

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

7 July 2017

**APPLICATIONS FOR DETERMINATION BY THE COMMITTEE**

Report of the Acting Head of Planning

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3.	0211/17 – Construction of an agricultural shed and stable building with surrounding planted earth bank screen – Field east of Iron Mine Lane, Dousland

1. Application No: **0176/17** District/Borough: **Teignbridge District**  
 Application Type: **Full Planning Permission** Parish: **Ashburton**  
 Grid Ref: **SX745697** Officer: **Oliver Dorrell**

Proposal: **Erection of two bedroom chalet and decking area (retrospective) for short-term holiday use and ancillary guest accommodation**

Location: **Lavender House Hotel, Knowle Hill, Ashburton**

Applicant: **Devon Wedding Venue Ltd**

Recommendation **That permission be REFUSED**

**Reason(s) for Refusal**

- The building does not represent a form of development that would conserve or enhance the quality and distinctiveness of the Dartmoor's built environment, contrary to policies COR1, COR4, DMD1b, DMD7 and DMD44 of the Dartmoor National Park Development Plan, the advice contained in Dartmoor National Park Design Guide, 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**

Lavender House Hotel is located on the outskirts of Ashburton. It is a 20th century building with an assortment of modern alterations and extensions, set in modest grounds away from neighbouring dwellings.

This application is for the retention of a timber chalet building which has been erected in the south-east corner of the grounds adjacent to a car parking area. It comprises two bedrooms, a bathroom, kitchen and lounge.

The building measures approximately 12m x 6m x 3.4m high. There is also an area of raised decking attached to the western end measuring approximately 5.5m x 2.8m. The building is clad with treated timber shiplap boards and has white UPVC windows and a felted roof.

There is no defined curtilage around the building.

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

**Planning History**

0121/12	Extension to existing function room to create sun lounge (retrospective application)	Full Planning Permission	Grant Conditionally	16 April 2012
0697/05	Conservatory	Full Planning Permission	Grant Conditionally	27 October 2005
0602/02	Sun room and reception/WC extensions, new tiled roof to rear bays, conversion of existing store to form holiday let, and tennis court	Full Planning Permission	Grant Conditionally	27 September 2002
05/31/3402/87	Provision of porch to exclude draught from bar and conserve energy			

05/31/0205/83	Full Planning Permission Restaurant extension	Grant Conditionally	24 February 1988
05/31/0856/82	Full Planning Permission Restaurant extension	Approve Conditionally	09 March 1983
05/31/0276/81	Full Planning Permission New entrance lobby	Grant Outline Conditionally	04 June 1982
05/31/1892/80	Full Planning Permission Beer cellar and cases store	Grant Unconditionally	12 March 1981
	Full Planning Permission	Grant Unconditionally	05 September 1980

### Consultations

Teignbridge District Council: Does not wish to comment  
County EEC Directorate: No highways implications  
Environment Agency: Standing advice - flood risk zone 1

### Parish/Town Council Comments

Ashburton TC: Support

### Relevant Development Plan Policies

COR1 - Sustainable Development Principles  
COR2 - Settlement Strategies  
COR4 - Design and sustainable development principles  
DMD1a - Presumption in favour of sustainable development  
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities  
DMD44 - Tourist accommodation  
DMD7 - Dartmoor's built environment

### Representations

1 letter

The provision of specially designed respite accommodation such as this is very rare.

### Observations

#### BACKGROUND

The building was constructed in 2015 without planning permission for the applicant's son and his family to reside during recovery from health issues. At the time the Authority accepted that the building could remain for this purpose.

Sadly the applicant's son passed away in June 2016. The building is now currently vacant.

The applicant now wishes to retain the building with a view to offering it to charitable organizations to give young adults and children who are terminally ill a place to stay on a short-

term basis. It is also proposed to use the building as overflow accommodation for wedding parties when it is not occupied. The building has self contained facilities but would be serviced by the hotel staff.

## IMPACT ON CHARACTER AND APPEARANCE

The chalet building is located in the south-eastern corner of the hotel site adjacent to an overflow car park. There is no landscaping around the building however there is an existing hedgerow on this boundary which provides some screening of the building from the agricultural field to the south.

