the land under this application as comprising a children's play area and indeed the Town Council have now come forward in support of this.

Teign Housing has provided a statement explaining that the land adjacent to the proposed housing area was let under licence to a local resident as a small allotment (growing area) until 2 years ago. It describes it as an enclosed area not available for public access. With regard to the other site to the north, Teign Housing state that this space has an access gate for maintenance but state that residents don't have any rights to use this as an open space.

Given this statement from the landowner which explains no public access rights to these parcels of land it would be difficult to object against policy DMD32.

Revised plans have been received offering the reduced grass area where the parking area is proposed for residents use in response to the concerns raised by the Town Council and local residents.

NEIGHBOUR AMENITY

Policy DMD4 deals with the protection of residential amenity.

The proposed separate parking area is next to an established parking area and access road and any additional noise disturbance caused by the coming and going of vehicles is not considered to detract from the residential amenity of neighbouring occupiers. Similarly, the re-siting of the proposed parking area behind the houses would not significantly affect the

residential amenity of the adjacent neighbours.

The proposed new housing would be situated toward the front of the plot and therefore those neighbours most directly affected are No's 13, 24, 58 and 59 Glebelands.

Given the design of the proposed housing, together with the staggered relationship and distance to No's 13 and 24, the difference in levels and arrangement of windows on respective properties, the application is not considered to have an adverse impact on the residential amenity of neighbouring occupiers by reason of overlooking, loss of light or overbearing impact.

No's 58 and 59 are situated to the front of the proposed housing development and positioned on lower ground; however, given the separation distance and front-to-front relationship that would present, it is not considered that the proposed housing would have an adverse impact on the residential amenity of neighbouring occupiers by reason of overlooking, loss of light or overbearing impact.

Concern has been raised about noise disturbance during works and a condition will be imposed for standard working hours on this development.

WILDLIFE

Policies DMD14 and COR7 deal with the conservation and enhancement of Dartmoor's biodiversity.

The Wildlife Report identifies no adverse impact on biodiversity interests and includes recommendations to ensure protection, habitat support and opportunities for enhancement.

The proposed development lies within a strategic greater horseshoe bat sustenance zone of the South Hams Special Area of Conservation (SAC), but is in the centre of an already lit housing development and offers no suitable feeding habitat. There would be no mechanism to affect the South Hams SAC.

CONTAMINATION

Policy DMD17 deals with contamination on development sites.

The application is accompanied by a Contaminated Land Report which reveals insignificant risk to human health and the wider environment.

DRAINAGE

The trial pits undertaken as part of the Engineers Drainage Report revealed that infiltration rates were not sufficient to accommodate soakaways and therefore the drainage strategy seeks to discharge to the highway drain (as is the existing arrangement) with additional on-site attenuation to provide betterment. This arrangement follows the sustainable drainage hierarchy in response to the constraints of the site and has been agreed with the Drainage Officer.

PARKING & HIGHWAY SAFETY

Policy DMD40 deals with parking standards for new dwellings and policy COR21 deals with highway safety.

A number of concerns have been expressed regarding parking congestion in the Glebelands estate, capacity for on street parking and implications for highway safety.

Reference has been made to the potential for dropped kerbs for off road parking for existing residents; however, this is not a matter for consideration under this application.

The Highways Officer states that the proposed development is acceptable from a highway point of view subject to the accesses, parking facilities, visibility splays and access drainage being provided in accordance with the application drawings prior to the development being brought into its intended use. He also requests the redundant accesses to be closed and dropped kerbs reinstated.

Concerns have been raised regarding disruption to highway users and access arrangements during construction. A construction management plan can be conditioned to address such matters and the applicant has already shown willing on this front. The proposed development site is surrounded by an adopted highway and access will be maintained along this road during the construction works. The applicant is aiming to create the new car park on a rolling basis to keep a car park available during the works.

Reference has been made through the consultation process to disabled residents living in the cul-de-sac where the housing is planned and whether designated bays could be provided for such users. Revised plans show provision for two disabled parking spaces.

The proposal incorporates off-road parking facilities and whilst it is not a strictly community car park under Policy DMD39, it would not conflict with the principles set out in this policy.

The existing garages proposed to be demolished are not suitable for modern car parking and are not principally used as such. The proposed development makes sufficient provision for off street parking for the 3 new units in the development and replacement parking for the existing off street parking taking into consideration the parking proposed across the two sites.

The concerns of the residents are acknowledged, however, It would be difficult to justify a refusal on highway grounds to the proposed development.

OTHER MATTERS RAISED BY CONSULTATION PROCESS

A resident has raised concerns about the footpath to the north end of the children's play park suggesting a crumbling a sewer/water main pipe below and is concerned that heavy construction traffic will cause the surfacing to fail and sewer collapse. The resident has advised that they have raised this with the landowner Teign Housing already. This is a separate matter to this planning application.

CONCLUSION

There is an evidenced housing need for more than 30 affordable dwellings in Buckfastleigh to meet local need. This is a policy compliant scheme for 2 dwellings for social rent and an open-market dwelling proposed by Teign Housing on land they own.

Registered housing providers such Teign Housing have limited grant funding available for the delivery of social rent housing and are therefore exploring development on owned land to be able to finance such developments.

The proposed development would not detract from the character and appearance of the area, be acceptable in environmental terms, highway safety and residential amenity, and is therefore recommended for approval.

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

07 September 2018

APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

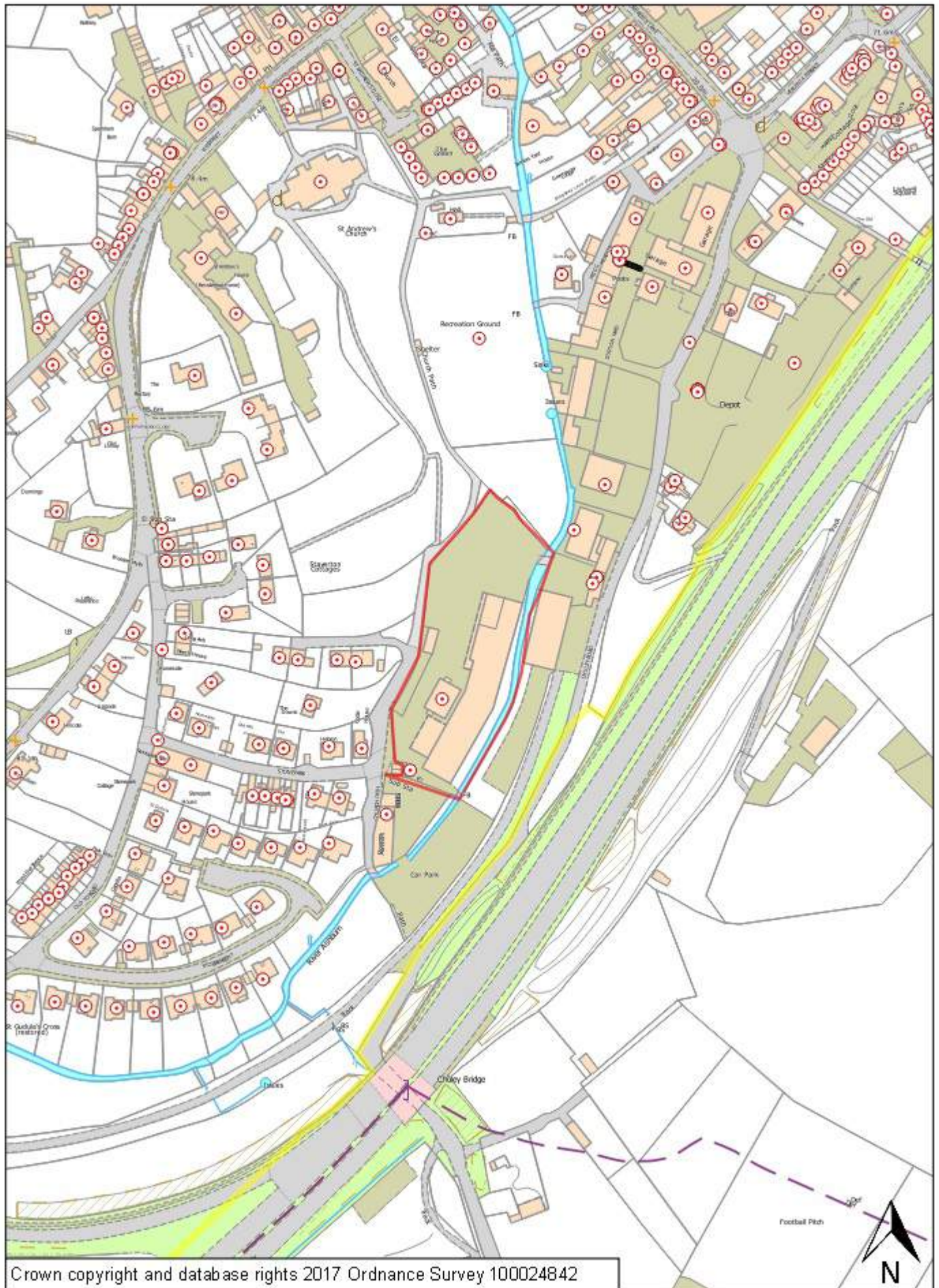
Report of the Head of Development Management

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9.	0273/18 - Erection of garage/workshop/storage shed with existing track surface recovered in scalpings and change of use of land to domestic curtilage (Full Planning Permission), Land adjacent to Birches, Stormsdown, Bickington	Pg. 90

Brewery Meadow, Ashburton - 0035/18

Scale 1:2,500



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1. Application No: **0035/18** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **Ashburton**
Grid Ref: **SX755695** Officer: **Louise Barattini**
- Proposal: **New residential development of twenty three units including flood relief works, highways, engineering, drainage works and associated landscaping**
- Location: **Brewery Meadow, Stonepark, Ashburton**
- Applicant: **Grove Homes (Devon) Ltd**
- Recommendation **That, subject to the consideration of any further comments from the Lead Local Flood Authority and the completion of a s106 legal agreement in respect of contributions to education infrastructure, deferred payments towards affordable housing provision and works to facilitate to the removal of the existing bund on the eastern side of the River Ashburn, permission be GRANTED**

Condition(s)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby approved shall be carried out in accordance with following approved drawings/reports;
050A, 051L, 001E, 011H, 020C, 060C, 100C, 101E, 110H, 120E, 130D, 140D, 200A, 200G, 300, 310, 3001.100G, 3001.20E, SPP101.1F, SPP101.2F, SPP102, Fishtek Consulting Report (inc drawing no. 001 dated 12 July 2018), Red Rock Geoscience Ltd Report (dated September 2014), Trace Design Drainage Strategy (June 2018), EdenvaleYoung Flood Risk Assessment (July 2018) and EdenvaleYoung Flood Risk Modelling Report (July 2018)
3. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks identified in the report Red Rock Geosciences Ltd (RP5867 September 2017) has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:
 - (i) A site investigation scheme, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - (ii) The results of the site investigation and the detailed risk assessment based on the identified risks shall inform an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - (iii) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

4. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.
5. No development shall take place until a detailed Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details of all permits, contingency plans and mitigation measures that shall be put in place to control the risk of pollution to air, soil and controlled waters, protect biodiversity and avoid, minimise and manage the productions of wastes with particular attention being paid to the constraints and risks of the site. The Plan shall include details of the timings of the work to be agreed with the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and any subsequent amendments shall be agreed in writing with the Local Planning Authority.
6. No development shall start on the site until a Method of Construction Statement, has been submitted to and approved in writing by the Local Planning Authority. This shall include details of:
 - (i) parking for vehicles of site personnel, operatives and visitors
 - (ii) loading and unloading of plant and materials
 - (iii) storage of plant and materials
 - (iv) programme of works (including measures for traffic management)
 - (v) provision of boundary hoarding behind any visibility zonesThe development shall proceed in accordance with the agreed details.
7. No part of the development hereby approved shall be commenced until:
 - (i) The access road serving that part of the site has been laid out, kerbed, drained and constructed up to base course level for the first 20 metres back from its junction with the public highway
 - (ii) The ironwork has been set to base course level and the visibility splays required by this permission laid out
 - (iii) A site compound and car park have been constructed to the written satisfaction of the Local Planning Authority
8. The development hereby permitted shall not be commenced until such time as a maintenance agreement for the flood channel and the River Ashburn adjacent to the site has been submitted to and agreed in writing by the Local Planning Authority. The agreement shall be clear who will be responsible for undertaking maintenance and cover a plan for maintenance required over the short and long term:
 - Short term - To include repairs to the flow channel and planting within 3 weeks of any larger flood event (i.e. the flood channel's second stage is in operation) within the first 5 years and/or until 3 larger floods have occurred. The repairs will include the soil, stone/rock in the riffles and plant life in the channel.
 - Long Term - Before any properties are occupied a River Maintenance Manual shall be submitted to and agreed in writing by the Local Planning Authority. This shall set out all the necessary vegetation work, debris clearance, repairs works, timings and intervals to ensure the river channel continues to act as a flood defence and biodiversity/fisheries corridor.

9. Construction traffic shall only access the site from the eastern access (Chuley Road). The eastern access shall be permanently closed to vehicle traffic upon the completion of the construction phase.
10. The proposed estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with the application drawings
11. A detailed schedule of the materials and finishes to be used on the approved dwellings shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of the construction of the dwellings. This shall include samples of the roof slate, walling stone, details of render finishes, window/exterior door units, verge/soffit details, positions of meter boxes, boundary fence design, driveway surface materials, roadway surface materials, kerbs and any proposed exterior lighting units.
12. The occupation of any dwelling shall not take place until the following works have been carried out to the written satisfaction of the Local Planning Authority:
 - (i) The cul-de-sac carriageway including the vehicle turning head within that phase shall have been laid out, kerbed, drained and constructed up to and including base course level, the ironwork set to base course level and the sewers, manholes and service crossings completed;
 - (ii) The cul-de-sac which provide that dwelling with direct pedestrian routes to an existing highway maintainable at public expense have been constructed up to and including base course level;
 - (iii) The cul-de-sac visibility splays have been laid out to their final level;
 - (iv) The car parking and any other vehicular access facility required for the dwelling by this permission has/have been completed;
 - (v) The verge and service margin and vehicle crossing on the road frontage of the dwelling have been completed with the highway boundary properly defined.

The carriageway, vehicle turning head, footways and footpaths shall be maintained free of obstruction to the free movement of vehicular traffic and pedestrians.

13. The landscaping and planting hereby approved shall be carried out in accordance with the approved scheme within twelve months of the commencement of the development, or such longer period as the Local Planning Authority shall specify in writing. The landscaping and planting shall be maintained for a period of five years from the date of the commencement of the development, such maintenance shall include the replacement of any trees or shrubs that die or are removed.
14. The development hereby permitted shall be carried out in accordance with the approved Fishtek Consulting report 'River Ashburn: Low Flows Channel Assessment and Outline Design' dated June 2018, in particular the working method specified in section 4 unless otherwise agreed in writing with the Local Planning Authority.
18. There shall be no street lighting within the development unless otherwise agreed in writing with the Local Planning Authority.

19. No development shall take place until a detailed Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details of the maintenance strategy for the open spaces within the development, including provision for the protection and enhancement of a dark zone within the river corridor (for protection of Bat habitat), a maintenance schedule for the public open spaces together with details of the protection and enhancement of the hedgerow on the western boundary of the site.

Introduction

Brewery Meadow is the site currently occupied by Edwin Tuckers and Sons, a seed and agricultural merchant. It lies on the south western side of the town forming part of the industrial area around Chuley Road.

The application is from a local house builder who seeks permission to build 23 new dwellings with associated flood relief works, highway improvements and landscaping. The existing business is intending to relocate to a new site at Pear Tree Cross, Ashburton.

The application is a major development proposal and is considered to warrant scrutiny by the Development Management Committee.

Planning History

0441/15	Outline application for re-development to 32 residential units, public parking and flood channel works (all matters reserved)		
	Outline Planning Permission	Withdrawn	21 March 2018
0045/15	Change of site to residential development		
	Outline Planning Permission	Withdrawn	03 September 2015
0744/01	Provision of facility for staff parking area on waste ground		
	Full Planning Permission	Grant Conditionally	22 July 2002
5/31/251/95/03	Single storey lean to extension to existing premises to be used for the storage of peat, straw & fertilizer in bags		
	Full Planning Permission	Grant Unconditionally	03 January 1996
05/31/1849/86	Extension to building for storage and free standing loading cover over existing doorway		
	Full Planning Permission	Grant Conditionally	08 August 1986
05/31/0006/78	Extension to existing workshop		
	Full Planning Permission	Withdrawn	26 February 1979
05/31/0632/78	Extension to existing industrial building for storage purposes		
	Full Planning Permission	Grant Conditionally	02 June 1978
05/31/1520/77	New storage & light fabrication metal shop		
	Full Planning Permission	Refused	21 October 1977
05/03/1518/31	Porch to seed store		
	Full Planning Permission	Grant Unconditionally	08 October 1976
5/1/1819/31/3D	Main store extension with covered unloading area, lorry garage, erection of platform & internal office in store		

Consultations

DNP - Building Conservation
Officer:

No impact on the setting of the Conservation Area is identified.

