DARTMOOR NATIONAL PARK AUTHORITY DEVELOPMENT MANAGEMENT COMMITTEE

10 May 2019

SITE INSPECTIONS

Report of the Head of Development Management

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<u>Item No.</u> <u>Description</u>

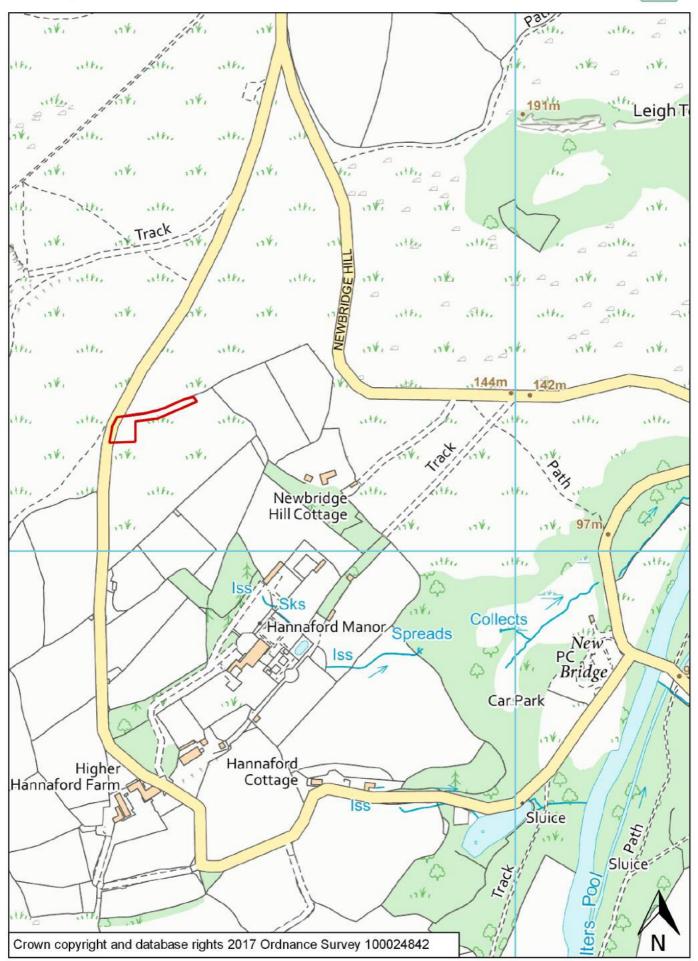
1. 0059/19 – Installation of 20m telecommunications column mast accommodating three antennas, pole mounted satellite dish, ancillary equipment cabinets, cabling, landscaping and access track – Land at Newbridge Hill, Poundsgate

Pg 12

0059/19 - Land At Newbridge Hill, Poundsgate



Scale 1:3,999



DARTMOOR NATIONAL PARK AUTHORITY DEVELOPMENT MANAGEMENT COMMITTEE

10 May 2019

SITE INSPECTIONS

Report of the Head of Development Management

1 Application No: 0059/19 District/Borough: Teignbridge District

Application Type: Full Planning Permission Parish: Widecombe-in-the-Moor

Grid Ref: SX706711 Officer: Helen Maynard

Proposal: Installation of 20m telecommunications column mast accommodating

three antennas, pole mounted satellite dish, ancillary equipment

cabinets, cabling, landscaping and access track

Location: Land at Newbridge Hill, Poundsgate
Applicant: The Home Office and EE Limited

Recommendation: That, subject to a Tree Preservation Order being made and confirmed

if unopposed, 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.
- Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved, shall be carried out strictly in accordance with the following approved drawings: 101 Rev B, 103 Rev C, 104 Rev B, Arboricultural Impact Assessment August 2018 by TEP, Cellweb Tree Root Protection valid 4 February 2019.
- 3. The telecommunications mast and equipment shall be permanently removed upon redundancy and the land reinstated to its former condition within a period of six months unless otherwise agreed in writing by the Local Planning Authority.
- The equipment attached to the pole hereby approved shall, unless otherwise agreed in writing by the Local Planning Authority, be painted "Merlin Grey" in colour not later than 30 days after the substantial completion of the development.

The Panel convened on the Common Land and took the opportunity to view the site and its surroundings. The Planning Officer explained the proposal as presented referring to the specific plans and elevations.

