

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

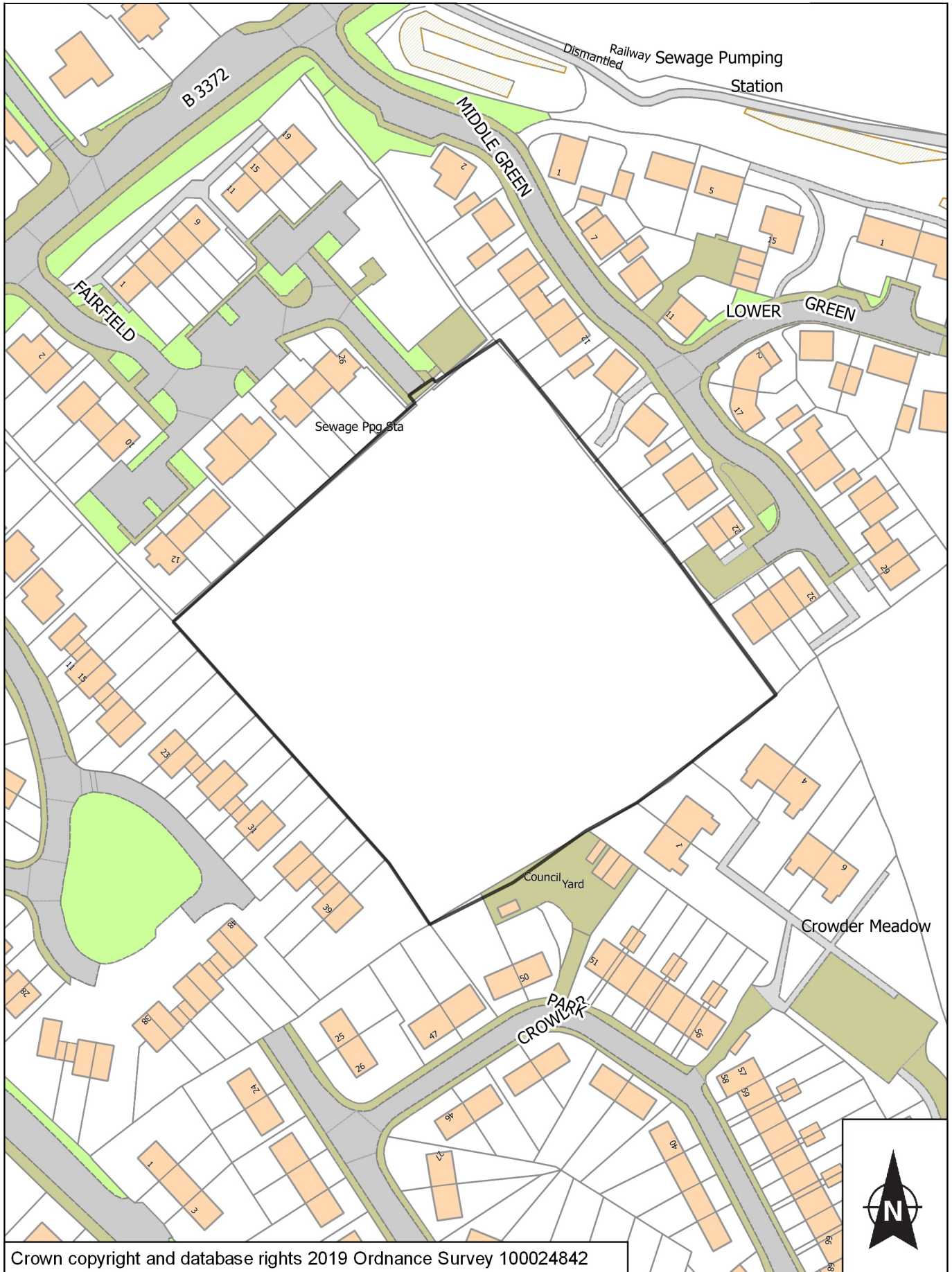
26 July 2019

**APPLICATIONS FOR DETERMINATION BY THE COMMITTEE**

Report of the Head of Development Management

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1. Application No: **0346/18** District/Borough: **South Hams District**  
Application Type: **Full Planning Permission** Parish: **South Brent**  
Grid Ref: **SX703598** Officer: **Helen Maynard**

Proposal: **Erection of 40 dwellings, including 14 affordable dwellings and associated infrastructure**

Location: **land adjacent to Fairfield, South Brent**

Applicant: **Eden Land Planning and Midas Commercial Developments**

Recommendation **That, subject to the completion of a Section 106 Agreement in respect of affordable housing provision and a contribution of £23,343 towards the shortfall in open space, sport and recreation facilities, 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 drawings numbered 1764/058, 17648/1062B, 17648/054B, 1312/301B, 1312/331C, 1312/309B, 1050/350 Rev A, 1312/308B, 1312/304B, 1312/310A received 27 June 2018, 0511 TPP 28.8.18 received 29 August 2018, OP112209LD10922 received 11 September 2018, 1312/302C, 1312/333D, 1312/334D, 1312/335D received 14 September 2018, 17648/061C, 17648/060C, 17648/050D, 17648/052C, 17648/055D received 31 October 2018, 1312/P16 Rev C, 1312/P11 Rev C, 1312/P10 Rev F, 1312/P10 Rev F, 1312/P05 Rev D, 1312/P04 Rev F, 1312/332 Rev E and 1312/303 Rev D received 29 November 2018, the Flood Risk and Drainage Strategy R01\_B received 31 October 2018, Design and Access Statement received 27 June 2018, Energy Statement received 27 June 2018 and Sustainability Statement received June 2018.
3. No development shall take place in connection with this permission until a detailed construction method statement has been submitted to the Local Planning Authority for approval in writing. This shall include the method for tree and hedgerow protection, the location and type of any welfare and storage cabins, areas for material storage, hours of working and the route for all construction traffic. The works shall be carried out in accordance with the agreed method statement.
4. No part of the development relating to the construction of the dwellings hereby approved shall be commenced until:
  - i) The access road has been laid out, kerbed, drained and constructed up to base course level for the first 20 metres back from its junction with the public highway
  - ii) The ironwork has been set to base course level and the visibility splays required by this permission laid out
  - iii) A site compound and car park have been provided and constructed to the written satisfaction of the Local Planning Authority