The only real element of archaeological potential and of historic interest relates to the raised area along the western boundary and the associated areas of stone walling to the west and northern boundaries. If these walls and hedgebank are to be removed or replaced, further work to understand these features may be considered appropriate as part of the planning process.

DNP - Archaeology:

No archaeological concerns

Historic England:

No comment. Defer to local heritage advisors.

Highways England:

No objection – the proposal is a lesser development from that previously considered (ref: 0441/15). The Transport Statement demonstrates that it will provide a benefit in contrast to the extant commercial use. This will likely result in a reduction in vehicles movements on the Strategic Road Network, specifically the Whistley Hill junction. The noise impact assessment concludes traffic levels do not require mitigation measures.

DCC (Children Services):

The proposed 23 family-type dwellings will generate an additional 5.75 primary pupils and 3.45 secondary pupils.

Devon County Council seek a contribution towards additional education infrastructure at the local primary school that serves the proposed development. The local primary school is forecast to be at capacity. DCC request a contribution towards primary education to mitigate the impact the development will have at the local school. The primary contribution sought is £78,499 (based on the DfE extension rate per pupil of £13,652) which will be used to provide education facilities at Ashburton Primary School. There is currently capacity at the designated secondary school for the pupils likely to be generated by this development and therefore a contribution towards secondary education is not required.

Teignbridge District Council
(Housing):

The proposal outlines residential redevelopment for part of the allocated site ASH2. The policy allocation envisaged a mixed use development overall on a wider area of land. In line with the NPPF and Local Plan - the vision for the wider site allocation and mixed development opportunity will be to create a sustainable community, including tailoring the housing options to the needs of the local community – and which would provide benefits for the wider housing mix and options for Ashburton. To this end TDC would expect the proposed housing mix, on this small part of the overall allocation, to be inclusive of a variety of residents (including

affordable housing provision).

As a general point, it is a matter of concern that small sections of the ASH2 allocation are being brought forward with planning applications, namely the former Outdoor Experience site and this site – by different landowners. There is a danger that this will result in a piecemeal approach to redevelopment – with an apparent attempt by each landowner to minimise or eliminate their Affordable Housing liabilities. This is not a good way to achieve a cohesive /integrated development for the Ashburton community – nor indeed would the absence of affordable housing provide sustainable development for Ashburton, which desperately needs a good range of new affordable housing provision to be delivered from its allocated sites.

Given the pressures of an aging population TDC would also recommend that residential proposals explore potential for better future proofed homes, in the form of Lifetime Homes (More Accessible) and Wheelchair user properties in both affordable and market sectors.

Delivering Affordable Housing is an essential part of creating a sustainable community. This allocated site would be expected to deliver not less than 50% Affordable Housing as part of the DNP Core Strategy Policy requirement (subject to viability).

23 open market dwellings are proposed with no affordable housing provision on viability grounds. While COR15 allows for some flexibility in Affordable Housing provision on grounds of robustly justified and independently tested viability – there is an important point of principle about whether it should ever be acceptable to make nil affordable housing provision on ground of NPPF policy and having regard to Local policies on social sustainability and in the face of high levels of Local housing need.

Policy compliant Affordable Housing provision for this scheme would be 12 AH units – with 9 rented and 3 intermediate – and this proposal fails to meet the Local Plan policy requirements and whether or not the viability robustly justifies this or not, raises important questions about social sustainability.

Given the very high levels of evidenced Affordable Housing need in Ashburton, and the difficulties (because of land ownership issues) in delivering an affordable housing scheme on the allocated site in the northern part of the town, it is essential that the LPA seek to secure the maximum deliverable affordable housing for this site.

Devon County Council (Flood Risk):

Comments received on the initial submission are as follows; DCC object on the basis of needing further information to

satisfy the requirement that the development needs to demonstrate that all aspects of the proposed surface water drainage management system have been adequately considered.

Teignbridge DC
(Contaminated Land):

Further information has been provided by the applicant - updated comments will be presented at the meeting.

Prior to the commencement of development, a competent person should undertake soil sampling to identify the level of potential contaminants, which the land assessment submitted with this application refers to and states may be present on the application site as a result of its former historical use.

Teignbridge District Council
(EHO):

The competent person shall provide a written report of the findings, including risk assessment to be submitted to, and agreed in writing by the Local Planning Authority.

The acoustic enclosure or fence should be solid with no gaps, and should specify the thickness of timber required. In addition the fence may need to be higher than 2 metres to avoid a direct line of sight from one of the bedroom windows to the noise source.

Due to the close proximity of residential dwellings to this development complaints of noise nuisance may be received.

Therefore any works likely to give rise to significant levels of noise, which will include vehicle movements should be restricted to the following hours;

Mon – Fri 0800 – 1800

Sat 0900 - 1300

There should be no works carried out on Sundays or on Bank Holidays.

No delivery or collections of materials should be carried out external to the above times and no burning of materials should take place on site.

County EEC Directorate:

Technical details on any proposed mechanical power generation should be provided together with a scheme of works designed to prevent noise nuisance occurring through their operation at nearby residential dwellings.

The application site has been considered as part of the Chuley Road Draft Masterplan site and, as such, the principles of this development have been considered during the preparation of the Masterplan. I have visited the general area on numerous occasions at all times of the day and throughout the year and I have read the representations that have so far been received in respect of this application at the time of writing this response. The planning application is supported by a Transport Statement

(TS) prepared by PCL analysing the impact of the proposed development compared to the existing uses on the site. The content of the TS is broadly accepted and agreed and shows that there will be a significant reduction in trip generation from the proposed development when compared with the existing uses on the site. The TS has used trip figures from the existing Tuckers site for the base figures. the figures are in complete accordance with my observations of the operation of the site at the time I have visited the area.

In the TS, Table 8 examines the extent of the potential reduction on the various access routes to the site in both peaks and overall throughout the day. The proposed reduction for daily trips is 45% for the Stonepark access, with similar reductions in the peak periods. These projections are broadly agreed by the highway authority. In addition, the HGV attraction to the site from its proposed use as residential will also be minimal compared to the existing uses on the site (following the completion of construction). HGV access to the site is currently a constraint on all access routes.

The application is now a full application, and the proposed vehicular accesses and detailed site layout are adequate to serve the proposed development.

For those reasons, notwithstanding the obvious constraints on the Stonepark access to the highway network in the area in particular, there can be no objections in principle to the proposals from a highway point of view and appropriate conditions are recommended to be imposed on any planning permission granted.

Additional comments responding to residents concerns;
The proposed residential development will not only generate fewer vehicle movements than the existing but there will be fewer larger commercial vehicle movements. When assessing collision data only personal injury collisions are taken into account. While there may be numerous damage only incidents the Highway Authority can only record those reported relating to personal injury. The potential for accidents will decrease with the proposed development. There is currently no public right of way for vehicles or pedestrians through the site.

DNP - Ecology & Wildlife
Conservation:

Comments based on Ecological impact assessment (EAD, Nov 2017), and HRA screening consultation with NE (DNPA, 28/2/18).

In summary:

- Level of ecological survey and assessment is acceptable.
- No likely significant effect on Hams SAC.
- Mitigation, compensation and enhancements should be secured through planning condition(s) requiring

Construction Ecological Management Plan (CEcoMP) and Landscape and Ecological Management Plan (LEMP) to be approved.

- The hedge on the W boundary, and river corridor are of particular importance. Any plans to manage this hedge will require further assessment.

- I would like to see more detail of river remodelling in line with comments from EA.

Ecological assessment is adequate in scope and proposed mitigation broadly acceptable. No further survey for protected species is required. I would recommend a condition requiring that a Construction Ecological Management Plan (CEcoMP) and Landscape and Ecological Management Plan (LEMP) are submitted and approved in writing, and carried out in accordance with a timetable for implementation as approved. This should include the mitigation, compensation and enhancements set out in the ecological impact assessment.

South Hams Special Area of Conservation (SAC) – Development site is within the consultation zone for the South Hams SAC around the component greater horseshoe (GHS) bat roost in Buckfastleigh. Bat activity surveys have been carried out. The surveys fall short of current Natural England guidance in that there is no survey in the early part of the season April-June. However, the survey over the rest of the summer shows a low level of GHS bat activity along the river corridor. The western boundary (Church Walk) is slightly more significant for GHS bat activity. Mitigation is proposed, but the 1m wide dark corridor on the river is narrower than the 5m NE required in their comments on a previous application on this site. However, the river restoration will result in an improvement in the width of the river corridor. Because of the distance from the component roost it is my view that the level of survey is adequate, the mitigation is sufficient and there would be no likely significant impact on the SAC. This screening opinion has been confirmed by NE.

The layout is better than the previous application. More detail about the green space along the watercourse and how the applicant will achieve a dark corridor along the river is required. This will need to be demonstrated through a lighting assessment and plan, which could form part of the LEMP.

Western boundary - It is proposed that the hedge along the western boundary is enhanced as mitigation to protect the bats flying along this boundary. It is important that this hedge is protected during construction and properly managed after the site is developed. It appears to form

garden boundaries and as such may require some form of protective covenant to prevent householders trimming it tight or removing it completely. This would need to be addressed in the LEMP.

The hedge is described in the assessment as “a tall and unmanaged species-poor hedgerow dominated by sycamore trees with occasional bramble, hazel and elder”. The ecological assessment and our HRA assume that this hedge will be retained and enhanced because it is used by bats and will mitigate potential impacts of the development on GHS bats. Any plans to cut this hedge during development would need to be assessed further and might require additional mitigation such as provision of screening fencing (at least until the new hedge is established).

Remodelling of river – More detail is required and a separate ‘scheme to be agreed’ type condition for this element of the works due to the risk and complexity. Details should include: bank protection; bank and marginal planting; buffer zone along bank; maintenance access; measures to protect water quality and maintain fish passage during works.

SuDS – A well-designed SuDS can enhance the green space for biodiversity, and should be integrated with the CEMP and LEMP.

Enhancements for biodiversity – I strongly support the proposed enhancements for bats and nesting birds (sections 4.1.8, 4.1.11 and 4.1.12 of EAD report).

DNP - Trees & Landscape:

The application is for 23 housing units on land at the Tuckers site in Ashburton. There are no trees or significant shrubs growing within the site.

A hedge growing on top of a low bank forms part of the western boundary of the site. The hedge and bank are shown for retention. The hedge is in reasonable condition, but it has not been managed for many years and it would be desirable to bring the hedge back into management by either re-coppice or laying it. It is not clear whether the hedge is in the ownership of the applicant because it is shown as being outside of the development boundary. Once the houses are built and the hedge is under multiple ownership it becomes more difficult to manage and it would be beneficial to get the hedge in good condition before the land changes ownership.

Several trees are growing on land immediately adjacent to the site. The proposed development will have no impact on these trees.

Environment Agency:

The applicants have submitted a landscape plan for the site. The intention is create green space along the river with a mix of lawn and riverine grasses with trees planted along the bank. Gardens will be partially enclosed with hornbeam hedges and small/medium sized broadleaved trees. The proposed landscaping is acceptable.

On the basis of the additional information submitted, the Agency advise that the development will be acceptable provided that conditions are included on any permission granted to secure:

- The detailed design of the flood channel;
- A maintenance agreement for the flood channel and River Ashburn;
- The implementation of the fisheries report;
- A remediation strategy to deal with the risks associated with contamination of the site and any unsuspected contamination;
- A Construction Environment Management Plan (CEMP).

Before determining the application your Authority will also need to be content that the flood risk Sequential Test has been satisfied in accordance with the National Planning Policy Framework (NPPF).

Furthermore, the bund on the eastern side of the watercourse at the southern end will need to be removed before any works start on site. Whilst this is outside of the application site, it was agreed that this would be carried out. A mechanism for securing this work will need to be agreed with your Authority.

The Agency has recently approved the revised flood modelling and Flood Risk Assessment (July 2018). It considers that the recently amended drawings and documents submitted on the 12 July 2018 are generally acceptable. However, it notes that there are some minor differences between some of the planning drawings. For clarity the Agency advise that the design shown within the information and conclusions in Flood Risk Assessment rev 3 05/07/2018 and on the following drawings is acceptable:-

- Site Block Plan 581 051 rev L;
- Illustrative Site Sections 581 310 rev A; and
- Low Flows Channel Design 001 02424 P01.

The submitted information has shown that the new development:

- will be safe from flooding over its lifetime (by raising site and finished floor levels and providing a safe access and egress route); and
- will not increase flood risks to third parties (by incorporating a new two stage flood channel).

On the basis of this information we consider that the development can satisfy the second part of the Exception Test, subject to the inclusion of the above mentioned conditions to agree the detailed design of the flood channel and a maintenance agreement. We advise the applicant that the maintenance agreement must be supported by an additional model sensitivity run, 20% Manning's, to show the importance and required frequency of maintenance.

We have reviewed the submitted plans and Fishtek report. We are pleased with the low flows channel design and planting proposals. The submitted report is acceptable and we consider that the abovementioned condition will be sufficient to secure the implementation of the measures included within the report.

Natural England Consultation Service:

No objection - subject to appropriate mitigation being secured to protect the South Hams Bat Special Area of Conservation (SAC)

Viability Assessor (TDA):

We have completed our critical analysis and can advise that the conclusions contained within the viability report are fair and reasonable and substantiated with evidence and accepted market assumptions. Unfortunately the proposed scheme cannot support any on-site affordable housing on grounds of viability. This is essentially due to the high existing use value of the site.

However, the Authority may wish to consider a deferred contributions arrangement secured via a S106 agreement. This would allow the authority to receive 50% of any increase in the gross development value until the full amount of affordable housing contributions and other s.106 contributions are recovered. This approach is used by many authorities when faced with the problem of no on-site affordable housing.

Parish/Town Council Comments

Ashburton TC:

Ashburton Town Council resolves that it acknowledges the assistance given by Officers of DNPA, Edwin Tucker and Grove Homes in response to the Council's request for additional information and clarification for this application.

Ashburton Town Council does not object to the principle of the development of Brewery Meadow.

The Council acknowledges the thorough viability testing carried out by DNPA on this application, and the required provision of up and down stream flood alleviation and prevention works required in order for this development to proceed.

However, if the Town Council is to support this application,

DNPA is requested to Condition and note the following real and clear concerns of the Town and its residents:

1- (Affordable housing and public car parking)

Ashburton Town Council has addressed Development Management to both support the Chuley Road Master Plan, as successor to ASH2, and to support the refusal of the Outdoor Experience site based on the proven need for affordable housing (July 2018 TDC Rural Housing Enabler evidence), and public car parking.

The Town Council takes the consistent view that given there has been no mixed tenure development in the town since 2000; nor has Longstone Cross been completed or at the very least construction commenced; it cannot support this application unless affordable housing and public car parking are forthcoming from the development of Brewery Meadow.

2 - (Stone Park and Old Totnes access)

(1) That the hours of working be conditioned, and to include working at weekends and public holidays.

(2) That all site traffic, visitors to the site and on-street parking relating to the site, be conditioned to park on-site at Brewery Meadow to enable residents to continue to be able to access their properties and current on-street parking.

(3) That as Edwin Tucker and Grove Homes have entered into an agreement to use the Lower Entrance into the site, this be conditioned for the period of the construction.

(4) That as a consequence of (3) above a Core Hours setting down and collecting pupils condition be applied to construction traffic passing the Primary School.

To support this application the Town Council believes that if as noted at 2(3) the Lower Entrance (Chuley Road) is to be used for construction traffic, which it is assumed consists of heavy goods vehicles, that there could be no material objection on weight grounds following completion of the development for this access to be used to enter and leave the estate, given the stated reduction in vehicles. This route would enable the developers to make a cul de sac and possibly enable additional build(s).

3 - (Access through the Lower Entrance)

(1) That it be a condition of development that the Lower Entrance across the bridge by the seed store be the entrance and exit to the completed development.

(2) That a full Road Safety Audit is undertaken to establish the width of the road available on a 7 day a week, basis given residents use the road for parking, and the effect of not just Brewery Meadow journeys, but the increase in

volume of delivery vehicles over 7 days.

4 - (Flood alleviation)

(1) That occupancy of the units at Brewery Meadow be conditional on any and all requirements set down for the flood alleviation both on-site and lower down stream.

(2) That, as above the small bridges beyond Rendels are capable of allowing any enhanced water flow as a result of the development, to pass through, and thus ensure that, the existing dwellings down stream are not flooded.