The Trees and Landscape Officer explained his view and the impact of the proposal on the landscape. The Head of Development Management clarified a number of questions raised by

Members and the Parish Council representatives.

Two representatives from the Parish Council attended and reiterated their opposition to the proposal. The Parish felt that the proposal would have a detrimental impact on the landscape and would impact on wildlife, particularly butterflies. They raised concerns regarding the removal of a large portion of stone walling and felt that there was a lack of consultation with the Parish prior to the application being submitted.

The Panel walked up the road (north east) to view the site and then entered the field in which the proposed mast and equipment are to be sited.

Officers and three Members then drove to Holne Road and viewed the application site from this road (1km south of the site).

Some concerns were raised over the extent of stone walling to be removed and questions were raised as to why the existing gateway could not be used and a track run up the side of the field behind the stone wall.

The Panel acknowledged that there would be some visual impact however generally thought that the scheme could be acceptable if the large tree screening the site could be protected with a Tree Preservation Order.

Members mostly reserved their judgement for the next meeting however could see the clear benefits of the proposal for the local community and visitors to the area and felt that the landscape impact would not lead to significant landscape harm.

CHRISTOPHER HART

ORIGINAL REPORT TAKEN TO DEVELOPMENT MANAGEMENT COMMITTEE 5 APRIL 2019

5. Application No: 0059/19 District/Borough: Teignbridge District

Application Type: Full Planning Permission Parish: Widecombe-in-the-Moor

Grid Ref: SX706711 Officer: Helen Maynard

Proposal: Installation of 20m telecommunications column mast accommodating

three antennas, pole mounted satellite dish, ancillary equipment

cabinets, cabling, landscaping and access track

Location: Land at Newbridge Hill,

Poundsgate

Applicant: The Home Office and EE Limited

Recommendation That, subject to the consideration of any comments from Natural

England, 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.

- Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved, shall be carried out strictly in accordance with the following approved drawings: 101 Rev B, 103 Rev C, 104 Rev B, Arboricultural Impact Assessment August 2018 by TEP, Cellweb Tree Root Protection valid 4 February 2019.
- 3. The telecommunications mast and equipment shall be permanently removed upon redundancy and the land reinstated to its former condition within a period of six months unless otherwise agreed in writing by the Local Planning Authority.
- The equipment attached to the pole hereby approved shall, unless otherwise agreed in writing by the Local Planning Authority, be painted "Merlin Grey" in colour not later than 30 days after the substantial completion of the development.

Introduction

The application site is located to 550m to the north west of Newbridge Car Park, Ashburton. The proposed telecommunications mast and associated cabinets are located in the corner of a field which is currently used for growing Christmas Trees.

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

Consultations

Environment Agency: Flood zone 1. Standing advice applies.

Teignbridge District Council: Does not wish to comment. County EEC Directorate: No highway implications.

DNP - Ecology & Wildlife

Conservation:

In submissions to the DNPA, concerns have been raised about the potential impacts of electromagnetic radiation from the mast on wildlife and legally protected species

during its operation.

Based on the review of published evidence, there is nothing

to be gained in requesting an ecological impact

assessment since this would likely refer to the same uncertainties. The need for further evidence studies would need to be supported at a national policy level. It is recommended that Natural England are consulted for their position on this,.

The proposal is within the impact risk zone of the Holne Woods Site of Special Scientific Interest (SSSI) and South Dartmoor Woods Special Area of Conservation (SAC). Natural England are required to be consulted.

The preliminary conclusion is of no likely significant effect on the SAC. There is no mechanism for direct or indirect impacts on the habitats for which the SSSI is notified. The high brown fritillary is a nationally threatened butterfly cited in some objections, and which has a breeding stronghold in the Dart valley. The butterfly is a reportable feature of Holne Woods SSSI. Based on the evidence review cited above, this species would not be impacted, but this should be confirmed with Natural England.

DNP - Trees & Landscape:

No objection

The proposed column and ground equipment will have some impact on the character of the local landscape and some visual impact. However, considering the changes that have taken place in the immediate area I consider the development will have minimal impact on the character of the local landscape and minimal visual impact.

DNP - Archaeology:

No archaeological interest

Natural England Consultation

Service:

Comments awaited.