5. No dwellings shall be occupied until the following works have been carried out to the written satisfaction of the Local Planning Authority:
  - i) The cul-de-sac carriageway including the vehicle turning head within that phase shall have been laid out, kerbed, drained and constructed up to and including base course level, the ironwork set to base course level and the sewers, manholes and service crossings completed;
  - ii) The cul-de-sac footways and footpaths which provide that dwelling with direct pedestrian routes to an existing highway maintainable at public expense have been constructed up to and including base course level;
  - iii) The cul-de-sac visibility splays have been laid out to their final level;
  - iv) The street lighting for the 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.
6. When constructed and provided in accordance with condition 5 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 maintained to the satisfaction of the Local Planning Authority.
7. The proposed estate road, cycleways, footways, footpaths, verges, junctions, street lighting, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhand margins, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.
8. Prior to any roofing works or installation of any hardstandings, a detailed design of the proposed permanent surface water drainage management system shall be 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 informed by the programme of approved BRE Digest 365 Soakaway Design (2016) percolation tests and in accordance with the principles set out in the Flood Risk Assessment and Drainage Strategy dated April 2018 Rev R02\_For Planning.
9. No development shall take place 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.

10. No development shall take place until a Construction Ecological Management Plan (CECoMP) is submitted to and approved in writing by the Local Planning Authority, and carried out in accordance with the timetable for implementation as approved.

Prior to first occupation of any dwelling, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority, and carried out in accordance with the timetable for implementation as approved.

The LEMP shall set out management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens). The scheme shall include the recommendations of the ecological assessment report (Tyler Grange, 22 June 2018 ref 11357\_R01\_JP\_HM) and indicative landscape and softworks plan (1312/P11).

11. Notwithstanding the details hereby approved, prior to installation samples of all proposed surfacing and external facing materials shall be submitted to the Local Planning Authority for approval; thereafter unless otherwise agreed by the Local Planning Authority in writing, only approved surfacing and external facing materials shall be used in the development.
12. Notwithstanding the details hereby approved, the roofs of the dwellings hereby approved shall be covered in natural slate, a sample of which shall be submitted to the Local Planning Authority for approval prior to the commencement of any roofing work. The roof slates shall be fixed by nailing only. At all times thereafter the roof shall be maintained in the approved natural slate.
13. Notwithstanding the drawings hereby approved, unless otherwise agreed in writing by the Local Planning Authority, all external windows in the development hereby permitted, shall be of timber construction. Prior to the installation of any window units full details of these units, including suitable cross sections, shall be submitted to the Local Planning Authority for approval in writing. Thereafter, only approved windows shall be used in the development.
14. All stonework shall be laid and pointed using traditional techniques and materials. There shall be no exterior machine cut faces to the stone. Pointing shall be deeply raked. A sample panel of the proposed stonework shall be prepared for inspection by the Local Planning Authority and shall be approved in writing before any substantial areas of stonework are completed.
15. 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.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order with or without modification, no material alterations to the external appearance of the affordable housing units (unit nos. 5, 6, 7, 8, 9, 10, 32, 33, 34, 35, 36, 37, 38 and 39) hereby approved shall be carried out and no extension shall be erected in or around the curtilage of these dwellings, 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.
17. Foul drainage from the Development (and no other drainage) shall be connected to the public foul or combined sewer.

## **Introduction**

This site is allocated for residential development under proposal SBR1 in the Dartmoor National Park Development Plan and is within the South Brent settlement boundary.

This site is accessed through Fairfield and is largely a greenfield site enclosed with hedgerows. Part of the allocated site was developed by Cavanna homes: 40 units under permission 0354/14 (Middle Green).

The proposed dwellings are to be laid out in a similar manner to the Cavanna site in a cul-de-sac arrangement. The dwellings are all two-storey comprising a mix of detached dwellings semi-detached dwellings and flats.

14 affordable units are proposed (6 one-bed flats, 6 two-bed houses and 2 three-bed houses)

26 open market units are proposed (2 two-bed dwellings, 18 three-bed dwellings and 6 four-bed dwellings).

The dwellings have natural slate pitched roofs and a variety of elevation treatments including weatherboarding, render and stone facing and uPVC windows and doors.

The application is presented to the Committee as it is a Major development proposal and due to the comments of South Brent Parish Council.

## **Planning History**

0354/14	Residential development comprising forty dwellings including affordable housing, areas of open space and landscaping; a new access and pedestrian footway onto Exeter Road and associated infrastructure
	Full Planning Permission                      Grant Conditionally                      27 November 2014

## **Consultations**

Environment Agency: Flood Zone 1. Standing advice applies.

DCC (Children Services): The proposed increase of 40 dwellings (28 family-type dwellings), will generate an additional 7.00 primary pupils and 4.2 secondary pupils.