Policy DMD44 supports small-scale sympathetic extensions and alterations to hotels and guest houses. To be sympathetic, new development should respect the character and setting of the principal buildings on site. In this case the design of the building and the materials used in its external construction are in stark contrast to the main hotel buildings which are predominately rendered painted masonry and slate roofs. The building does not appear to relate positively to the existing buildings and does not reference the local vernacular in terms of form, design detailing and finishes.

There are no other similar timber chalet buildings in the locality.

The building is not considered to be high quality design and construction required by policy COR1. It does not reinforce the distinctive qualities of the local environment required by policies COR4 and DMD7. Further it does not sustain a building or structure that contributes to the distinctive landscape or qualities of the National Park and would therefore be in conflict with policy COR2.

Although the building is set back from the road and it is located in an area which is understood to be only occasionally accessed by guests, there are clear public views through the car park entrance.

Consideration has been given to improvements that might be undertaken to enhance the appearance of the building such as replacement of the uPVC windows with timber frames and applying a more muted stain to the external timber. It is also noted that the applicant is proposing to replace the existing felt roof with timber shingles. It remains however that a chalet building in this form is not considered appropriate in this location and that minor adjustments to the design would not adequately mitigate the impact of having a building of this nature permanently stationed on the land.

## CONCLUSION

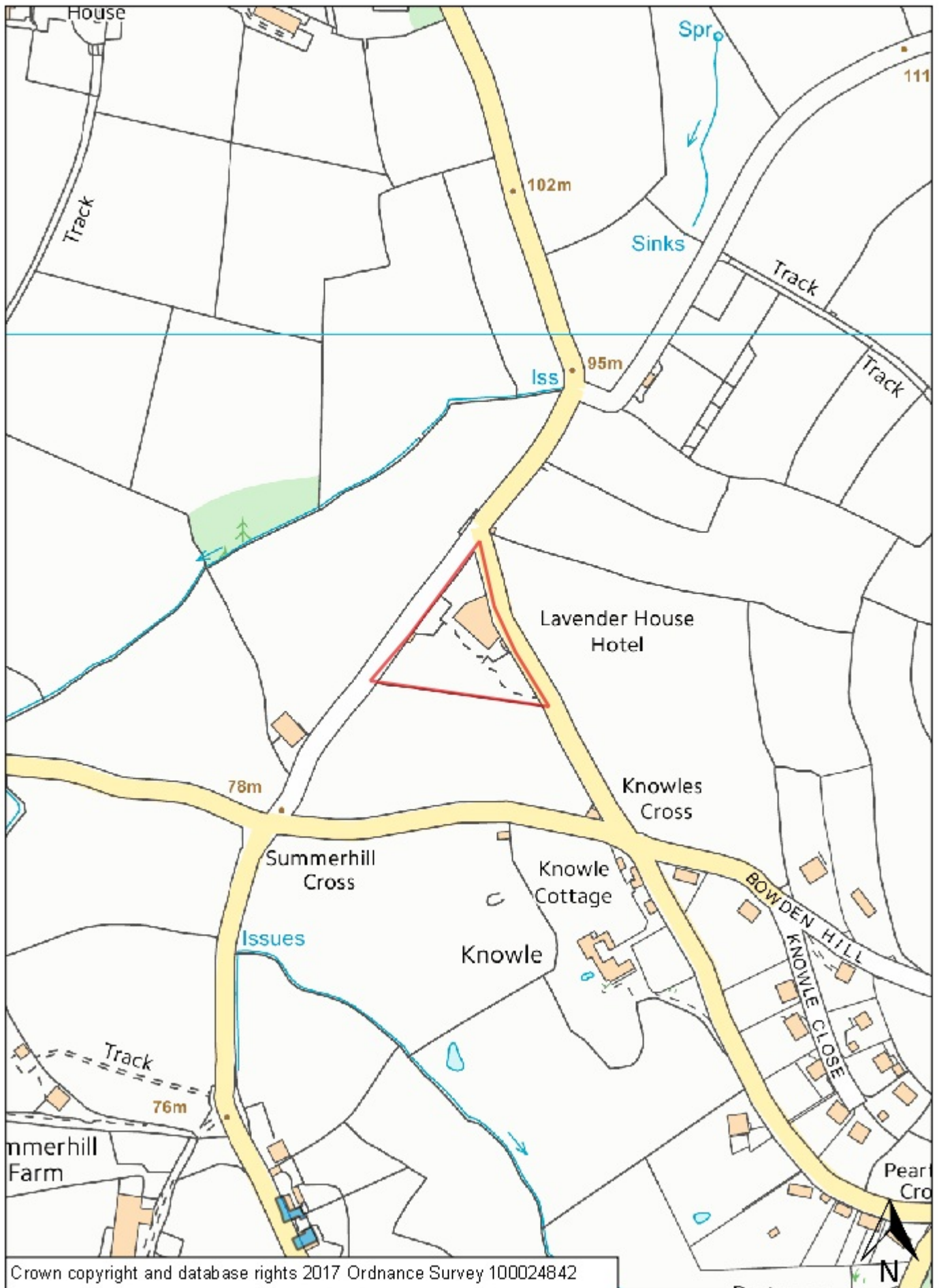
The principle of expansion of the existing on-site hotel facilities to provide short-term accommodation for families experiencing illness and seeking respite is fully supported where it would constitute a sympathetic extension to the main hotel building. Unfortunately the chalet building does not meet the criteria set out to conserve the character of the National Park by providing high quality locally distinctive development which relates positively to its surroundings.