Parish/Town Council Comments

Widecombe PC:

The Parish Council object on the following grounds:

- (i) The lack of consultation with the community prior to the application being submitted.
- (ii) Rather than erecting an eyesore in this beautiful setting, have satellite options been explored? A structure such as this has such a negative visual impact and the Parish Council would appeal to DNPA to consider all other avenues before considering granting permission for a mast in this location.

Further, there is uncertainty over previous arrangements with Airband for mobile coverage which was promised but never delivered. Similarly, it seems that only the emergency services and not the public in general would benefit from the mast.

- (iii)The negative effect this structure will have visually is indisputable. The visual impact survey states that it will be barely noticeable this is simply not true.
- (iv) The impact on this historical area of Dartmoor must be considered. Similarly, the impact on wildlife. A construction of this magnitude will damage stone walling, trees, wildlife habitat and protected species all of which are usually reasons for refusing a planning application.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR2 - Settlement Strategies

COR3 - Protection of Dartmoor's special environmental qualities

DMD13 - Archaeology

DMD14 - Biodiversity and geological conservation

DMD1a - Presumption in favour of sustainable development

DMD1b - Delivering National Park purposes and protecting Dartmoor National

Park's special qualities

DMD20 - Telecommunications development

DMD38 - Access onto the highway

DMD4 - Protecting local amenity

DMD5 - National Park Landscape

DMD6 - Dartmoor's moorland and woodland

DMD7 - Dartmoor's built environment

Representations

175 letters of objection 1 other letter

Objection

- Detrimental to the National Park
- Health risks unknown
- Removal of stone wall
- Devaluing of property
- Masts should not be allowed in the country
- Landscape impact, especially in winter
- Alternative solutions available
- Dangerous access
- Emergency services don't need better signal; status quo works fine.
- Poor consultation of residents, need for public consultation
- Impact on wildlife and trees
- III advised commercial venture
- Impact on archaeology
- Trojan horse for development here in the future.
- No need for mobile phone connectivity in this location/Non essential infrastructure
- Contrary to stautory purposes of the National Park
- Not clear how the site will be powered. Generator?
- Visual Impact and ecological impacts associated
- Mitigation of noise impacts

- No Environmental Impact Assessment
- Confusing design statement. Is there a need for a dish?
- Proximity to Site of Special Scientific Interest
- Too many masts already
- Inappropriate location
- Impact on quality of life, tranquility and naturalness
- Doesn't protect Dartmoor
- Current agricultural building on site in breach of planning regulations
- Unsightly modern construction

Observations

PROPOSAL

This application proposes a 10m x 10m compound in the corner of the field surrounded by a 1.2m stock proof fence and hedge planting. The proposed telecommunications mast is 20m high timber clad monopole with 3 antennae at the top, painted grey.

A satellite dish is to be located on a 1.2m high support pole and two small cabinet structures and a generator are also to be located in the compound.

This proposal is part of a Home Office led programme responsible for replacing the Airwave telecommunications network and will be delivered by EE. The Emergency Services Mobile Communications Programme (ESMCP) aims to provide broadband data communications service for the Emergency Services that meets public safety requirements for functionality, coverage, availability and security.

The service is based on a 4G network and the radio coverage will be delivered across the England, Scotland and Wales via a mix of existing and new masts.

PRE-APPLICATION ADVICE

The original proposal presented at pre-application stage has evolved from an 22.5m lattice tower and through discussions with Officers this proposal has come forward.

POLICY

Paragraph 172 of the National Planning Policy Framework (NPPF) is explicit that "Great Weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation of landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these area, and should be given great weight in National Parks and The Broads".

The NPPF sets out the strategic approach to supporting high quality communications infrastructure to support sustainable economic growth. It is made expressly clear that "The number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate" (Paragraph 113).

Paragraph 116 goes on to state that "Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure".

The English National Parks and Broads UK Government Vision Circular 2010 identifies that the Government continues to regard National Park designation as conferring the highest status of protection as far as landscape and natural beauty is concerned. The Parks represent an important contribution to the cultural and natural heritage of the nation. The Parks are living and working landscapes and over the centuries their natural beauty has been influenced by human activity such as farming and land management activities. The Circular also sets a renewed vision for achieving park purposes and established the importance of applying the Sanford Principle.