There is currently capacity at the nearest primary and secondary school for the number of pupils likely to be generated by the proposed development. A contribution

DNP - Ecology & Wildlife Conservation:	<p>towards education is not required for this development.</p> <p>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 including the boundary hedges and mature trees.</p>
DNP - Trees & Landscape:	<p>No objection in principle to housing development on this site, however it is noted that the two existing trees will be affected by this proposal.</p> <p>The development is very close to a protected Oak tree. The arboricultural assessment has not addressed future growth of the tree. To create an acceptable relationship with the tree it is proposed to crown lift the tree to 4-5m. There is a poor relationship between the tree and the adjacent property and it is likely that a new owner would apply to reduce the size of the tree. It also creates a shady, threatening environment for occupying householders.</p>
South Hams District Council (Sport & Recreation):	<p>It is noted that the Ash tree is not within the red line of this application site therefore the applicants have no control over this despite the arboricultural report advising coppicing. The removal (coppicing) of the tree will have a visual impact and it will impact on the character of the local landscape. The loss of the tree cannot be neutral and coppicing the tree will have a detrimental impact on the character of the area.</p> <p>The adjacent application at Middle Green secured contributions towards off-site play and sports facilities in accordance with the South Hams Open Space Sports and Recreation SPD. Based on the housing mix set out on the site layout drawing (P03 Rev G) this would amount to a sports contribution of £82,705 and a play contribution of £52,820. South Brent Parish Council have identified various OSSR projects in their recent OSSR Plan and the evidence base (South Hams OSSR Study 2017, including play and greenspace audits, and South Hams Playing Pitch Strategy 2015) also identifies the need for further improvements to OSSR facilities in South Brent.</p>
County EEC Directorate:	<p>The Highway Authority has no objection to the proposed development, subject to the proposed conditions. If it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980.</p>
Devon County Council (Flood Risk):	<p>No in-principle objections to the above planning application, from a surface water drainage perspective.</p>

If the Authority is minded to grant planning permission in this instance, it is requested that a number of pre-commencement planning conditions are imposed.

The applicant has provided an adequate surface water drainage strategy for the site encompassing sustainable drainage systems. The applicant should undertake further soakaway testing at the proposed depth of the soakaways, in line with DCC SUDS Guidance concerning groundwater monitoring.

South Hams District Council  
(Housing):

There is a need for more affordable rented housing in South Brent. There is a current up to date Housing Needs Survey in South Brent. This was completed in March 2014 and found a local need for 45 rented homes and 5 shared ownership homes in the Parish over the next 5 years. Since this survey was undertaken 14 affordable homes to rent were completed in South Brent in 2016 at Palstone Meadow. This still leaves a need for 33 rented homes and 5 shared ownership homes.

There is a need for more affordable housing to rent and buy in South Brent, however the overwhelming need is for more rented housing. There is a need for some social rented housing in South Brent as well as Affordable Rent tenure. Evidence for this can be found in the 2014 parish housing needs survey which demonstrated that 35 of the households with a housing need, had an income of less than £20,000 per annum.

SHDC also support the changed unit size of 2 and 3 bedroom properties

South West Water:  
Devon & Cornwall  
Constabulary:

No objection

No objections to the proposal but have provided some guidance for designing out crime, fear of crime, anti-social behaviour and conflict. This is predominantly related to the boundary treatments between properties and along the footways.

DNP - Forward Planning &  
Community:

Evidence has not been provided which would support a contribution towards public open space which overrides the need to provide affordable housing. A mix of affordable housing which includes an element of social rent and intermediate affordable would be reasonable, subject to the support of the Housing Authority.

### **Parish/Town Council Comments**

South Brent PC:

South Brent Parish Council recommends refusal of this application, due to the following:

- The high density of the housing proposed, in a rural, local centre location in the National Park.
- The Parish Council insists two formalised pedestrian links across Exeter Road and pedestrian access to the



village centre are essential.

- A new shared footway/cycleway link between Sanderspool Cross and Kerries Lane, Plymouth bound is required, for the safety of secondary school children accessing school transport.
- 35% affordable housing in this proposal does not meet National Park policy.
- Social rented housing should be incorporated.
- There are no renewable energy installations.
- There are insufficient parking spaces and those indicated are tandem; this would result in vehicles parking on the pavements.
- A construction method statement has not been provided; this proposal would have a considerable impact on adjacent residents.

Further comments were received re-iterating the above and emphasising that the Parish Council and the community of South Brent are very concerned at the lack of a safe crossing point across Exeter Road and a contribution to Open Space, Sport and Recreation facilities in the Parish is also requested.

### **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

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

DMDSBR1 - Housing land adjacent Fairfield

### **Representations**

12 letters of objection 1 other letter

General Observations

- Do not take away the hedges

- Residential use will affect the future industrial use of the site to the north of the site.

#### Objections

- Not enough affordable home provision
- Overlooking
- Lack of primary school and doctor surgery capacity
- Detrimental to wildlife
- No energy efficiency measures e.g. photovoltaic panels
- Density is too high for 1 hectare site
- Access through Fairfield is dangerous; alternative should be considered
- Inappropriate for a National Park
- No social rented housing.
- No Construction Method Statement provided
- Too much developer profit
- Different models to deliver affordable housing available

#### Observations

#### PROPOSAL

The application proposes 40 dwellings comprising:

##### Affordable

- 6 x one-bed flats
- 6 x two-bed properties
- 2 x three-bed properties

##### Open Market

- 2 x two-bed properties
- 8 x three-bed properties
- 6 x four-bed properties

The affordable units will comprise 100% affordable rented units.

The level of affordable housing to be provided on site equates to 35%, This is below the 50% level of provision prescribed by policy SBR1.

The proposed residential units will be built across a range of sizes and styles. The affordable housing will be dispersed through the site and it is intended to be indistinguishable from the private market housing in terms of design, character and architectural treatment.

A new vehicular access point will be provided through Fairfield. This will serve the whole of the application site which forms the south western part of the larger allocated site.

The proposed units are aligned and orientated so that they face onto the internal roads within the site, however there is limited public aspect of the site as it is surrounded on all sides by residential development.

All dwellings will have off road car parking provision in the form of garages, driveways or parking bays.

A pedestrian link has been provided though to Middle Green (the Cavanna Site) to the rear of

plots 1 and 2.

The existing boundary hedges along all the boundaries are to be retained. The existing landscape features will be supplemented by tree planting and new landscaping within the residential development, particularly within the curtilage of properties along the road frontages.