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# Lavendar House Hotel, Ashburton - 0176/17



Scale 1:4,000



2. Application No: **0205/17** District/Borough: **Teignbridge District**  
Application Type: **Full Planning Permission** Parish: **Moretonhampstead**  
Grid Ref: **SX737875** Officer: **Helen Herriott**

Proposal: **Creation of menage (60m x 20m) and associated ground works (retrospective)**

Location: **Linscott Farm,  
Moretonhampstead**

Applicant: **Miss L Bisiker**

Recommendation **That permission be REFUSED**

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

1. The proposed menage, by virtue of its size and location, will not conserve or enhance what is special and locally distinctive about the pastoral character of this landscape contrary to policies COR1, COR3, DMD5 and DMD33 of the Dartmoor National Park Development Plan and the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.

### **Introduction**

Linscott Farm is located approximately 2km north west of Moretonhampstead. This application is for the construction of a menage with associated groundworks.

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

### **Planning History**

05/02/0874/91	Change of use-conversion to dwelling Change of Use	Refused	14 June 1991
05/02/0663/80	Conversion of existing barn to dwelling for a worker employed in horse breeding Change of Use	Grant Conditionally	10 December 1980
05/02/2548/79	Proposed conversion of an existing barn to a dwelling for private occupation Change of Use	Refused	08 February 1980

### **Consultations**

Environment Agency:	Flood Risk Zone 1. Standing advice applies
Teignbridge District Council:	Does not wish to comment
County EEC Directorate:	No highways implications
DNP - Trees & Landscape:	The proposed menage is having a detrimental impact on the character of the area which is contrary to policy COR1(h) and COR3. The development does not enhance what is special or locally distinctive about the landscape character, and it is an unsympathetic development that will harm the wider landscape. The development is contrary to policy DMD5 because it does not conserve/or enhance the

character and special qualities of Dartmoor's landscape by respecting the valued attributes of this landscape type, specifically the pastoral character of the relic medieval field system. It is also contrary to DMD33 because the development does not conserve and/or enhance the special qualities of this part of the Dartmoor landscape. The application should be refused and the land restored to its former state.

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

Moretonhampstead PC: Support subject to confirmation that the drainage to a soakaway complies to Environment Agency legislation

### **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

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

DMD33 - Horse related development

DMD4 - Protecting local amenity

DMD5 - National Park Landscape

### **Representations**

2 letters of objection

Concerns were raised over the accuracy of the application documents and the surface water drainage.

### **Observations**

#### **PROPOSAL**

This is a retrospective application for the creation of a 60m x 20m menage with associated groundworks. The menage has been erected to the north east of the farm buildings at Linscott Farm, the menage is set back from the agricultural buildings and has little relationship with them. The menage construction was completed in December 2016.

The site has been excavated, levelled and enclosed with a post and rail fence with a gate on the northern elevation. The site has been cut and filled with a steep bank forming the eastern boundary. The site was previously a grazed paddock, which formed part of a field system which is likely to have medieval origins. The proposed menage is for private use.

A number of ornamental plants have been planted on the steep cut slope, these plants are not native and do not assist in integrating the development into the landscape. They create an ornamental feature in an agricultural landscape.

## PLANNING POLICY

COR2 allows for development required to meet the proven needs of farming, and householder and domestic related development.

DMD33 states that development related to recreational horse keeping will be permitted subject to a number of criteria one of which is that it can be demonstrated that the proposal, on its own or cumulatively with other nearby horse related development will not harm landscape character.