DMD20 is most relevant Dartmoor National Park Development Plan policy to the specifics of this case. It states that telecommunications development will only be permitted where, amongst other matters, it meets the following criteria;

the siting and external appearance of the apparatus would not damage the landscape character of the immediate vicinity or of the locality when viewed from publicly accessible land

applicants have shown evidence that they have explored the options of erecting apparatus at alternative sites or on existing structures that are operationally suitable and less obtrusive, or have investigated the options of camouflage techniques or alternative methods that would minimise adverse visual impact

Also of relevance is policy DMD5 which aims to protect the landscape of Dartmoor. Development proposals should "conserve and/or enhance the character and special qualities of the Dartmoor landscape".

The landscape character type for this location is "1L Upland Moorland with Tors". The valued attributes for this landscape character type are:

- Dramatic moorland landscape, with wide open spaces, panoramic views and a strong sense of tranquillity.
- Traditional upland farming communities with the moorland grazed by Dartmoor ponies and native hill breeds of sheep and cattle.
- Valued wildlife habitats including blanket bogs, mires and heather moorland home to rare upland birds.
- Hill tops dominated by granite tors and other geological features.
- Rich archaeological heritage with numerous archaeological remains.
- Unifying granite local vernacular displayed in farmhouses, bridges, stone walls and settlements linked by deep lanes.
- Valued area for recreation, with large tracts of open access land.

APPEARANCE

The application proposes the erection of a 20m timber telecommunications mast with three antennae. The additional cabinets are considered to be reasonably discrete and will have a minimal impact on the character of the area.

The pole will be visible from the minor road that runs along the northern boundary of the site. It

will also be visible from the open moorland to the north. The mature tree growing along the northern boundary will screen the pole from large areas of the common. The tree is 19m high and the proposed pole is 20m. Only the top of 1m of the pole will be visible and when viewed from the high ground the pole will be seen against the backdrop of the far valley side. The new gateway and compound will be visible from the minor road although this will only be a glimpsed view.

The compound is to be enclosed with a mixed native hedge and the mature trees will be retained along the boundaries of the site. Considering only the upper part of the mast will be visible if the infrastructure is painted dark matt grey or dark green it will be less visible when seen in association with the boundary.

SITE CHARACTERISTICS; LANDSCAPE AND VISUAL IMPACT

The Authority recognises that the proposed development is infrastructure that would assist with the delivery of much improved 4G coverage for the emergency services in this location. Public benefit must be weighed against the identified harm.

The proposed development is located in enclosed land. The land to the south is sloping agriculture land comprising of small to medium sized fields enclosed by Devon hedgebanks. Isolated and linear groups of trees are growing on the hedgebanks. A steep river valley lies to the south east. Settlements are small and clustered around bridging points.

The proposed development will inevitably have some impact on the landscape because it is introducing modern development onto the edge of the open moorland. However, the integrity of the field system has been compromised and "modern" development has been introduced into the local landscape. Whilst there are few vertical structures there are modern elements within this landscape and the pole and compound will have a minimal impact on the character of the local landscape.

IMPACT ON WILDLIFE

The DNPA Ecologist has acknowledged the concerns raised by the public and the Parish Council in relation to the potential impacts of electromagnetic radiation from the mast on wildlife, however has not found any ecological ground to object to this application.

Natural England have been consulted on the application and their comments are awaited.

CONCLUSION

This proposal aims to improve the radio coverage for the emergency services with potential future use for public 4G. Poundsgate is a well used and highly visited part of the National Park and improvement in radio coverage for the emergency services in this current "blackspot" will clearly benefit the community and the visitors to the area. The landscape harm of the proposal is acknowledged, however this is considered to be minimal. The public benefits of this scheme have been weighed up against the public benefits of the proposal and it is considered that the public benefits of having "blue light" radio coverage in this location outweigh any harm to the National Park.

Officers have carefully weighed up the desire of the community with the primary purpose of protecting the National Park landscape. It is considered that the public benefits of the proposal outweigh any perceived harm to the character of the area and the application is therefore

recommended for approval, subject to appropriate conditions.

The proposal meets the policy tests set out in DMD5, COR3 and DMD20.