(3) That temporary signage be erected at appropriate points on surrounding roads during the construction phase, to inform site traffic of the Lower Site entrance, to avoid problems in Stone Park and the Old Totnes Road.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

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

COR13 - Providing for high standards of accessibility and design

COR14 - Meeting the infrastructure requirements of new development

COR15 - Providing for limited new housing to meet local needs

COR2 - Settlement Strategies

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

COR24 - Protecting water resources from depletion and pollution

COR4 - Design and sustainable development principles

COR5 - Protecting the historic built environment

COR6 - Protecting Dartmoor's Archaeology

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

COR8 - Meeting the challenge of climate change

COR9 - Protection from and prevention of flooding

DMD12 - Conservation Areas

DMD13 - Archaeology

DMD14 - Biodiversity and geological conservation

DMD17 - Development on contaminated land

DMD18 - Development on unstable land

DMD1a - Presumption in favour of sustainable development

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

DMD2 - Major Development

DMD21 - Residential development in Local Centres

DMD3 - Sustaining the quality of places in Dartmoor National Park

DMD38 - Access onto the highway

DMD4 - Protecting local amenity

DMD40 - Parking provision - Residential

DMD7 - Dartmoor's built environment

DMD8 - Changes to Historic Buildings

Representations

11 letters of objection 1 letter of support 5 other letters

Points raised by objectors;

PRINCIPLE

- Should be retained as business/employment land and it would be suitable for business start-up units and is a sustainable location close to dwellings. Town centre employment is in decline (internet shopping, loss of outdoor experience)
- No need for further market housing in Ashburton
- Application needs to be considered in conjunction with linhay quarry extension application and potential future proposals to re-open the railway

RAILWAY

- The railway extension is of national importance, it being the only complete GWR branch line if it is reinstated, every non-political effort should be made to accommodate both parties here.
- Would like to see railway restored

TRAFFIC

- double yellow lines along Stonepark will be needed as the traffic congestion with parked cars will be dangerous – others state this would not be acceptable because where would residents park?
- Will have a major impact on Old Totnes Road and Stonepark (too narrow and with blind junctions)
- A new access road is needed from Peartree
- no feasible HGV Access to the site.
- The evidence in the transport statement is disputed; not all accidents are reported in Stonepark, the report neglects consideration of the impact of Rendells traffic rear access for Tuckers was for emergency access only initially, new traffic for residential will be 24-7 unlike the existing business operation
- Stone Park is currently and always has been a No Through Road
- How can large vehicles access these roads to develop this site?
- The properties in Old Totnes Road have their entrances to their cottages directly onto the road with no pavement with the vision impaired by not being able to see up and down the road.

FLOODING

- The flooding will be displaced elsewhere, FRA has not addressed the issue
- It only addresses the problem in that small area and will not solve the problem, and even if it does it will just make flooding worse elsewhere. The wider flooding area needs addressing before any housing is built.
- The proposed quarry extension at Linhay (application under determination) will likely increase flood risk to this area

CONTAMINATION/GEOLOGY

- There is inadequate analysis of the underlying limestone bedrock (2 – 4.6m below ground level) which is Karstic and there may be underground conduits and caves – surface water drilling through alluvium is insufficient.
- Where will clean replacement topsoil come from – is it sufficient to just cover over arsenically polluted material.

PARKING

- Insufficient parking spaces for the number of houses
- No public parking provision – its desperately needed in the town. All developments should contribute to this problem, the other area owned by Tuckers should be used for

public parking.

- Will exacerbate existing residential parking deficiencies in the town

HOUSING

- Affordable housing – it should be provided – this will not constitute sustainable development or contribute to economic growth, young workers will need to relocate elsewhere

- Viability appraisal should be subject to full public scrutiny

HERITAGE

- Proximity of the former railway line and station buildings needs to be addressed.
- How to safeguard impact on Grade II listed bridge on Totnes Rd (Gudala's bridge) from all traffic including construction?

WILDLIFE

- No mention of bat flight path (outlined in the previous application) along the River Ashburn.

Supporters;

Needed to keep Ashburton vibrant

Observations

SITE ALLOCATION POLICY ASH2

The Chuley Road allocation arose following the expressed interest of three major landowners seeking to redevelop sites in this location. In particular, the redevelopment of the Brewery Meadow has been expected following the grant of planning permission (ref 0308/13) in 2014 allowing for the existing business to be relocated to a new site at Pear Tree Cross on the southern outskirts of the town. The business is continuing to operate from the Brewery Meadow site while ground works are underway at the new site. The wider redevelopment opportunity seeks to bring significant benefits to the local community.

Policy ASH2 states that;

“An area of land 3.5 ha in extent at Chuley Road, Ashburton, is identified for redevelopment for mixed use.

Development in this area may include:

- (a) housing, including a proportion of affordable housing subject to further assessment of viability;
- (b) commercial uses comprising principally business use (B1), financial and professional services (A2), shops (A1), and restaurants and cafés (A3).

Development of this site should:

- (i) meet the parking needs of existing and new commercial and residential uses, and provide further public car parking to serve the centre of Ashburton;
- (ii) conserve and enhance the site's railway heritage;
- (iii) provide a pedestrian link between Bulliver's Way and the Recreation Ground;
- (iv) adopt a sequential approach to the layout and design of development and be supported by a flood risk assessment which includes consideration of climate change and demonstrates that any development will be safe, not increase flood risk elsewhere and where possible reduces flood risk overall.

Proposals at ASH2 should accord with a comprehensive masterplan for the

entire site prepared in association with the local community, relevant stakeholders and the Dartmoor National Park Authority”.

MASTERPLAN

The allocation, and masterplan exercise, sought to respond to community aspirations to improve the built environment in this area on the edge of the historic core of the town, realising potential in a coordinated way, addressing some of the key issues raised by the community around highways, parking and flood events.

Work on the masterplan was suspended in April 2016 following consideration of a proposal to reinstate the historic route of the railway track through the masterplan site. A subsequent legal challenge was made against the Authority’s intention to approve the masterplan and the decision was taken to cease work on the masterplan and review the position.

Subsequently, in May 2017, it was decided not to pursue the masterplan further and focus discussion through the Local Plan review. The detailed reasoning for this was set out in the Authority report dated 26 May 2017.

In the absence of an adopted Masterplan legal advice is that the Authority can still apply (a-b), and (i-iv) of Proposal ASH2. The Authority may disregard the requirement for the Masterplan provided it advertises applications as departures. This application has been duly advertised as a departure.

The evidence which supported the preparation of the Masterplan can still be relevant and inform any application, however, the strategy or options proposed in any previous draft of the Masterplan will carry little weight.

It was expected that sites would come forward at different times given the number of different landowners and interests involved. Applications are now to be considered on the basis of case-by-case negotiation and site viability.

MAJOR DEVELOPMENT

Paragraph 172 of the National Planning Policy Framework (NPPF 2018) states that planning permission should be refused for major developments in National Parks except in exceptional circumstances and where it can be demonstrated they are in the public interest. This is reiterated in policy DMD2 of the Local Plan.

The determination of whether a proposal amounts to 'major development' is a matter of planning judgement. It is not consistent with the definition of a 'major planning application', but rather whether the development could be construed as major development in the ordinary meaning of the word having regard to the character of the development in its local context. That would normally be interpreted as applications such as fracking, power line infrastructure, quarrying etc.

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

THE PROPOSAL

The submission is a full application for the removal of all existing buildings on the site associated with the current business. These will be replaced by 23 dwellings facing a new spine road through the centre of the site. The primary access will be from the south west using the routes through Old Totnes Road and Stonepark. Access to the east (Chuley Road) will be restricted to cycles and pedestrians once the development is complete. The existing warehouse on the eastern side of the River Ashburn lies outside of the development site. This will be retained by the current business.

The proposal includes remodelling of the River Ashburn watercourse to attenuate flood flows through the site.

The 23 dwellings are to be laid out on a primarily north/south axis as small terraces, eighteen of which will be on the western side of the spine road. The levels will be remodelled to accommodate the new dwellings. Five units will be located adjacent to the entrance at the southern end of the site. The layout is complimented by substantial landscaping within the site and on the western boundary of the river which flows along the eastern boundary.

The dwellings are two-storey and of a traditional form set in small terraces. They have pitched slate roofs and a variety of elevation treatments including render and feature stonework panels. The glazing pattern is less traditional but reflects a desire to achieve solar gain and enjoy the open views across countryside to the east of the town.

PRINCIPLE OF RESIDENTIAL DEVELOPMENT

Ashburton is one of the Local Centres identified in the Development Plan as a sustainable location for managed growth which would include opportunities for residential development focused on the delivery of affordable housing where they bring forward positive benefits to the local community. Policies COR15 and DMD21 emphasis the priority of housing to meet identified local need, setting a benchmark of not less than 50% of affordable dwellings but recognising that this must be tempered by the economic viability and specific constraints of individual sites. The NPPF endorses this pragmatic approach.

The site lies on the south western side of the town centre within the defined settlement boundary where the above policies would apply. In addition the site lies within the specific allocation policy ASH2. This envisages a mixed use redevelopment opportunity for the wider Chuley Road area which may include housing and commercial uses comprising business use (B1), financial and professional services (A2), shops (A1) and restaurants and cafés (A3). The principle of redeveloping this site is therefore established through the Development Plan allocation.

The redevelopment potential is a catalyst for the relocation of the existing business to a site on the periphery of the town which has planning permission. Enabling works have already commenced to allow the phased relocation to take place. This will have positive benefits of removing a significant volume of commercial traffic from a site which is difficult to access by large commercial vehicles. There are positive community benefits to be gained by retaining the established business in the town and its relocation from this site. The new site has significant room for expansion of the business.

AFFORDABLE HOUSING

The applicant has presented a case that it is not possible to provide any affordable housing on

this site. This is related to the costs of preparing the site for redevelopment and the additional costs associated with necessary flood relief works. The applicant's viability assessment has been scrutinised by an independent assessor who has confirmed that the figures are an accurate assessment of development costs and that there is no opportunity to seek affordable housing on this site or likely contributions to provision elsewhere in the town.

It is acknowledged that there is a significant unmet housing need in Ashburton. The 2015 Housing Needs Survey identified a need for 33 affordable homes in Ashburton looking forward 5 years. Teignbridge District Council Housing Enabler has also confirmed that there is a total number of 35 households on the Devon Home Choice Housing Register as at October 2017 (1 beds (17), 2 beds (9), 3 beds (2) and 4 bed (7)). Because there has been so little delivery of affordable housing in Ashburton since this date it is unlikely that this figure will have changed.

Policy COR15 stipulates that around 70% of affordable housing development should be social rented provided by registered providers with the balance being intermediate housing though the precise split is to be determined on a site by site basis.

It is acknowledged that there is a critical need for affordable housing in the town and this is a priority for the Town Council. The Authority has similar priorities. The expectation, made at the time this site was allocated, was that this site could contribute a proportion of that need however, in the current economic climate that is proving difficult to achieve on sites which have minimal constraints. The on costs of bringing this particular site to a position where it is suitable for redevelopment are a significant reason why there is no realistic expectation of achieving affordable housing on this particular site.

That said, it is important to safeguard any uplift in values through the progression of the scheme towards sale. A clause in the s106 legal agreement will enable the Authority to re-assess any potential uplift at this stage to ascertain whether the development can provide contributions to affordable housing in the form of a commuted sum if considered appropriate.

CAR PARKING

The difficulties of car parking within the centre of Ashburton are acknowledged by the community and within the Development Plan in the vision for Ashburton.

Policy ASH2 identified an opportunity to increase public parking provision close to the centre of Ashburton; it includes the requirement for development to meet the parking needs of existing and new uses and to provide further public car parking. The masterplan envisaged that public parking could potentially be provided on the eastern side of the River Ashburn where the existing warehouse is positioned. That unit falls outside of this application site so cannot be influenced by this decision at this time however the opportunity remains. While there may be strong community desire to see this site contribute to public parking to insist on this would affect the viability of the development as a whole. Losing any number of residential units in favour of public parking provision is likely to make the scheme an unviable proposition. Given that there may be opportunity for provision elsewhere in the ASH2 allocation (Former Outdoor Experience site and the site on the eastern side of the River Ashburn) it is considered that this would not be a robust reason for refusing permission in this case.

HERITAGE CONSERVATION & LAYOUT CONSIDERATIONS

Policies COR1, COR3, COR5, DMD1b, DMD7 and DMD12 are concerned with the conservation and enhancement of Dartmoor's built environment and cultural heritage,

including the setting of conservation areas and listed buildings.

Policy ASH2 requires development in the Chuley Road redevelopment site to conserve and enhance the site's railway heritage.

The site is situated on the southern fringe of the Conservation Area within the heart of Ashburton's railway and industrial heritage which has a distinctive character. The redevelopment of this area provides an opportunity to remove buildings which have a negative impact on the setting of this part of the town and an opportunity to enhance the views across the town and backdrop of St Andrews Church and the recreation ground. A public path runs alongside the northern boundary of the site. It does not affect the former line of the railway (on the eastern side of the River) and will reveal more of the adjacent engine shed once buildings are removed.

FLOOD RISK/DRAINAGE

The analysis of flood risk has been a critical component. This is the principle reason for the delays in bringing this matter to a conclusion and has been the subject of lengthy negotiation. The Authority is satisfied that the necessary sequential test set out in the NPPF has been adequately addressed and that the exception test, allowing for a more vulnerable use to be placed on the site, is well rehearsed by the specifics of the flood risk assessment and its findings.

From its initial position of objecting to the scheme the Environment Agency has now accepted that the development can go ahead as presented with prejudicing acknowledged flood issues and that the proposed remodelling of the river bank profile will have positive benefits on the site and in the vicinity. It does not seek to solve the known problems upstream but is an appropriate and proportionate contribution to improving matters for the wider area. A detailed drainage assessment has also been carried out which shows that the development can be accommodated without adversely affecting the drainage characteristics of the area. Any further comments from the Lead Local Flood Authority (DCC) will be reported at the meeting.

The conclusion of these investigations is that the development will now meet the expectations of the NPPF and policy COR9 of the Development Plan.

The removal of the existing bund on the eastern side of the river corridor (on land owned by the applicant) will be a requirement contained within the s106 legal agreement.

ACCESS & HIGHWAY SAFETY

Policy COR21 sets out the requirement for new development in relation to highway safety. Local residents have a longstanding concern about the level and type of traffic which is currently accessing the business on the site. The two principle routes require vehicles, including large commercial traffic, light vehicles and cars, to traverse narrow and constricted roads from the north and west. The nature of these access roads cannot be influenced by this application. There is no realistic expectation that development of this site or the wider Chuley Road area would provide sufficient funds to create a new link road along Bulliver's Way.

The Transport Statement submitted with the application analyses the patterns of existing use against that which would be generated by the development. It concludes that there would be a significant reduction in trip generation including HGV traffic associated with the existing use. The Highway Authority has accepted these conclusions and does not consider there are any

grounds for refusing permission on this issue subject to detailed conditions relating to the layout and phasing of highway works. There are no objections to stopping up the eastern bridge to vehicle traffic following development (it is a private bridge that is not on the highway)

With regard to construction traffic it is acknowledged that the western route (Old Totnes Road and Stonepark) is unlikely to be suitable. A condition is suggested to restrict this to the eastern access only.

Pedestrian access will be retained to the east. The site is adjacent to an established pedestrian route through the recreation ground linking to the centre of the town.

ECOLOGY

Policies COR7 and DMD14 deal with biodiversity and protected species.

The proposed development lies within a strategic greater horseshoe bat flyway and sustenance zone of the South Hams Special Area of Conservation (SAC). The ecological scoping assessment considers the impact of the development on protected species and the risk to the SAC integrity, with the main consideration being the impact of development on the potential bat flight lines along the river corridor and western boundary.

The impact is mitigated by the proposed enhancement works and, subject to the application of appropriate conditions, should not have a detrimental impact on protected species.

Mitigation has been agreed to ensure there is no adverse impact on fish passage while works are carried out within the river corridor.

TREES/LANDSCAPE

There are trees that contribute to the setting of this site however they lie outside of the development boundary. The hedgebank on the western boundary is currently unmanaged. It is intended to manage and enhance this feature. The proposed works in the river corridor are considered to be positive enhancements.

CONTAMINATION/LAND STABILITY

Policy DMD17 deals with development on contaminated land.

The Preliminary Environmental Report (PER) identifies potential for contamination due to historic land uses. Intrusive ground investigation is recommended to inform remediation as appropriate and can be dealt with by planning condition. There is likely to be significant potential for hazardous materials in the demolition of the existing buildings.

There are no risks identified in respect of land stability on the site.

NOISE IMPACT FROM ADJACENT INDUSTRIAL SITE

A noise impact assessment has been carried out to assess any potential impact on future occupiers from existing uses adjacent to the site. This principally relates to the operation of a woodworking shop on the north eastern boundary of the site. The EHO is satisfied that this can be mitigated in the design proposals.

