

3. Application No: **0485/14** District/Borough: **Teignbridge District**  
Application Type: **Full Planning Permission -  
Householder** Parish: **Ilington**  
Grid Ref: **SX772760** Officer: **Jo Burgess**  
Proposal: **Erection of front and rear two-storey extensions, side porch, pergola  
and timber cladding to existing garage**  
Location: **Hawkwood, Ilington**  
Applicant: **Mr J Morris**



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**50m**  
Scale 1:1250 @ A4

## 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 roof of the dwelling 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. At all times thereafter the roof shall be maintained in the approved natural slate.
3. The roof of the building hereby approved shall be covered in slate which shall be fixed by nailing only, unless otherwise previously agreed by the Local Planning Authority in writing.
4. Prior to the commencement of the development hereby approved, samples of all proposed 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 materials shall be used in the development.
5. The development shall proceed in accordance with the Ecological report received 26 August 2014 unless otherwise agreed in writing with the Local Planning Authority.
6. 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 and approved, in writing, by the Local Planning Authority

### **Introduction**

The site comprises of a detached post-war dormer bungalow set within extensive grounds on the western side of the highway at Smokey Cross.

The application proposes a range of alterations aimed at improving and extending the accommodation by the addition of a two storey rear extension, replacement porch and re-roofing the premises.

The application is presented to the committee in view of the comments made by the Parish Council.

### **Consultations**

- |                               |  |
|-------------------------------|--|
| Teignbridge District Council: | Request to consider condition relating to unsuspected contamination. |
| County EEC Directorate:       | No highway implications  |

South West Water:	No objection provided that foul drainage only is connected to the public sewer
Environment Agency:	Zone 1 - standing advice
DNP - Ecology & Wildlife Conservation:	Works to proceed in accordance with recommendations of ecological method statement.

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

Ilington PC: Object - unsympathetic design for the surrounding area

### **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

DMD1a - Presumption in favour of sustainable development

DMD24 - Extensions and alterations to dwellings

DMD4 - Protecting local amenity

DMD7 - Dartmoor's built environment

### **Representations**

1 letter of objection

The letter originates from the neighbours on the immediate northern boundary of the property. There is concern that a two storey extension will adversely affect daylight to their property and in particular an existing window that lights a dining area and stairwell. They feel that this will be detrimental to the quality of environment in this part of their property.

### **Observations**

#### **THE SITE & SURROUNDINGS**

The property is one of linear development of detached dwellings on the west side of the highway at Smokey Cross north west of the Ilington village. Most of the properties in this location enjoy extensive plots with the main aspect towards open moorland to the west. Hawkwood is a post-war dormer bungalow which is unremarkable in its design and current presentation. It is constructed of rendered elevations under an asbestos cement tiled roof. The roof space contains dormer bedrooms lit by modest dormer windows on each elevation. It is a property which would benefit from external works to the rotten window units and general decoration. A detached garage is located in the front garden between the property and the highway. The plot is relatively well screened by mature boundary vegetation.

#### **THE PROPOSAL**

The proposal is aimed at refurbishing the property which is in a generally poor state of repair. The principle is to return it to a modern family dwelling reorganising the existing internal arrangements with the additional two storey rear extension offering increased ground floor

living space and a further first floor bedroom. The resulting property will remain a four bedroom dwelling. The external alterations include a new slated roof and pergola over a rear terrace to improve the westerly aspect and connection with the rear garden.

The materials palette includes a natural roof slate, in preference to the existing red tile, repainted render and timber clad elevations, including cladding the existing garage and the installation of new timber windows and doors.

## POLICY IMPLICATIONS

This is an existing domestic property in a location outside of a recognised settlement. Policy allows for the consideration of proposals to refurbish and enhance properties where there would be no demonstrable harm to either wider National Park interests or indeed direct harmful impact on neighbouring amenity. Specifically, policies COR4 and DMD7 reflect the Authority's stance on good design. This is backed up by the adopted principles of the Design Guide. Policy DMD4 has specific guidance concerning the protection of residential amenity. Policy DMD24 sets the parameters of scale that should be applied to domestic extensions.

## REPRESENTATIONS

Representations against the proposal have been received from the Parish Council and a neighbouring resident on the northern aspect of the property.

In respect of the Parish Council's concerns the proposed changes will undoubtedly alter the property from its current configuration and appearance. Design is often a subjective subject area however, it is clear that this property has the potential to absorb improvements and enhancements both in terms of the building itself but also in relation to the size of the plot within which it sits. The proposed alterations are not considered out of either proportion or scale to the existing property in this respect. The public elevation, facing the highway will be enhanced by the addition of a gabled two storey porch feature, relieving the rather bland existing arrangement. The application of a slated roof and weatherboard detailing will equally lift the quality of this elevation. This applies to the representation of the existing garage building.

The proposed alterations at the rear are rather more extensive nevertheless are considered to be in context with the site and its surroundings. The two storey element is sited on the north western corner of the building. The new glazing faces westwards across the garden area. There are no new windows proposed on the northern elevation facing the neighbouring property.

The neighbouring residents concerns are acknowledged in that the extension will have an impact on the current situation. However, it is difficult to accept that this will have significant and harmful effect. It may have some impact in terms of direct sunlight but is not so close as to block daylight. There is already some vegetation on this boundary between the properties. At its nearest point this aspect would be over 4m distant from the proposed extension.

## SUMMARY

In principle, policy supports the improvement and extension of residential properties where this can be achieved without detriment to the environment and the amenity of adjoining residents. The scale of the proposed extensions accords with the principle of policy DMD24 in that it introduces a further 30sqm of floor space representing a 17% increase overall, well within the

prescribed limits.

The assessment of scale, form and design issues leads to the conclusion that, while there will be an effect on the current neighbour's amenity this is not of such significance to warrant a refusal of planning permission in its own right. The package of improvements will lift the overall quality of the property in line with the general principles of the design guide, using materials that are appropriate to this location.

## CONCLUSION

In conclusion, while the Parish Council's reservations are noted and the impact on neighbouring resident acknowledged, there are no overriding reasons why this proposal does not accord with policy requirements that would lead to a reason to withhold permission on the grounds of inappropriate design or a significant and harmful impact on neighbouring amenity.

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4. Application No: **0489/14** District/Borough: **West Devon Borough**  
Application Type: **Full Planning Permission -  
Householder** Parish: **Chagford**  
Grid Ref: **SX692871** Officer: **Jo Burgess**  
Proposal: **Erection of rear two-storey extension, front extension to entrance hall  
and glazed canopy over front door**  
Location: **Waye Hill House, Chagford**  
Applicant: **Mr & Mrs M Driscoll**



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50m  
Scale 1:1250 @ A4

## Recommendation **That permission be REFUSED**

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

1. The proposed extension, by reason of its scale, massing and design, will have a detrimental impact on the character and appearance of the property contrary to policies COR1, COR4, DMD1b, DMD7 and DMD24 of the Dartmoor National Park Authority Development Plan, to the advice contained in The English National Parks and The Broads UK Government Vision and Circular 2010, the National Planning Policy Framework 2012 and the Dartmoor National Park Design Guide 2011.

### **Introduction**

Waye Hill House is a large detached dwelling situated approximately 1km south west of the centre of Chagford on the southern side of Manor Road. It enjoys a secluded plot with extensive views to the south east towards Meldon Hill.

The application is in two parts. Firstly, the removal of a rear conservatory in favour of a two storey extension across the rear, southern elevation and secondly, the application of a glazed canopy over the entrance porch.

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

### **Consultations**

West Devon Borough Council:	Does not wish to comment
County EEC Directorate:	No highway implications
South West Water:	No objections
Environment Agency:	Zone 1 - standing advice applies
DNP - Ecology & Wildlife Conservation:	Works to proceed in accordance with the recommendations of the ecological survey report.

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

Chagford PC: The Parish Council, in its initial response based on the original plans, has stated that it supports that overall principle of all aspects of the proposal but is of the opinion that the proposed gable ends to the two storey extension create a dominant effect and are not sympathetic to the existing topology of the roof. It is the Council's opinion that this aspect of the proposal does not satisfy policies COR4, DMD4 and DMD5. The Council is satisfied that the application is compliant in all other aspects with policy DMD24.

Should the application change to a hip-end roof design at these points the Council would support the whole of the application.

The Parish Council has since confirmed that it supports the proposal based on the revised plans.

## **Relevant Development Plan Policies**

COR1 - Sustainable Development Principles

COR11 - Retaining tranquillity

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

COR8 - Meeting the challenge of climate change

DMD14 - Biodiversity and geological conservation

DMD1a - Presumption in favour of sustainable development

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**

### SITE CHARACTERISTICS

Waye Hill House is a mature detached property set in extensive grounds away from the main settlement of Chagford. The nearest neighbouring property is Upper Furlong approximately 140m to the north east. It is a substantial property which continues to display a well-planned form and character which has, through the passage of time, been altered and extended by the addition of sympathetically designed outbuildings on the northern aspect. These are now incorporated into the living accommodation. A modern conservatory has been added to its southern elevation.

The plot is bounded by mature vegetation. There are glimpsed views of the dwelling when passing on the public highway. The property enjoys extensive views across common land at Meldon to the south. In layout the property has its principle elevation facing eastwards.

### POLICY IMPLICATIONS

This is an existing domestic property in a location outside of a recognised settlement. Policy allows for the consideration of proposals to refurbish and enhance properties where there would be no demonstrable harm to either wider National Park interests or indeed direct harmful impact on neighbouring amenity. Specifically, policies COR4 and DMD7 reflect the Authority's stance on good design. The adopted Design Guide reflects this approach. Policy DMD4 has specific guidance concerning the protection of residential amenity. Policy DMD24 sets the parameters of scale that should be applied to domestic extensions.

The policies clearly allow for the presentation of modern approaches to the design of domestic extensions where these are informed by the site characteristics.

### DESIGN CONSIDERATIONS



It is acknowledged that this is a substantial property and that, in this location there is the potential to absorb a significant extension without compromising the principles of volume and neighbouring amenity contained in adopted policy. Indeed, when the relative volumes are addressed, including the removal of the existing conservatory, the overall increase in habitable floor space equates to around 34%, reflecting the limits stated in policy DMD24.

The main issue here is therefore one of appropriate design and how the proposal fits with the existing property characteristics. Pre-application advice clearly highlighted Officers concerns in this respect however, the applicant has chosen to pursue the application as presented.

The principle concern relates to the conflict of styles between the existing and proposed. It is acknowledged that the proprietary conservatory adds little to the property and there is no objection to the removal of this feature. What is of concern is the proposed two storey extension that seeks to replace it. This is designed in an unashamedly modern way to contrast with the existing however, it is the form and scale of this addition which sits uncomfortably with the existing building. It has a rather monolith style with smooth modern lines and a bulky roofscape which contrast sharply with the existing. The plan wraps around the southern aspect enclosing an attractive double bay window feature. Extensive modern glazing units are proposed to take advantage of the views to the south. The proposed roofscape is a rather complicated arrangement of hips and hidden valley gutters which appears overly complex.

The second and third elements including the application of a glazed canopy above the eastern (front) elevation and alterations to the entrance hall are less controversial and in principle, considered to be acceptable.

## REPRESENTATIONS

The applicant has submitted revised plans which seek to address the principle concern of the Parish Council. These now show a hipped roof profile to the proposed extension.

## SUMMARY

The principle of extending this property is not in dispute. It is the design of that which is proposed which is considered to be at odds with the character of the dwelling and this location. While there are likely to be limited views of this feature from those passing on the public highway and distant views of the property from public access land to the south, it is an acknowledged fact that visibility is only one of the tests of appropriateness.

In this instance, there is a clear differentiation between the existing and proposed. Modern extensions to traditional buildings can work well if the design respects the form and character of the old against the new. Being able to clearly read the phases of development is one of the underlying principles of this approach. In this case, the new is strikingly different and wraps around the southern aspect to an extent that it masks an attractive elevation and presents an uncomfortable link in both form and roofscape with the existing features of the property. The revisions showing a hipped roof profile do not alleviate these concerns.

## CONCLUSION

This is a proposal which it is considered does not accord with the principles of good design for the appropriate extension of an attractive dwelling. While a modern approach to the extension

of this property could be acceptable in principle, the proposal currently before the Authority is not considered to be the most appropriate solution.

Pre-application advice was sought and the applicants were strongly advised that whilst the principle of an extension was acceptable the suggested design solution was not for the reasons set out in this report.

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5. Application No: **0469/14**  
Application Type: **Full Planning Permission**  
Grid Ref: **SX756699**

District/Borough: **Teignbridge District**  
Parish: **Ashburton**  
Officer: **Louise Barattini**

Proposal: **Conversion of storage building into two flats (one open market and one affordable)**

Location: **Unit 1, 31a East Street, Ashburton**

Applicant: **Mr & Mrs S Bantock**



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50m  
Scale 1:1250 @ A4

Recommendation **That permission be GRANTED, subject to the signing of a S106 agreement to secure the affordability of one of the residential units for local persons**

**Condition(s)**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. BO1 - Removal of Permitted Development Rights
3. A sample of the natural slate to be used in the slate hanging and porch roof hereby approved shall be submitted to the Local Planning Authority for approval prior to the commencement of any roofing or slate hanging work. At all times thereafter the porch roof and slate hanging shall be maintained in the approved natural slate.
4. All new slate work shall be fixed by nailing only, unless otherwise previously agreed by the Local Planning Authority in writing.
5. Large scale section drawings of all new external joinery (windows and doors), to include details of exterior finish, shall be submitted to the Local Planning Authority for approval prior to their installation. Thereafter the development shall be carried out and maintained in accordance with the approved details.
6. The first floor landing window in the south east elevation of the development hereby permitted shall be glazed in obscure glass and non-opening and thereafter obscure glass and non-opening casement shall be retained at all times.
7. G02 - Recessed openings
8. Full details of the proposed porch canopy and kitchen and bathroom vents shall be submitted to the Local Planning Authority for approval prior to their installation. Thereafter the development shall be carried out and maintained in accordance with the approved details.
9. 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 development hereby approved, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority.

**Introduction**

The application relates to a two storey building situated to the rear of properties along East Street, Ashburton, within the Conservation Area. The building is separated into 3 individual units, comprising business and residential premises. The application relates to the end unit which was formally used as a storage unit but is now vacant.

The application proposes conversion into 2 flats; one open market and one intermediate affordable unit of accommodation for a local person.

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

Council.

## Planning History

5/31/236/94/03 Change of use to offices from light industrial  
Full Planning Permission Grant Conditionally 13 September  
1994

## Consultations

Teignbridge District Council: Economic Development Officer - no objection  
Contaminated Land Officer - unsuspected contamination condition recommended.

County EEC Directorate: The proposed development has a comparable level of trip generation to the existing authorised uses and the commercial vehicle trip generation potential is less. There are therefore no objections from a highway point of view.

South West Water: No objection provided foul drainage only connected to public foul or combined sewer.

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

Historic Buildings Officer: Approve - the proposal will enhance the Conservation Area

## Parish/Town Council Comments

Ashburton TC: The Town Council objects and requests a site meeting, noting the concerns raised by neighbours in respect of overlooking, access and highway safety and land ownership issues. Comments on the submitted revised plans are awaited.