DARTMOOR NATIONAL PARK AUTHORITY DEVELOPMENT MANAGEMENT COMMITTEE

10 May 2019

APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Report of the Head of Development Management

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1. Application No: 0106/19 District/Borough: West Devon Borough

Application Type: Full Planning Permission Parish: Throwleigh

Grid Ref: SX686889 Officer: Helen Maynard

Proposal: Change of use from agricultural land to campsite for 12 tents and

associated shower/toilet and storage sheds (March to October use

only)

Location: Field opposite Waye Down,

Murchington

Applicant: DJ Vincent & Partners

Recommendation That permission be REFUSED

Reason(s) for Refusal

1. The proposed campsite and associated recreational use of the land, by reason of its isolated location in relation to other building groups, and its elevated position on a ridge, will have a detrimental impact on the character and appearance of this part of the Dartmoor National Park landscape contrary to policies COR1, COR3, COR4, COR20, DMD1b, DMD5 and DMD35 of the Dartmoor National Park Development Plan and to the advice contained in the English National Parks and the Broads UK Government and Circular 2010, the National Planning Policy Framework 2019 and the Dartmoor National Park Design Guide.

Introduction

Planning History

0543/18 Change of use from agricultural land to campsite for 12 tents and

associated shower/toilet and storage sheds

Full Planning Permission Refused 13 December 2018

Consultations

Environment Agency: Flood zone 1. Standing advice applies.

West Devon Borough Council: Does not wish to comment.

County EEC Directorate: The development that is the subject of this application was

also the subject of a former application, (ref: 0543/18). The highway authority's response to this application is similar to

the previous application and, is as follows:-

The existing access is to be used to serve the site and visibility has been shown in both directions from the access as previously requested. A condition is recommended to preserve the visibility from the access in perpetuity.

DNP - Trees & Landscape: This is a similar application to that submitted and refused

by the Authority last year, the only difference is the camping will be limited to a period between March and October. The impact of the development on the landscape will be the same and the comments made in relation to the

previous application still apply.

The proposed campsite will be visually intrusive. The development will have a detrimental impact on the landscape character of the area, which is contrary to policy COR1(h) and COR3.

DNP - Ecology & Wildlife

Conservation:

No objection.

Parish/Town Council Comments

Throwleigh PC: Supportive of this farm diversification scheme

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR2 - Settlement Strategies

COR4 - Design and sustainable development principles

COR5 - Protecting the historic built environment

DMD1a - Presumption in favour of sustainable development

DMD1b - Delivering National Park purposes and protecting Dartmoor National

Park's special qualities

DMD3 - Sustaining the quality of places in Dartmoor National Park

DMD35 - Farm diversification

DMD4 - Protecting local amenity

DMD44 - Tourist accommodation

DMD5 - National Park Landscape

DMD7 - Dartmoor's built environment

Representations

1 letter of objection 19 letters of support

Support

- Well thought out scheme
- Support applicants
- Currently no campsites in Chagford
- Economic benefits
- Doesn't affect neighbour amenity

Objection

- Visually intrusive
- Located on a ridge
- Noise pollution

Observations

INTRODUCTION

This application provides the same detail as the previously refused application ref: 0543/18 albeit for a temporary campsite between March to October of any calendar year. The previous application was for an all year round camp site.

PROPOSAL

This application proposes the change of use of an agricultural field opposite Waye Down to a campsite for 12 tents and associated shower, toilet and storage shed. The proposal comprise:

- •6] safari tent approximately 5m x 4m and 3.m in height and
- •6 pitches for "pitch your own" tents
- •5 toilet blocks 1.2m 1.2m and 2.5m in height
- •3 shower blocks 1.3m x 1.0m and 2 m in height
- 1 2.1 m x 1.3 m metal framed gazebo 2.5 m in height
- 1 3.0 m x 3.0 metal framed gazebo o2.7 m in height
- 1 3.2m x 2.4m storage shed 2.4m in height.

The tents and sheds are to be located along the northern boundary of the field. A post and rope fence is proposed to partition the camping area from the rest of the field.

The access to the site is through an existing gateway from the minor road to the north. The field slopes away from the road to the south.

HOLIDAY ACCOMMODATION

DMD44 states that small scale tented camping sites including camping pods or other similar structure may be permitted where there is no harm to the landscape character.

The agent has confirmed that the proposal forms part of a farm diversification exercise and therefore the proposal is also assessed against the criteria of policies COR20 and DMD35.