## SUSTAINABLE DEVELOPMENT

At the heart of the National Planning Policy Framework (NPPF), there is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan making and decision taking.

South Brent 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.

Local Centres are recognised as a location where limited growth can be accommodated to not only sustain the community but in recognition of its role in serving the wider South Hams both within and outside the National Park.

The application site (along with the recently developed Cavanna site) is allocated for housing (Policy SBR1).

## SITE ALLOCATION/PRINCIPLE OF DEVELOPMENT

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 objective guidelines for developing the site and delivering affordable housing.

A Development Brief was prepared in respect of the site allocation. It was adopted by the Authority in February 2014. It provides a comprehensive analysis of the whole site as well as a framework for bringing forward residential development in a coherent, clear and integrated manner. It was drawn up with input from the Parish Council, the local community and stakeholders through consultation events and workshops. It sets out the broad principles which this application seeks to address. It sets the context in terms of housing mix, design, sustainability, landscape and access.

Prior to submission of the application community consultation took place.

## MAJOR DEVELOPMENT

The site has 40 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.

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 South Brent, and taking the local circumstances and context into account, it is not considered to be 'major development' under paragraph 172 of the NPPF.

## AFFORDABLE HOUSING

Policy DMD21 and the site allocation set out in policy SBR1 requires that not less than 50% of the new housing to be affordable to meet identified local housing needs.

The applicant has submitted the application for 35% affordable housing and this is supported by a viability assessment.

There is a need for more affordable rented housing in South Brent. There is a current up to date Housing needs Survey in South Brent. This was completed in March 2014 and found a local need for 45 rented homes and 5 shared ownership homes in the Parish over the next 5 years. Since this survey was undertaken 14 affordable homes to rent were completed in South Brent in 2016 at Middle Green (Cavanna). This still leaves a need for 33 rented homes and 5 shared ownership homes.

The Authority has commissioned an independent assessment of the viability issues to assess whether the applicant's stance is correct. This has indicated that the proposed scheme is considered to be reasonable. However the scheme would not be viable if the full contribution requested by South Hams District Council for Open Space Sports and Recreation is requested.

It should be noted that, whilst the affordable housing provision agreed in relation to the Cavanna Site in 2014 was also 35% (also 14 units) the tenure mix in that instance included 30% Shared Ownership dwellings. Such dwellings attract higher sales revenue and therefore make the affordable housing element of the development more viable (than a mix that consists of 100% Affordable Rented Housing). Therefore, whilst the Cavanna Site also provided Section 106 Contributions in excess of £100k, the baseline affordable provision would have been more viable than that proposed by the Applicants in this application.

It is considered that the proposed mix and tenure split is appropriate given the evidence of the local needs assessment and the objective evidence set out in the Local Housing Needs Report. It has the support of the District Housing Officer.

## ACCESS AND PARKING

Policy COR21 sets out the requirement for new development in relation to highways safety. The development brief sets out the requirement for the access to this site to be provided through the Cavanna site to ensure the two sites were physically linked to prevent segregation and create a sense of community. There is an expectation that these sites are linked; however no robust justification for not linking these sites has been provided.

The proposal meets the parking requirements set out in DMD40 for new residential development, that is, for detached and semi-detached dwellings – a minimum of two spaces per dwelling – and for flats – a minimum of one and a half spaces per dwelling or unit.

It is important to note that there will be no vehicular link between the two parts of the allocated site. This approach reflects the response received during the consultation process for the development brief where the clear preference from the local community was that both parcels should be accessed separately. This was to avoid any vehicular link becoming a “rat run”.

The community aspiration for improved pedestrian linkages on Exeter Road is acknowledged, however the Highways Officer has advised that the criteria for a light controlled crossing is not satisfied by either the number of pedestrians or vehicles using this road and therefore cannot be justified. The development does not justify the imposition of contributions to highway safety improvements off site.

## DESIGN

Policies COR1, COR4 and DMD7 set out the objectives for high quality locally distinctive design and for the conservation and enhancement of the built environment. The Dartmoor National Park Design Guide provides supplementary advice.

The detailed materials of the dwellings, has been the subject of discussions between Officers and the applicant. The applicant has made some minor changes to the scheme but has respectfully requested that the application is considered on the basis of the plans submitted.

The proposed scheme is to meet the current Building Regulations which are generally viewed as broadly equivalent to Level 4 of the former "Code for Sustainable Homes". The layout aims to maximise southern aspects where possible and the fabric first design approach seeks to minimise emissions and heating costs as well as comply with policy COR8. There is considered to be no need for further energy efficiency additions, for example photovoltaic or solar thermal panels.

The choice of materials are predominantly render, natural stone and timber horizontal weatherboarding and natural slate roofing. The proposed uPVC windows are not considered to be appropriate due to their unsustainable nature as well as their aesthetics. Timber windows are traditionally found on Dartmoor; the adjacent Cavanna development proposed timber windows therefore to ensure high quality design and materials are reflected throughout the allocated site; amended materials for the windows can be secured by condition.

## TREES AND LANDSCAPING

The Trees and Landscape Officer has raised no formal objection to the proposal; however his comments note that the Oak tree and Ash tree on the site are likely to be affected by the proposal as they are reasonably close to proposed dwellings. These are not considered to be overriding issues that would warrant a reason of refusal of planning permission.

## FOUL DRAINAGE

Surface water will be disposed of using soil infiltration via a network of soakaways, The foul water will be connected to a below ground system linked up to the existing public foul pumping station within the adjacent Middle Green development. South West Water have confirmed a connection to this and agreed the connection points.

## PLANNING OBLIGATIONS

In addition to the requirement in respect of affordable housing a request from South Hams

District Council has been received for a contribution to Open Space, Sports and Recreation - within the application site no public open space is to be provided. The request was for £135,525; it is acknowledged by Officers that this request was received late in the process, well after the statutory consultation period had ended and after discussions on viability were well advanced. This additional contribution would need to be off-set against the overall viability and would have a significant impact on the affordable housing offer.