NEIGHBOUR AMENITY

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

The principal issues of concern relate to the impact of construction traffic and ongoing vehicle access. The redevelopment of the site will result in short term disruption which is to be managed by the construction method statement. The longer term impact is considered to be less than the existing traffic flows therefore no additional measures are considered necessary.

There are considered to be no direct adverse effects from the layout and orientation of the proposed buildings on the site.

EDUCATION INFRASTRUCTURE

Devon County Council has requested a contribution of £78499 to local school infrastructure. This will be spent to improve facilities at the Ashburton Primary School.

CONCLUSION

The redevelopment of this site has been anticipated as a result of its allocation in the Development Plan and the desire for the existing business to relocate. It provides an opportunity to enhance this important site on the fringe of the town centre. It has the added benefit of realising land which will facilitate the expected relocation of a well-established business to a site on the periphery of the town, retaining and enhancing existing employment opportunities. These are significant community benefits which must be balanced against community aspirations for the site.

While it does not provide all of the expected additional community benefits of affordable housing and public parking these have been thoroughly analysed in the consideration of the evidence presented. At this time the financial viability of the development is such that there is no realistic expectation of affordable housing on this site. Some of the access constraints rehearsed in the report work against this being a suitable site for the provision of public parking. There are considered to be better sites within the remaining Chuley Road allocation which should provide for this particular need.

Overall, the scheme is considered to be a positive opportunity to facilitate the relocation of the business from the site and an enhancement opportunity consistent with the desire to improve the overall quality of the area. The lack of affordable housing and car parking must be balanced against the positive benefits of achieving a development which enhances this location and facilitates the objective of relocating a business from this site.

Land East of Betton Way - 0228/18



Scale 1:1,250



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2. Application No: **0228/18** District/Borough: **Teignbridge District**
 Application Type: **Outline Planning Permission** Parish: **Moretonhampstead**
 Grid Ref: **SX750863** Officer: **Jo Burgess**

Proposal: **Construction of up to 30 dwellings (including affordable housing) with all matters reserved except access**

Location: **Land to the East of Betton Way,
Forder Farm,
Moretonhampstead**

Applicant: **Mrs S Ellis**

Recommendation **That, subject to a Section 106 Agreement in respect of 15 dwellings being affordable housing, planning permission be GRANTED**

Condition(s)

1. The development hereby permitted shall be begun either (i) before the expiration of three years from the date of this permission, or (ii) before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of one year from the date of this permission.
3. Development shall not begin until detailed drawings have been submitted to, and approved by, the Local Planning Authority showing the design and external appearance of all proposed buildings, their siting, the materials of which they are to be constructed, the arrangements for the disposal of foul and surface water, areas for vehicle parking, surfacing and lighting, landscaping and all other works including walls, fences and other means of enclosure and screening and indicating the location and species of all trees existing on the site. At all times thereafter the development shall be implemented strictly in accordance with the approved details.
4. The development hereby approved shall be carried out in accordance with the following approved drawings: site location plan, the Tree Constraints Plan and drawings numbered 0675 PHL-101 B received 8 May 2018 and drawings numbered 609 SK1 D and DTS18.2.1.TPP received 10 July 2018.
5. 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 material alterations to the external appearance of the affordable dwellings hereby approved shall be carried out and no extension, building, enclosure, structure, erection, hard surface, swimming or other pool shall be constructed or erected in or around the curtilage of the dwelling hereby permitted, and no windows or roof lights other than those expressly authorised by this permission shall be created, formed or installed, without the prior written authorisation of the Local Planning Authority.
6. A detailed construction method statement shall be agreed in writing by the Local Planning Authority prior to any works taking place on the site. This shall include the details of any temporary storage compounds, welfare facilities and parking arrangements on the site, times of working and arrangements for deliveries.

7. No works shall be undertaken on the site other than between the hours of 08.30 - 18.00hrs Monday - Friday and 08.30 - 13.00hrs Saturday. There shall be no working on site on Sundays or Bank Holidays.
8. A detailed renewable energy assessment on site renewable energy equipment to offset at least 20% of the predicted carbon emissions of the development shall be agreed in writing by the Local Planning Authority, prior to any works taking place on the site.
9. No part of the development hereby approved shall be commenced until:
 - (i) The access road serving that part of the site has been laid out, kerbed, drained and constructed up to base course level for the first 20 metres back from its junction with the public highway
 - (ii) The ironwork has been set to base course level and the visibility splays required by this permission laid out
 - (iii) The footway and pedestrian crossing point on the public highway frontage required by this permission has been constructed up to base course level
 - (iv) A site compound and car park have been constructed to the written satisfaction of the Local Planning Authority
10. The occupation of any dwelling in an agreed phase of the development shall not take place until the following works have been carried out to the written satisfaction of the Local Planning Authority:
 - (i) The cul-de-sac carriageway including the vehicle turning head within that phase shall have been laid out, kerbed, drained and constructed up to and including base course level, the ironwork set to base course level and the sewers, manholes and service crossings completed;
 - (ii) The cul-de-sac shared surface or footways and footpaths which provide that dwelling with direct pedestrian routes to an existing highway maintainable at public expense have been constructed up to and including base course level;
 - (iii) The cul-de-sac visibility splays have been laid out to their final level;
 - (iv) The street lighting for the cul-de-sac and footpaths has been erected and is operational;
 - (v) The car parking and any other vehicular access facility required for the dwelling by this permission has/have been completed;
 - (vi) The verge and service margin and vehicle crossing on the road frontage of the dwelling have been completed with the highway boundary properly defined;
 - (vii) The street nameplates for the cul-de-sac have been provided and erected.
11. The dwellings hereby permitted shall not be occupied until the two parking spaces for motor vehicles per dwelling shown on the approved plan have been made available for use; thereafter the parking spaces shall be permanently retained for that use alone.
12. Once constructed and provided in accordance with conditions 9 and 10 above, the carriageway, vehicle turning head, footways and footpaths shall be maintained free of obstruction to the free movement of vehicular traffic and pedestrians and the street lighting and nameplates maintained to the satisfaction of the Local Planning Authority.

13. No part of the development hereby permitted shall be commenced until the detailed design of the proposed permanent surface water drainage management system has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. The design of this permanent surface water drainage management system will be in accordance with the principles of sustainable drainage systems, and those set out in the Land At Forder Farm, Moretonhampstead, Flood Risk and Drainage Strategy Technical Note, 0675, dated 20th July 2018.
14. No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. This temporary surface water drainage management system must satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site.
15. No part of the development hereby permitted shall be commenced until a programme of percolation tests has been carried out in accordance with BRE Digest 365 Soakaway Design (2016), and the results approved in writing by the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. A representative number of tests should be conducted to provide adequate coverage of the site, with particular focus placed on the locations and depths of the proposed infiltration devices.
16. No part of the development hereby permitted shall be commenced until the full results of a groundwater monitoring programme, undertaken over a period of 12 months, has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. This monitoring should be conducted to provide adequate coverage of the site, with particular focus placed on the locations and depths of the proposed infiltration devices.
17. Prior to the commencement of any works, demolition or development on the land, all existing trees, shrubs and hedges to be retained shall be protected by fences or suitable barriers erected beyond their dripline in accordance with the Tree Protection Plan hereby approved. Such fences or barriers shall be maintained until the completion of the development on the land. Within these protected areas there shall be no storage, deposit, tipping or placing of any materials, soil, spoil or other matter, no parking or movement of vehicles or trailers, no erection or siting of buildings or structures, no excavation or raising of ground levels and no disposal of water or other liquid. Furthermore, no fire(s) shall be lit within 20m of any protected area without the prior written authorisation of the Local Planning Authority.
18. No part of the development hereby permitted shall be commenced until a Construction Ecological Management Plan and Landscape and Ecological Management Plan setting out management responsibilities and maintenance schedules for all landscaped areas (except private gardens) and including the recommendations of the Ecological Impact Assessment dated November 2017, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the with the approved plans and approved timetable for implementation.

19. No development shall take place until a further phase 2 assessment has been submitted to and approved in writing by the Local Planning Authority. This assessment must estimate and evaluate the potential risks to people, property and the environment identified in the Phase 1 study submitted with the application ref; JM/JW/SR/17399/PCAR. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. It must include:
 - (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
20. No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
21. The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

Introduction

The site is located on the edge of Moretonhampstead between Betton Way to the west, the primary school to the south and Ford Street to the east.

The site is allocated for housing in the Development Plan under policy MTN1, which requires not less than 50% to be affordable housing to meet identified local needs.

This is an outline application for 30 dwellings with details of access to be approved at this stage. It is supported by an indicative masterplan.

The application is presented to Members as a Major Development.

Planning History

0449/10	Construction of approx 180m of new road between Betton Way and Chagford Cross		
	Full Planning Permission	Grant Conditionally	09 November 2010
0484/07	Development of five new build dwellings (including two affordable) and associated infrastructure		
	Full Planning Permission	Grant Conditionally	16 November 2007

0246/06	Replacement primary school (180 places, 6 classrooms)		
	Full Planning Permission	Grant Conditionally	30 June 2006
0528/03	Six three/four bedroomed dwellings		
	Outline Planning Permission	Grant Outline Conditionally	03 December 2003
0585/03	210-place primary school and associated access, car parking and playing fields		
	Outline Planning Permission	Grant Outline Conditionally	14 October 2003
5/02/243/97/01	Residential development		
	Outline Planning Permission	Grant Outline Conditionally	04 December 2001

Consultations

Environment Agency:	Flood Risk Zone 1 - standing advice applies
Teignbridge District Council:	The Housing Enabling Officer has advised that the Devon Home Choice Register confirms a current level of need for rented affordable houses in Moretonhampstead of 16. In accordance with recent housing needs surveys carried out by Devon Communities Together and on behalf of the Parish Council, the mix of affordable housing should be 10 affordable rented homes and 5 intermediate houses, which will need to be local affordable and needs assessed but could include shared ownership and affordable custom and self-build housing.
County EEC Directorate:	Development is acceptable subject to conditions
DNP - Archaeology:	No archaeological concerns
DNP - Trees & Landscape:	No objection in principle. Having considered the Arboricultural Impact Assessment and a Tree Protection Plan concerns regarding the proximity of the buildings to the trees have been addressed and the proposed layout is considered acceptable.
DNP - Ecology & Wildlife Conservation:	The proposed development will be acceptable if a planning condition is included requiring a scheme to be agreed to ensure that the environment is protected during development, and landscape within the site is managed to protect and enhance the ecological value of the site
Devon County Council (Flood Risk):	No in principle objections subject to conditions in respect of the design of the surface water drainage management system, the system in place during construction, submission of percolation tests and the results of a groundwater monitoring programme, being imposed.
Teignbridge District Council (EHO):	Recommend conditions in respect of site characterisation, submission of remediation scheme and implementation of approved remediation scheme to address issues of contamination.
Devon & Cornwall Constabulary:	No concerns regarding child safeguarding and natural surveillance over school premises out of hours. Should

help deter crime and anti-social behaviour

Parish/Town Council Comments

Moretonhampstead PC: The Parish Council welcomes the bank remaining largely intact and notes that this is still an application on access only, therefore will not comment on the matter of trees other than to say that the information provided is inadequate.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR15 - Providing for limited new housing to meet local needs
COR2 - Settlement Strategies
COR21 - Dealing with development and transport issues in a sustainable way
COR24 - Protecting water resources from depletion and pollution
COR3 - Protection of Dartmoor's special environmental qualities
COR4 - Design and sustainable development principles
COR7 - Providing for the conservation of Dartmoor's varied plant and animal life and geology
COR8 - Meeting the challenge of climate change
DMD14 - Biodiversity and geological conservation
DMD17 - Development on contaminated land
DMD1a - Presumption in favour of sustainable development
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD2 - Major Development
DMD21 - Residential development in Local Centres
DMD3 - Sustaining the quality of places in Dartmoor National Park
DMD38 - Access onto the highway
DMD4 - Protecting local amenity
DMD40 - Parking provision - Residential
DMD45 - Settlement boundaries
DMD5 - National Park Landscape
DMD7 - Dartmoor's built environment
DMDMTN1 - Housing land at Forder Farm

Representations

4 letters of objection 1 letter of support

4 letters of objection have been received referring to the density of development, noise and disturbance associated with the construction process, the breaches of the Devon Bank and issues with traffic on what is currently a cul-de-sac.

1 letter of support highlights the need for affordable housing.

Observations

INTRODUCTION

This 0.8ha site is allocated for residential development under proposal MTN1 in the Dartmoor National Park Development Plan and is within the settlement boundary.

The site is accessed from Betton Way and is largely a greenfield site with established hedgerows containing a number of mature trees. A small part of the site was previously a hard paved yard with access from Ford Street.

Moretonhampstead Primary School is located to the south of the site.

SUSTAINABLE DEVELOPMENT

Moretonhampstead is a Local Centre as set out in the settlement strategy and policy COR2. The provision of new residential development on an allocated site is in accordance with policies COR1, COR15, DMD1a and DMD21.

SITE ALLOCATION

The site was first allocated in 2013, so the principle of residential development has been accepted. In accordance with policy DMD45, the application is accompanied by a Development Brief which set the objectives of setting development guidelines, delivering residential development and delivering affordable housing.

Prior to submission of the application community consultation has taken place and the responses to this consultation have led to modifications to address issues around the frontage of the site with Betton Way, parking and additional planting.

AFFORDABLE HOUSING

Policy DMD21 and the site allocation set out in policy MTN1 requires that not less than 50% of the new housing should be affordable to meet identified local housing needs. The Parish has worked with Teignbridge District Council Housing Officers and the mix of affordable housing and the allocation policy in the Section 106 Agreement will reflect the priorities identified through the most up-to-date studies of housing need.

The applicant has submitted the application including up to 50% affordable housing and is aware of the requirements of the Authority's Section 106 Agreement in this respect. The applicant has stated their willingness to offer affordable housing at a mix and tenure to be agreed through the course of the application and discussions are already taking place between the legal representatives, Teignbridge Housing Enablers and the Authority regarding the terms.

MAJOR DEVELOPMENT

The site has up to 30 houses being proposed on a site more than 0.5ha in area. It therefore constitutes major development as set out in the definitions contained in the National Planning Policy Framework (NPPF) and policy DMD2 applies.

Paragraph 172 in the new NPPF states that in designated areas such as National Parks, the scale and extent of development should be limited and planning permission should be refused for major development other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest.

It has been clearly demonstrated through the housing needs surveys that there is a need for affordable housing in Moretonhampstead which is considered a sustainable location. This, and the enabling open market housing, can only have a positive impact on the local economy and community.

The application seeks to demonstrate the extent of any detrimental effect on the environment and the landscape and the extent to which that could be moderated.

Policy COR8 requires where major development is proposed it is expected to provide on-site renewable energy generation equipment to off-set at least 20% of the predicted carbon emissions of the development. This can be required by condition and could relate to the energy efficiency of the buildings at the reserved matters stage.

ACCESS AND PARKING

The application includes details of a primary access from Betton Way and a secondary access from Ford Street, both via existing field gates and a pedestrian and cycle link to Forder Meadow.

The application drawings include preliminary details of minor alterations to both site accesses to achieve sufficient visibility splays and have been the subject of discussion between the Highway Authority and the applicant's highway consultants. Subject to the appropriate conditions the proposed development is considered to be acceptable by the Highway Authority and in accordance with policy DMD21.

The Masterplan was updated following the most recent community consultation to include two parking spaces per plot in accordance with policy DMD40.

TREES AND LANDSCAPING

The layout has pulled development away from the boundaries to provide an appropriate setting and spatial relationship with the existing hedgerows and trees within them.

The trees growing along Ford Street are semi-mature and have potential to increase substantially in size and cause significant problems to future residents. It is however important that these trees are retained because they add to the character of the street scene and soften the transition between the rural and urban elements of this landscape.

A Tree Protection Plan and Arboricultural Impact Assessment have been submitted together with a tree report and subject to the plan being approved, the Trees and Landscape Officer is satisfied that a satisfactory relationship between the buildings and the trees can be achieved, the visual impact of the development is acceptable and that the character of the landscape will be protected in accordance with policy COR3 and DMD5.

IMPACT ON WATER QUALITY, SURFACE WATER AND FLOODING

Policy DMD3 requires developments to dispose of surface water in accordance with sustainable methods that minimise the risk of flooding of property and land or the pollution of watercourses. This reflects policies COR8, COR9 and COR24.

Following the submission of a revised Flood Risk and Drainage Strategy Technical Note, Devon County Council as Lead Local Flood Authority has no objections in principle to the

development, subject to conditions requiring both the detailed design of the proposed permanent surface water drainage management system and the temporary arrangements during construction, a programme of percolation tests and ground water monitoring.

ECOLOGY

An Ecological Impact Assessment has been submitted and found the habitats to have low ecological value. It is recommended that a Construction Ecological Management Plan and Landscape and Ecological Management Plan are required by condition to ensure that the environment is protected during development and the landscape within the site is managed to protect and enhance the ecological value of the site, in accordance with policies COR7 and DMD14.