FARM DIVERSIFICATION

The applicants own a 130 cow dairy farm at Higher Murchington Farm supplying Arla with 550,000 and 650,000 litres of milk per year. The farm runs an all year calving system and grows all its forage and winter rations on site. The farm is run by Duncan Vincent and his daughter Hayley Worthington.

The proposal was trialled for a 28 day period during August 2018 under Part 4, Class B of the Town and Country Planning (General Permitted Development)(England) Order 2015. This application seeks to formalise the campsite to run the business for the period of March to October. The bell tents are to be rented at £45 per night and the "bring your own" pitches at £12 per night.

Policy DMD35 states that well-conceived schemes for business purposes that area consistent in scale with their rural location will be encouraged, providing they conserve and enhance the wildlife, natural beauty of cultural heritage of the National Park or contribute to the public's enjoyment and understanding of its special qualities. Farming diversification is aimed at supplementing the farm income rather than providing a main source of income for the holding.

From the submitted accounts the holiday use could provide additional income – the majority still originating from farming activity. In principle, the evidence provided is accepted and this proposal would be a genuine farm diversification exercise meeting the aims of policies COR20 and DMD35. However, these policies require any farm diversification exercise to conserve and enhance the special qualities of the National Park.

LANDSCAPE CHARACTER

Although this application has been amended so the campsite is only in operation between March and October of any calendar year, this is not considered to reduce the landscape impact of the proposal. Whether mobile or not siting of bell tents and associated sheds require planning permission. The structures will have a permanence in the landscape and their prominent position on a ridge reinforces their visual and landscape impact. The sheds and bell tents will be erected 'permanently' throughout the April to October period and only 6 of the 12 pitches are "pitch your own" (only these six pitches have potential to be vacant pitches if no bookings are made).

The proposed development is located in enclosed farm land. The site lies at the top of a ridge and the land around the site is undulating agricultural land comprising small to medium sized fields enclosed by Devon hedge banks. The proposed development will have an impact on the local landscape character. Tents and other infrastructure will not reflect the agricultural use of the land and have an impact on the pastoral character of the landscape. Policy DMD5 sets out how Dartmoor's internationally renowned landscape should be protected. It is recognised that landscapes change but the emphasis is on protecting the character and special qualities of Dartmoor's landscape.

The land is located within the farm holding but is isolated from the main farmstead. The buildings and tents will be very visible in the landscape, from the minor road along the northern boundary and through the hedge and gateway. The site is very visible from roads to the south and from Meldon Common.

Whilst it is a distant view from Meldon Common people visit the area to experience and enjoy the spectacular views. The proposed tents will have little relationship with other buildings or structures and will be visually intrusive in the landscape.

The red line of the development suggests a recreation area covering a significant portion of the field which could spread the development further into this field parcel (3.7 acres).

The proposed campsite is considered to be visually intrusive. The cumulative impact of the tents, associated buildings/structures and recreational area will have a detrimental impact on the landscape 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 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, specifically the strong pattern of medieval fields with prominent Devon hedgebanks and pastoral character of fields which contrast with areas of heathy moorlands.

CONCLUSION

While it is acknowledged that farm diversification plays an important role in the sustainability of Dartmoor's economy in this location and at this scale, the principal issue is the impact of the development on the local landscape and the requirement to meet the key test for the conservation and enhancement of the quality and distinctiveness of this part of the National Park. The existing site is in agricultural use. A permanent campsite and associated paraphernalia even on a temporary basis will not reflect the dominant character of the local

pastoral landscape and will have a harmful effect on this part of the National Park.

It fails to demonstrate compliance with the fundamental test of the conservation and enhancement of the special qualities of this part of the National Park which are embedded in polices COR1, COR4, COR3, DMD1b and DMD5.