## Relevant Development Plan Policies

COR1 - Sustainable Development Principles  
COR15 - Providing for limited new housing to meet local needs  
COR18 - Providing for sustainable economic growth  
COR21 - Dealing with development and transport issues in a sustainable way  
COR3 - Protection of Dartmoor's special environmental qualities  
COR4 - Design and sustainable development principles  
DMD12 - Conservation Areas  
DMD1a - Presumption in favour of sustainable development  
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities  
DMD21 - Residential development in Local Centres  
DMD4 - Protecting local amenity  
DMD40 - Parking provision - Residential  
DMD7 - Dartmoor's built environment

## Representations

3 letters of objection

The letters of objection raise issues regarding overlooking and loss of privacy,

kitchen/bathroom venting details, highway safety, sewerage capacity, covenants on access drive and the level of local need for 1 bedroom housing units.

## **Observations**

### **BACKGROUND**

The building itself has limited value within the Conservation Area. Evidence on site suggests possible survival of some earlier building fabric but this is of limited significance.

Permission was granted in March 2013, for the conversion of the adjoining workshop unit into 2 flats (ref: 0522/12).

### **PRINCIPLE OF RESIDENTIAL CONVERSION**

This business premises has been marketed for rent between March 2010 and March 2014 by commercial agents with limited success and only very short letting periods being achieved, despite rental price being successively reduced. The property has been vacant for some time now and it is appropriate to see if there is an alternative viable use for the building. The Economic Development Officer at Teignbridge District Council has been consulted and raises no objection to the loss of this commercial unit given limited demand in Ashburton.

The loss of this employment space is not considered to prejudice the economic offer in the town and presents an opportunity to enhance the character and appearance of the Conservation Area. In addition, the existing commercial use does not present an ideal relationship with the surrounding residential units and the narrow access onto East Street is not ideal for commercial traffic.

The proposal would therefore not conflict with the objectives of the Development Plan as a whole and in particular policy COR18.

Policies COR15 and DMD21 require proposals for new residential units, whether they are new-build or conversion, to provide a minimum of 50% affordable housing within Local Centres. The application proposes 1 market dwelling (one-bedroom) and one intermediate affordable dwelling for local persons (one-bedroom) in line with these strategic housing policies.

### **CONSERVATION AREA AND SETTING OF LISTED BUILDINGS**

The site is set back behind the main building line within the conservation area and makes limited contribution to the character and appearance of the area. The proposed scheme incorporates improvements to the external appearance of the building by introducing natural slate cladding and alterations to window design.

The proposal will enhance the character and appearance of the conservation area and have a neutral impact on the setting of listed buildings in line with policies COR1, COR3, DMD7 and DMD12.

### **RESIDENTIAL AMENITY**

A number of local residents have expressed concerns with the scheme and commented that the proposal will result in overlooking of neighbouring dwellings. Revisions to the scheme have been received in response to these concerns, notably the omission of the first floor dining

room window on the end elevation and the positioning of kitchen and bathroom vents through the roof.

The site lies within a tight knit residential area there are existing windows at first floor level in the side elevation of the existing building which overlook the rear gardens of properties along East Street. Given the distances involved, the oblique relationship presented with neighbouring windows and the existing overlooking relationship, it is considered that the proposed development would not undermine residential amenity in this respect. Only one fixed obscure glazed window is proposed on the end elevation now. The proposal will therefore not conflict with policy DMD4.

## HIGHWAY SAFETY

Local residents have referred to covenants which preclude any parking on the access road and a restriction on the weight of the vehicles. The proposal makes provision for 2 off-road parking spaces which are within the ownership of the applicant and this has been clearly indicated on the plans.

The Highway Authority raises no objection to the proposed development which has a comparable trip generation to the existing authorised uses.

## OTHER ISSUES RAISED BY CONSULTATION PROCESS

Local residents have stated that the need is for 2-bedroom, rather than 1-bedroom, properties in Ashburton. The Housing Needs Assessment makes reference to a need for both 1 and 2-bedroom properties and the proposed intermediate flat would be too small to accommodate a two bedroom unit.

## CONCLUSIONS

The loss of this employment space is not considered to prejudice the economic offer in the town and presents an opportunity to enhance the character and appearance of the Conservation Area. In addition, the existing commercial use does not present an ideal relationship with the surrounding residential units and the narrow access onto East Street is not ideal for commercial traffic. The proposal will enable the delivery of an intermediate affordable dwelling for a local person and will not harm the amenities of the area.

The application is considered to comply with policy and is recommended for approval.

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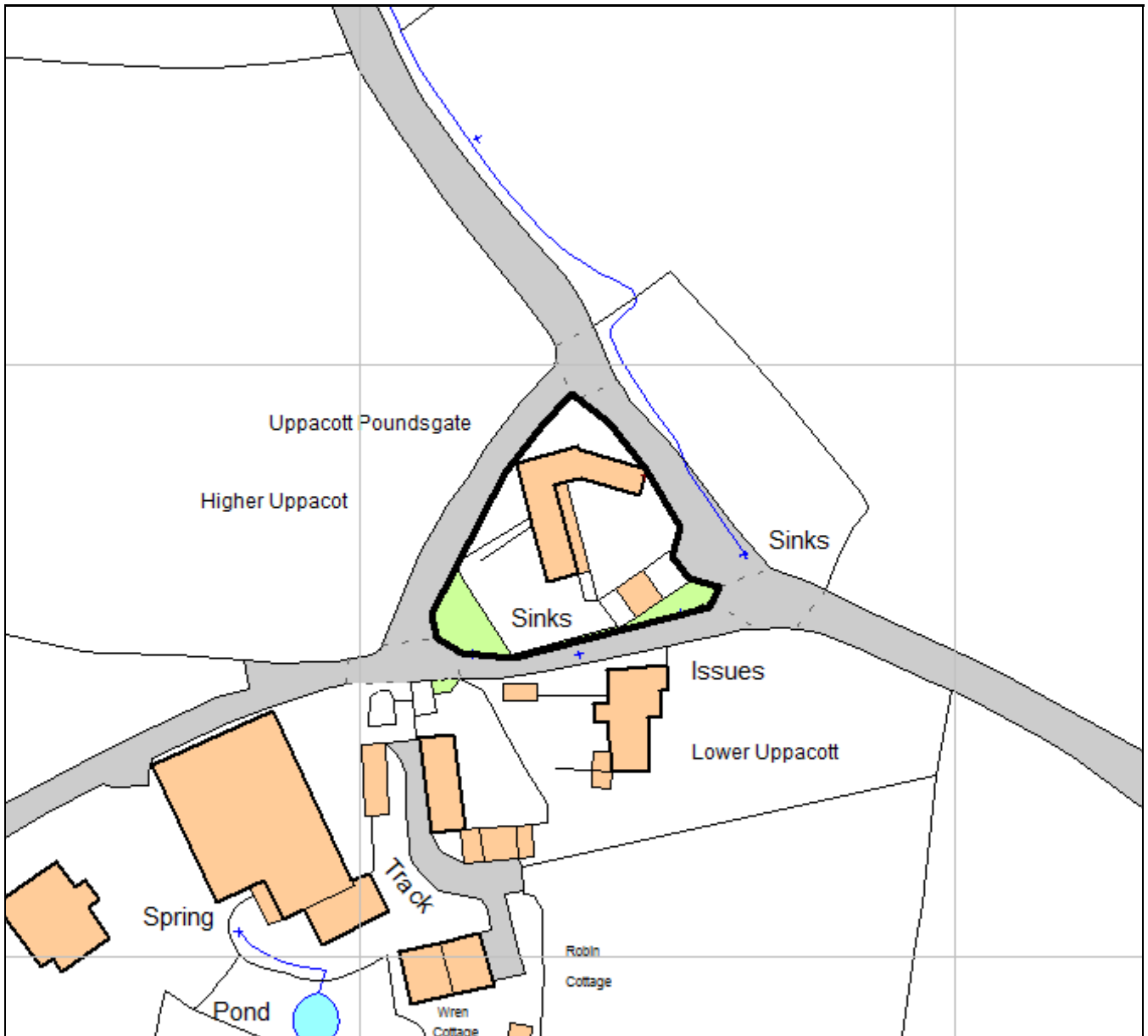
6. Application No: **0512/14**  
Application Type: **Listed Building Consent**  
Grid Ref: **SX701728**

District/Borough: **Teignbridge District**  
Parish: **Widcombe-in-the-Moor**  
Officer: **Louise Barattini**

Proposal: **Replacement lintels and windows to south elevation of barn cottage and lower parlour wing**

Location: **Higher Uppacott, Poundsgate**

Applicant: **Dartmoor National Park Authority**



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50m  
Scale 1:1250 @ A4



Recommendation **That, subject to approval from the Secretary of State, consent be GRANTED**

### Condition(s)

1. The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

### Introduction

Higher Uppacott is a Grade I listed building of national significance in its type, detail and survival. It is an early Dartmoor longhouse with an unconverted shippon, cross passage, two-storey Hall, Inner Room and a thatched roof.

This listed building consent application is for replacement lintels and windows in barn cottage and the lower parlour wing.

This application is presented to Members because the building is owned by the Authority.

### Planning History

0260/13	Fire precautions works to include heat and smoke detectors with control panel and extinguishers	Listed Building Consent	Grant Unconditionally	09 July 2013
0090/03	Remove existing bathroom, kitchen and dividing partition and create new bathroom and kitchen, re-fenestration of barn conversion and create porch roof, create WC and access path for the less-abled, re-open historic doorways, remove modern dry-lining, remove thatched porch roof, create viewing hatches to roof spaces, replace asbestos roofs in corrugated iron, refurbish medieval door frame, refurbish garage	Listed Building Consent	Grant Conditionally	22 July 2003
5/06/033/93/03	Garden Shed	Full Planning Permission	Grant Unconditionally	23 March 1993
05/06/0822/90	1) Remove defective glazing from ventilation slits in shippon and replace with makrolon 2) replace existing handrail with oak spindle ballustrade	Other	Withdrawn	19 February 1993

### Consultations

Teignbridge District Council:	Do not wish to comment
County EEC Directorate:	No highway comments
South West Water:	No objection
Environment Agency:	Flood Risk Zone 1 - standing advice applies
English Heritage:	This application should be determined in accordance with national and local policy guidance, and on the basis of your expert conservation advice.
Historic Buildings Officer:	Approve - The proposal will provide substantial conservation benefit and mitigate harm caused to the significance of the designated heritage asset by inappropriate alterations during the 1960's alteration and conversion works.

## **Parish/Town Council Comments**

Widcombe PC: No objection

## **Relevant Development Plan Policies**

COR1 - Sustainable Development Principles

COR3 - Protection of Dartmoor's special environmental qualities

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

DMD8 - Changes to Historic Buildings

## **Representations**

None to date.

## **Observations**

### INTRODUCTION

Higher Uppacott consists of an un-occupied Dartmoor longhouse, maintained as an historic resource, and a parlour wing separated from the longhouse on both levels and currently occupied as residential accommodation. In 2012 an historic architectural report was commissioned which sets out the significance and key components of this important listed group.

The cottage barn and parlour wing were substantially altered in the late 1960s when separate domestic accommodation was provided. The 19th century barn was converted to modest living accommodation. Most of this work was carried out unsympathetically and included the use of steel lintels and poor design joinery. As a consequence the courtyard elevation which contributes to the presentation and quality of the setting of the grade I longhouse is severely compromised.

### POLICY

This Grade I Listed Building is an iconic element of the cultural heritage of the National Park. Any proposals to the building need to demonstrate that they conserve or enhance the building and its setting in accordance with policies COR1, COR3, COR5, DMD1b and DMD8 of the Dartmoor Development Plan.

### THE PROPOSAL

The proposed works are aimed at recovering some of the lost quality by the replacement of the five softwood timber windows in the barn with robust oak framed casements with painted internal timber shutters. The concealed steel lintels are to be replaced with oak lintels, eliminating the random granite line of stones over the windows. Similarly in the ground floor parlour, the window is to be replaced with painted small glazed casements that will relate to the late 18th century fenestration nearby.

### ENGLISH HERITAGE

The proposals were worked up in consultation with English Heritage. English Heritage have reserved comment on the application and stated that the application should be determined in

accordance with national and local guidance.

## CONCLUSION

The detail of the works has been carefully considered to ensure that the impact on the Listed Building will be minimal. The scheme offers significant enhancement benefits for this listed building and is therefore recommended for approval. If Members are minded to approve the application it will be referred to the Secretary of State.

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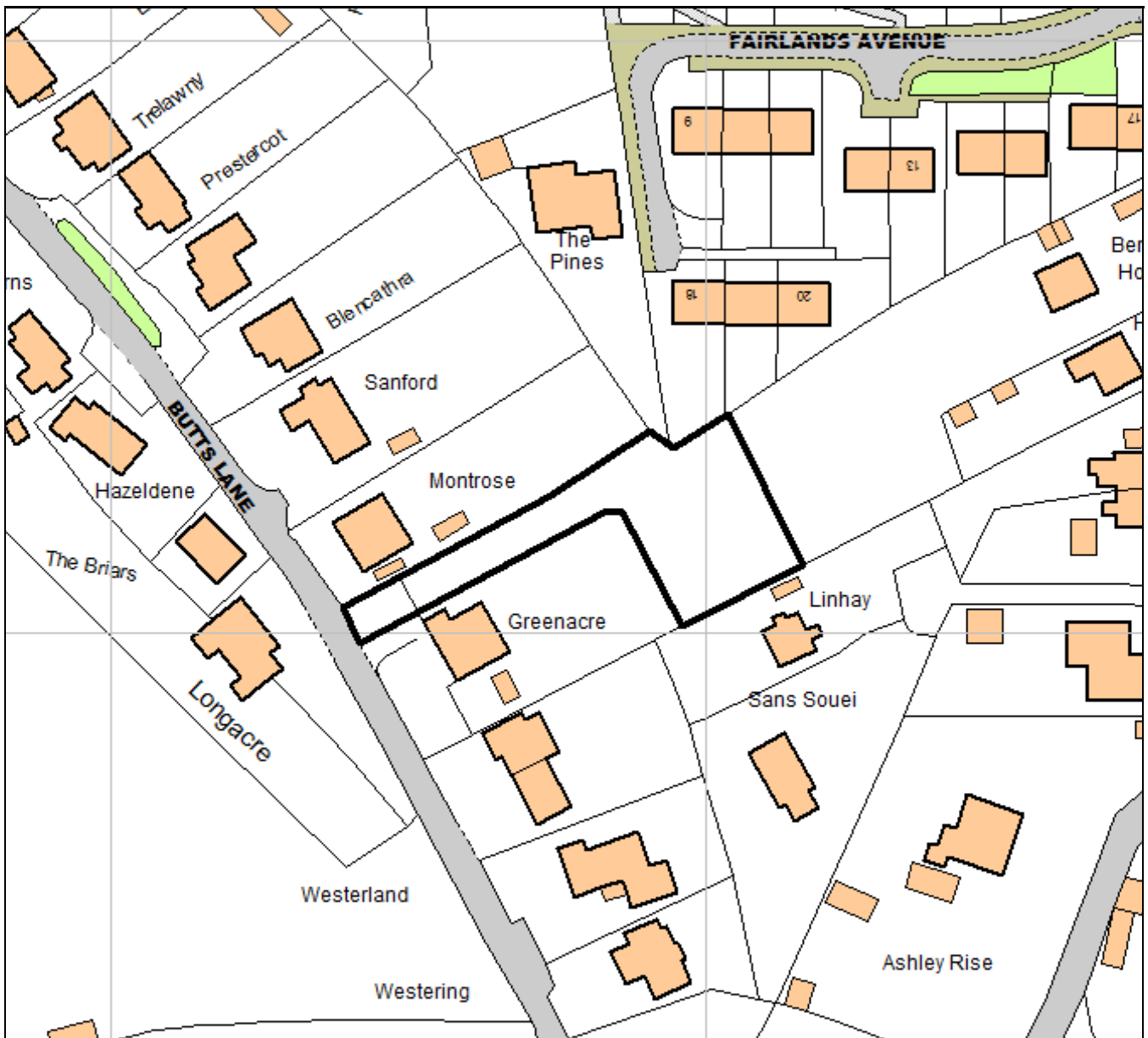
7. Application No: **0354/13**  
Application Type: **Full Planning Permission**  
Grid Ref: **SX834848**

District/Borough: **Teignbridge District**  
Parish: **Christow**  
Officer: **Louise Smith**

Proposal: **Erection of detached intermediate affordable bungalow in garden**

Location: **Greenacres Butts Lane,  
Christow**

Applicant: **Mr R Slack**



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50m  
Scale 1:1250 @ A4

## Recommendation **That permission be REFUSED**

### Reason(s) for Refusal

1. In the absence of a Section 106 planning obligation to secure the development as an affordable dwelling for local persons, the proposal will result in an unjustified open market dwelling in a rural settlement contrary to policies COR2, COR15 and DMD22 of the Dartmoor National Park Authority Development Plan, and to the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.