DESIGN AND LAYOUT

Neighbours in the adjoining development have expressed concerns regarding possible vehicular access. The masterplan shows a footpath link to Barn Drive only. This plan will form part of the approval.

It will be important to protect residential amenity during the construction process so details of construction management should be required by condition and hours of working restricted.

The lower part of the site overlooks the school playing field and although there is some landscaping, the new houses will provide an opportunity for natural surveillance and having consulted with Devon and Cornwall police, they have no adverse comments in terms of child safeguarding. The school have been consulted and not raised any concerns.

The impact of the layout on residential amenity can only be assessed once details have been submitted; however the indicative layout accords with conventional site layout and does not appear to impact on the amenity of any surrounding residents.

CONTAMINATION

A Phase 1 Contamination Report has been submitted and in accordance with policy DMD17 conditions have been requested.

CONCLUSION

This site is an allocated site within a Local Centre where there is current local need for affordable housing. A Section 106 Agreement will ensure that the housing is allocated in accordance with the priorities identified by the Local Housing Authority and the Parish Council.

It is by definition sustainable development in accordance with the NPPF and the Development Plan.

Subject to conditions residential development can be provided on the site without a detrimental effect on the local environment or the wider landscape of the National Park.

6 Crossways Cornwood - 0251/18

Scale 1:500



3. Application No: **0251/18** District/Borough: **South Hams District**
 Application Type: **Full Planning Permission -** Parish: **Cornwood**
Householder
 Grid Ref: **SX605595** Officer: **Jo Burgess**
 Proposal: **Erection of garage**
 Location: **6 Crossways, Cornwood**
 Applicant: **Mr M Brewer**

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 development hereby approved shall be carried out strictly in accordance with the following approved drawings: drawings numbered D7503-003C and 004 B received 20 July 2018.
3. The garage hereby permitted shall be used for the storage of private motor vehicles and incidental domestic storage only and for no other purpose.
4. Notwithstanding the drawings hereby approved, the vehicular access door of the garage hereby approved shall, unless otherwise previously agreed by the Local Planning Authority in writing, be of vertical timber boarded construction.
5. 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.
6. Prior to the commencement of the development hereby permitted, details of the proposed landscaping and planting scheme to screen the north and west elevations of the garage hereby approved shall be submitted to the Local Planning Authority for approval. The landscaping and planting shall be carried out in accordance with the approved scheme within twelve months of the commencement of the development, or such longer period as the Local Planning Authority shall specify in writing. The landscaping and planting shall be maintained for a period of five years from the date of the commencement of the development, such maintenance shall include the replacement of any trees or shrubs that die or are removed.

Introduction

6 Crossways is a semi-detached property in a small estate in the Rural Settlement of Cornwood.

It is proposed to erect a garage at the front of the property.

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

Planning History

0132/18	Erection of single storey garage	
	Full Planning Permission -	Withdrawn
	Householder	08 May 2018

Consultations

South Hams District Council:	Does not wish to comment
County EEC Directorate:	No highway implications
Environment Agency:	Flood Risk Zone 1

Parish/Town Council Comments

Cornwood PC:	The Council objects because the garage is in front of the building line, thus impacting on the general street scene, the design should be shown in the wider context on the drawings, the structure appears to be built on top of two drainage systems and pedestrian access to the rear is very narrow.
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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

INTRODUCTION

This application follows withdrawal of a previous application and discussions with officers. The garage has been reduced in size and moved closer to the house than originally proposed. The garage is however, proposed in front of building line and this is the main objection from the Parish Council.

PLANNING POLICIES

Policy DMD7 requires that, development should conserve and enhance the local built environment and reinforce the distinctive qualities of places. The Design Guide states that generally outbuildings should not be sited forward of the original building's main elevation.

ASSESSMENT OF THE DESIGN AND LAYOUT

Design Guidance does not generally result in new buildings being considered acceptable forward of 'the building line'; however after careful assessment in this case the layout of road, screening provided by the boundary fence with No.4 and back drop of other houses when seen from both the east and west means that the proposed garage will not be prominent or

intrusive.

The external finish of the building will match that of the main house, however the garage door should be vertical timber in keeping with this rural location. Conditions are recommended accordingly.

The setting back from the boundary wall gives potential for landscaping to soften the impact and this can be made a condition of planning permission.

USE

The size of the garage has been reduced from that originally proposed, however in order to protect residential amenity in accordance with policies COR4 and DMD4, it is considered that a use restriction is appropriate.

PARISH COUNCIL COMMENTS

As well as the principle issue the Parish Council raise concerns about the building being constructed over drains. The applicants agent has confirmed that this is allowable as the drain is accessible from either side and the applicant will need to get consent from South West Water before building regulations approval is sought.

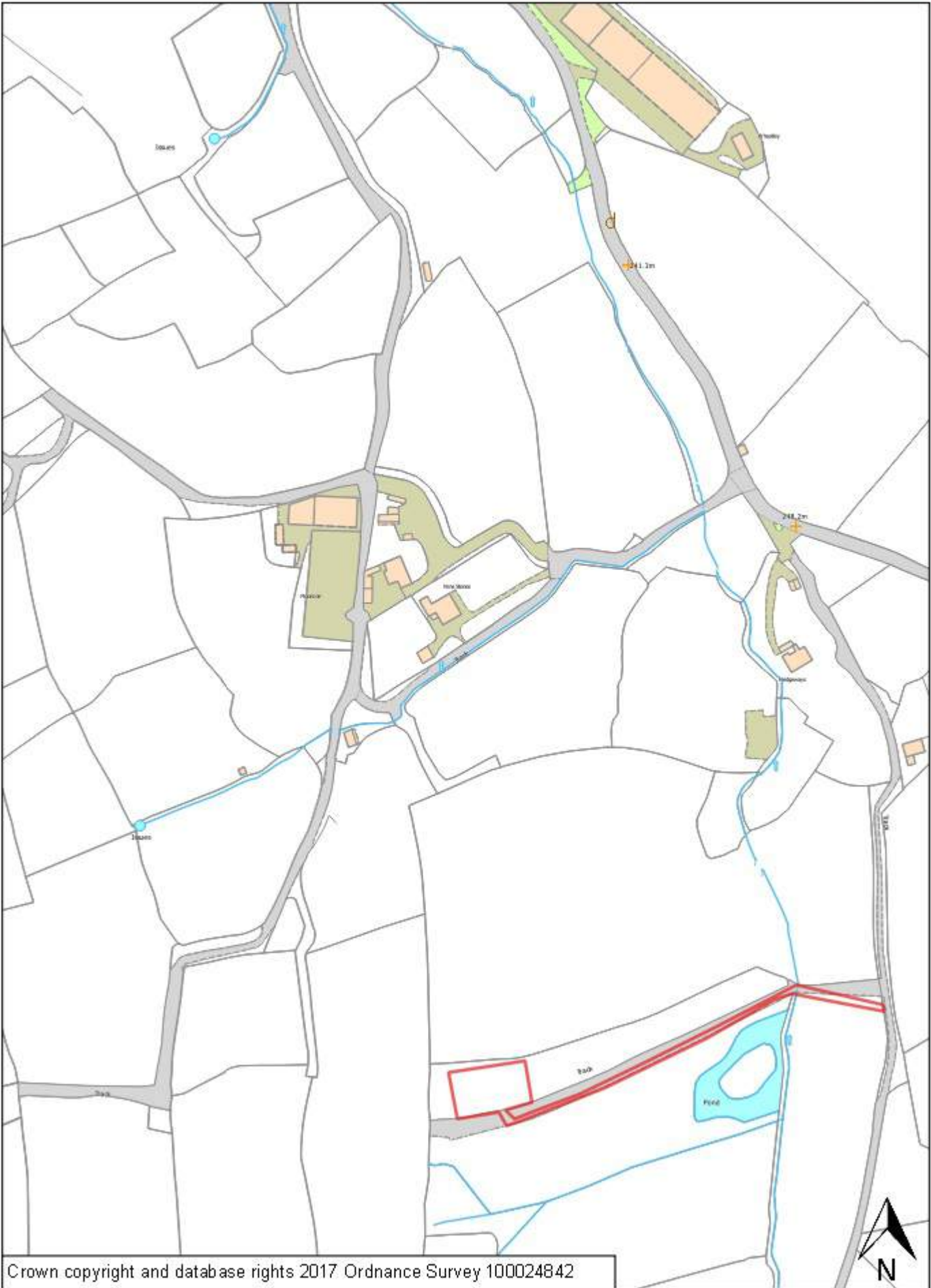
Issues of access are also raised but this arrangement will improve security for the applicant and there is no planning reason to object on these grounds.

CONCLUSION

Although it would not normally be permissible for an outbuilding, such as a garage, to be erected in front of the building line, in this situation there is insufficient room beside the house for a garage, with the proposed retention of the existing boundary wall and opportunity for landscaping this results in a building which is acceptable in this location.

Land adj Hedgeways, South Zeal - 0331/18

Scale 1:2,500



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4. Application No: **0331/18** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **South Tawton**
Grid Ref: **SX653920** Officer: **Jo Burgess**

Proposal: **Retrospective schooling and turnout area for horses**

Location: **land adjacent to Hedgeways,
Galls Lane, Throwleigh Road,
South Zeal**

Applicant: **Ms K Pearson**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The schooling and turnout area by reason of its engineered form and location in this historic field system, has a detrimental impact on the character and appearance of this part of the Dartmoor National Park landscape contrary to policies COR1, COR3, COR4, DMD1b, DMD5 and DMD33 of the Dartmoor National Park Development Plan and to the advice contained in the English National Parks and the Broads UK Government Vision 2018, the National Planning Policy Framework 2012 and the Dartmoor National Park Design Guide.

Introduction

The land is part woodland and part rough pasture which is an 'unconfirmed wildlife site' and is located in open countryside to the east of Cosdon Hill.

This is a retrospective application for a horse schooling and turnout area which has involved the excavation of land to create a flat area and was submitted following extensive correspondence with the Enforcement Officer and the Authority Ecologist.

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

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 - Archaeology:	The development does have a significant impact on the archaeology of the area.
DNP - Ecology & Wildlife Conservation:	There are no biodiversity policy grounds to object to the development. Provided the engineering works are confined to this area and no materials spread elsewhere, there is no mechanism for the works to directly or indirectly affect the biodiversity interest in the remainder of the site which has notable areas of wet grassland and wet woodland.
DNP - Trees & Landscape:	The land is part of an old field system which is likely to be mid to late medieval. Part of the historic field system on enclosed land to the south has been compromised by recent farming activity. The engineering operation carried out as part of this development has changed the character

of the local landscape and compromised the character of the historic field system. It does not reflect the local land form and in creating an artificial terrace has had a detrimental impact on the character of the local landscape.

Parish/Town Council Comments

South Tawton PC: Supports this application as it was felt that it could not be seen from anywhere, although there were worries that the application was retrospective.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR2 - Settlement Strategies

COR3 - Protection of Dartmoor's special environmental qualities

DMD1a - Presumption in favour of sustainable development

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

DMD33 - Horse related development

DMD5 - National Park Landscape

Representations

1 letter of objection 3 letters of support

Three letters of support have been submitted stating that the site is discrete and would have limited visual impact referring to the requirements of the horses owned by the applicant.

The one letter of objection received raises concerns about additional traffic.

Observations

INTRODUCTION

The site is rough pasture which is currently used for running pigs. The site was mapped as Rhos Pasture and Wet Woodland, however following a visit by the Authority Ecologist it has been confirmed that the part of the site affected by the development is of relatively low biodiversity value (compared with the main part of the site).

PLANNING HISTORY

The engineering works on the land were first brought to the attention of the Authority in October 2017. A site inspection also revealed that a small wooden building has been erected. This structure was visible from the public right of way whereas the engineering works were not. The applicant was advised at that time that it was unlikely that the Authority would be able to support the applicants plans for a levelled area.

BACKGROUND

Having been refused permission elsewhere for stables, the applicant acquired the land to keep two horses with complex needs. The schooling/turnout area is needed for welfare and safety reasons. The applicant offers additional tree planting and reference is made to the approval of

such areas elsewhere in the National Park.

PLANNING POLICY

The site is part of a larger site designated as Rhos Pasture and Wet Woodland so policies COR3, COR7, DMD6 and DMD14 apply.

The site is a proposal for horse related development in the open countryside so policies COR1, COR2, COR3, DMD1a, DMD1b, DMD5 and DMD33 are particularly relevant.

ECOLOGY

Following a detailed site inspection by the Authority Ecologist, it was determined that the part of the land affected by the development is likely to have been of relatively low value for biodiversity and has never been a priority habitat. For this reason the site is mapped by DNPA as an 'unconfirmed wildlife site'. This means that it has been surveyed (in 1994) but the owner has not given permission for it to be designated. This and the fact that ownership has changed at least once since the survey means that there is no reason why the current owner would have been aware of the potential importance of the site.

The Ecologist has confirmed that provided the proposals are physically confined to an agreed area with strict conditions, there are no ecological grounds for refusal. It is however essential that no trees are felled and there is no intrusion into the core wetland habitat which remains of high ecological value. The applicant has been advised regarding management options to enhance the site for wildlife.

LANDSCAPE IMPACT

The Parish Council has noted that the site cannot be seen from anywhere. Officers agree that the site is mostly hidden from view but there may be glimpsed views from the common to the west.

The land is part of a historic pastoral landscape with a strong historic sense of place. Open moorland lies to the west. It is designated as being Landscape Character Type 2D Moorland Edge Slopes.

Policy DMD5 states that development proposals should conserve and/or enhance the character of Dartmoor's landscape. Policy DMD33 states that where horse related development is proposed, it should be demonstrated that it will not harm local landscape character. The National Character Area profile for Dartmoor also mentions that maneges and other horse facilities are resulting in a gradual encroachment of development into that landscape.

In this case unauthorised engineering operations have already taken place. It is proposed to surface the level area with woodchip. The engineering operations which have consisted of up to a 2m excavation and levelling of the land, result in a level area contrasting with the gently rolling pastoral land surrounding the site and has a detrimental impact on what is special and locally distinctive about the character of the local landscape.

CONCLUSION

The development constitutes horse related development in the open countryside. Such

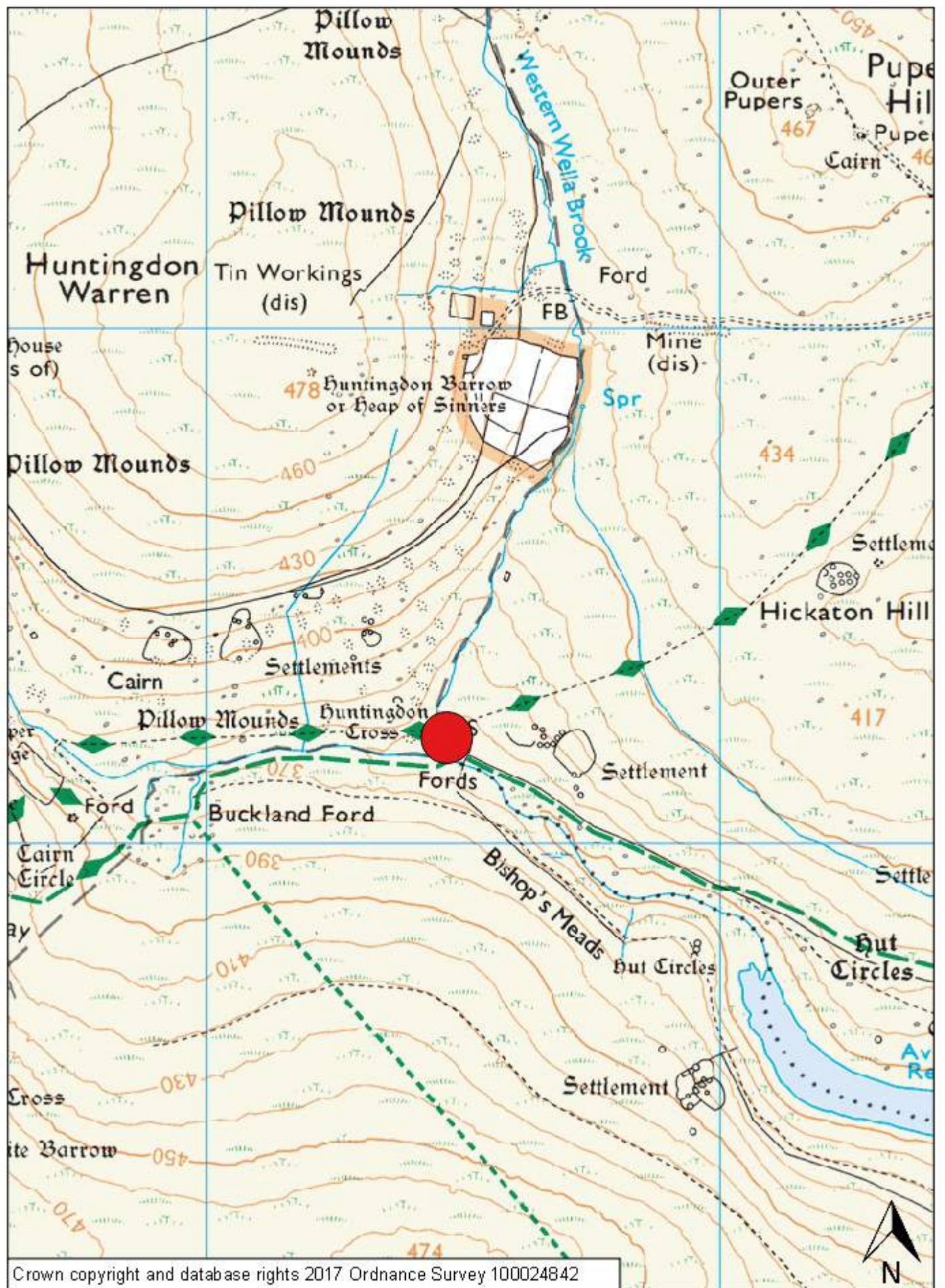
development should only be permitted where it can be demonstrated that the proposal will not harm local landscape character. It is clear that the creation of a levelled area in this otherwise undulating pastoral landscape within a historic field system has not and will not meet this test.