Officers are of the opinion that a higher offer of affordable housing would be most appropriate in this instance.

## PARISH COUNCIL/NEIGHBOUR COMMENTS

The comments from neighbours and the Parish Council are acknowledged by Officers and these have been predominantly addressed throughout this report. Whilst accepting the principle of development there is particular concern in respect of the proportion of affordable housing, connectivity and energy efficiency.

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## UPDATE DEVELOPMENT MANAGEMENT MEETING 1 MARCH 2019

At the Development Management Meeting in March, Members requested clarity on the following aspects of the proposal before a decision is reached.

- i) Whether any social rented housing could be provided as Members felt there was a need for this tenure.
- ii) More detail regarding the request for a contribution towards Open Space, Sport and Recreation from South Hams (£135,000)
- iii) The suitability of access through Fairfield

Officers have taken away these points and done some further work with the applicant and South Hams OSSR Officer to provide clarity.

## AFFORDABLE HOUSING

Policy DMD21 and the site allocation set out in policy SBR1 requires that not less than 50% of the new housing to be affordable to meet identified local housing needs. The applicant has submitted the application for 35% affordable housing and this is supported by a viability assessment.

The viability of the proposal has been re-assessed to include social rented housing. It has been found to be unviable to provide 14 units with a split tenure mix of social rent and affordable rent.

With a split tenure, only 25% affordable housing (10 units with a mix of 7 affordable rent and 3 social rent) can be delivered.

The proposal was also re-assessed with solely social rented units. It is viable to provide only 9 social rented units This further reduces the percentage of affordable housing within the scheme to only 23%.

The Housing Authority has provided a comment that identifies a need for 33 rented homes and 5 shared ownership homes in South Brent. Unfortunately these figures do not differentiate between the affordable rent and social rented tenure. However, it is clear that there is need for rented accommodation.

It is also noted that Westward Housing, the expected Housing Provider, does not wish to see a mixed tenure on this site and may not be willing to take on the affordable units within a mixed tenure scheme.

Officers have reviewed the additional information provided by the Applicant and their Viability Consultants and conclude that the offer of 35% affordable housing (14 affordable rented dwellings) proposed in this application would be most appropriate considering that there is an overriding need for affordable housing in this location - a Development Plan and Corporate priority.

It is considered that the proposal for 14 affordable rented units is appropriate given the evidence of the local needs assessment and the objective evidence set out in the Local Housing Needs Report. It has the support of the District Housing Officer and Westward Housing.

## OPEN SPACE SPORTS AND RECREATION

Officers have undertaken discussion with South Hams Officers and the Parish Council.

South Hams (in conjunction with the Parish Council) have provided a detailed list of their requirements and have requested £135,000 in their initial consultation response.

The detailed list comprises a significant number of projects, well in excess £135,000. Officers have reviewed the list and also have an understanding of how the Cavanna S106 monies were spent.

Officers have concluded, that the evidence provided points to a justified need of £23,343 (replacement fencing at Sanderspool Cross Play Area and an Additional Piece of Equipment at Sanderspool Cross Play Area).

Officers have looked closely at the requested amount and evidence used by the District Council to justify this request. While the figure of £23,343 is significantly less than the total amount requested, it represents those items which directly relate to the shortfall in open space, sport and recreation facilities identified by the District Council. It does not cover items which have been assessed to fall outside of this definition.

The Applicant is prepared to meet this shortfall of £23,343 if an application is approved.

## ACCESS THROUGH FAIRFIELD

The access through Fairfield is considered to be acceptable and the Highways Officer does not raise any objections to the use of this road as a safe access to the site.

He confirmed at the previous Development Management meeting that this road had been built to the required technical standards to be used as access for the proposed development.

Officers do not have any concerns regarding the access to the proposed development. It is

considered that traffic during the construction phase of the development can be adequately managed by condition as set out in the report.

## CONCLUSION

The development of this site has been anticipated as a result of its allocation in the Development Plan.

Overall, the scheme is considered to be a positive opportunity to provide affordable housing within the South Brent and an enhancement opportunity consistent with the desire to improve the overall character and appearance of the National Park.

It should be noted that the principle behind the allocation of the site for housing is to provide affordable housing, The realisation that this will only be achieved in the current climate through allowing open market housing as a catalyst is fundamental to this approach.

The Authority has recognised the need for independent verification of the viability figures and Officers are comfortable that the proposal is offering a realistic assessment of the viability and that they produce the best possible number of units at this time. This does not, unfortunately include the full amount of contributions to open space provision. A higher contribution would make the development unviable and directly impact on the level of proposed affordable housing. The lower figure is justified and evidenced as proportionate to the development proposal

The mix of housing styles, sizes and tenure will help integrate the development into the overall character of the village and provide further housing for local people.

Concerns of the Parish and local community have been carefully considered and Officers believe that careful management of the construction phases, conditional planning approval and a robust legal agreement give the confidence that this can be achieved with the minimum disturbance.