### Introduction

The application site relates to the rear garden of Greenacres, located within the rural settlement of Christow. The site is surrounded by housing on all sides within a triangular parcel of development at the convergence of Butts Lane and Church Lane, both single track lanes leading out of the settlement.

The application seeks to erect a single storey dwelling on this rear garden which slopes down to the north east corner of the site. A two-bedroom dwelling is proposed with access provided from the existing highway access to Greenacres with a driveway proposed along the northern boundary of this property.

The application was presented to Members on the 4 October 2013 and a resolution was made to grant permission subject to the signing of a Section 106 Agreement to secure the development as an affordable dwelling for local persons.

The application is brought back to Members as it has not been possible to conclude a satisfactory Section 106 planning obligation.

### Planning History

0332/12	Erection of detached three-bedroom open market bungalow with integral garage in garden land	Full Planning Permission	Refused	22 October 2012
			Result: Dismissed	
0051/12	Erection of affordable detached bungalow on garden land	Full Planning Permission	Withdrawn	28 February 2012
0009/09	Demolish existing garden building and extend existing house to form first floor	Full Planning Permission	Grant Unconditionally	03 March 2009
5/37/230/97/01	Erection of a traditionally built 2/3 bedroom, chalet style bungalow	Outline Planning Permission	Grant Outline Conditionally	05 March 1998
05/37/1370/84	Erection of bungalow and garage	Outline Planning Permission	Refused	27 July 1984
			Result: Dismissed	

### Consultations

Teignbridge District Council:     Unsuspected contamination condition recommended

County EEC Directorate: Note previous applications and recent appeal decision. No highway objection  
South West Water: No objections  
Environment Agency: No objection - flood zone 1 standing advice only

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

Christow PC: The Parish Council objects on the following grounds; (i) the long access road will have a detrimental visual impact on this part of the DNP, (ii) it is backland development in the garden which government guidelines say should be resisted, (iii) it would have a visual impact on neighbouring properties and affect their privacy, and (iv) Teign Housing are planning to build 18 homes in the village in the next 2 years which should accommodate present need.

### **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  
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities  
DMD22 - Residential development in Rural Settlements  
DMD3 - Sustaining the quality of places in Dartmoor National Park  
DMD4 - Protecting local amenity  
DMD40 - Parking provision - Residential  
DMD7 - Dartmoor's built environment

### **Representations**

2 letters of objection 1 other letter

Neighbouring residents have objected on the following grounds; adverse impact on residential amenity (daylight, privacy, traffic noise), highway safety, design and the proposal for backland garden development with no road frontage and the fact that a comprehensive development for additional affordable housing is soon to be provided within the village.

A neighbour has also expressed concern that the proposed turning area appears to cross the boundary of Montrose.

### **Observations**

#### **PLANNING HISTORY**

Planning permission was refused and dismissed at appeal in 2013 for the erection of a 3-bedroom open market bungalow with garage. The Inspector gave limited weight to emerging policy DMD22, but recognised that it was a material consideration and reinforced the spatial objectives of Core Strategy policies COR2 and COR15. He concluded that the scheme for an open market dwelling was in clear conflict with the objectives of policies COR2 and COR15.

He was satisfied that the proposal had no significant harm in other respects.

## HOUSING POLICY IN RURAL SETTLEMENTS

Core Strategy policy COR2 identifies Christow as a rural settlement which will provide for small scale housing development to meet identified local needs for affordable housing. This approach is reiterated in strategic housing policy COR15.

Policy DMD22 states that 'all new housing will need to be affordable and located on small infill plots within an existing built frontage and within the settlement or provided through the acceptable conversion of an existing building.' This approach seeks to protect the character and appearance of Dartmoor's Rural Settlements.

The proposal is for a new dwelling behind the built frontage, however, accepting that there is backland development in the vicinity of the site and that this forms part of the character and layout of the settlement, and having regard to the Inspector's conclusion that the site was large enough to accommodate a small dwelling without harming the character and appearance of the area or neighbouring residential amenity, it would be difficult to refuse the application on this ground alone.

## CHARACTER AND APPEARANCE

The scheme is not significantly different in design and layout terms from the previous application, to which the Inspector raised no objection. The integral garage has been omitted and the footprint of the dwelling reduced to meet the Authority's standard 80sqm model for an intermediate affordable dwelling.

Policies COR1, COR4, DMD3 and DMD7 require new development to be high quality and locally distinctive, conserving the character and appearance of the National Park.

There is existing backland development of the rear of the two properties to the south west of the site, accessed from Church Lane. Having regard to this development pattern, and the proposed erection of a bungalow in a sunken position below the highway and behind the dwelling, it would be difficult to argue that this layout and scale of development would be demonstrably harmful to the character and appearance of the area. The omission of residential gardens from the description of previously developed land does not preclude new development on such sites but requires Local Planning Authorities to carefully consider the importance of that land and the impact of development on the character and appearance of the area.

The trees within the proposed development site are not significant specimens and have minimal public amenity value. The proposed alterations to the hedge at the front to increase visibility will not undermine the rural character of this lane.

There is a mix of housing styles within Christow and the proposed 2-bedroom bungalow would not be incongruous in the context of surrounding developments. A simple form is proposed with hipped slate roofline and rendered elevations. Features such as uPVC windows are not considered to be appropriate and would conflict with the advice set out in the Design Guide but can be dealt with by planning condition.

## RESIDENTIAL AMENITY

The site is tightly bordered by residential properties and careful consideration is given to the relationship with these neighbouring properties in line with the objectives of policy DMD4.

The property most directly affected is Linhay, to the south west of the site. The impact on this property will, however, be minimised due to the aspect of this property and its elevated position above the proposed development. The proposed bungalow will also be cut into the sloping site and as such the scale of the development along the boundary with this neighbouring property is significantly reduced. Given the scale and design of the proposed bungalow, its orientation and position on the site and lack of windows on this south west elevation, it is considered that the proposal will not have a detrimental impact on the residential amenities of these neighbouring occupiers so as to justify a reason for refusal.

No 18 Fairlands Avenue is situated on lower ground to the north of the site. Having regard to the dense vegetation along the party boundary, the separation distance and the scale, design and layout of the proposed development, it will not have a detrimental impact on the residential amenity of these neighbouring occupiers.

There is sufficient distance to the dwellings to the north west and south east of the site (along Butts Lane) to prevent any harm to the residential amenity of these neighbouring occupiers. Loss of a private view is not a material planning consideration.

The proposed access track would run along the party boundary with the property known as 'Montrose'. The parking arrangement for the host dwelling (Greenacres) is proposed in the rear of the garden, accessed off the new access track which would in effect become a shared drive. There is a dense hedge along this party boundary with Montrose and the garage of this neighbouring property flanks this boundary. Having regard to the relationship presented and the flank elevation of this neighbouring property, it is not considered that the proposal would cause undue harm or disturbance by virtue of the comings and goings of vehicles along the proposed access drive. It is not considered that vehicles movements would provoke any significant harm to the other neighbouring properties, having regard to the distances involved, scale of the proposed development and boundary relationships.

## HIGHWAY SAFETY

The Highway Authority is satisfied with the improvements to visibility for the increased use of the access, having particular regard to the character of existing access points along Butts Lane. The proposal will therefore not conflict with the objectives for highway safety set out under policy COR21.

## OTHER ISSUES

Whilst the Parish Council state that Teign Housing will be bringing forward affordable housing to meet local need in the future, the application is assessed on the basis of the existing situation which identifies an unmet demand for 17 units within the village.

One neighbour has expressed concerns about the proposed turning area crossing into the garden of Montrose. The plans have been checked and the agent has confirmed that the proposed turning area is within the residential curtilage and ownership of the applicant at Greenacres.

## CONCLUSION



The Planning Inspector dismissed an appeal in May 2013 for a dwelling to the rear of Greenacres on the grounds that the proposal was for an open market dwelling contrary to policy. He was satisfied on all other accounts, that the site was sufficient to accommodate a small dwelling without harming the character and appearance of the area or neighbouring residential amenity.

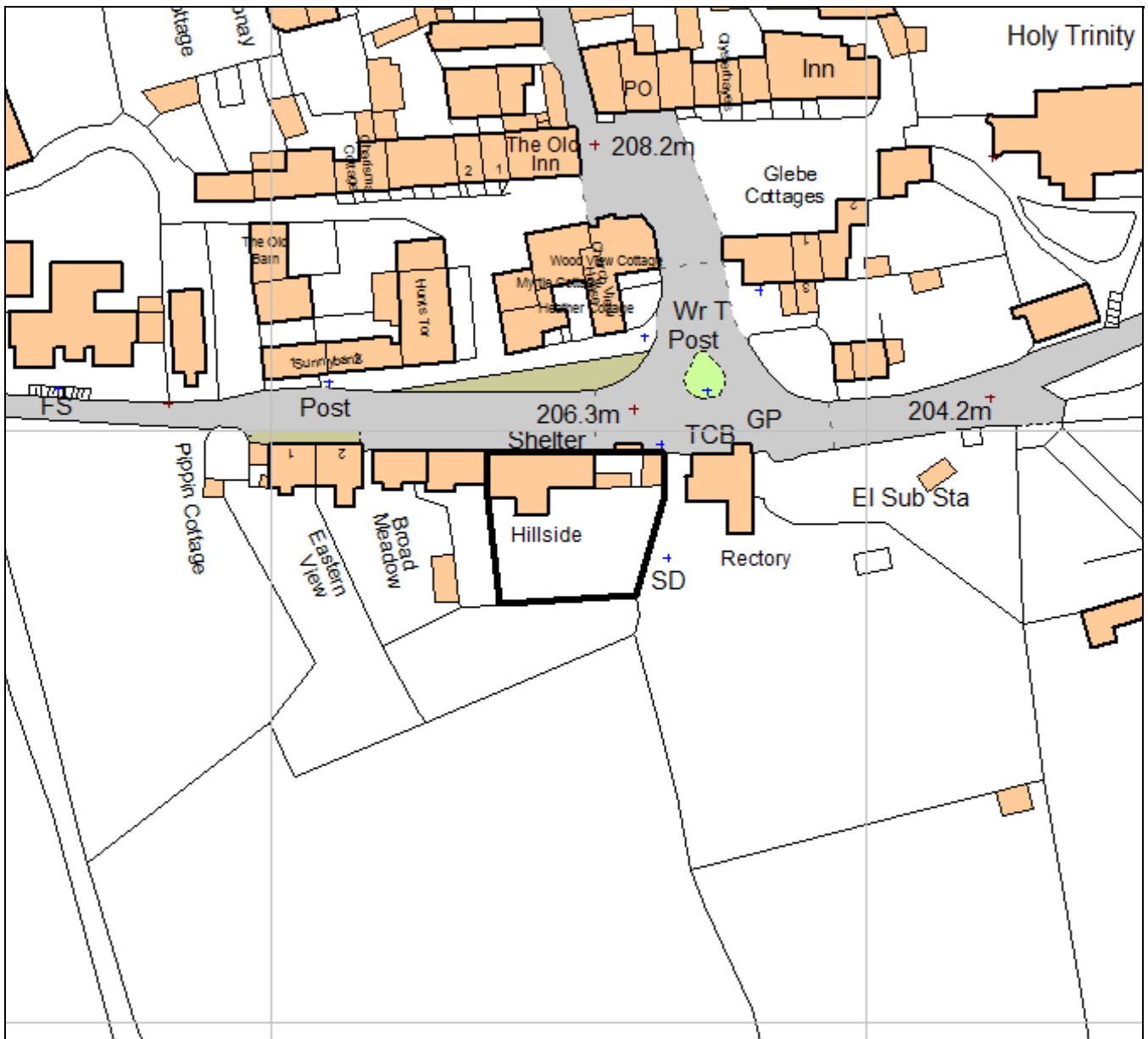
Officers maintain the view that the proposed development would not harm the character and appearance of the site or its surroundings and therefore it would be difficult to substantiate a reason for refusal solely on the grounds that the proposal does not constitute the development of a small infill plot within an existing built frontage in line with policy DMD22. The rationale for this approach is to maintain the character and appearance of Dartmoor's rural settlements and, in the context of this development proposal, there is clearly no harm in this respect.

There has been no shift in policy since the previous committee resolution. The application is brought back to Members as it has not been possible to conclude a satisfactory Section 106 planning obligation to secure the development as an affordable dwelling for a local person. In the absence of this Section 106 obligation the application is in clear conflict with local policy and is recommended for refusal. Despite a number of chasing letters there has been no active response from the applicant.

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8. Application No: **0552/14** District/Borough: **West Devon Borough**  
 Application Type: **Listed Building Consent** Parish: **Drewsteignton**  
 Grid Ref: **SX735907** Officer: **Louise Barattini**

Proposal: **Retrospective application for works to lean-to adjoining main house**  
 Location: **Hillside House, Drewsteignton**  
 Applicant: **Mr & Mrs A Thomas**



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50m  
 Scale 1:1250 @ A4

## Recommendation **That consent be REFUSED**

### Reason(s) for Refusal

1. The proposed alterations to the lean-to would cumulatively harm the character, appearance and significance of this grade II listed building with no over-riding public benefit to outweigh the harm created. The proposal would therefore be contrary to policies COR1, COR3, DMD1b and DMD8 of the Dartmoor National Park Authority Development Plan, to the advice contained in The English National Parks and The Broads UK Government Vision and Circular 2010, the National Planning Policy Framework 2012 and the Dartmoor National Park Design Guide 2011.

### Introduction

Early 19th Century Grade II listed house located prominently within Drewsteignton Conservation Area. The principal elevation and outbuilding range faces directly onto the public highway and there is a bus shelter to the front of the outbuildings.

The application is retrospective and incorporates works to the 19th Century lean-to single storey extension adjoining, and to the east of, the main house.