It is recommended that planning permission is refused.

Western Wella Brook - 0340/18



Scale 1:10,000



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5. Application No: **0340/18** District/Borough: **South Hams District**
Application Type: **Full Planning Permission** Parish: **Dean Prior**
Grid Ref: **SX664661** Officer: **Jo Burgess**

Proposal: **Clapper Bridge**

Location: **Western Wella Brook, Dean Moor**

Applicant: **Dartmoor National Park Authority**

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 development hereby approved shall in all respects, accord strictly with the approved drawings: site location plan and one un-numbered drawing received 3 July 2018.

Introduction

The proposed bridge is on the route of a bridleway which forms part of 'The Two Moors Way' and 'Abbotts Way' where it crosses the Western Wellabrook.

It is proposed to erect a simple clapper bridge across the brook between the existing ford and the main river.

The application is presented to Members because the applicant is the Authority.

Consultations

Environment Agency:	Whilst the proposed development is within flood zones 2 and 3 the submitted Flood Risk Assessment (FRA) has correctly identified the risks of the development and the minimal impact that the proposed development will have on flood risk downstream. The EA is satisfied that the proposed mitigation measures are suitable to ensure no impact on flood risk elsewhere.
South Hams District Council:	Does not wish to comment
County EEC Directorate:	No highway implications
DNP - Archaeology:	No archaeological concerns
DNP - Trees & Landscape:	No objection
DNP - Ecology & Wildlife Conservation:	No objection on ecology grounds.

Parish/Town Council Comments

Dean Prior PC: No comments received

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR2 - Settlement Strategies
COR3 - Protection of Dartmoor's special environmental qualities
COR6 - Protecting Dartmoor's Archaeology
COR7 - Providing for the conservation of Dartmoor's varied plant and animal life and geology
COR9 - Protection from and prevention of flooding
DMD13 - Archaeology
DMD14 - Biodiversity and geological conservation
DMD1a - Presumption in favour of sustainable development
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD3 - Sustaining the quality of places in Dartmoor National Park
DMD31 - Provision of new recreational and leisure facilities
DMD5 - National Park Landscape
DMD6 - Dartmoor's moorland and woodland

Representations

1 letter of support 1 other letter

One comment was received raising questions regarding the location for the bridge. In addition a letter of support on behalf of Totnes Ramblers, has also been received stating that the bridge will provide a safe crossing for two named trails, where at present walkers often have to wade across the stream and that the use of a granite slab preserves the isolated moorland character of this area.

Observations

INTRODUCTION

The application arises from concerns raised with the Authority over many years by key recreational users such as local Ramblers and the Two Moors Way Committee, regarding erosion of the river banks and need to improve this part of the Two Moors Way and Abbots Way routes for walkers. Horse-riders will have the choice of continuing to use the ford.

The Totnes Ramblers Group have provided the funding for this project and the new bridge together with associated works will make the route more commodious to walkers, in accordance with policy DMD1b and the second National Park purpose.

THE PROPOSAL

It is proposed to erect a traditional, locally sourced, granite clapper bridge on the Dean Prior Bridleway 7 approximately 0.7km upstream from the Avon Reservoir. A small area of soil would need to be excavated from the top of the stream bank in order to set the granite stones forming the bridge footing and the clapper would be laid on top.

IMPACT ON ECOLOGY

The bridge is located just outside the South Dartmoor SSSI and the Dartmoor SAC, the boundary of which approximately follows the line of the stream. Access to the site for machinery and materials would be from the east and not require crossing into the SSSI. The habitat directly affected by the work to install the bridge is acid grassland of low species

diversity on alluvial soils. There are no special habitats in the vicinity of the working area and it is extremely unlikely that any legally protected or notable species will be affected. The location of the works, the small scale and the precautions set out in the application mean that there is no mechanism to affect the interest features of the SSSI and there is no likely significant effect on the Dartmoor SAC. The proposal is therefore considered to be in accordance with policies COR7 and DMD14.

IMPACT ON ARCHAEOLOGY

There are no archaeological concerns.

IMPACT ON LANDSCAPE

The new structure will reflect the design of traditional structures and will have no impact on the character of the local landscape in accordance with DMD5.

IMPACT ON WATER QUALITY

Once constructed the bridge will reduce the foot traffic through the ford and deliver a minor improvement in water quality by reducing sediment.

FLOOD RISK

The proposed bridge is within flood zones 2 and 3 of the River Avon, an ordinary watercourse. The structure is upstream of the Avon Dam which regulates the flow of water downstream. The proposal has been considered against the sequential test and the Environment Agency concurs with the conclusion in the flood risk assessment that the proposed structure will have no impact on flood risk downstream, and would not pose any new hazard to persons or property in accordance with policy COR9.

CONCLUSION

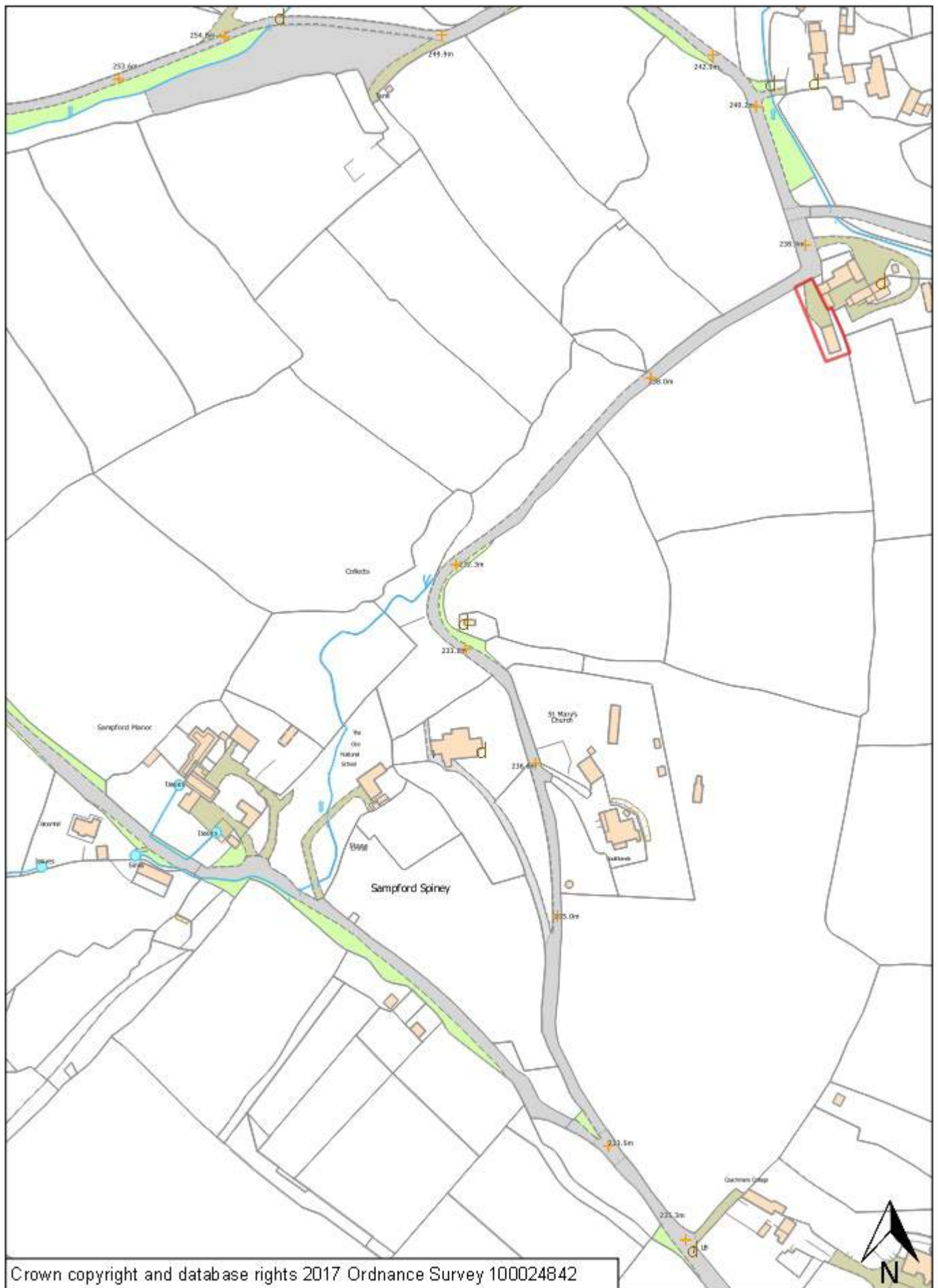
A clapper bridge is a traditional means of crossing watercourses on Dartmoor. There is a large clapper bridge across the River Avon upstream from the Western Wellabrook and a clapper bridge across the Western Wellabrook further upstream providing access to Huntingdon Warren.

The site has been carefully considered in terms of the impact on ecology and is in the optimum location to serve users of the bridleway which forms part of two important recreational routes and will promote the enjoyment of the special qualities of the National Park thus delivering the second purpose in such a way that the development will not detract from and will enhance the special qualities of the National Park.

Gees Farm, Sampford Spiney - 0307/18



Scale 1:2,500



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6. Application No: **0307/18** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Sampford Spiney**
Grid Ref: **SX536726** Officer: **Helen Maynard**

Proposal: **Extension of existing agricultural building to provide wood storage area and installation of heating system within the building.**

Location: **Gees Farm, Sampford Spiney**

Applicant: **Mr L Lawson**

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 development hereby approved shall, in all respects, accord strictly with the approved plans: 027-GFSS- 05 valid 18 June 2018; 029-GF-BH 01 and 029-GF-BH 04 received 20 July 2018.
3. The development hereby permitted shall only be used for domestic purposes associated with Gees Farm and shall not at any time be used on a commercial basis.
4. The flue pipes serving the development hereby approved shall, unless otherwise agreed by the Local Planning Authority in writing, be painted matt black not later than 30 days after the substantial completion of the development.
5. Prior to installation of the proposed biomass boilers details of the underground trenching and cabling shall be submitted to and approved by the Local Planning Authority.
6. The chipper and/or shredder shall not be operated on the site before 08:00hrs or after 17:00hrs on weekdays. It shall not be operated at any time on Saturdays, Sundays or Bank Holidays.

Introduction

This application proposes an extension and cladding of an existing open sided barn to provide space for a biomass heating system.

Gees Farm is located on the north eastern side of Sampford Spiney. The applicant owns 81ha (200 acres) of farm and forestry land in this location. The biomass boiler system is intended to serve the main farmhouse and associated buildings at Gees Farm.

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

Planning History

03/46/0148/85	Change of use of existing redundant barn to provide holiday accommodation		
	Full Planning Permission	Grant Conditionally	25 July 1985

Consultations

West Devon Borough Council: Does not wish to comment.

County EEC Directorate:	No highway implications.
Environment Agency:	Flood zone 1. Standing advice applies.
DNP - Archaeology:	No concerns

Parish/Town Council Comments

Plasterdown Grouped PC: Objection to agricultural building being extended to accommodate what is assumed to be a domestic heating system when there is space within the existing buildings that could be used instead. PC also concerned as to the intended use of the heating system.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR10 - Providing for renewable energy
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
DMD34 - Agricultural and forestry
DMD4 - Protecting local amenity
DMD7 - Dartmoor's built environment

Representations

None to date.

Observations

PROPOSAL

This application proposes:

- (i) Timber cladding of existing open sided barn (Yorkshire Boarding)
- (ii) An extension to existing barn to provide open sided wood store (west elevation)
- (iii) The introduction of two biomass boilers in the centre bay of the barn (and associated flues)

The proposed materials are Yorkshire boarding with a corrugated box profile roof in goosewing grey (to match the existing roof). Double timber doors are proposed on the north and south elevations and a single door is proposed on the east elevation.

The extension is to be used for the dry storage of logs. The centre bay will house the two biomass boilers with the remainder of the barn is to be used for storage of wood pellets.

It is understood that the majority of the fuel for the boilers will be sourced from the land associated with the farms and neighbouring Heckwood Farm (also owned by the applicant). No additional timber will be imported to the site. Pellets will be used when necessary to back up the timber supply. There will be a small wood chipping operation to prepare the timber logs and cut these to 5mm – 50mm to use in the boiler system. This will be done though a mobile wood fuel chipper (mobile tractor mounted woodchipper) operating within the normal working

hours of the farm.

ASSESSMENT

The proposed development is for an extension to an existing agricultural building. The extension would be subservient to the main structure, and match the form, style and materials of the existing building. No excavation is required for the extension as it is located on a flat parcel of land.

Policies DMD15 and COR10 relate to small scale renewable energy schemes. These will be permitted where the landscape character of the area is not harmed, and there are no detrimental impacts on biodiversity, geodiversity, archaeology or heritage assets and they do not affect the tranquil character of the National Park. The Authority acknowledges that improving the generation and supply of renewable energy plays an important role in mitigating against climate change however seeks to ensure that schemes do not damage the special qualities of the National Park by remaining small scale in nature.

The proposal is solely to provide heating for Gees farm including the main farmhouse and associated buildings; the details of trenching and how the heating will reach the farm buildings have not been submitted with the application documents. These details will be requested as part of a condition attached to any approval.

The additional vehicle movements to the site to service and deliver fuel to the boiler will primarily be by tractor and trailer and are not considered to be significant in the context of existing traffic to and from the site. The Highway Authority has no objection.

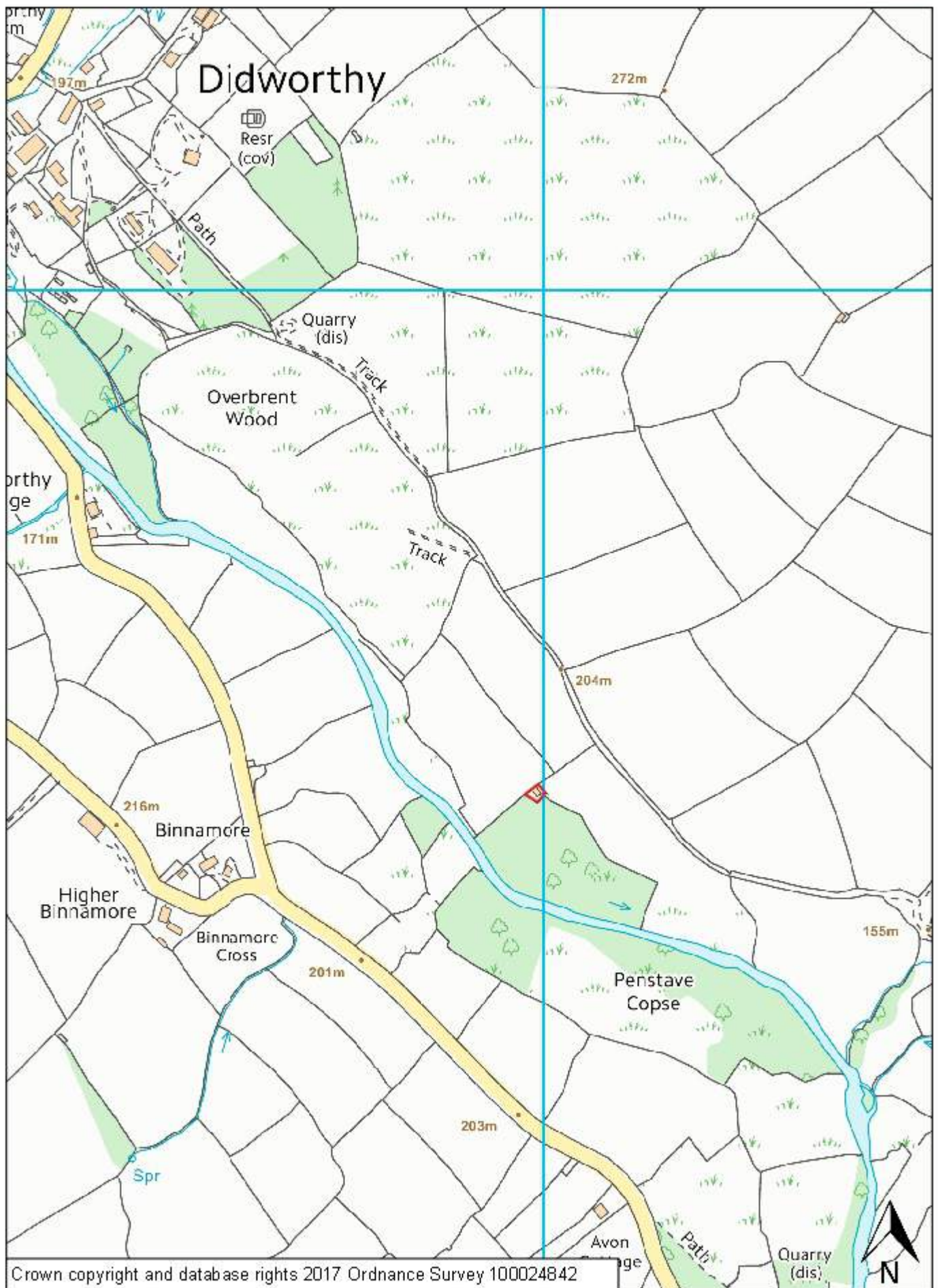
The flues which serve the boilers are approximately 120m from the nearest adjacent residential property (excluding Gees Farmhouse). No objections have been received from the immediate neighbours. The proposal is not considered to have any detrimental impact on neighbouring amenity due to the adequate distance between the properties.