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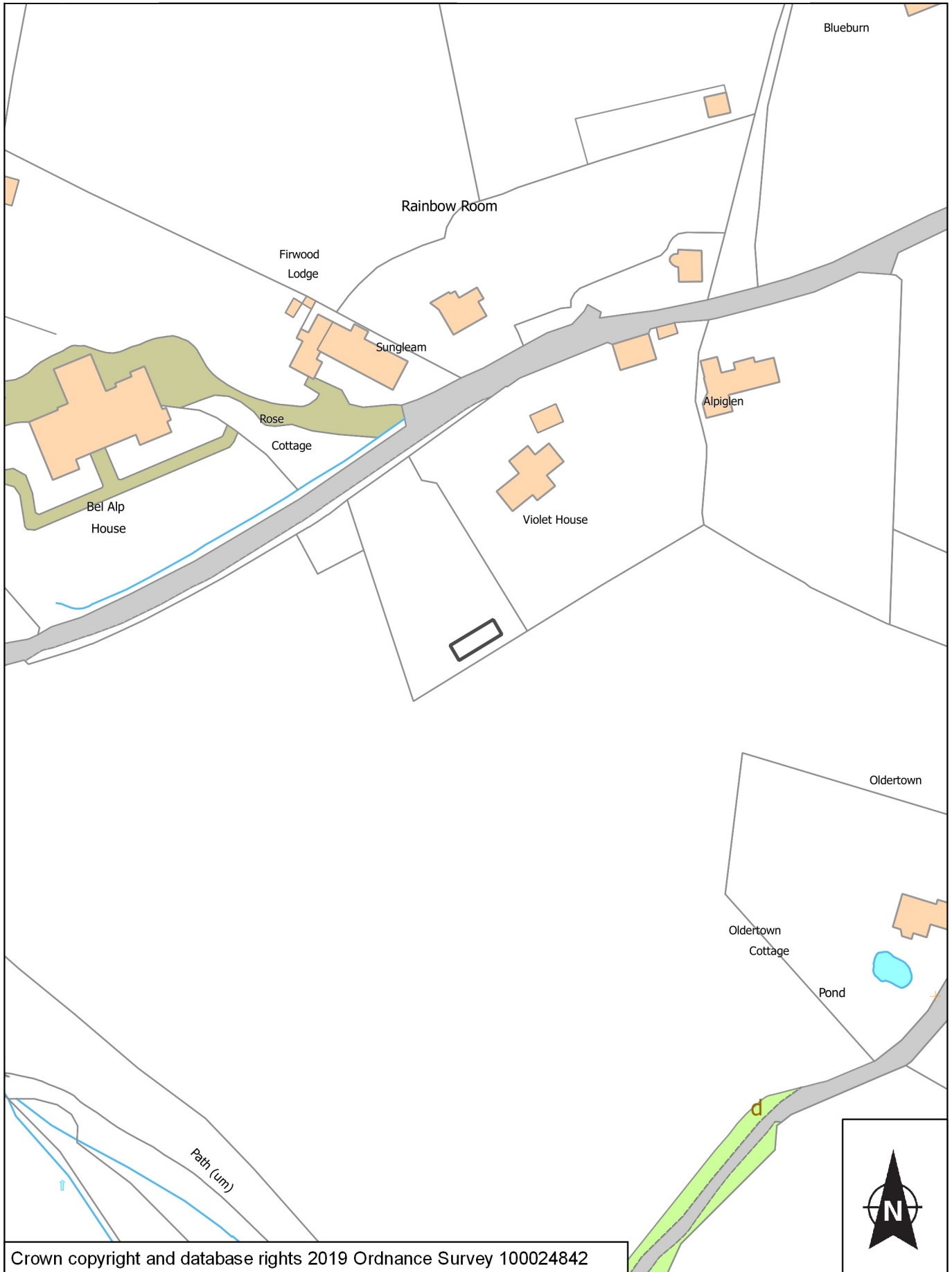




## 0209/19 - Violet House

Scale 1:1,250

Compiled by tjohnson on 12/7/2019



2. Application No: **0209/19** District/Borough: **Teignbridge District**  
Application Type: **Full Planning Permission** Parish: **Ilminster**  
Grid Ref: **SX775771** Officer: **Helen Maynard**

Proposal: **Erection of general purpose agricultural building (12m x 4m)**

Location: **Violet House, Haytor**

Applicant: **Mr M Clark**

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 drawings numbered P01, P03 and P04 valid on 15 May 2019.
3. Prior to installation, samples of all proposed surfacing, external facing and roofing materials shall be submitted to the Local Planning Authority for approval; thereafter unless otherwise agreed by the Local Planning Authority in writing, only approved surfacing, external facing and roofing materials shall be used in the development.
4. The agricultural building hereby permitted shall only be used for agricultural purposes reasonably necessary on the holding to which it relates. Upon its becoming redundant for such purposes, the building shall be removed and the land reinstated to its former condition within a period of six months, unless the Local Planning Authority shall grant planning permission for an alternative use of the building.

### **Introduction**

Violet House is a detached two-storey dwelling located on a private lane.

This application proposes the erection of an agricultural livestock building to the south west of the dwelling next to the existing gateway into the adjoining field.

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

### **Planning History**

0066/19	Erection of single storey agricultural building to be used as a cattle/livestock shed		
	Full Planning Permission	Withdrawn	22 March 2019
0658/18	Proposed two storey extension with internal alterations		
	Full Planning Permission - Householder	Refused	29 January 2019
0642/13	Variation of condition (c) attached to 9/2760/09/2D (remove existing dwelling) to allow building to be used as ancillary accommodation		
	Full Planning Permission	Refused	21 January 2014
	Appeal lodged: 19 May 14	Result: Dismissed	

## Consultations

Teignbridge District Council:	Does not wish to comment.
County EEC Directorate:	No highway implications.
Environment Agency:	Flood zone 1. Standing advice applies.
DNP - Trees & Landscape:	No objection
DNP - Ecology & Wildlife Conservation:	The proposed development lies within a strategic greater horseshoe bat flyway and sustenance zone of the South Hams Special Area of Conservation (SAC).

There are no plans to change lighting and as such there is no mechanism to affect the SAC.

## Parish/Town Council Comments

Ilslington PC:	Objection - The building is incongruous in the landscape and its surroundings.
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## Relevant Development Plan Policies

COR1 - Sustainable Development Principles  
COR2 - Settlement Strategies  
COR3 - Protection of Dartmoor's special environmental qualities  
COR4 - Design and sustainable development principles  
DMD1a - Presumption in favour of sustainable development  
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities  
DMD34 - Agricultural and forestry  
DMD4 - Protecting local amenity  
DMD5 - National Park Landscape  
DMD7 - Dartmoor's built environment  
DMD7 - Dartmoor's built environment

## Representations

None to date.