DMD5 requires development proposals to conserve and/or enhance the character and special qualities of the Dartmoor landscape by amongst other things reflecting the valued attributes of landscape character types identified in the Dartmoor National Park Landscape Character Assessment and ensuring that the location, site layout, scale and design conserves and/or enhances what is special or locally distinctive about landscape character.

Policies COR1(h) and COR3 also require that development respects or enhances the character, quality or tranquillity of the local landscape and conserve or enhance the characteristic landscapes and features that contribute to Dartmoor's special qualities.

The site lies within Landscape Character Type 2D Moorland Edge slopes and in this location the surrounding land is gently rolling farmland comprising small to medium fields enclosed by Devon hedge banks. It is a predominantly pastoral landscape which has a strong agricultural character.

## VISUAL IMPACT

The sand school is horse related development relating to the residential aspect of the agricultural holding. Normally it would be expected that development associated with domestic activity would be located close to dwellings. The chosen site has required a significant amount of levelling (cut and fill).

The site is mostly hidden from public view but there is a glimpsed view from the minor road to the south. There may be distant views from the high ground to the west but the menage will be difficult to see at this distance.

## IMPACT ON LANDSCAPE CHARACTER

Horse related development can change the character of the landscape. This impact is referred to in DMD33 where horse related development will only be allowed if it can be demonstrated that the proposal will not harm the local character.

DMD5 requires development to conserve and/or enhance the character of Dartmoor's landscape. It is recognised that horse related development changes the character of the landscape. The National Character Area profile for Dartmoor (150) mentions that menages and other horse facilities are resulting in the gradual encroachment of development into the landscape.

The sand school is a feature that does not reflect the character of the local landscape and it will not conserve or enhance the local landscape character. The proposed menage is poorly related to other structures within the farmstead and is in a relatively isolated location. The size of the menage is considered excessive.



## CONCLUSION

The proposed development is having a detrimental impact on the character of the area, which is contrary to policy COR1(h) and COR3. The development does not enhance what is special or locally distinctive about the landscape character and it is an unsympathetic development that will harm the wider landscape. The development is contrary to policy DMD5 and does not conserve or enhance the character and special qualities of Dartmoor's landscape by respecting the valued attributes of this landscape type, specifically its pastoral character and medieval field system.