The proposal accords with policies COR10, DMD15 and DMD34 being a small-scale domestic renewable scheme with no over-riding amenity, design or landscape considerations. It is therefore recommended for approval subject to appropriate operating conditions.

Land North of Luton - 0290/18



Scale 1:5,000



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7. Application No: **0290/18** District/Borough: **South Hams District**
Application Type: **Full Planning Permission** Parish: **South Brent**
Grid Ref: **SX689615** Officer: **Helen Maynard**

Proposal: **Convert small agricultural barn into camping barn**

Location: **land 500m NE of Lutton, South Brent**

Applicant: **Mr A Fernee**

Recommendation **That permission be GRANTED**

Condition(s)

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
2. The development hereby approved shall in all respects accord strictly with drawings: SK190531.01 received 12 June 2018, SK180531.03 and SK180531.04 received 31 July 2018.
3. The development hereby permitted shall not be used or occupied other than as a camping barn. No person, couple, family or group shall occupy or use the accommodation for a single period of greater than 3 consecutive nights. A logbook recording visitors to the barn shall be kept and maintained and made available for inspection by the Local Planning Authority upon request.
4. All new external timberwork on the lean-to extension shall be stained dark brown or black within one month of its installation unless otherwise agreed in writing with the Local Planning Authority. A sample of stained timber showing the colour to be used on the building shall be submitted to, and approved by, the Local Planning Authority before any staining of timber is carried out.
5. Notwithstanding the approved drawings no landscaping or means of enclosure (including hedge banks, steps, paving or gateways) shall be erected on the land.
6. Notwithstanding the approved drawings, no permanent kitchen/cooking facilities shall be installed in the barn, unless otherwise agreed by the Local Planning Authority.
7. The flue pipe(s) serving the development hereby approved shall, unless otherwise agreed by the Local Planning Authority in writing, be painted black not later than 30 days after the substantial completion of the development.
8. A detailed schedule of all new windows and exterior doors shall be submitted to the Local Planning Authority for approval in writing prior to their installation. At all times thereafter only the approved windows and doors shall be used in the building.
9. There shall be no external lighting attached to the exterior or within the curtilage of the building.
10. The rooflights on the development hereby approved shall, unless otherwise agreed by the Local Planning Authority in writing, be of the "conservation type" with a frame flush with the outer face of the roof slope.

Introduction

The barn is located in an isolated position on the edge of woodland above the River Avon and

bordered by fields. A right of way runs above the site which links Lutton with Didworthy.

This proposal is for the conversion of the redundant barn to a camping barn.

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

Planning History

0608/07	Refurbish existing barn structure and create a lean-to extension for ablutions to provide usage as a camping barn		
	Full Planning Permission	Grant Conditionally	17 October 2007

Consultations

South Hams District Council:	Does not wish to comment.
County EEC Directorate:	No highway implications.
Environment Agency:	Flood zone 1. Standing advice applies.

Parish/Town Council Comments

South Brent PC:	Objection due to the unjustified residential development in the countryside.
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Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR11 - Retaining tranquillity
COR18 - Providing for sustainable economic growth
COR19 - Dealing with proposals for tourism development
COR4 - Design and 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
DMD4 - Protecting local amenity
DMD44 - Tourist accommodation
DMD7 - Dartmoor's built environment
DMD8 - Changes to Historic Buildings
DMD9 - The re-use and adoption of historic buildings in the countryside

Representations

1 letter of objection 4 other letters

Objections

Lack of parking providing
Water and sewerage concerns
Refusal removal
Trespassing

Support
Very worthwhile project

Observations

PROPOSAL

The barn is located 700m to the north west of Lutton. The barn is of stone construction with brick surrounds to the openings (quoins) and a corrugated sheet roof.

The application proposes the conversion of this agricultural barn to a camping barn.

There is no vehicular access to the site and it is envisaged that occupants of the barn may park in Lutton or South Brent. The existing pedestrian access will be used to the building. It is noted in the Design and Access Statement that this track will be surfaced with hard-core, this is outside the red line of this application and requires planning permission.

The facilities to be provided within the barn are a shower room, two bedroom/bunkrooms, a kitchen, a wood burner and outdoor amenity space.

The barn is identified on the Historic Environment Record and is depicted on the Tithe Map.

PLANNING HISTORY

A planning application was approved for a similar proposal in 2007 (ref. 0608/07), some works were undertaken to implement this permission; however they were not strictly in accordance with the approved plans. As such, the planning permission has now lapsed. This application seeks to renew that permission.

POLICY

TOURIST ACCOMMODATION

The proposal does not fall neatly within tourism policies as these are predominantly relate to more intensive hotel or holiday let uses. However, Core Strategy Policies COR18 and COR19 and Development Management and Delivery Development Plan Policies DMD9 and DMD44 support sustainable tourism projects. COR18 states that in all cases full consideration should be given to the use of existing buildings and COR19 states that proposal for tourism development should be based on and respect the special qualities of the National Park, making use of the opportunities that the National Park offers for quiet, informal, open air recreation.

The proposal is considered to respect the special qualities of the National Park.

PRINCIPLE OF CONVERSION TO CAMPING BARN

Policy DMD9 establishes the principles for the conversion of non-residential buildings in the open countryside. It accepts the principle of short stay tourist accommodation. In all cases, to accord with this policy, the proposal must meet the following criteria;

- (i) the building should be sited where there is reasonable access to local services and facilities preferably by a variety of means of transport;
- (ii) the building should demonstrate a form, structure or history that is traditional within the context of Dartmoor's built heritage;

(iii) the building should be:

- structurally sound;
- appropriately sized for the proposed new use;
- capable of conversion without the need for substantial extension, alteration or reconstruction of the existing structure;
- capable of conversion without requiring significant changes in the relationship with existing ground levels;

(iv) the proposed conversion work should be in keeping with local building styles and materials, not adversely affecting the rural character and appearance of the locality or significant public views;

(v) existing significant historic or architectural elements or other special features should be incorporated into the design;

(vi) the overall setting of the building and site should be sustained.

It states that 'Permitted development rights will be removed in order to control the character and appearance of any subsequent extension or alteration of the converted building. Power and telephone cables supplying the development should be placed underground'.

The barn's location means that there is no reasonable access to local services and facilities on foot or by other sustainable means of transport. The nature of a camping barn is such that an isolated location is required; therefore this criteria is less relevant to this particular proposal. As such, the development is considered to accord with the requirements of DMD9.

DESIGN AND HERITAGE POLICY

Policies COR1, COR3, DMD8 and DMD1b establish the requirement for the conservation and enhancement of Dartmoor's cultural heritage.

The National Planning Policy Framework (NPPF) is explicit that great weight should be given to the conservation of cultural heritage within National Parks and the need to sustain and enhance the special interest and significance of heritage assets. This is emphasised in policy DMD1b of the Local Plan.

Policy DMD8 of the Local Plan is concerned with the conservation and enhancement of designated and undesignated heritage assets. It requires an assessment of the impact of development proposals on the significance (special heritage interest) of heritage assets to be made, taking into account to what extent the works will detract from the original scale, significance, form, quality and setting of the building and impact on its architectural or historic interest. The policy requires a balanced judgement having regard to the scale of any harm or loss and the significance of the building or asset.

The NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant Historic Environment Record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

Notwithstanding the above, the Dartmoor National Park Authority Design Guide states that most traditional farm buildings are heritage assets and their setting is often an essential part of the building's character. Assessment of their significance will be required as part of the Design and Access Statement accompanying a planning application.

The proposal is now for a sympathetic conversion without the requirement for additional openings or significant alterations to the existing historic barn. The landscaping proposed is not considered acceptable. No landscaping needs to be provided to ensure that the rural character of this agricultural barn is preserved and no domestic curtilage should spill out of the building.

The barn is redundant for agricultural purposes and this is considered to be an adaptive reuse of the building. The simple structure meets the criteria for a non-designated heritage asset and is a barn worth conserving as it makes a positive contribution to Dartmoor's historic environment. Overall the scheme is sympathetic and low impact. There are no new external openings and the use of the interior space is not intensive.

IMPACT ON TRANQUILITY

The Highway Authority has not raised any concerns in respect of the impact on traffic or parking. The additional number of pedestrians along the track will be limited due to the size of the barn. The proposal is considered to be in accordance with policies COR11 and DMD4.

PARISH COUNCIL COMMENTS

The Parish Council comments are acknowledged, however are not wholly relevant to this application.

Camping barns differ from holiday accommodation (a dwelling with a holiday tie) in as much that they provide an all weather building to lay a sleeping bag and use a camping stove. They usually provide very basic accommodation and those in more isolated locations often provide very little apart from basic shelter. These are sometimes referred to as "Stone Tents" (www.YHA.org.uk).

Camping barns are usually used by walkers and they offer very limited facilities. The nature of their use is transient and it is expected that an occupant would stay no longer than 1 or 2 nights. It is considered that the level of facilities provided within the barn is somewhat excessive for a camping barn and no kitchen facilities should be provided.

Officers do however agree with the Parish Council that this would not be an appropriate location for either a more intensive holiday let or an unrestricted dwelling.

CONCLUSION

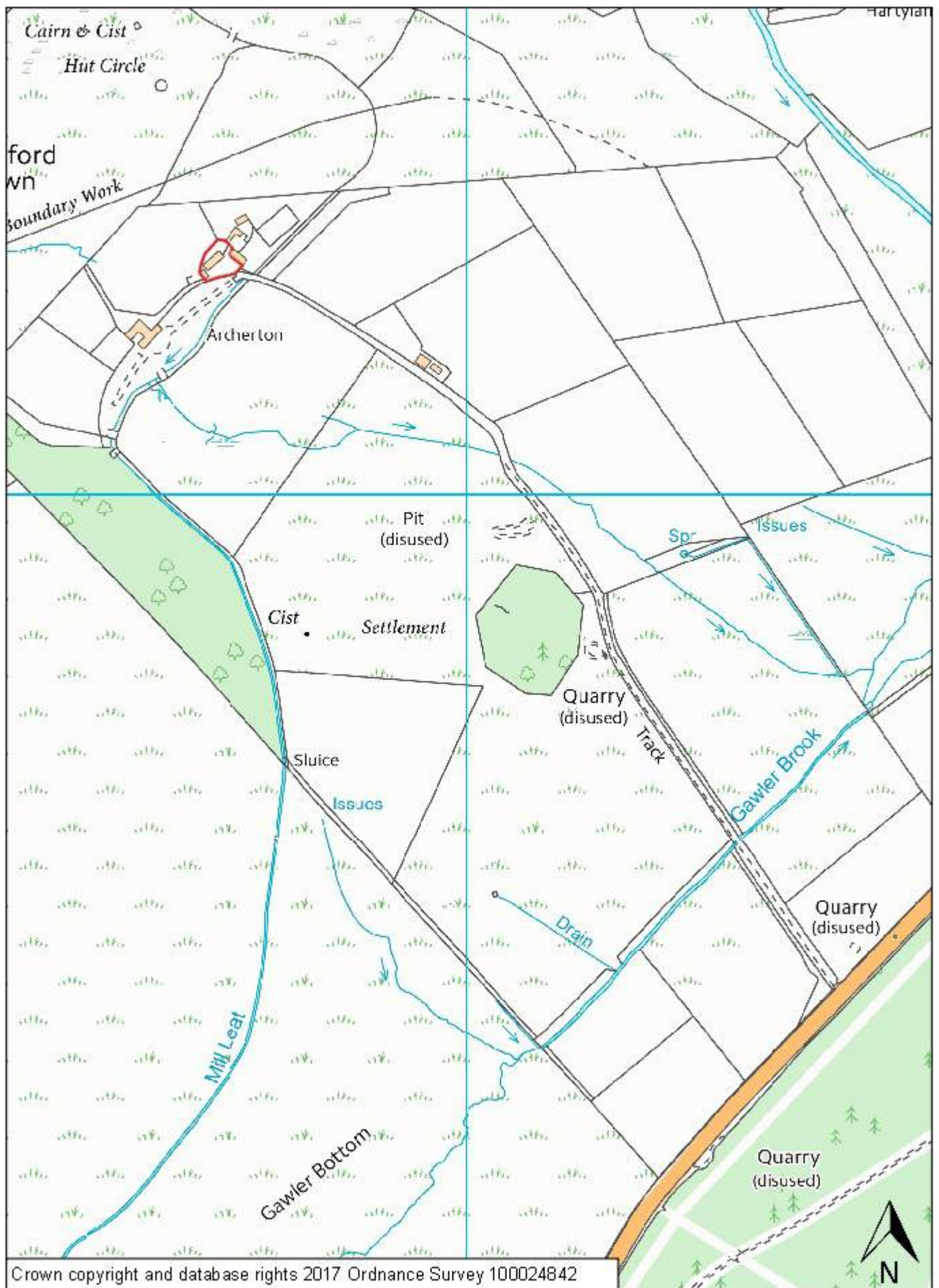
Officers feel that the benefits of the proposal outweigh any policy conflict in relation to the isolation of the proposed building. The policy accords with the requirements of DMD4, DMD8 and DMD9. The proposal re-uses a redundant building and is considered to conserve and enhance this part of the National Park.

The proposal considered to be an appropriate design and location for a camping barn subject to appropriate conditions.

0136/18 Archerton Cottage Postbridge



Scale 1:5,000



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8. Application No: **0136/18** District/Borough: **West Devon Borough**
 Application Type: **Full Planning Permission - Householder** Parish: **Dartmoor Forest**
 Grid Ref: **SX637792** Officer: **Helen Maynard**
 Proposal: **Refurbishment and alterations to dwelling including replacement roof and creation of new door opening together with conversion of adjoining stone building to residential use with installation of four rooflights**
 Location: **Archerton Cottage, Postbridge**
 Applicant: **Duchy of Cornwall**

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 Dartmoor National Park Design Guide, the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2018.

Introduction

Archerton Cottage is a stone cottage with an attached barn building.

This application proposes the replacement of the cottage roof and windows along with the conversion of the attached barn into living accommodation.

This application is presented to Members in view of the Parish Council comments.

A decision was deferred at the Development Management Committee in June to allow for detailed consideration of the heritage significance of the property.

Planning History

0186/99	Replacement stables and sand ring		
	Full Planning Permission	Grant Conditionally	07 May 1999

Consultations

Environment Agency:	Flood zone 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.

Works to proceed in strict accordance with the recommendations in Section 5.3 and Figure 1 of the ecological report (Results of further survey work on Archerton Farm Cottage, Spalding Associates, updated

April 2018), subject to any variation required by Natural England under any license issued.

DNP - Archaeology:

No archaeological concerns

DNP - Building Conservation Officer:

Archerton Cottage is included in the DNPA Historic Farmstead Survey as at least nineteenth century in date with possibly earlier origins. It should be regarded as a non-designated heritage asset.