The application is presented to the Development Management Committee in view of the comments received from the Parish Council. An allied application for planning permission follows this listed building application report.

### Planning History

0126/14	Variation of condition 2 (planning permission ref 0398/13) to allow slate on the roof instead of zinc sheet	Full Planning Permission - Householder	Grant Conditionally	25 April 2014
0127/14	Variation of condition 2 (planning permission ref 0398/13) to allow slate on the roof instead of zinc sheet	Listed Building Consent	Grant Conditionally	25 April 2014
0398/13	Demolition of existing and erection of new kitchen lean-to, conversion of garage to additional bedrooms, erection of garden shed, demolition of lean-to workshop, new rainwater goods and drainage and joinery works	Full Planning Permission - Householder	Grant Conditionally	24 September 2013
0399/13	Demolition of existing and erection of new kitchen lean-to, conversion of garage to additional bedrooms, erection of garden shed, demolition of lean-to workshop, new rainwater goods and drainage and joinery works	Listed Building Consent	Grant Conditionally	24 September 2013
0551/14	Retrospective application for works to lean-to adjoining main house	Full Planning Permission - Householder	Not yet determined	

### Consultations

West Devon Borough Council: Does not wish to comment

County EEC Directorate:	No highway implications
South West Water:	No comments received
Environment Agency:	No objection - flood zone 1 standing advice only
Historic Buildings Officer:	Refuse - the proposal has lead to a detrimental impact on the character of the outbuilding and caused harm to the significance of the grade II listed building, a designated heritage asset.

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

Drewsteignton PC: The Parish Council supports the application because the improvement works undertaken protect the distinctive character and appearance of this part of the National Park and the village scene (DMD 12 iii). The proposal does not detract from the scale, significance, form, quality or setting of the building (DMD 8 i). Any harm is outweighed by benefit to the property as a whole, the applicant told Councillors that the area concerned is 4.5% of the total building. The reuse of this part of the building which was apparently recorded as a coal house in 1898 will ensure its future, its recent dilapidated state was a potential safety risk.

### **Relevant Development Plan Policies**

COR1 - Sustainable Development Principles

COR3 - Protection of Dartmoor's special environmental qualities

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

DMD8 - Changes to Historic Buildings

### **Representations**

16 letters of support

The letters received welcome the alterations as improvements to the listed building in conjunction with other works carried out to the main house. They state that the previous structure was in a poor and unsafe state.

### **Observations**

#### **POLICY**

The National Planning Policy Framework (NPPF) establishes 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 which sets out National Park Purposes and establishes that the conservation and enhancement of cultural heritage of the National Park will be given priority over other considerations in the determination of development proposals.

Policy DMD8 of the Local Plan states that proposals for the alteration and change of use of listed buildings will be granted if any harm identified is outweighed by the public benefits that

the proposed development will bring. In assessing harm, the impact on the original scale, form, quality, setting, architectural/historical interest and cultural significance of the building will be considered.

The NPPF recognises that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that any harm or loss requires clear and convincing justification. Practical guidance is provided in the PPS5 Practical Guide 2010.

Policy COR1 seeks to sustain local distinctiveness and conserve or enhance important historic features. Policy COR3 sets out the objectives for conserving and enhancing the features that contribute to Dartmoor's special environmental qualities, having particular regard to vernacular and other historic buildings.

The Dartmoor National Park Authority Design Guide sets out specific guidance for historic buildings and generic guidance on building elements and materials within the National Park.

## IMPACT ON THE LISTED BUILDING

This 19th century lean-to outbuilding is part of a series of small scale outbuildings located to the east end of the house which form an enclosed yard accessed by the wide double gated entrance fronting the highway. They comprise service buildings associated with the house and are important survivals which were used in the context of the main house, a grade II listed building.

The works are retrospective and involve the removal of the existing roof structure, raised walls and the erection of replacement roof and timbers, re-siting of a boiler flue, insertion of loft/storage platform, blocking up of a door opening, removal of internal partition and modification of window opening and insertion of a replacement window.

In this particular case, the works relate to a single storey element of the building which is easily discernible at ground level within the site and located prominently, adjacent to the village bus shelter and flanking an important public space within the Conservation Area as identified in the Drewsteignton Character Appraisal.

The key issues with this application relate to the roof slate, slate clipping, window design, siting of flue and installation of loft storage floor as well as the increase wall height and roof raising. The applicant was advised to consider addressing these points in his application submission; however, the applicant has respectfully requested that a decision is taken on the works carried out, without modification.

Drawings have now been presented showing the proposed alterations in the context of the former out-building and the full extent of changes are now apparent. This includes the raising of the eaves and junction of the roof with the main house, small change to roof pitch and introduction of fascia and verge boards. These works combine to alter the traditional proportions and simplistic presentation of this out building. The Dartmoor Design Guide states that verges should preferably be finished without boards. It is exacerbated by the insertion of a modern storage/loft platform which alters the meaning and traditional presentation of this outbuilding and its relationship with the principal dwelling.

The Design Guide establishes a preference for natural slates with a good riven finish and specifies that imported slates can be at odds with the colour and texture of traditional roofs.

The slate used in the roofing work does not have a traditional riven surface quality and this, together with the colour finish, is unsympathetic to traditional slate roofs for listed buildings in Dartmoor National Park. The harmful impact of the slate on the special heritage interest of the building is further pronounced due to the use of 'modern' clip fixings. The use of traditional nail fixing is advocated for all new developments in the Design Guide and clip fixings are to be avoided. The building in question is a grade II listed building where high quality finishes and materials are required. The recently approved kitchen extension at Hillside House was finished in a high quality slate which was nail fixed.

The Design Guide specifies that new metal flues should penetrate the least publically visible slope of the roof. The proposal brings the flue closer to the front elevation of the building, prominent from the public highway which flanks the site.

The new landscape window aperture has little relationship with the vertical emphasis of windows in the house and the proposed window design is at odds with the detailing and character of windows on the listed building. For historic buildings, the Design Guide specifies that every effort should be made to match the window design with the age of the building, well-proportioned and with glass panes and glazing bars of identical shape.

Whilst it is acknowledged that the previous building was in need of attention, as identified by local residents and the Parish Council, the cumulative impact of unsympathetic alterations to the building is considered to be damaging to the original scale, form, quality and heritage interest of this historic outbuilding and Hillside House, contrary to the provisions of local and national planning policy and there are no public benefits considered to outweigh the harm created.

## CONCLUSION

The proposed retrospective works fail to conserve or enhance the character and appearance of this listed building and have a damaging impact on the significance of the heritage asset with no overriding public benefit to outweigh the harm created. The application is therefore recommended for refusal.

The applicant was asked to consider alterations to the scheme in advance of submission of the application but he has respectfully requested that the application is determined on the basis of the works carried out, without modification.

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9. Application No: **0551/14** District/Borough: **West Devon Borough**  
 Application Type: **Full Planning Permission - Householder** Parish: **Drewsteignton**  
 Grid Ref: **SX735907** Officer: **Louise Barattini**  
 Proposal: **Retrospective application for works to lean-to adjoining main house**  
 Location: **Hillside House, Drewsteignton**  
 Applicant: **Mr & Mrs A Thomas**



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50m  
 Scale 1:1250 @ A4

## Recommendation **That permission be REFUSED**

### Reason(s) for Refusal

1. The proposed alterations to the lean-to would cumulatively harm the character, appearance and significance of this grade II listed building and the character and appearance of the conservation area with no over-riding public benefit to outweigh the harm created. The proposal would therefore be contrary to policies COR1, COR3, COR4, COR5, DMD1b, DMD7, DMD8, DMD12 and DMD24 of the Dartmoor National Park Authority Development Plan, to the advice contained in The English National Parks and The Broads UK Government Vision and Circular 2010, the National Planning Policy Framework 2012 and the Dartmoor National Park Design Guide 2011.

### Introduction

Early 19th Century Grade II listed house located prominently within Drewsteignton Conservation Area. The principal elevation and outbuilding range faces directly onto the public highway and there is a bus shelter to the front of the outbuildings.

The application is retrospective and incorporates works to the 19th Century lean-to single storey extension adjoining, and to the east of, the main house.

The application is presented to the Development Management Committee in view of the comments received from the Parish Council.

### Planning History

0126/14	Variation of condition 2 (planning permission ref 0398/13) to allow slate on the roof instead of zinc sheet	Full Planning Permission - Householder	Grant Conditionally	25 April 2014
0127/14	Variation of condition 2 (planning permission ref 0398/13) to allow slate on the roof instead of zinc sheet	Listed Building Consent	Grant Conditionally	25 April 2014
0398/13	Demolition of existing and erection of new kitchen lean-to, conversion of garage to additional bedrooms, erection of garden shed, demolition of lean-to workshop, new rainwater goods and drainage and joinery works	Full Planning Permission - Householder	Grant Conditionally	24 September 2013
0399/13	Demolition of existing and erection of new kitchen lean-to, conversion of garage to additional bedrooms, erection of garden shed, demolition of lean-to workshop, new rainwater goods and drainage and joinery works	Listed Building Consent	Grant Conditionally	24 September 2013
0552/14	Retrospective application for works to lean-to adjoining main house	Listed Building Consent	Not yet determined	

### Consultations

West Devon Borough Council: Does not wish to comment

County EEC Directorate: No highway implications



South West Water: No comments received  
Environment Agency: No objection - flood zone 1 standing advice only  
Historic Buildings Officer: Refuse - the proposal has led to a detrimental impact on the character of the outbuilding and caused harm to the significance of the grade II listed building, a designated heritage asset.

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

Drewsteignton PC: The Parish Council supports the application because the improvement works undertaken protect the distinctive character and appearance of this part of the National Park and the village scene (DMD 12 iii). The proposal does not detract from the scale, significance, form, quality or setting of the building (DMD 8 i). Any harm is outweighed by benefit to the property as a whole, the applicant told Councillors that the area concerned is 4.5% of the total building. The reuse of this part of the building which was apparently recorded as a coal house in 1898 will ensure its future, its recent dilapidated state was a potential safety risk.

### **Relevant Development Plan Policies**

COR1 - Sustainable Development Principles  
COR3 - Protection of Dartmoor's special environmental qualities  
COR4 - Design and sustainable development principles  
COR5 - Protecting the historic built environment  
DMD12 - Conservation Areas  
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities  
DMD24 - Extensions and alterations to dwellings  
DMD7 - Dartmoor's built environment  
DMD8 - Changes to Historic Buildings

### **Representations**

17 letters of support

The letters received welcome the alterations as improvements to the listed building in conjunction with other works carried out to the main house. They state that the previous structure was in a poor and unsafe state.

### **Observations**

#### **POLICY**

The National Planning Policy Framework (NPPF) establishes 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 which sets out National Park Purposes and establishes that the conservation and enhancement of cultural heritage of the National Park will be given priority over other considerations in the determination of development proposals.

Policy DMD8 of the Local Plan states that proposals for the alteration and change of use of listed buildings will be granted if any harm identified is outweighed by the public benefits that the proposed development will bring. In assessing harm, the impact on the original scale, form, quality, setting, architectural/historical interest and cultural significance of the building will be considered.

The NPPF recognises that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that any harm or loss requires clear and convincing justification. Practical guidance is provided in the PPS5 Practical Guide 2010.

Policy COR1 seeks to sustain local distinctiveness and conserve or enhance important historic features. COR3 sets out the objectives for conserving and enhancing the characteristic landscape and features that contribute to Dartmoor's special environmental qualities, having particular regard to vernacular and other historic buildings.

Policies COR4 and DMD7 require new development to conserve and enhance the quality and distinctiveness of the local environment which should be reinforced through the use of materials, finishing and design detailing. Particular regard must be given to the heritage assets and the Dartmoor Design Guide. Policy DMD24 sets out the design requirements for householder development.

Policies COR5 and DMD12 establish the criteria for new development to conserve and enhance the character and appearance of the Conservation Area.

The Dartmoor National Park Authority Design Guide sets out specific guidance for historic buildings and generic guidance on building elements and materials within the National Park.

## IMPACT ON LISTED BUILDING & CONSERVATION AREA

The 19th century lean-to outbuilding is part of a series of small scale outbuildings located to the east end of the house which form an enclosed yard accessed by the wide double gated entrance fronting the highway. They comprise service buildings associated with the house and are important survivals which were used in the context of the main house, a grade II listed building.

The works are retrospective and involve the removal of the existing roof structure, raised walls and the erection of replacement roof and timbers, re-siting of a boiler flue, insertion of loft/storage platform, blocking up of a door opening, removal of internal partition and modification of window opening and insertion of a replacement window.

In this particular case, the works relate to a single storey element of the building which is easily discernible at ground level within the site and located prominently, adjacent to the village bus shelter and flanking an important public space within the Conservation Area as identified in the Drewsteignton Character Appraisal.

The key issues with this application relate to the roof slate, slate clipping, window design, siting of flue and installation of loft storage floor as well as the increased wall height and roof raising. The applicant was advised to consider addressing these points in his application submission; however, the applicant has respectfully requested that a decision is taken on the works carried out, without modification.

Drawings have now been presented showing the proposed alterations in the context of the former out-building and the full extent of changes are now apparent. This includes the raising of the eaves and junction of the roof with the main house, small change to roof pitch and introduction of fascia and verge boards. These works combine to alter the traditional proportions and simplistic presentation of this out building. The Dartmoor Design Guide states that verges should preferably be finished without boards. It is exacerbated by the insertion of a modern storage/loft platform which alters the meaning and traditional presentation of this outbuilding and its relationship with the principal dwelling.

The Design Guide establishes a preference for natural slates with a good riven finish and specifies that imported slates can be at odds with the colour and texture of traditional roofs.

The slate used in the roofing work does not have a traditional riven surface quality and this, together with the colour finish, is unsympathetic to traditional slate roofs for listed buildings in Dartmoor National Park. The harmful impact of the slate on the special heritage interest of the building is further pronounced use of 'modern' clip fixings. The use of traditional nail fixing is advocated for all new developments in the Design Guide and clip fixings are to be avoided. The building in question is a grade II listed building where high quality finishes and materials are required. The recently approved kitchen extension at Hillside House was finished in a high quality slate which was nail fixed.

The Design Guide specifies that new metal flues should penetrate the least publically visible slope of the roof. The proposal brings the flue closer to the front elevation of the building, prominent from the public highway which flanks the site.

The new landscape window aperture has little relationship with the vertical emphasis of windows in the house and the proposed window design is at odds with the detailing and character of windows on the listed building. For historic buildings, the Design Guide specifies that every effort should be made to match the window design with the age of the building, well-proportioned and with glass panes and glazing bars of identical shape.

Whilst it is acknowledged that the previous building was in need of attention, as identified by local residents and the Parish Council, the cumulative impact of unsympathetic alterations to the building is considered to be damaging to the original scale, form, quality and heritage interest of this historic outbuilding and Hillside House, contrary to the provisions of local and national planning policy and there are no public benefits considered to outweigh the harm created.

## CONCLUSION

The proposed retrospective works fail to conserve or enhance the character and appearance of this listed building and conservation area and would have a damaging impact on the significance of the listed building with no overriding public benefit to outweigh the harm created. The application is therefore recommended for refusal.

The applicant was asked to consider alterations to the scheme in advance of submission of the application but he has respectfully requested that the application is determined on the basis of the works carried out, without modification.