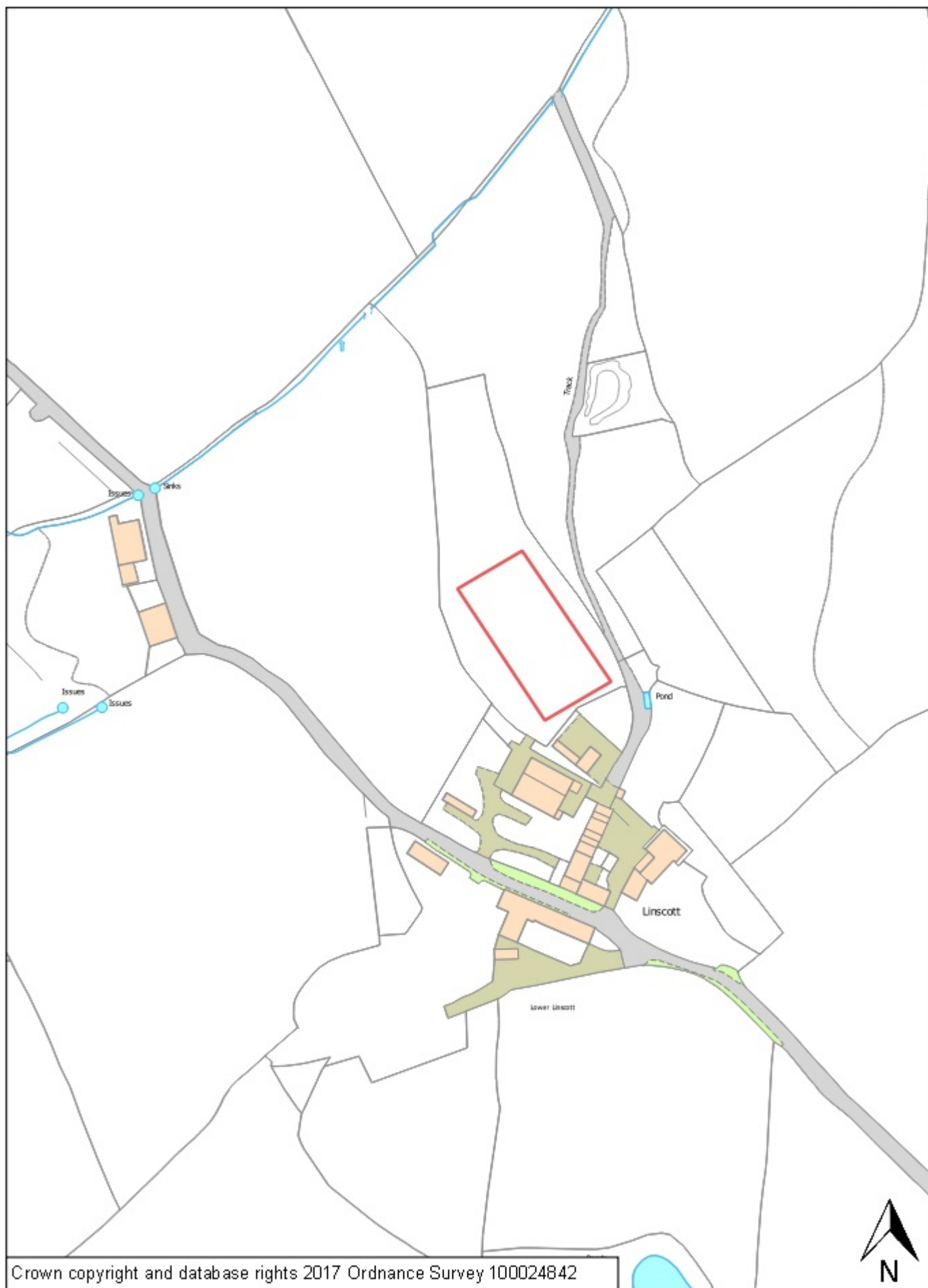
The Authority has taken a consistent view on other sand schools where there is a negative impact on landscape character, resisting non-essential works of this nature which adversely impact on Dartmoor's special character.

A further report will be tabled at a future meeting to consider what action may be necessary in respect of the unauthorised works.

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# Linscott Farm - 0205/17

Scale 1:2,000



3. Application No: **0211/17** District/Borough: **West Devon Borough**  
Application Type: **Full Planning Permission** Parish: **Meavy**  
Grid Ref: **SX541687** Officer: **Helen Herriott**

Proposal: **Construction of an agricultural shed and stable building with surrounding planted earth bank screen.**

Location: **Field east of Iron Mine Lane,  
Dousland**

Applicant: **Mr B Heffernan**

Recommendation **That permission be REFUSED**

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

1. In the absence of a demonstrable agricultural need for the proposed development, the proposed agricultural building is considered to be contrary to policies COR2, COR3, DMD1b, DMD5 and DMD34 of the Dartmoor National Park Development Plan, the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and to the National Planning Policy Framework 2012.
2. The proposed development would comprise the introduction of a large agricultural building and stables in the open countryside which, by reason of their location, size and design, would have a detrimental visual impact and result in harm to the landscape character and appearance of this part of the National Park. The development would therefore be contrary to policies COR1, COR3, COR4, DMD1b, DMD3, DMD5, DMD7 and DMD34 of the Dartmoor National Park Development Plan, the advice contained in the Dartmoor National Park Design Guide, the English National Parks and the Broads UK Government Vision and Circular 2010 and National Planning Policy Framework 2012.

### **Introduction**

The site is located to the west of Iron Mine Lane, Dousland, to the rear of the properties 10, 11 and 12 Manor Park. The application proposes a large agricultural building and four stables in the south east corner of the field.

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

### **Consultations**

Environment Agency: Flood Risk Zone 1. Standing advice applies.  
West Devon Borough Council: Does not wish to comment  
County EEC Directorate: No highways implications  
DNP - Trees & Landscape: The proposed development will have a visual impact and a detrimental impact on the character of the area, which is contrary to policy COR1(h) and COR3. The development does not enhance what is special or locally distinctive about the landscape character, and it is an unsympathetic development that will harm the wider landscape. The development is contrary to policy DMD5 because it does not conserve and/or enhance the character and special

qualities of Dartmoor's landscape by respecting the valued attributes of this landscape type, specifically the strong pattern of medieval fields with prominent Devon hedgebanks and the pastoral character of fields which contrast with areas of heathy moorland.