The main concern is that given that the farmstead could be earlier in date than the nineteenth century, the removal of the existing roof structure could potentially result in the loss of important historic fabric. A detailed Heritage Statement has now been submitted and considered. The following comments now apply;

Raising of roof; The existing trusses in the cottage comprise simple machine-sawn A frames, the collars and Apex fixed with iron nails. Those of the barn are apparently older, but still unlikely to pre-date the 19th century. In any case, the proposed raising of the roof would be the result of the necessary additional insulation, not to structural alterations. Notwithstanding this, it would be better in principle if the barn trusses could be retained in situ. The change in appearance resulting from the raising of the roof would result in unacceptable harm to the significance of the heritage asset.

Change of roof covering; The corrugated iron contributes significantly to the character of the group as it is now (although it is quite possible this was not the original roofing material). While it would be a pity to change this to imported slate, it would be difficult to make a strong case for harm. The Design and Access Statement alludes to laying the slate in diminishing courses, and this would be desirable.

Widening of dormer windows; This would be an inevitable consequence of installing insulating and slate-hanging. Perhaps they would be slightly less elegant, but again, any harm would be minimal.

Conversion of adjacent barn; Although the non-domestic character of the barn contributes to the character of the group, the proposed method of conversion appears quite sensitive and would probably not result in unacceptable harm to its significance. The cobbled floor and surviving mortised setts are identified as being of significance in the heritage statement and these should be preserved in situ if at all possible.

Broadly, the significant benefits of upgrading the energy efficiency of this building would outweigh any small harm

caused by what is generally a sympathetic scheme.

Parish/Town Council Comments

Dartmoor Forest PC: Support - much needed refurbishment of the cottage.
No additional comments on amended drawings.

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
COR7 - Providing for the conservation of Dartmoor's varied plant and animal life and geology
DMD14 - Biodiversity and geological conservation
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD24 - Extensions and alterations to dwellings
DMD5 - National Park Landscape
DMD7 - Dartmoor's built environment
DMD8 - Changes to Historic Buildings

Representations

None to date.

Observations

PROPOSAL

This application proposes the refurbishment of Archerton Cottage, comprising:

- The replacement of the roof
- Creation of new door openings
- Alterations to windows, and
- The conversion of adjoining barn

The corrugated metal roof is to be replaced with a slate roof. The eaves and ridge height for the main dwelling are to be raised by 200mm. The adjacent barn ridge will be raised by 200mm but the eaves will remain at the same level to reduce the impact. The change of height of the store building will increase the pitch from 43 degrees to 45 degrees. The dormer windows of the dwelling are to be widened by 0.3m and slate hung however the windows are to remain the same size.

The metal wall cladding above the entrance porch is to be removed and replaced with lime render. The eaves will have a thin fascia board flush to the wall and a thick line slate edging on the verges.

Two new door openings are proposed on the rear elevation – it is not clear how this will work in practice without significant excavation as these doors will exit the building on to a steeply sloping bank. No excavation or ground works have been proposed as part of the application.

The barn doors are to be replaced with aluminium triple glazed trifold doors with wooden externally hinged shutters (to remain open most of the time).

The existing timber windows are to be replaced with triple glazed timber framed windows with aluminium skin exteriors and fewer glazing bars than the existing cottage style windows. The bay window on the south east elevation is to be replaced with two casement windows (as described above). Three rooflights are to be placed in the barn roof on the north west elevation. The chimney between the barn and dwelling is to be removed.

The barn is to be converted into an open plan living area with a master bedroom (and en-suite) at first floor level. A large portion of the barn wall is to be removed at ground floor level to create an internal access into the dwelling. The rubble stone walls of the barn are to be rendered and white washed to match the dwelling.

POLICY CONSIDERATIONS

Policy DMD8 of the Local Plan is concerned with the conservation and enhancement of designated and undesignated heritage assets. It requires an assessment of the impact of development proposals on the significance (special heritage interest) of heritage assets to be made, taking into account to what extent the works will detract from the original scale, significance, form, quality and setting of the building and impact on its architectural; or historic interest. The policy requires a balanced judgement having regard to the scale of any harm or loss and the significance of the building or asset.

The National Planning Policy Framework (NPPF) states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant Historic Environment Record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

It 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. 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.

HERITAGE ISSUES

There were initial concerns about how the proposed works would impact on the heritage significance of the building. A detailed heritage statement has now been prepared and given consideration by the Building Conservation Officer. His detailed comments are in the introduction to this report. He concludes that there are significant benefits related to upgrading the energy efficiency of the buildings which would outweigh the limited harm. As a result, the reason for refusal relating to heritage concerns has now been omitted from the report.

FLOORSPACE

The extension is not considered to be subservient to the existing dwelling and overwhelms the existing building. The cottage building is a modest size and the barn building is clearly an outbuilding and of a different finish to the main dwelling. Although it is acknowledged that this application is for the conversion of 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 barn is wider than half the original house and will more than double the habitable floorspace available within this dwelling and compromise its future affordability.

The proposed extension would present a 63% increase in habitable floor space; a significant increase in accommodation which would take the property from a modest and affordable 3 bedroom dwelling of approximately 92sqm to one with a floor area of approximately 150sqm.

This is clearly in excess of the 30% allowance set out in policy DMD24. The proposal conflicts with this policy and there are no clear material planning considerations that support this application. Additionally, it is not clear from the information provided whether the proposed changes will harm the undesignated heritage asset.

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 amenity of neighbouring occupiers. No representations have been received to date.

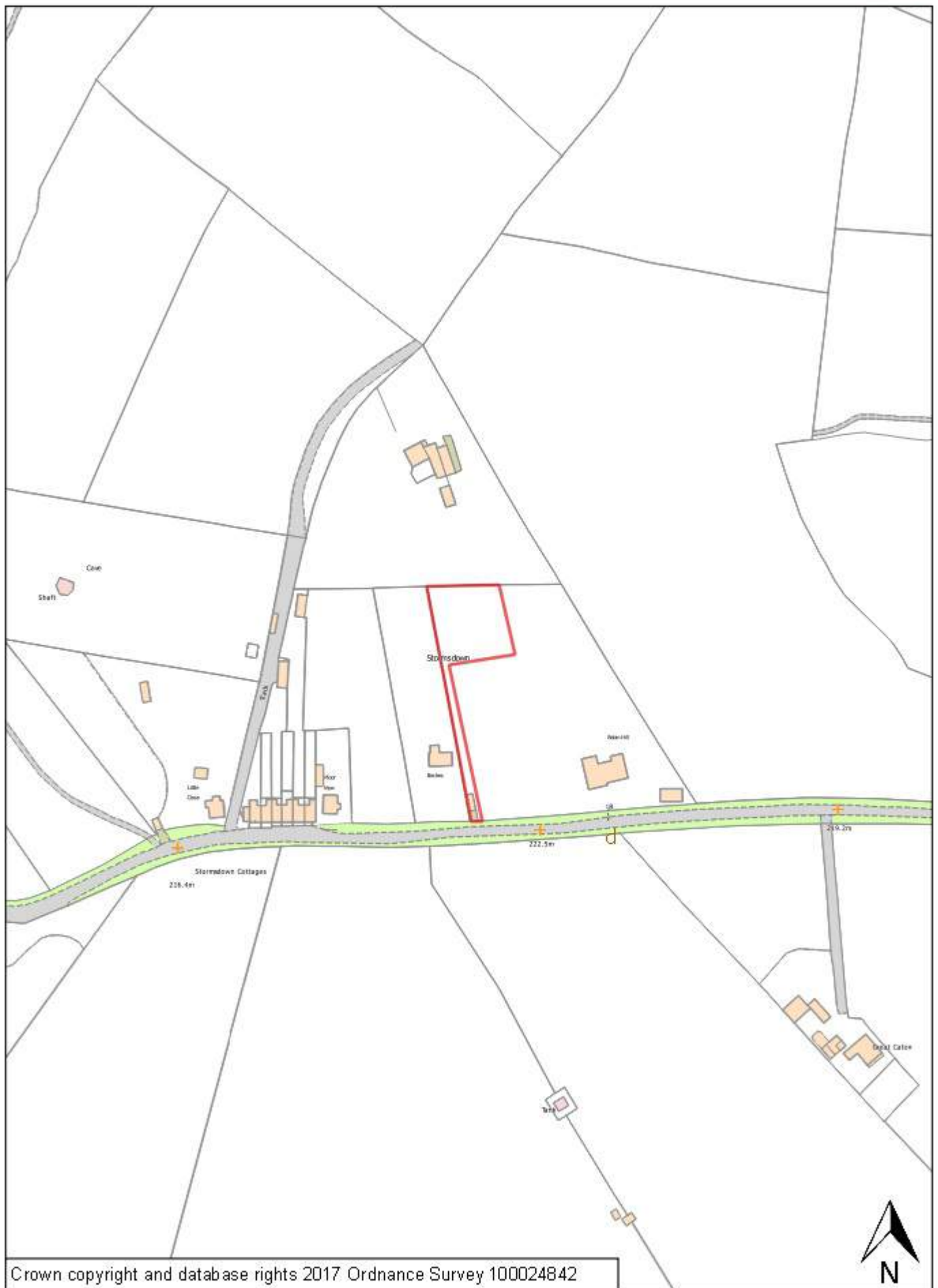
CONCLUSION

While it is acknowledged that the design approach has sought to reuse an existing outbuilding, there is a fundamental conflict with policies intended to restrict the size of extensions relative to the existing property. This remains the principle issue of concern and the reason why officer must recommend refusal of the application. The concerns related to heritage significance are now better understood and, as a consequence, no longer considered to be overriding in this case.

Land adj Birches, Bickington - 0273/18



Scale 1:2,500



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9. Application No: **0273/18** District/Borough: **Teignbridge District**
 Application Type: **Full Planning Permission** Parish: **Ashburton**
 Grid Ref: **SX772727** Officer: **Helen Maynard**

Proposal: **Erection of garage/workshop/storage shed with existing track surface recovered in scalplings and change of use of land to domestic use**

Location: **Land adjacent to Birches, Stormsdown, Bickington**

Applicant: **Mr & Mrs Withers**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed garage/workshop by virtue of its size and design, would fail to preserve the character and appearance of this part of Dartmoor National Park. The development would therefore be contrary to policies COR1, COR2, COR4, DMD1a, DMD1b and DMD7 of the Dartmoor National Park Development Plan, the advice of the Dartmoor National Park Design Guide and statements of Government advice contained in English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2018.

Introduction

This application is for the change of use of a parcel of land adjacent to Birches to domestic use, the erection of a domestic garage and the creation of an access track.

The land lies to the rear of 'Birches' a modest bungalow on the northern side of the highway at Stormsdown.

An existing garage and outbuilding are to be removed.

This application is presented to Members in view of the Parish Council comments.

Planning History

0570/08	Use of the land as a domestic garage/workshop, otherwise than in the course of a business and without payment or reward, only for vehicles being the property of the applicant or his immediate family. Certificate of Lawfulness for an existing use	Certificate issued	27 October 2008
0245/08	Use as a garage/workshop and storage within Class B1 industrial process Certificate of Lawfulness for an existing use	Certificate not issued	30 May 2008
0882/07	Hobby workshop and storage shed Full Planning Permission	Withdrawn	14 December 2007

Consultations

Environment Agency: Flood zone 1. Standing advice applies.
 Teignbridge District Council: Does not wish to comment.

County EEC Directorate: No highway implications.

Parish/Town Council Comments

Ashburton TC: Support - the relocation of the garage will greatly enhance the street scene and is modest in size and use of materials.

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

The application proposes the change of use of the area within the red line to domestic use. It is intended that this will be used by the applicants in connection with their tenancy at 'Birches', the neighbouring dwelling.

This application also proposes a 11m x 6.5m domestic garage and workshop. This proposed building is to be 5.1m in height (to ridge) and 2.4m in height to eaves. Double garage doors are proposed on the north and west elevations of the building.

The proposed materials and horizontal timber boarding and a natural slate roof. Timber windows are proposed on the north and east elevations and two rooflights are proposed on the north elevation.

An access track of 22mm scalplings is to be laid from the road to the proposed building (approximately 5m in length)

The existing garage and outbuilding (adjacent to the road) are to be removed.

PLANNING HISTORY

In 2007 an application was submitted for a similar proposal (ref: 0882/07). That application was subsequently withdrawn due to Officer concerns relating to the design and location of the proposed building. The 2007 application did not include the change of use of the land to domestic use.

A Certificate of Lawfulness was not issued (ref: 0245/08) for the use of the existing garage to the front of the plot as a "garage/workshop and storage within Class B1 industrial process"

A Certificate of Lawfulness was issued (ref: 0570/08) for a small area of land adjacent to the frontage for "Use of the land as a domestic garage/workshop, otherwise than in the course of a business and without payment or reward, only for vehicles being the property of the applicant or his immediate family".

POLICY

Development Plan policies COR4 and DMD7 require new development to conserve the character and appearance of the locality by demonstrating a scale and design which is appropriate to the site.

Adopted design guidance for domestic extensions and outbuildings states that scale is often a major issue and that development proposals should identify and work with the best features of the existing building and site.

Policy DMD7 requires development proposals affecting built environment to have particular regard to the character and settings of heritage assets. It further states development proposals affecting the quality and distinctiveness of Dartmoor's built environment should respect the integrity of historic village plans.

ASSESSMENT

The key issue arising from this application is the size and location of the proposed outbuilding. There is no in principle objection to the change of use of the land to domestic use per se, however it is not explicit that this will form an extension to the curtilage of Birches. It is well contained and adjacent to the existing garden.

Officers initially raised concerns regarding the size, location and design. The applicant has reduced the height of the ridge and eaves, however the size of the building has not been reduced.

SIZE AND DESIGN

The footprint of the outbuilding appears to be at least as large as a modest size dwelling.

It has an approximate footprint of 71sqm. The building would appear dominant in this rural setting and the building is poorly proportioned as the eaves and ridge line are too high. It was suggested to the applicant that the floorspace of the building was reduced to remain a subservient outbuilding in the context of the land it serves. It does not relate well to the neighbouring property.

Officers consider that the proposed development is disproportionate to the land and therefore will have a detrimental impact on the character and appearance of this part of the National Park. It does not have the scale and proportions of a domestic garage and is not justified by the existing and extended garden area.

There would appear to be no need for the double doors on the north elevation of the building; there is no hardstanding proposed on this side of the building. Officers requested that these to be removed from the scheme or replaced with a pedestrian access door (if a door is deemed necessary).

The proposed building is therefore considered to be in conflict with Policies DMD1b, DMD7 and DMD24 and with advice contained in the Authority's Design Guide, and for these reasons cannot be supported in its current form.

LOCATION

The building is detached from the other buildings, if considered necessary it would be more appropriate to provide an outbuilding closer to the dwelling, along the road (as per the existing) or within the existing curtilage of the dwelling. This would reflect the grain of development along the road where the outbuildings and cottages are close to the road.

The building is placed diagonally across the site to the rear of the property, this is at odds with the style of development in this location. Replacing the two existing buildings at the front of the site would give direct access from the road and negate the requirement for a long track.

The proposed development will have an impact on the local landscape but this impact will be relatively modest. Whilst the development does not conserve or enhance the local landscape, given the minimal visual impact from public viewpoints and the limited impact on landscape character there is no objection on landscape grounds.

While the present appearance of this enclosed piece of land is low key, the change of use to domestic curtilage may potentially allow for the planting of formal gardens, laying of patios etc. that would significantly increase the visual impact of this use of the land. The erection of pergolas, gazebos, climbing frames and other structures could, however be controlled through the removal of Permitted Development Rights by way of condition if the principle were acceptable.

OTHER MATTERS

The change of use of the land from agricultural to domestic use would usually be closely associated with a dwelling. The adjacent property, Birches, is tenanted by the applicants. It is the assumption of Officers that this is to be associated with Birches but this is not explicit in the application. It would not be prudent to approve an application for domestic use which is not closely associated with a dwelling.

CONCLUSION

The proposed works are therefore considered to be in conflict with Policies DMD1b, DMD7 and DMD24 and with advice contained in the Authority's Design Guide, and for these reasons cannot be supported in its current form.

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

07 September 2018

ENFORCEMENT ACTION TAKEN UNDER DELEGATED POWERS

Report of the Head of Development Management

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

(For further information please contact James Aven)

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

1 Enforcement Code: ENF/0107/18	District/Borough: South Hams District
Grid Ref : SX710683	Parish : Buckfastleigh West
Breach : Importation of large amounts of hardcore	
Location : Land at Hawson Cross, Scorriton	
Action taken / Notice served :	No further action taken

2 Enforcement Code: ENF/0124/18	District/Borough: Teignbridge District
Grid Ref : SX837850	Parish : Christow
Breach : Unauthorised decking	
Location : 5 Wood Close, Christow	
Action taken / Notice served :	No further action taken

3 Enforcement Code: ENF/0195/17	District/Borough: Teignbridge District
Grid Ref : SX743704	Parish : Ashburton
Breach : Untidy site and car stored on land	
Location : Land opposite Amberley Close, Ashburton	
Action taken / Notice served :	No further action taken

CHRISTOPHER HART