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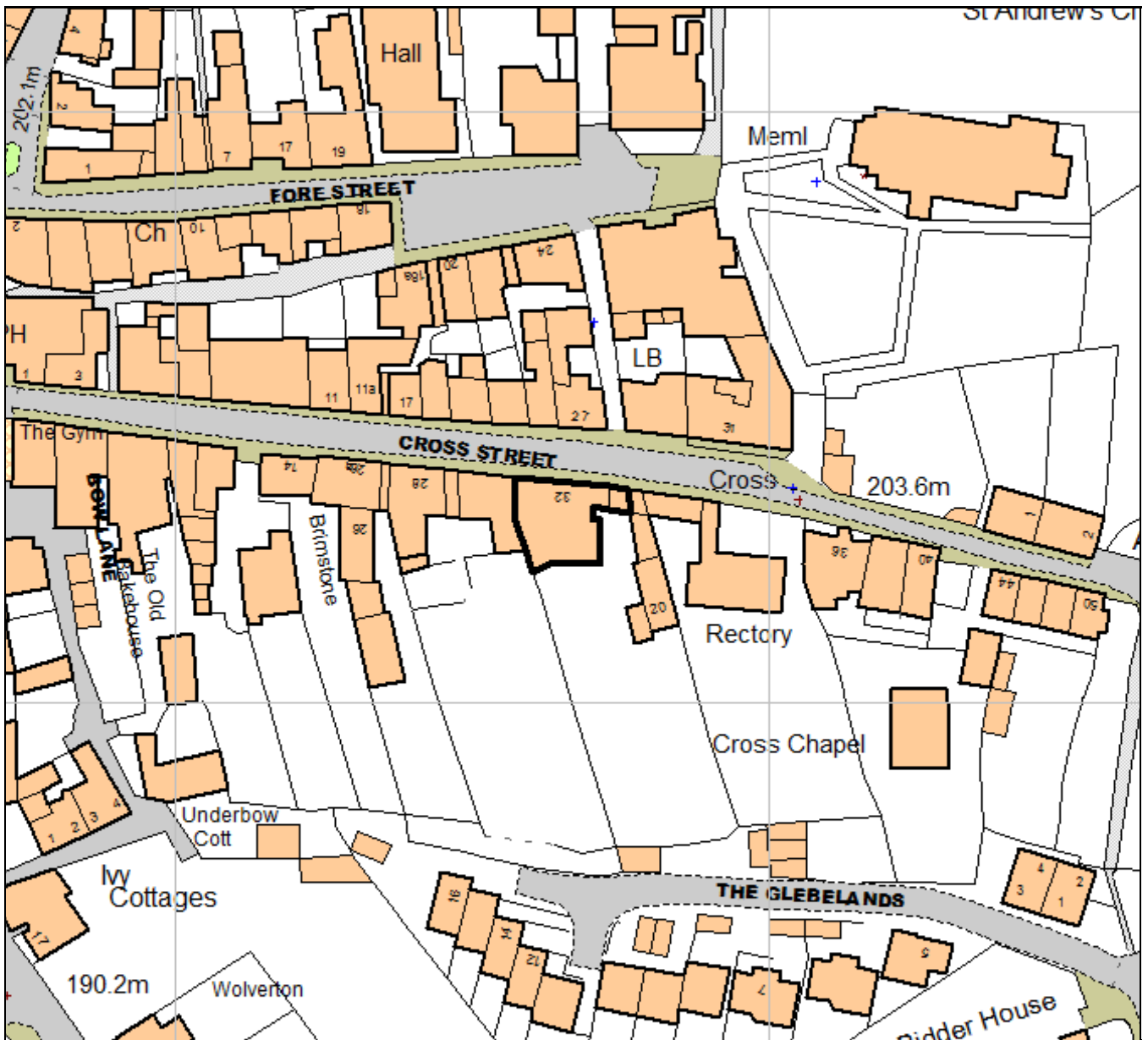
10. Application No: **0531/14**  
Application Type: **Listed Building Consent**  
Grid Ref: **SX754860**

District/Borough: **Teignbridge District**  
Parish: **Moretonhampstead**  
Officer: **Louise Barattini**

Proposal: **Internal and external alterations to house**

Location: **Mearsdon, Cross Street,  
Moretonhampstead**

Applicant: **Dr & Mrs I Mortimer**



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50m  
Scale 1:1250 @ A4

## Recommendation **That consent be GRANTED**

### Condition(s)

1. The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.
2. All new wall stonework hereby approved shall be carried out in granite and shall be laid and pointed using traditional techniques and materials (lime mortar) so as to match the stonework on the existing building.
3. The replacement ceiling hereby approved shall be constructed in lath and plaster (lime).
4. Large scale cross section drawings of the proposed internal joinery (staircase and doors) shall be submitted to the Local Planning Authority for approval prior to their installation. Thereafter the development shall be carried out and maintained in accordance with the approved details.
5. A sample of the proposed ground floor paviers shall be submitted to the Local Planning Authority for approval prior to their installation. Thereafter the development shall be carried out and maintained in accordance with the approved details.

### Introduction

Mearsdon is an important grade II\* late medieval house. Despite extensive re-modelling in the 19th Century, it retains elements of significance with important interiors and structure. Externally, the large lateral stack and the old doorway, together with the complete C19 fenestration, are an important feature in Cross Street.

The application proposes internal alterations to the floor plan and internal presentation to the upper east end chamber, together with new first floor window and re-presentation of passage elevation.

The application is presented to the Development Management Committee as the applicant is a Member of the Authority.

### Planning History

0604/03	Replacement of turnerised interlocking tile roof with natural slate on rear wing of property	Listed Building Consent	Grant Conditionally	02 December 2003
0489/03	Replacement of turnerised interlocking tile roof covering with natural slate	Listed Building Consent	Grant Conditionally	13 August 2003
5/02/266/93/07	Conversion of entrance lobby/store to new kitchen, remove partially glazed door & screen & section of low stone wall under between existing lobby/store & new dining room	Listed Building Consent	Grant Unconditionally	23 November 1993

### Consultations

Teignbridge District Council:	Does not wish to comment
County EEC Directorate:	No highway implications
South West Water:	No objection
Environment Agency:	No objection - flood zone 1 standing advice only

Historic Buildings Officer: Approve - the proposed alterations will not cause harm to the significance of the designated heritage asset, a grade II\* listed building.

English Heritage: The proposals are a positive improvement and we welcome them.

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

Moretonhampstead PC: The Parish Council supports the alterations and welcomes the restoration of an important building in the town.

### **Relevant Development Plan Policies**

COR1 - Sustainable Development Principles

COR3 - Protection of Dartmoor's special environmental qualities

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

DMD8 - Changes to Historic Buildings

### **Representations**

1 letter of support

The letter states that the works will help to make this east end of the building more habitable and that the proposals are well informed and will enhance the appearance of Mearsdon.

### **Observations**

#### **POLICY**

This Grade II\* Listed Building is an important element of the cultural heritage of the National Park. Any proposals to the building need to demonstrate that they conserve or enhance the building and its setting in accordance with policies COR1, COR3, DMD1b and DMD8 of the Dartmoor National Park Authority Development Plan.

#### **THE PROPOSAL & IMPACT ON SIGNIFICANCE**

The proposed works seek to restore the historic plan form of the upper east end chamber by removing plasterboard partition walls and undertaking conservation repair and restoration works to internal ceilings and new window to rear elevation. The ground floor is proposed to be formalised into a new service entrance and will deliver improvements to internal floor and passage screen presentation. It is also proposed to install a replacement internal staircase.

The proposals have been informed by an historic and architectural analysis of the building and worked up in consultation with officers and English Heritage. The proposals will not result in the loss of any significant historic fabric, will enhance the presentation of the building and conserve the significance of this listed building.

#### **ENGLISH HERITAGE**

The proposals were worked up in consultation with English Heritage and they welcome the proposals as a positive improvement for the building.

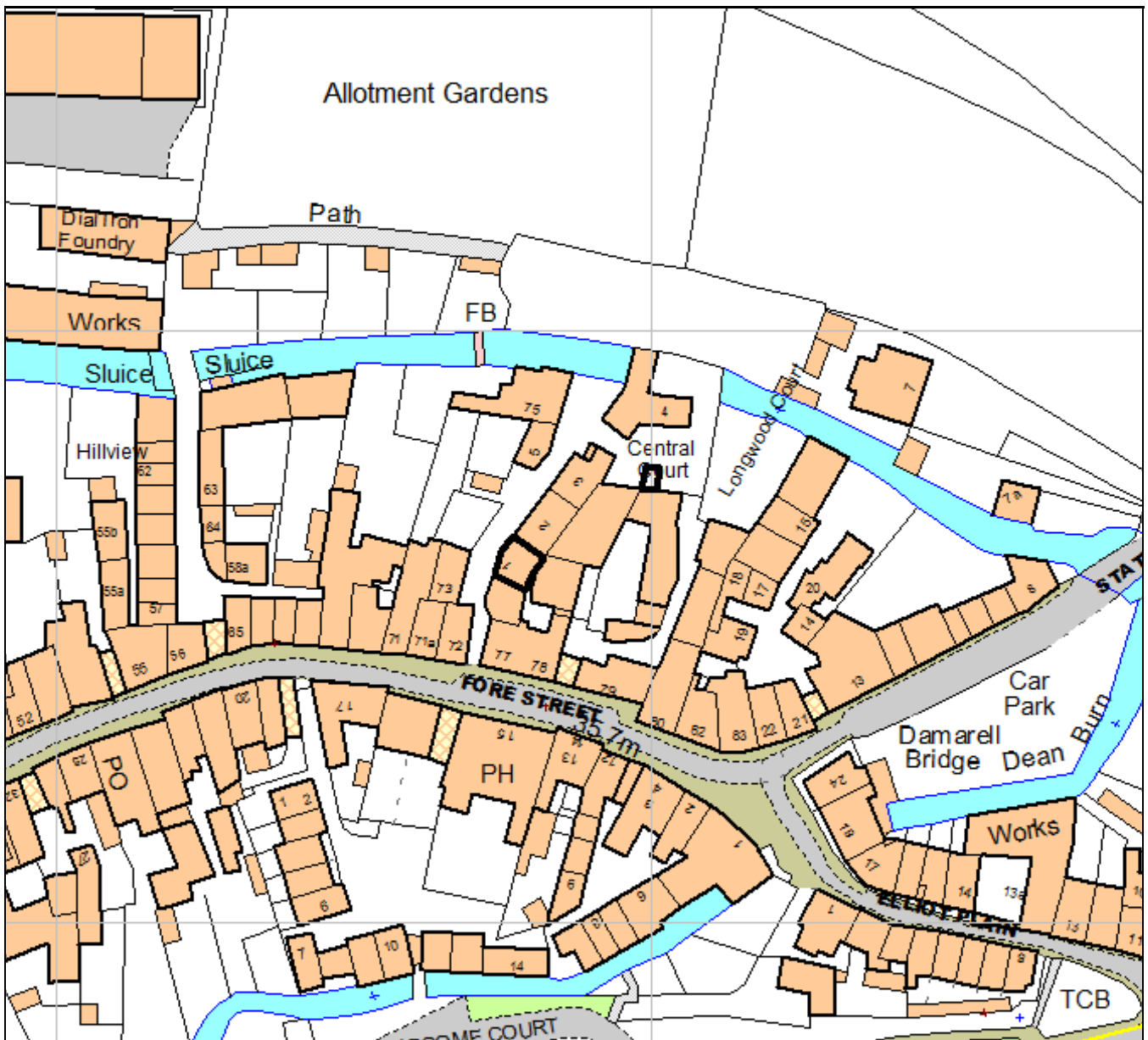
## CONCLUSION

The detail of the works has been carefully considered to ensure that the impact on the Listed Building will be minimal. The scheme offers enhancement benefits for this listed building whilst conserving the significance of this important grade II\* listed late medieval house.

The application is therefore recommended for approval.

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11. Application No: **0550/14** District/Borough: **Teignbridge District**  
 Application Type: **Modification or Discharge of Planning Obligations** Parish: **Buckfastleigh**  
 Grid Ref: **SX740661** Officer: **Jim Blackwell**  
 Proposal: **Application to discharge a planning obligation requiring the provision of affordable housing (attached to permission ref 0716/06)**  
 Location: **1 Central Court, Fore Street, Buckfastleigh**  
 Applicant: **Mr J Hervin**



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50m  
 Scale 1:1250 @ A4



Recommendation **That permission be REFUSED**

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

1. The proposal would result in an unjustified open market dwelling in a Local Centre, contrary to the Dartmoor National Park Core Strategy Development Plan Document in particular policies COR2 and COR15, and policy DMD21 of the Development Management and Delivery Development Plan Document and the advice contained in the National Planning Policy Framework 2012.

### **Introduction**

The property is accessed in between 72 and 77 Fore Street in the centre of Buckfastleigh. It is formed in a linear terrace following the burgage plot to the north.

The application seeks to remove the restriction in the section 106 Agreement relating to affordable housing provision.

The application is presented to committee as delegated powers are not available to make a determination.

### **Planning History**

0716/06	Demolition of existing building and construction of three dwellings and associated parking		
	Full Planning Permission	Grant Conditionally	09 August 2007

### **Consultations**

Teignbridge District Council (Housing): No comment received

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

Buckfastleigh TC: Objection - loss of affordable property

### **Representations**

None to date.

### **Observations**

#### **INTRODUCTION**

The property is accessed in between 72 and 77 Fore Street in the centre of Buckfastleigh. It is formed in a linear terrace following the burgage plot to the north. The application relates to a residential scheme approved in 2006.

#### **BACKGROUND**

Planning application 0716/06 was submitted on 7 September 2006 by Central Court Developments Ltd. The application proposed the demolition of an existing building and the construction of a terrace of three dwellings on land to the rear of 77 Fore Street, Buckfastleigh. The applicant agreed that one of the three dwellings would be an intermediate affordable dwelling for occupation by a local person in housing need.

The Authority's recently adopted Affordable Housing SPD states that Intermediate housing is "more affordable" housing and aims to meet a need between affordable rent and market housing, where the household is not able to afford market prices.

This model requires that occupants meet the same "eligible household" criteria as for affordable housing, but instead of being rented accommodation with a rent level being set by a Registered Provider, the s.106 Agreement restricts the sale price of the property each time it is sold. A discount of 20-25% on open market prices is usually applied to ensure that the property remains "more affordable".

The development at 77 Fore Street Buckfastleigh was granted planning permission subject to a Section 106 Agreement relating to one dwelling in the standard form in use in 2006. The Agreement provides that:

- i. the intermediate affordable dwelling may only be occupied by a "Qualifying Person" (together with their family & dependents)
- ii. a person is a "Qualifying Person" if they are in housing need, cannot afford to pay open market prices and have lived in the National Park for 5 years or have a strong connection to the National Park, eg. by virtue of upbringing or employment
- iii. the dwelling may not be sold until the owner has obtained three written valuations from an estate agent or property valuer, expressly taking into account the occupancy restriction and prevailing market prices
- iv. the price to be paid on any transfer or disposal of the dwelling shall not exceed 75% of the second lowest valuation.

This mechanism is designed to ensure that the intermediate dwelling remains "more affordable" and occupied by a person with a strong connection to the National Park. Anyone can own the property, the restriction is on occupation.