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

Burrator PC: Supports

### **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

COR9 - Protection from and prevention of flooding

DMD1a - Presumption in favour of sustainable development

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

DMD34 - Agricultural and forestry

DMD5 - National Park Landscape

### **Representations**

None to date.

### **Observations**

#### **PROPOSAL**

The site is located to the corner of a 2.87 hectare field. The existing access to the field is over open moorland to the north west of the site but there is no formalised track.

This application proposes the erection of a 450sqm agricultural building comprising secure storage for hay and winter feed, for agricultural appliances, equipment of value and materials relating to animal keeping and enclosed accommodation, loose and in pens for lambing ewes and all sheep in bad weather conditions; plus a 68sqm stable block, primarily for accommodation of horses but would also accommodate sick and injured sheep if isolation is needed. The proposed agricultural building and stables will be clad with vertical tanalised timber with a matt dark grey powder coated box section steel roof.

The applicant proposes a new earth bank with indigenous planting around the buildings to form part of the sheep handling enclosure and provide screening for the buildings.

The proposed development is located in enclosed farm land. The land to the west is undulating agricultural land comprising small to medium sized fields enclosed by Devon hedgebanks. Isolated and linear groups of trees are growing on the hedgebanks. The agricultural land is grazed pasture. The land to the east is open common. The dominant feature on this part of the common is Yennadon Quarry and the access road leading to the quarry. Adjacent fields have an equine use and equine infrastructure is visible in several fields.

An application was previously submitted for a similar development in the centre of the northern side of the field using the existing access. It was suggested to the applicant that the building should be moved towards the corner of the field to reduce the visual impact of the buildings and alter the access to limit the formalisation of the approximate 80m route across moorland to the existing access.

The proposal subject of this application comprises the above amendments to the siting of the building and access. It is not clear whether the access that is now proposed is suitable (particularly in bad weather) or whether the applicant has any rights of access by vehicle across the common.

The access onto the site is from the common land to the east. An existing gateway into the field from the common is located at the northern corner of the field. The applicants intend to create a new access from the common at the southern end of the field. The new access will require the removal of a small section of hedgerow. The boundary along the common is formed by a 1.5m high bank with a mixed native hedge growing on top. The hedge comprises of oak, hazel, alder, buckthorn, gorse, hawthorn and blackthorn. If the hedgerow is assessed against the criteria set out in the Hedgerows Regulations 1997 it would be classed as 'important' because it appears on the tithe map.

The land immediately to the east of the proposed gateway rises steeply to the former tramway with a gully between the bank and the slope. Engineering works will be required to create a suitable vehicular access. This land lies outside of the application site, but the site cannot be accessed using this route until these works have been carried out. It is not clear whether the landowners have consent from the Commoner's Council or the landowner to carry out any work.

## AGRICULTURAL ENTERPRISE

The applicant states that he has 2.8 hectares at Iron Mine Lane and 0.8 hectares at Moorland House as well as moorland rights for grazing 65 sheep or 13 cattle. No map has been provided identifying this land. It is not clear whether the moorland grazing rights relate directly to this parcel of land.

The applicant advises that he will farm two flocks of 40 sheep with two rams per flock, totalling 84. It is not clear from the application and correspondence with the applicant's agent whether these are existing or proposed stock numbers. There is no information provided relating to the number of horses.

The agent has identified that hay and straw will be purchased in bulk in the summer months and this will be delivered using the existing access route. They also undertake an annual hay harvest from the land requiring implements.

## POLICY

The Dartmoor National Park Core Strategy sets out the following in Policy COR2:  
(iii) Outside the Local Centres and Rural Settlements of the National Park, development will be acceptable in principle if it: amongst other matters;  
'Is necessary to meet the proven needs of farming, including farm diversification and forestry, and other enterprises with an essential requirement to locate in the open countryside.'

Policy DMD34 further explains that agricultural, forestry and other rural enterprise related non-

residential development will be permitted where the proposal complies with the following criteria:

- (i) there is a demonstrable need that is proportionate to the use of the land;
- (ii) it relates well to local landscape features and other building groups;
- (iii) it is located and oriented with respect to local topography so as to reduce intrusive effects;
- (iv) it demonstrates a scale and form that is well related to its function;
- (v) it will not cause unacceptable harm to biodiversity, geodiversity and archaeological and cultural heritage assets, natural drainage or soil stability;
- (vi) efficient use is made of existing buildings;
- (vii) existing non-traditional structures made redundant by the proposed development are removed.