## Observations

### PROPOSAL

This application proposes a 44sqm general purpose agricultural building.

The proposed external materials are vertical timber cladding on a rendered blockwork plinth with a box profile dual pitch roof. There are vertical timber boarded doors on the west elevation, a timber pedestrian door on the east elevation and metal verge boards on the east and west elevations.

### HOLDING

The applicant owns 4ha adjacent to Violet House. The applicant lives at Violet House and rears cattle on the smallholding. He currently has three highland cows and four goats.

## POLICY

The National Planning Policy Framework acknowledges that National Parks have the highest level of protection in respect of their scenic beauty and cultural heritage. Policies COR1, COR3, COR4, DMD1b and DMD5 deal with the conservation and enhancement of Dartmoor's landscape.

Policy DMD34 deals specifically with new agricultural developments and specifies that such proposals should demonstrate a clear need proportionate to the use of the land, relate well to landscape features and other building groups, be located and orientated to respect topography and minimise impact, demonstrate a scale and form related to its function, not cause unacceptable environmental harm (including archaeology and cultural heritage considerations), make efficient use of existing buildings and non-traditional structures made redundant by a proposal should be removed.

## ASSESSMENT

The proposed building will be within the garden of Violet House, with direct gated access to the cattle field. The applicants have advised that this building is to be used for agricultural purposes only for the storage of machinery and fodder.

Due to the distance from the neighbouring properties, the proposal is not considered to have a detrimental impact on neighbour amenity.

The Parish Council has raised concerns regarding the landscape impact of the building. The building is located on the southern boundary of the garden. The site is domestic in character and the agricultural building will have a minimal impact on the character of the local landscape. Footpaths run along the northern and eastern boundaries of the land. The building will be visible from the footpath and distant views from higher ground to the south. However it will be seen in association with the existing development and will not be visually intrusive. There are no objections from the landscape officer and the proposal is considered to comply with policies COR3 and DMD5.

## CONCLUSION

On balance, the proposal is considered to be modest in size and acceptable in terms of policies DMD5, DMD7 and DMD34. The application is therefore recommended for approval subject to appropriate conditions relating to the agricultural use.

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# 0250/19 - Hillman Cottage



Scale 1:1,250

Compiled by tjohnson on 12/7/2019



3. Application No: **0250/19** District/Borough: **West Devon Borough**  
Application Type: **Full Planning Permission -** Parish: **Horrabridge**  
**Householder**  
Grid Ref: **SX508693** Officer: **Louise Barattini**

Proposal: **Erection of single storey side extension to house**

Location: **Hillman Cottage, Horrabridge**

Applicant: **Mr P Kelsey & Mrs K Marks**

Recommendation **That permission be REFUSED**

### **Reason(s) for Refusal**

1. The proposed extension by reason of its design, scale and percentage increase in habitable floor space, would cumulatively harm the character and appearance of the original dwelling and this part of Dartmoor National Park. This would be contrary to policies COR1, COR4, DMD1b, DMD7 and DMD24 the Dartmoor National Park Authority Development Plan and to the advice contained in the Dartmoor National Park Design Guide 2011, the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2019.

### **Introduction**

Hillman Cottage is a detached dwelling situated on the edge of the Local Centre of Horrabridge and one of a number of properties accessed off a public bridleway on the moorland fringe.

The application proposes a single storey side extension.

The application is presented to members in view of the comments received from the Parish Council.

### **Planning History**

0308/14	Removal of single storey lean-to and erection of two-storey extension with single storey lean-to		
	Full Planning Permission - Householder	Grant Conditionally	31 July 2014

### **Consultations**

Environment Agency: No objection - flood zone 1 standing advice only

County EEC Directorate: No highway implications

West Devon Borough Council: Does not wish to comment

### **Parish/Town Council Comments**

Horrabridge PC: The Parish Council supports the application as it will provide extra space to a small lounge, and have little impact on the neighbourhood

### **Relevant Development Plan Policies**

COR1 - Sustainable Development Principles  
COR2 - Settlement Strategies  
COR4 - Design and sustainable development principles  
COR7 - Providing for the conservation of Dartmoor's varied plant and animal life and geology  
DMD14 - Biodiversity and geological conservation  
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities  
DMD24 - Extensions and alterations to dwellings  
DMD3 - Sustaining the quality of places in Dartmoor National Park  
DMD4 - Protecting local amenity  
DMD7 - Dartmoor's built environment

### **Representations**

None to date.

### **Observations**

## **POLICY**

The National Planning Policy Framework recognises good design as a key aspect of sustainable development to protect and enhance the built environment. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Policies DMD1b, 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. Extensions are required to not adversely affect the appearance of the dwelling, its curtilage or immediate surroundings, even if not generally visible from public viewpoints.

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

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

## DESIGN & INCREASE IN FLOOR SPACE

The planning history is set out earlier in the report. The original property was a simple two-storey gable fronted dwelling with small single storey elements to the front and side (approx. 95sqm).

Planning permission 0308/14 provided a substantial two-storey extension to the side of the property, recessed from the front building line and flush with the rear building line with dropped ridge. This amounted to an approximate 32% increase in habitable floor space (from 95sqm to 125sqm) and a fairly generous increase to the width of the dwelling.

Policy DMD24 is expressly clear that extensions to dwellings will be considered both individually and cumulatively with any previous enlargements to the dwelling.

This application proposes a single storey extension on the opposite side of the dwelling from the constructed two-storey extension. The extension would project forward of the dwelling, tying in with, and extending the existing lean to roof on the front of the dwelling. The floor space of the proposed extension amounts to 15sqm, presenting a cumulative 45% increase (taking into account the recent extension in 2014).