#### POSITION IN SEPTEMBER 2009

In 2009 the applicant wished to purchase the intermediate dwelling. However, despite having a good credit score and a deposit he had difficulty securing a competitive mortgage on the property. Although a headline rate of 3.49% APR was being advertised, he was unable to secure a mortgage offer on the intermediate dwelling at anything near this rate.

The applicant approached the Authority. He indicated that in his view the s.106 Agreement was unduly restrictive and asked for it to be varied to relax the restrictions. He believed that his would make it possible to access cheaper mortgage finance.

Officers were mindful of the impact of the "credit crunch" and the reluctance of lenders to advance mortgages on properties which they regarded as higher risk. A letter was sent to the applicant reassuring him that the s.106 Agreement was in fact less restrictive than some which are imposed in other parts of Devon – there is no requirement to be on a housing register and the pool of qualifying persons is the whole of the National Park, not just the parish of provision and neighbouring parishes.

The applicant elected to proceed with his purchase and paid a 20% deposit and took out a fixed rate mortgage at 6.29% APR for the balance.

#### APPLICATION

The applicant now seeks for the restrictions in the s.106 Agreement to be removed. He states that “the restrictions are unviable in the current climate.”

The applicant states that five years on from his purchase, he has a mortgage outside of the fixed term agreement and he is unable to remortgage. His current lender has offered a rate 3% higher than available on the normal market. He also says that “no other lenders will consider the property due to the section 106”.

He believes that “having a s.106 restriction on your property means that you are discriminated against when applying for a mortgage.” He claims that he is paying more than 100% of the value, for a property which he can only sell at a restricted market value.

## ANALYSIS

It is indeed the case that having a s.106 restriction on your property may mean that you are unable to benefit from the lowest advertised mortgage rates. Many lenders are unwilling to lend at all on any property that is perceived as being higher risk e.g. thatch, cob, shared equity, occupancy restriction. This has been the case for many years.

It is a matter of regret that people seeking to purchase an intermediate dwelling or a shared ownership home will find that they cannot access cheap mortgage finance. However, this is a well-known matter of general lending policy. It is also a consequence of the more risk-adverse lending climate in recent years.

The restrictions in the s.106 Agreement exist to ensure that the dwelling remains available at 25% below market prices for future owner/occupiers. The applicant has had the benefit of this substantial discount when he purchased the property. If the restrictions were modified or lifted now he would have a significant windfall, probably in excess of £20,000.

The applicant had professional independent financial advice from Rob Muscutt Cert PFS Cert CII (MP) of Bay Associates Ltd. when he elected to purchase the property in 2009 and take out the 5yr fixed rate mortgage at 6.29% APR. He was fully aware of the s.106 restrictions and the impact they would have if he wished to sell the property. He was also aware of the impact of the restrictions on mortgage lending.

Removing the restrictions will create an unrestricted open market property, which will be unaffordable to anyone in housing need. It would be directly contrary to the Authority's housing policies which give the highest priority to the provision and retention of affordable housing for local people in housing need.

## CONCLUSION

While the applicant's situation is regretted, his property is not unmortgageable – mortgage finance is available from his current lender, albeit at 3% above the advertised headline rate. He finds himself in this situation through his own decisions, made with the benefit of professional advice.

The s.106 restrictions ensure that the intermediate dwelling will remain “more affordable” for future owner/occupiers, at 25% below market prices. Removing the restrictions will create an unrestricted open market property, which will be unaffordable to anyone in housing need. It would be directly contrary to the Authority's housing policies which give the highest priority to the provision and retention of affordable housing for local people in housing need.

The application is therefore recommended for refusal, as it would result in an unjustified open market dwelling in a Local Centre. The Town Council supports this view.

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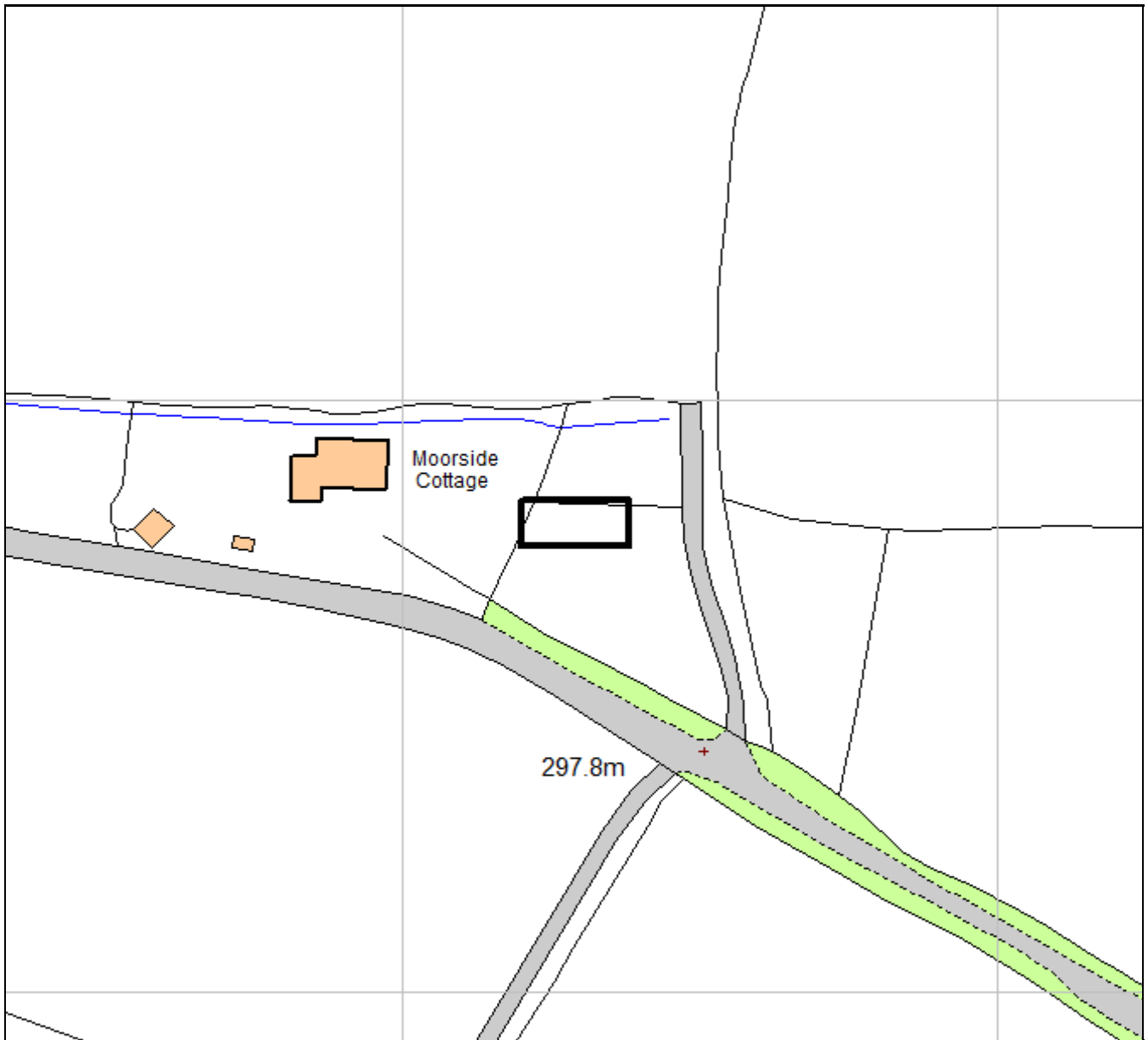
12. Application No: **0529/14**  
Application Type: **Full Planning Permission**  
Grid Ref: **SX692672**

District/Borough: **South Hams District**  
Parish: **Buckfastleigh West**  
Officer: **Jim Blackwell**

Proposal: **Agricultural livestock building (9.1m x 18m)**

Location: **land known as Scae Ranch,  
Cross Furzes, Buckfastleigh**

Applicant: **Dr P Holley**



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50m  
Scale 1:1250 @ A4

Recommendation **That, subject to the consideration of any comments from the EHO, permission be REFUSED**

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

1. The proposed development, by virtue of its location and intended intensive livestock use, in close proximity to a non agricultural dwelling, would be likely to result in an unacceptable loss of amenity for nearby residents. The proposal therefore fails to meet the requirements of policies COR4 and COR11 of the Dartmoor National Park Authority Core Strategy Development Plan Document and DMD4 Dartmoor National Park Authority Development Management and Delivery Development Plan Document. It would be contrary to the advice contained in the National Planning Policy Framework 2012 and the English National Parks and the Broads UK Government Vision and Circular 2010.

### **Introduction**

The site comprises a stone track leading from the lane to an enclosed yard area with a recently erected agricultural building (approved in 2012). It forms an enclosed corner to the south of the site with an expanse of moorland to the north. The site is set down in the landscape and bounded by mature trees. The block of land shown in the application comprises an area of open agricultural land, which is indicated as being in the ownership of the applicant. This is separate from the main holding at Wooton Farm just to the west of Buckfastleigh.

Moorside Cottage lies to the west of the site. It is separated from the proposed building by mature trees on the boundary.

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

### **Planning History**

0439/12	Replacement of existing dutch barn with agricultural livestock building (103sqm)		
	Full Planning Permission	Grant Conditionally	18 September 2012

### **Consultations**

South Hams District Council:	Does not wish to comment
County EEC Directorate:	No highway implications
South West Water:	No objection
Environment Agency:	Flood Zone 1 Standing Advice
Environmental Health (SHDC):	Comments awaited

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

Buckfastleigh West PC:	Support
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### **Relevant Development Plan Policies**

COR1 - Sustainable Development Principles  
COR2 - Settlement Strategies

COR4 - Design and sustainable development principles  
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities  
DMD34 - Agricultural and forestry  
DMD7 - Dartmoor's built environment

## **Representations**

1 letter of objection

Neighbouring residents raise significant concerns about the proximity of the proposed livestock building within 20 metres of their residential property. The associated baled silage and slurry clamp already have a detrimental impact.

## **Observations**

### INTRODUCTION

The site comprises a stone track leading from the lane to an enclosed yard area with a recently erected agricultural building (approved in 2012). It forms an enclosed corner to the south of the site with an expanse of moorland to the north. The site is set down in the landscape and bounded by mature trees.

Moorside Cottage lies approximately 20 metres to the west of the site. It is separated from the proposed building by mature trees on the boundary.

### PLANNING HISTORY

An application was approved in 2012 (0439/12) for the replacement of existing Dutch barn with agricultural livestock building (103sqm).

### PROPOSAL

The application proposes the erection of an agricultural building (9.1m x 18m or 164sqm). It would lie to the north of the existing building approved in 2012. The building would be used for over wintering cattle and as an occasional shelter for sheep.

It would be constructed of tantalised timber on three sides with a fibre cement panelled roof. There would be galvanised steel feed barriers to the front.

An area of site will need to be excavated to match the finished floor level of the adjacent building. The site would then be covered in hardcore with dust chippings to create a drained, working surface.

### POLICY CONSIDERATIONS

The use of the proposed building for overwintering cattle is an intensive one and likely to cause noise, disturbance and odour having a detrimental impact on the adjacent property. Local Plan Policy DMD4, protecting residential amenity is clear that development proposals should not introduce levels of noise or odours to nearby properties.

### SITING AND DESIGN

The scale, design and materials of the proposed building are appropriate to the site and its surroundings and will be in keeping with the area and proposed use. In practical, agricultural terms it would normally be appropriate to group the two buildings. In landscape character terms it would also appear to be the most suitable location.

In addition, consideration must also be given to the previous application for the replacement building. There is obviously an established agricultural use, but this application would form an intensification of the site in close proximity to the residential property. The building would be closer at only 20m and larger at 164sqm.

Therefore, the residential amenity of the adjacent property is the key issue. Given the close proximity and the proposed use, the application fails to accord with policy DMD4 due to the potential for noise, flies and odour and the resulting impact on the residential property.

## REPRESENTATIONS

There has been an objection from the residents at Moorside Cottage who are concerned about the impact on the proposal to residential amenity. The proposed building would be located only 20m from the property.

## CONCLUSION

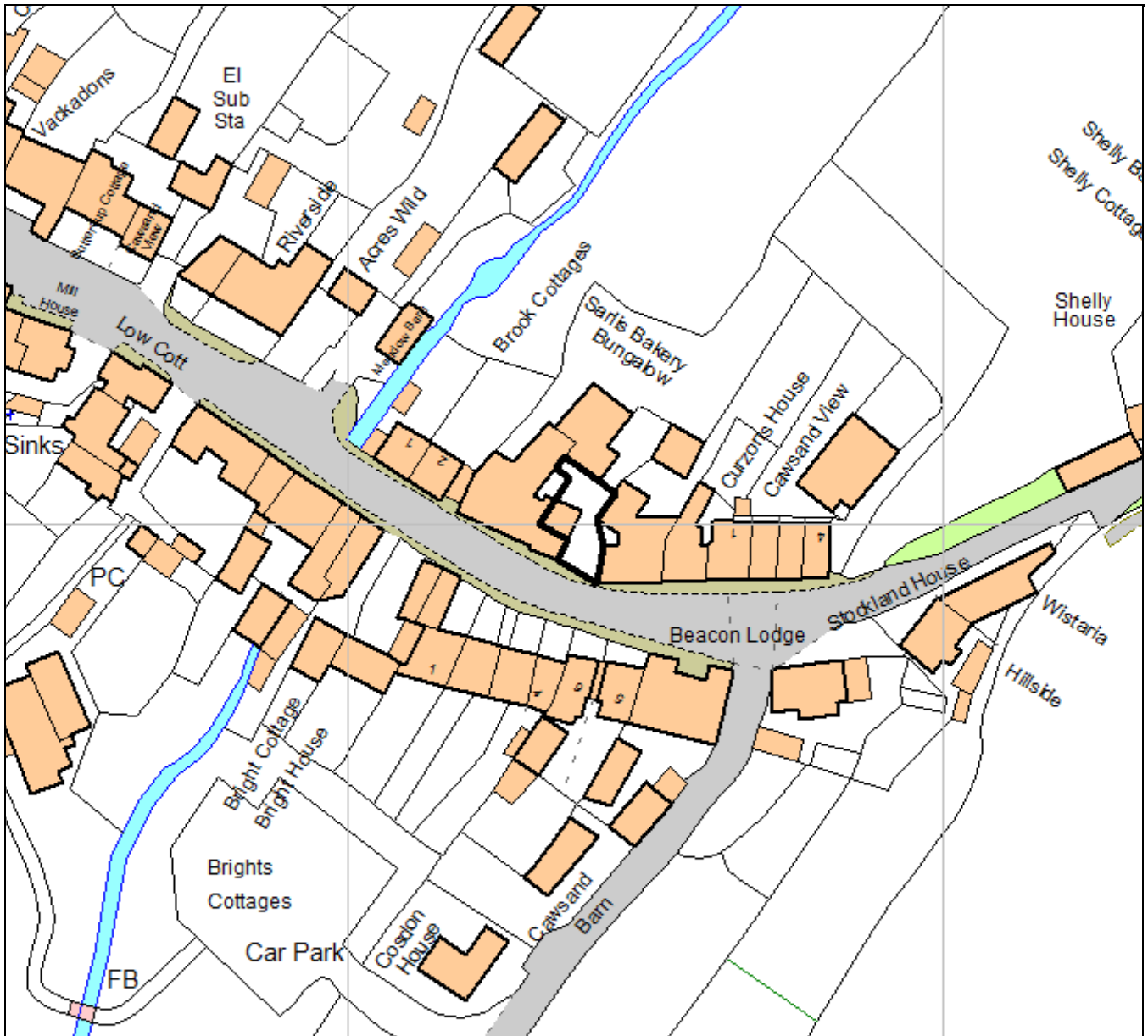
The proposed development, by virtue of its location close to separate residential dwelling, would likely result in unacceptable loss of amenity for nearby residents. The proposal therefore fails to meet the requirements of policies COR4 and COR11 of the Core Strategy and DMD4 of the Development Plan Document. The views of the Environmental Health Officer is awaited.