DMD5 requires development proposals to conserve and/or enhance the character and special qualities of the Dartmoor landscape by amongst other things reflecting the valued attributes of landscape character types identified in the Dartmoor National Park Landscape Character Assessment and ensuring that the location, site layout, scale and design conserves and/or enhances what is special or locally distinctive about landscape character.

Policies COR1(h) and COR3 also require that development respects or enhances the character, quality or tranquillity of the local landscape and conserve or enhance the characteristic landscapes and features that contribute to Dartmoor's special qualities.

The site lies within Landscape Character Type 2D Moorland Edge slopes and in this location the surrounding land is gently rolling farmland comprising small to medium fields enclosed by Devon hedge banks. It is a predominantly pastoral landscape which has a strong agricultural character.

## ASSESSMENT

The proposed development will have an impact on the local landscape character. The development will be contrary to policy COR1 in that it does not respect or enhance the character, quality or tranquillity of the local landscape. It is contrary to COR3 in that the development does not conserve or enhance the characteristic landscape and features that contribute to Dartmoor's special environmental qualities. The development is also contrary to DMD5 because it does not conserve or enhance the character and special qualities of the Dartmoor landscape by respecting the identified valued attributes, specifically the strong pattern of medieval fields with prominent Devon hedgebanks and the pastoral character of fields which contrast with areas of heathy moorland.

Notwithstanding the above, the development will have an adverse impact on the character of the local landscape. Adequate access will not be gained by simply creating a new gateway through the hedgebank, a new track will have to be constructed from Iron Mine Lane, which does not form part of this application. This track may have an adverse impact on the common and may not be supported, though the applicant's agent has subsequently advised, by email, that the existing access will still be used.

The development does not enhance what is special or locally distinctive about the landscape.

It has not been demonstrated that there is an agricultural need for a building of this scale or that it is proportionate to the agricultural activities and the area of the land holding. The proposed development is considered excessively large and prominent in this location. The proposed access arrangements to the site are likely to be problematic.

In addition, there are some concerns over the cumulative impact of the existing and recently approved structures on the land. The proposed development is considered to have a detrimental visual impact that would detract from the character and natural beauty of the National Park landscape.