Viewed in conjunction with the previous extension on the opposing side, together with the wrap around roof and gable ended extension that is wider than half the width of the existing dwelling, the proposal would cumulatively subsume the original dwelling contrary to design policy and guidance referenced above.

The proposal breaches the 30% floor space increase set out in policy and there are no clear design considerations that would over-ride this. The scheme does not, for example, offer a significant enhancement opportunity for the site.

The proposal conflicts with design and floor space requirements set out in policy and there are no over-riding material planning considerations to depart from the Development Plan.

## IMPACT ON NEIGHBOUR AMENITY

Having regard to the scale, siting and design of the proposed extension, it is considered that the proposal would not have any adverse impact on the residential amenities of these neighbouring occupiers.

## IMPACT ON PROTECTED WILDLIFE SPECIES

The proposal will have no adverse impact on protected species.

## CONCLUSION

The property underwent a recent two-storey side extension in 2014. Viewed in combination with this, the cumulative impact of the proposed extension under this application conflicts with design and floor space requirements set out in policy and there are no over-riding material planning considerations to depart from the Development Plan.





DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

26 July 2019

**APPEALS**

Report of the Head of Development Management

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

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

1 Application No:	D/19/3228637	District/Borough:	Teignbridge District
Appeal Type:	Refusal of Full Planning Permission - Householder	Parish:	Lustleigh
Proposal:	Indoor pool incorporating gym with ancillary rooms, terrace and re-fit existing platform with glazed balustrades		
Location:	<b>Caseley Wood, Lustleigh</b>		
Appellant:	<b>Mrs K &amp; Mr W Howell</b>		
Decision:	<b>ALLOWED</b>		

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

2 Application No:	D/19/3230167	District/Borough:	Teignbridge District
Appeal Type:	Refusal of Full Planning Permission - Householder	Parish:	North Bovey
Proposal:	Erection of conservatory and timber cladding to west elevation		
Location:	<b>Home Park Farm, North Bovey</b>		
Appellant:	<b>Mr &amp; Mrs J Maule</b>		

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3 Application No:	D/19/3230171	District/Borough:	West Devon Borough
Appeal Type:	Refusal of Full Planning Permission - Householder	Parish:	Dartmoor Forest
Proposal:	Erection of two-storey side extension to dwelling		
Location:	<b>3 New London, Princetown</b>		
Appellant:	<b>Mr &amp; Mrs Harries</b>		

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4 Application No:	w/19/3225348	District/Borough:	West Devon Borough
Appeal Type:	Refusal of Full Planning Permission	Parish:	Chagford
Proposal:	Change of use of ground floor restaurant and associated accommodation to a single dwelling together with works to the building including removal of shop front		

Location: **22 Mill Street, Chagford**  
Appellant: **Mr P Biggin**

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5 Application No: W/19/3228927 District/Borough: West Devon Borough  
Appeal Type: Refusal of Full Planning Permission Parish: Chagford  
Proposal: Erection of office  
Location: **The Old Fire Station, Manor Road, Chagford**  
Appellant: **Mr M O'Connor**

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6 Application No: W/19/3230741 District/Borough: West Devon Borough  
Appeal Type: Refusal of Full Planning Permission Parish: Horrabridge  
Proposal: Erection of stable block and hay store  
Location: **Sky-Star Paddocks, Jordan Lane, Horrabridge**  
Appellant: **Ms J Oliver**

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7 Application No: W/19/3230984 District/Borough: West Devon Borough  
Appeal Type: Refusal of Full Planning Permission Parish: South Tawton  
Proposal: Replacement dwelling  
Location: **Kenwyn, South Zeal**  
Appellant: **Mr & Mrs Faraday**

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8 Application No: X/18/3211487 District/Borough: Teignbridge District  
Appeal Type: Refusal to issue a Certificate of Lawfulness Parish: Bridford  
Proposal: Use of the land for agricultural purposes with siting of ancillary mobile field shelters  
Location: **land adj to Lower Hole, Bridford**  
Appellant: **Mrs Julie Tully**

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9 Application No: C/18/3216327 District/Borough: Teignbridge District  
Appeal Type: Enforcement Notice Parish: Bridford  
Proposal: Unauthorised building works for the siting of two timber stable buildings  
Location: **Land adjoining Lower Hole Bridford**  
Appellant: **Mrs J Tully**

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**CHRISTOPHER HART**

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

26 July 2019

**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.**

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1 Enforcement Code: <b>ENF/0017/19</b>	District/Borough: <b>West Devon Borough</b>
Grid Ref : <b>SX503879</b>	Parish : <b>Mary Tavy</b>
Breach : <b>Extension to the changing rooms in the Recreation Ground</b>	
Location : <b>Mary Tavy Recreation Ground</b>	
Action taken / Notice served	<b>No further action taken</b>

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2 Enforcement Code: <b>ENF/0041/17</b>	District/Borough: <b>Teignbridge District</b>
Grid Ref : <b>SX841808</b>	Parish : <b>Hennock</b>
Breach : <b>Unauthorised greenhouse/shipping container and untidy site</b>	
Location : <b>Land at Leigh Cross, Teign Village</b>	
Action taken / Notice served	<b>Breach of Condition Notice</b>

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3 Enforcement Code: <b>ENF/0067/19</b>	District/Borough: <b>West Devon Borough</b>
Grid Ref : <b>SX643939</b>	Parish : <b>Sticklepath</b>
Breach : <b>Unauthorised COU of land to domestic curtilage</b>	
Location : <b>Land adjacent to Bridge House, Sticklepath</b>	
Action taken / Notice served	<b>No further action taken</b>

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4 Enforcement Code: **ENF/0092/19**

District/Borough: **West Devon Borough**

Grid Ref : **SX673900**

Parish : **Throwleigh**

Breach : **Unauthorised works to a listed building**

Location : **Langstone Farm, Throwleigh**

Action taken /  
Notice served **No further action taken**

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**CHRISTOPHER HART**

enfdelcommrpt