No pre-application advice was sought on this proposal.

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13. Application No: **0525/14** District/Borough: **West Devon Borough**  
Application Type: **Full Planning Permission -  
Householder** Parish: **South Tawton**  
Grid Ref: **SX652935** Officer: **Jim Blackwell**  
Proposal: **Extension to existing dwelling and change of storage building to  
garage/living accommodation in adjoining 'Old Bakery'**  
Location: **The Old Bakery, South Zeal**  
Applicant: **Mr P Bridgford**



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50m  
Scale 1:1250 @ A4

## 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. All foul drainage, including foul sewage and foul surface water run-off, shall be disposed of so as to prevent discharge to any well, borehole, spring or watercourse, including any dry ditch forming a connection to a watercourse.
3. The roof of the extension hereby approved shall be covered in natural slate, sample(s) of which shall be submitted to the Local Planning Authority for approval prior to the commencement of any roofing work. At all times thereafter the roof shall be maintained in the approved natural slate.
4. The roof of the extension hereby approved shall be covered in slate which shall be fixed by nailing only, unless otherwise previously agreed by the Local Planning Authority in writing.
5. Prior to the commencement of the development hereby approved, samples of all proposed surfacing, external facing and roofing materials shall be submitted to the Local Planning Authority for approval; thereafter unless otherwise agreed by the Local Planning Authority in writing, only approved surfacing, external facing and roofing materials shall be used in the development.
6. All new external timber on the building hereby approved shall be stained dark brown or black, not later than 30 days after the substantial completion of the development. Prior to the application of any timber stain, a sample of the stained timber showing the timber stain proposed to be used shall be submitted to the Local Planning Authority for approval; at all times thereafter only the approved timber stain shall be used on external timber on the building, unless otherwise agreed by the Local Planning Authority in writing.

### Introduction

The Old Bakery is comprised of three elements; the cottage fronting the highway, the former shop and the bakery building to the rear.

The application comprises the formation of a higher flat roof above the first floor bathroom. The demolition of the existing single storey rear extension and the erection of a replacement extension. The erection of a curved wall to enclose the courtyard to the rear. Finally, the removal of the mono-pitch roof from the bakery and the erection of a pitched roof.

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

### Planning History

03/26/2079/89	Change of existing bakery to craft workshop and garage		
	Change of Use	Grant Conditionally	17 March 1989
03/26/2295/87	Proposed conversion of bakery to dwelling		
	Change of Use	Refused	16 October 1987
	Appeal lodged: 18 March 88	Result: Dismissed	
03/26/0951/76	Erection of bungalow		
	Approval of Details	Approve Conditionally	05 November 1976

03/26/0041/76   Erection of one bungalow  
Outline Planning Permission   Grant Outline   23 April 1976  
Conditionally

### Consultations

West Devon Borough Council: Does not wish to comment  
County EEC Directorate: No highway implications  
South West Water: South West Water will only allow foul drainage to be connected to the public foul or combined sewer. Permission will not be granted for the surface water from the site to return to the public combined or foul sewerage network. Investigations are required to remove surface water using Sustainable Urban Drainage System, such as a soakaway.  
Environment Agency: Flood Zone 3 Standing Advice  
Historic Buildings Officer: The proposal has been the subject of a pre-application consultation and is acceptable in principle. There is however concern about the enclosing wall to form a courtyard area to the rear of the property. This should be reconsidered in order to reduce impact on the character of the conservation area.  
DNP - Ecology & Wildlife Conservation: Having reviewed the information forwarded by the applicant the proposal is unlikely to impact protected species and therefore a survey is not required.

### Parish/Town Council Comments

South Tawton PC: The Parish Council does not support this application, majority decision for the following reasons:  
i. The proposed increase in roof height and ridge, which due to the additional height of the proposed rear wall together with a pitched roof, would impose undue loss of light and amenity to the adjoining property. This property already experiences poor light due to the existing structure.  
ii. The effect of increased surface water draining into the foul water drain.  
iii. General intrusion on all neighbours, including the loss of light as mentioned in i.  
iv. The risk of making neighbouring properties damp through the use of valley guttering.  
  
The Council also queries whether planning permission for change of use from bakery/workshop to residential and ancillary use is required.

### Relevant Development Plan Policies

COR1 - Sustainable Development Principles  
COR3 - Protection of Dartmoor's special environmental qualities  
COR4 - Design and sustainable development principles  
DMD12 - Conservation Areas

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

DMD24 - Extensions and alterations to dwellings

DMD7 - Dartmoor's built environment

## **Representations**

1 letter of objection

There has been one objection from the adjoining neighbour concerned with the loss of amenity, loss of light and drainage issues.

## **Observations**

### INTRODUCTION

The Old Bakery is comprised of three elements; the cottage fronting the highway, the former shop and the bakery building to the rear. A more recent bungalow is attached to the rear of the bakery building which forms an enclosed courtyard.

The buildings lie within South Zeal Conservation Area and there is a row of terraced properties opposite the front of the site which are grade II listed buildings.

### PRE-APPLICATION ADVICE

The proposal has been subject of lengthy pre-application consultation. Further consideration was given to the size, scale, massing and use of materials on the proposed extensions. The impact on the Conservation Area and amenity of the neighbouring property were given full consideration.

### THE PROPOSAL

The application comprises four elements:

- i. The formation of a higher flat roof above the first floor bathroom.
- ii. The demolition of the existing single storey rear extension and the erection of a replacement extension.
- iii. The erection of a curved wall to enclose the courtyard to the rear.
- iv. The removal of the mono-pitch roof from the bakery and the erection of a pitched roof.

The main issues are set out below.

### IMPACT ON CONSERVATION AREA AND DESIGN

The site lies within South Zeal Conservation Area. Planning policies COR5 and DMD12 are expressly clear that development proposals within, and outside, conservation areas will only be permitted where the character or appearance of the conservation area is conserved or enhanced.

Policy DMD1b requires new development to conserve Dartmoor's cultural heritage. The quality, integrity, character and setting of heritage assets is afforded protection under policy DMD7 and policy DMD8 identifies that where a proposal will lead to the substantial harm of a heritage asset, consent will not be granted unless the proposed development will secure substantial public benefits which outweigh that harm.

The need to conserve heritage assets in a manner appropriate to their significance is one of the core planning principles of the National Planning Policy Framework. Account should always be taken of the desirability of sustaining and enhancing the significance of heritage assets, and the desirability of new development making a positive contribution to the historic environment's local distinctiveness. Significance can be harmed or lost through alteration of the heritage asset or development within its setting. Any harm or loss requires clear and convincing justification, together with an assessment of the degree of harm and the public benefits of a scheme.

The Dartmoor National Park Design Guide, policies COR4, DMD3 and DMD7 set out the general objectives for high quality, locally distinctive design that reinforces Dartmoor's sense of place, having particular regard to the scale, height, solid form, alignment, design detailing and materials, open spaces, trees and integrity of town plans including boundary elements.

The site is located within a rich historic environment and there are a range of heritage assets in the immediate environment which are considered in the assessment of the development proposals; several listed cottages lying opposite the site and the South Zeal Conservation Area. Consideration needs to be given to these heritage assets, their curtilage and setting.

The proposals have been well considered prior to submission of the application. The link between the two buildings formed by the bathroom at first level was amended a number of times and the current proposal minimises the impact on the dwelling by its reduced scale and simple form.

The existing single storey extension is not of any architectural merit and its demolition is considered an improvement to the appearance of the dwelling. The replacement extension would be a more suitable position and be an overall reduction in total floor area on the ground floor.

The enclosure of the garden is acceptable in principle however the use of stone, in a predominantly rendered area would be conspicuous. A number of openings have also been included which do not appear to have any justification or use.

The existing monopitch roof utilises steel corrugated material which is industrial in appearance. The use of a pitched roof with slates is considered more appropriate for the building and conservation area.

## IMPACT ON NEIGHBOUR AMENITY

It is considered that due to the size, scale, location the development will not have a significant adverse impact in an unacceptable loss of amenity or cause undue overshadowing to the adjoining properties.

The increase in height of the adjoining wall is 1m and would match the height of the adjacent pitched roof. The formation of a new pitched roof would have a minimal impact on the enclosed garden to the rear of the neighbouring property.

## REPRESENTATIONS

There has been one objection from the adjoining neighbour concerned with the loss of amenity, loss of light and drainage issues.

The Parish Council has objected to the scheme, particularly due to the impact on the neighbour, the impact on drainage and the potential requirement for an application to change the use from bakery to residential.

The Historic Buildings Officer has been involved with the pre-application discussions and has no objection in principle, however, the wall has been amended following concern regarding the use of materials and openings.

#### UPDATE

The application has been subject to a number of recent amendments in response to comments made by the Historic Buildings Officer and case officer. The stone boundary wall has been amended to a render finish and omitted the window openings to simplify the structure and minimise the impact on the Conservation Area.

Additional information has also been provided to demonstrate the impact on the neighbour by the submission of a solar study.

#### CONCLUSION

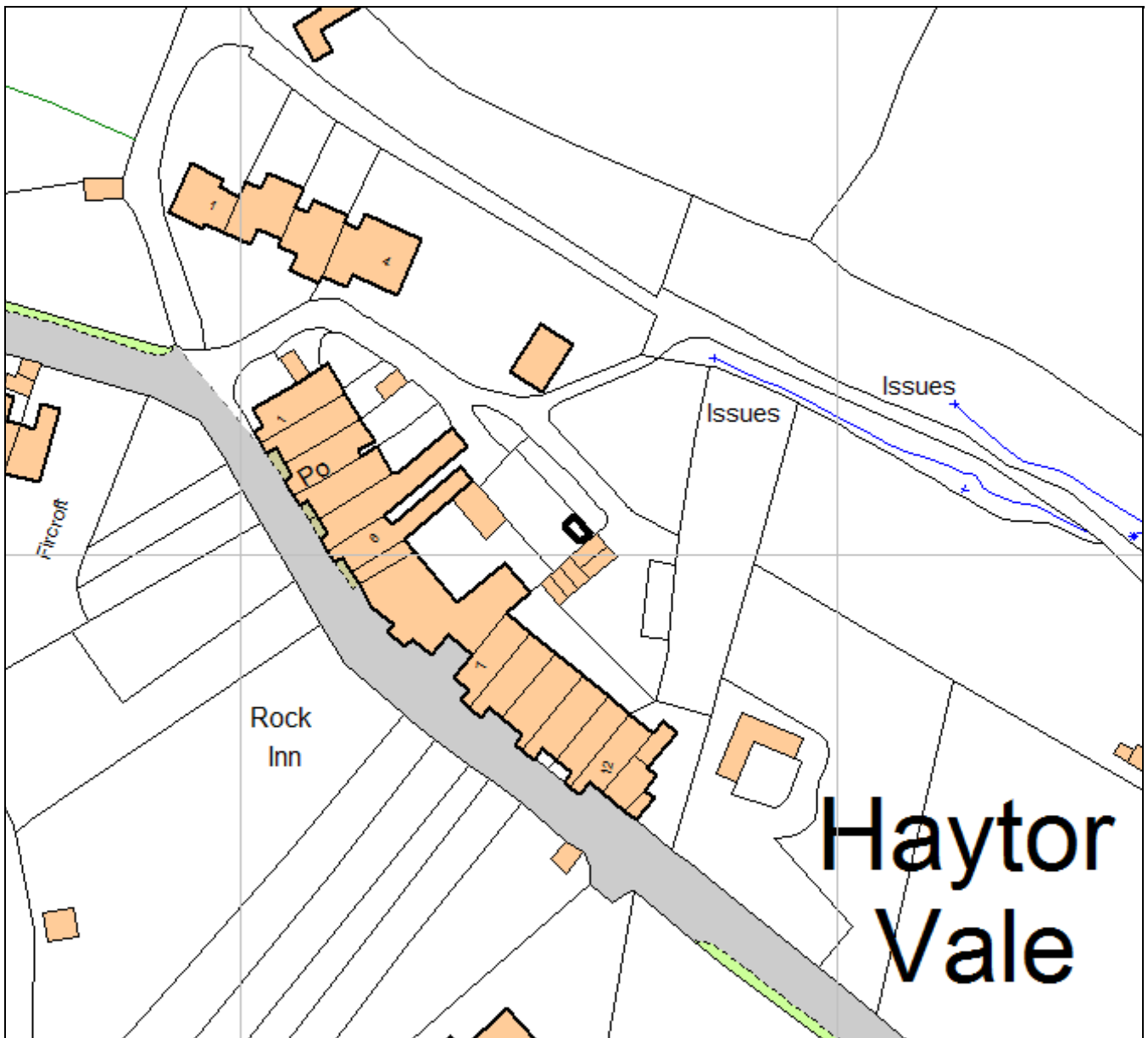
It is considered that due to the size, scale, location the development will not have a significant adverse impact on the character and appearance of the dwelling or South Zeal Conservation Area. The Parish Council have been notified of the additional plans and the amendment to the scheme but have maintained their objections.

The application is therefore recommended for approval.

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14. Application No: **0463/14**  
Application Type: **Full Planning Permission**  
Grid Ref: **SX771772**  
Proposal: **Self-contained biomass boiler installation**  
Location: **Rock Inn, Haytor Vale**  
Applicant: **Rock Inn**

District/Borough: **Teignbridge District**  
Parish: **Ilington**  
Officer: **Jim Blackwell**



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50m  
Scale 1:1250 @ A4

## Recommendation **That permission be GRANTED**

### **Condition(s)**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Prior to the commencement of the development hereby permitted, details of the proposed surface water drainage works to serve the development shall be submitted to the Local Planning Authority for approval. Implementation of the surface water drainage works shall be strictly in accordance with the approved details and shall be completed prior to the boiler being brought into use.
3. Prior to the commencement of the development hereby approved, samples of the proposed external facing material shall be submitted to the Local Planning Authority for approval; thereafter unless otherwise agreed by the Local Planning Authority in writing, only the approved external material shall be used in the development.
4. Notwithstanding the details shown on the approved drawing, the roof of the building hereby approved shall be covered in a corrugated profile sheeting, black or dark grey in colour, a sample of which shall be submitted to the Local Planning Authority for approval prior to the commencement of any roofing work. At all times thereafter the roof shall be maintained in the approved material.
5. All deliveries in connection with the biomass boiler and maintenance works to the biomass boiler shall only take place between 08:00 and 18:00 Monday to Friday and 09:00 and 13:00 on Saturdays, and not at any time on Sundays, Bank or Public Holidays.
6. Unless otherwise agreed in writing by the Local Planning Authority, only EN:14961 standard wood pellets shall be used as the fuel source for the biomass boiler hereby approved.
7. The noise arising from the operation of the biomass boiler hereby approved shall not at any time exceed 5dBA above background noise levels and without tonal element as measured at any point along the boundary of the nearest dwellinghouse.
8. The flue pipe 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 and maintained as such thereafter.