## CONCLUSION

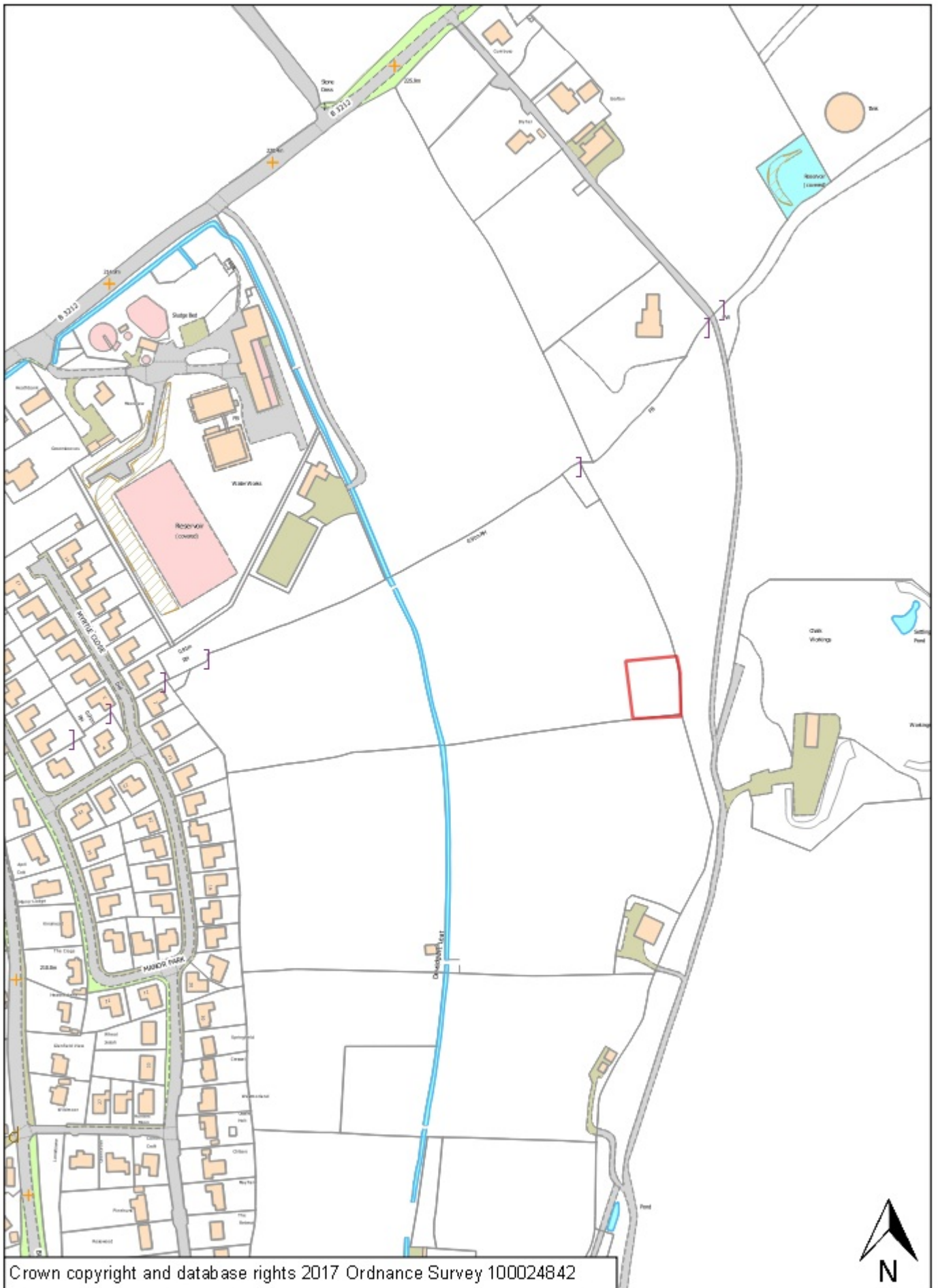
The proposal is considered to be contrary to the Development Plan, in particular COR1, COR3, DMD5, DMD34 of the Development Management and Delivery Development Plan Document, and it is therefore recommended that permission be refused.

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# Land East of Iron Mine Lane - 0211/17



Scale 1:3,000





DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

07 July 2017

**APPEALS**

Report of the Acting Head of Planning

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

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

1 Application No:	D/17/3173365	District/Borough:	West Devon Borough
Appeal Type:	Refusal of Full Planning Permission - Householder	Parish:	Chagford
Proposal:	Erection of pitched roof dormer window to rear of dwelling		
Location:	<b>1 The Old School, New Street, Chagford</b>		
Appellant:	<b>Mr P Herbert</b>		
Decision:	<b>DISMISSED</b>		

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2 Application No:	D/17/3173394	District/Borough:	West Devon Borough
Appeal Type:	Refusal of Full Planning Permission - Householder	Parish:	Chagford
Proposal:	Extension and conversion of existing internal garage into bedroom and extension to rear of property, replacement roof and rendering		
Location:	<b>11 Manor Drive, Chagford</b>		
Appellant:	<b>Mr &amp; Mrs Lloyd</b>		
Decision:	<b>ALLOWED</b>		

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

1 Application No:	W/17/3171466	District/Borough:	South Hams District
Appeal Type:	Refusal of Full Planning Permission	Parish:	South Brent
Proposal:	Demolition of sheds and erection of three market dwellings		
Location:	<b>Beacon Nursery, Stockbridge Lane, South Brent</b>		
Appellant:	<b>Mr &amp; Mrs P H &amp; P A Mitchell</b>		

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2 Application No:	W/17/3171822	District/Borough:	West Devon Borough
Appeal Type:	Refusal of Full Planning Permission	Parish:	Horrabridge
Proposal:	Erection of a 17.5m monopole with shrouded antennae and three cabinets		

Location: at ground level  
**Fillace Park, Horrbridge**  
Appellant: **Shared Access and CTIL**

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3 Application No: W/17/3172029 District/Borough: West Devon Borough  
Appeal Type: Refusal of Prior Approval Parish: South Tawton  
Proposal: Erection of a 15m telegraph pole, supporting dishes and antennae and associated electrical cabinets  
Location: **South Zeal Recreation Ground, South Zeal**  
Appellant: **Shared Access Ltd**

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**CHRISTOPHER HART**