### **Introduction**

The Rock Inn lies within the centre of Haytor Vale amongst the terrace of residential properties. The site is comprised of a parking area to the rear of the Inn. It is accessed down a narrow lane between the rear of the properties on Haytor Vale and the side of number 4 Haytor Vale.

The site is bounded by trees to the west and south, a pair of garages to the east and an open hard surfaced car park to the north. There is a significant change of level between the site and the residential properties and public house to the south west.

The works had commenced prior to an application being submitted.

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



## Planning History

5/09/083/93/03	Extend commercial kitchen to make wash-up and storage area	Full Planning Permission	Grant Conditionally	05 May 1993
05/09/1066/82	Residential accommodation for one of the proprietors of the Rock Inn with three bedsitters for staff	Full Planning Permission	Refused	05 November 1982
05/09/0299/80	Application for parking of company cars on land at rear of premises	Change of Use	Grant Conditionally	11 April 1980

## Consultations

Teignbridge District Council (EHO):	Air quality - the boiler proposed is not big enough to require an Environmental Permit or a Clean Air Act stack height application.
County EEC Directorate:	No highway implications
South West Water:	No objection
Environment Agency:	Flood Zone 1 Standing Advice
DNP - Trees & Landscape:	No objection

## Parish/Town Council Comments

Ilington PC:	Objection - Concern that operating noise levels may be as high as 70 decibels. The proposed building would be on land currently used for parking which will cause a problem in an area already struggling for spaces. The design of the building would not fit with the character of the area. There are also concerns the adjoining properties may flood as the soakaways presently struggle to cope after heavy rainfall.
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## Relevant Development Plan Policies

COR1 - Sustainable Development Principles  
COR10 - Providing for renewable energy  
COR3 - Protection of Dartmoor's special environmental qualities  
COR4 - Design and sustainable development principles  
DMD15 - Renewable energy  
DMD1a - Presumption in favour of sustainable development  
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities  
DMD4 - Protecting local amenity  
DMD7 - Dartmoor's built environment

## Representations

9 letters of objection

There have been eight objections concerning access, deliveries, parking, emissions, design, drainage and surface water.

## Observations

## PROPOSAL

The application is for the erection of a biomass boiler on an area of cleared ground to the rear of the Rock Inn. It would comprise a wood pellet store and a plant room. It would measure 4.2m by 7.3m and 4m in height with a shallow pitched roof. A flue would project 2m above the ridge line. The building would be clad in timber with an asphalt shingle roof covering. A proposed condition would require that to be substituted for a more appropriate corrugated profile roof sheet.

The applicant's aim to increase their self sufficiency by producing hot water and heating in order to reduce carbon emissions and energy bills. The wood chip will come from a sustainable source.

## UPDATE

Given the sensitivity of the site and the weight of public response, the building has been amended. The overall height of the building has been lowered to 3.2m at the rear and 2.4m to the front, with a monopitch roof, rather than a pitched roof. The flue would remain at 6m above ground level but would appear more exposed given the reduction in the overall building height.

## POLICY CONSIDERATIONS

Policy DMD15 seeks to ensure that energy schemes are supported providing they do not harm the landscape, biodiversity, tranquillity, are appropriate in design terms and minimise emissions. Further consideration is given to these issues below.

## ACCESS, PARKING AND HIGHWAY SAFETY

There is no objection to the proposal on highway grounds. The applicant has provided an additional supporting statement which sets out a response to access and parking.

There are two issues regarding access; the size of the delivery vehicles given the width of the access road and the number of deliveries. The applicant has stated that the delivery vehicle is no larger than those currently using the route for waste collection and oil delivery. The demand for fuel would require 8-10 deliveries every year, lasting 45 minutes.

The application site lies within the curtilage of the public house on land which formed a grass verge. It did not form part of the established parking area.

It is therefore considered acceptable in terms of access, parking and highway safety.

## VISUAL IMPACT

The site appears to be primarily a residential area and given the change of level can be seen from the rear of the row of terraced properties and their gardens. However, the site does comprise a formal parking area, with garages, a number of outbuildings and rear extensions. The site cannot be therefore considered entirely residential.

The site is also screened by a number of mature trees and hedgerows. It is considered that the building will have a minimal impact on the surrounding trees and hedgerows and the character of the local landscape.

The design of the building has also been amended to reduce its overall size and scale, in an attempt to match the scale of the adjacent garages. This appears to have reduced its impact with only the flue remaining a conspicuous feature.

At a total of 6m above ground level the flue will have an impact and be visible from distance, but this is likely to be minimal in landscape terms given the topography and screening by mature trees.

## RESIDENTIAL AMENITY

The Environmental Health Officer has no objection in terms of noise or emissions. It is therefore considered there is minimal impact on the amenity of neighbouring residents. However, given the close proximity to residential dwellings, conditions are suggested to control noise output, type of fuel, delivery and maintenance times to ensure there is no significant adverse impact on residential amenity. The applicant has agreed to the use of the conditions.

## REPRESENTATIONS

There have been nine objections concerned with the issues set out above. In addition to the concerns regarding access, parking, emissions and design, comments have also been made regarding drainage and surface water.

South West Water has not objected to the proposal. The supporting statement raises the issue of standing water which is to be concentrated into a soakaway. There appears to be a long standing issue of the site which may have been the result of a blocked surface culvert. A condition regarding the disposal of surface water has been included to ensure the matter is not exacerbated by the scheme.

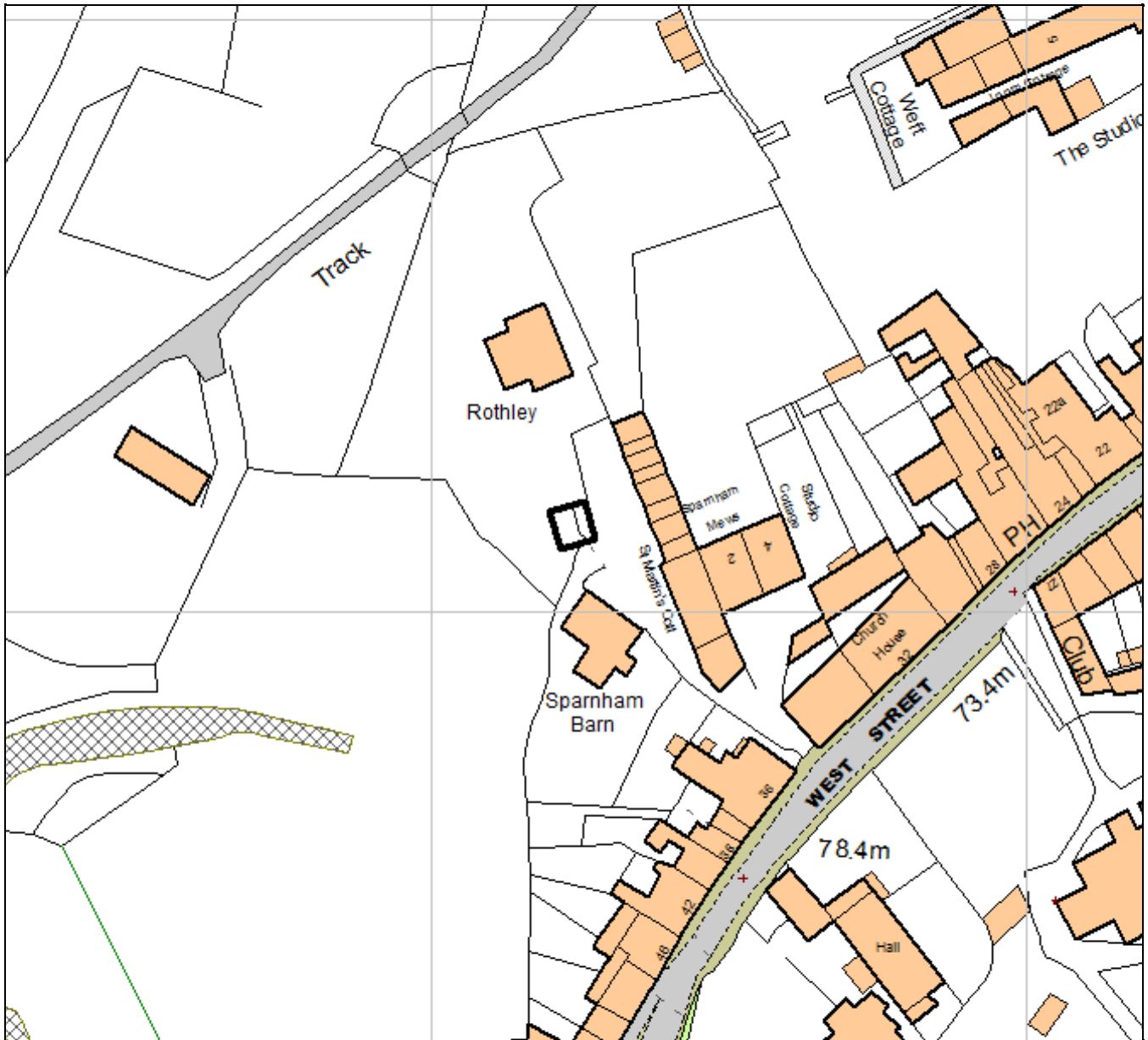
## CONCLUSION

It is clear that renewable energy schemes present a range of issues which need consideration. Given the reduction in the buildings size and scale and the satisfaction in terms of highway issues and environmental health it accords with Policy DMD15 and is therefore recommended for approval.

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15. Application No: **0527/14**  
Application Type: **Full Planning Permission -  
Householder**  
Grid Ref: **SX754698**  
Proposal: **Erection of garage and car space**  
Location: **Rothley, West Street, Ashburton**  
Applicant: **Mr J Chew**

District/Borough: **Teignbridge District**  
Parish: **Ashburton**  
Officer: **Jim Blackwell**



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50m  
Scale 1:1250 @ A4

## Recommendation **That permission be REFUSED**

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

1. The proposed garage by reason of its size and siting, would have a harmful impact on the character and appearance of the site and the setting of the Ashburton Conservation Area. In the absence of any over-riding public benefit to outweigh the harm created, the development is contrary to the Dartmoor National Park Core Strategy Development Plan Document and in particular policies COR1, COR4 and COR5, policies DMD1b, DMD7 and DMD8 of the Dartmoor National Park Authority Development Management and Delivery Development Plan Document and to the advice contained in the National Planning Policy Framework 2012, The English National Parks and the Broads UK Government Vision and Circular 2010 and The Dartmoor National Park Design Guide.

### **Introduction**

The site is accessed between the large residential properties on West Street. The small lane rises up into an open, linear courtyard. The site is bounded by two residential properties to the south, a long terrace of garages to the east and Rothley to the north.

The site itself is cut into a landscaped area and used for two parking spaces. It is formed by a brick retaining wall on three sides.

Pre-application advice was sought and the application for a garage was discouraged.

The site lies on the boundary of Ashburton Conservation Area.

The application is before Members in view of the comments made by the Town Council.

### **Planning History**

5/31/244/95/03	Garage/studio playroom in rear garden			
	Full Planning Permission	Grant Conditionally	22 February 1996	
05/31/0689/84	Kitchen extension			
	Full Planning Permission	Grant Unconditionally	09 April 1984	

### **Consultations**

Teignbridge District Council:	Does not wish to comment
County EEC Directorate:	No highway implications
South West Water:	No objection provided foul drainage only is connected to the public foul or combined sewer.
Environment Agency:	Flood Zone 1 Standing Advice
Historic Buildings Officer:	The proposed garage and hard standing are located immediately adjacent to the boundary of the Ashburton Conservation Area and will impact on the character of the area. The stone wall and approach to Rothley are within the conservation area and contribute to the special historic interest of the area. The proposal will not preserve or enhance the character of the conservation area and is not supported.

## **Parish/Town Council Comments**

Ashburton TC: Support. No acceptable impact on Conservation Area, design acceptable and matching others in the vicinity, and provision of off-street parking

## **Relevant Development Plan Policies**

COR1 - Sustainable Development Principles

COR15 - Providing for limited new housing to meet local needs

COR2 - Settlement Strategies

COR4 - Design and sustainable development principles

DMD12 - Conservation Areas

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**

1 letter of support

One letter received supporting the principle of a garage given the current parking issues.

## **Observations**

### **INTRODUCTION**

The application proposes a single garage with parking space to the side. Although the application is being made by the owners of Rothley, it would provide off street parking to St Martins Cottage which currently does not benefit from any provision.

It would be constructed of blockwork and clad in weather boarding with timber double doors. The roof would be constructed of galvanised corrugated steel. The existing area of hardstanding would be increased in size by excavating to the west.

### **IMPACT ON HERITAGE ASSETS**

The site lies on the boundary of Ashburton Conservation Area. Planning policies COR5 and DMD12 are expressly clear that development proposals within, and outside, conservation areas will only be permitted where the character or appearance of the conservation area is conserved or enhanced.

Policy DMD1b requires new development to conserve Dartmoor's cultural heritage. The quality, integrity, character and setting of heritage assets is afforded protection under policy DMD7 and policy DMD8 identifies that where a proposal will lead to the substantial harm of a heritage asset, consent will not be granted unless the proposed development will secure substantial public benefits which outweigh that harm.

The need to conserve heritage assets in a manner appropriate to their significance is one of the core planning principles of the National Planning Policy Framework. Account should always be taken of the desirability of sustaining and enhancing the significance of heritage

assets, and the desirability of new development making a positive contribution to the historic environment's local distinctiveness. Significance can be harmed or lost through alteration of the heritage asset or development within its setting. Any harm or loss requires clear and convincing justification, together with an assessment of the degree of harm and the public benefits of a scheme.

The Dartmoor National Park Design Guide, policies COR4, DMD3 and DMD7 set out the general objectives for high quality, locally distinctive design that reinforces Dartmoor's sense of place, having particular regard to the scale, height, solid form, alignment, design detailing and materials, open spaces, trees and integrity of town plans including boundary elements.

The site is located on the edge of a rich historic environment in the medieval settlement of Ashburton. There are a range of heritage assets in the immediate environment which are considered in the assessment of the development proposals; several listed buildings in West Street and the Ashburton Conservation Area. Consideration needs to be given to these heritage assets, their curtilage and setting.

The view through West Street is an important one and the garage would result in an awkward relationship with the existing pattern of development. The form of the garage would be small in comparison to the surrounding large houses, cottages and linear row of garages to the east.

The proposal therefore fails to demonstrate how it will conserve or positively enhance the setting of the Conservation Area and there is no over-riding public benefit that would outweigh the harm created.

## DESIGN AND APPEARANCE

Although the use of materials would match the linear garages opposite the site, the size and design would be more domestic in appearance. The proposal would accord with the Design Guide if forming part of a dwelling curtilage, but the garage would be remote from both Rothley and St Martins Cottage. The small size and remoteness would not be in accordance with the grain of development in the area or practically serve the occupiers of either property.

## HIGHWAY SAFETY

There is no objection to the proposal on highway grounds.

## CONCLUSION

The proposal will be prominent in this sensitive location on the boundary of the Conservation Area and it is considered that the visual impact is unacceptable. The remote position of the garage away from either St Martins Cottage or Rothley means it would not appropriately serve the properties.

Although the Town Council has supported the application, it is considered that the policy context and details of this proposal are such that planning permission should be refused.

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