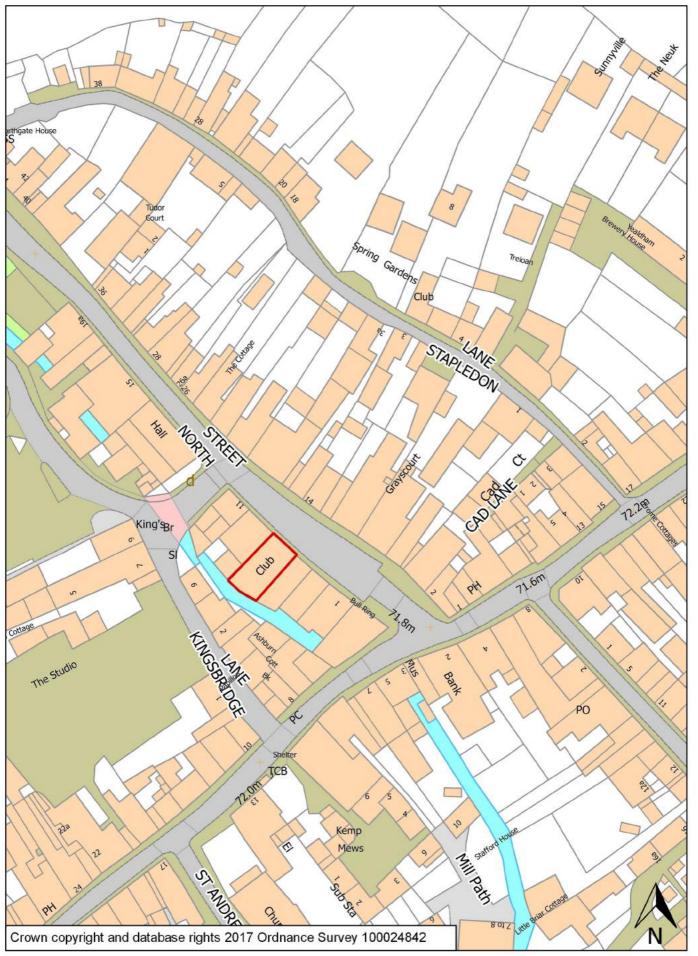
The proposal is not consistent with the principle objectives of the Development Plan and is not compatible with the pursuit of purposes of National Park designation.

The application is recommended for refusal.

0091/19 - 7 North Street, Ashburton







2. Application No: 0091/19 District/Borough: Teignbridge District

Application Type: Full Planning Permission Parish: Ashburton

Grid Ref: SX755698 Officer: Helen Maynard

Proposal: Alterations and Change of Use of Upper Floors from

(B1(a)(Accountancy Practice) to C3 (Residential) comprising 3 flats

Location: 7 North Street, Ashburton

Applicant: Sandwell (Devon) Ltd

Recommendation That permission be GRANTED

Condition(s)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

- 2. The proposed development shall, in all respects, accord strictly with approved drawings: Site Location Plan, 18002/GA04A, 18002/SK101B and 180002/SK102A valid 21 February 2019.
- 3. Prior to installation all external surfacing, external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. Once approved only the approved materials shall be used in the development.
- 4. Prior to installation, details of the rooflights including the "roof AOV" shown on the side elevation (south east) hereby approved, shall be submitted and agreed in writing by the Local Planning Authority.
- Works shall proceed strictly in accordance with the recommendations set out in Assessment for Bat and Nesting Birds prepared by Corylus Ecology dated 22 May 2017 and letter dated 1 February 2019.
- 6. No external lighting shall be installed without written permission from the Local Planning Authority.
- 7. The solar panels hereby approved shall be fitted with black outer frames, unless otherwise agreed in writing by the Local Planning Authority.
- 8. Upon becoming redundant the solar panels shall be removed within a period of six months, unless the Local Planning Authority shall a further planning permission for their retention.
- 9. All external doors and windows shall be of timber or metal construction, details of which shall be submitted to and approved by the Local Planning Authority prior to installation. Once approved, only the approved materials shall be used in the development.
- 10. Unless otherwise previously agreed in writing by the Local Planning Authority, the frames of all external windows and doors in the building shall be recessed at least 100mm in their openings.

- 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 the works set out 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.
- Prior to occupation of the dwellings, hereby approved, details of a proposed flood mitigation for the building shall be submitted to and approved, in writing by the Local Plannign Authority. The flood mitigation measures shall be implemented strictly in accrodance with the approved details.

Introduction

7 North Street is located in the centre of Ashburton. There is an existing shop on the ground floor and the rest of the building was used as accountancy practice but is currently vacant. The building is not listed but lies within the Conservation Area. The buildings on both sides of 7 North Street are listed (4 Kingsbridge Lane, 5 and 9 North Street). The building is noted on the Historic Environment Record (HER).

The access to the property is from North Street, there is no rear access to the property due to the Ashburn river running directly behind the building.

This application is for three open market dwellings and it has been advertised as a potential departure from the Development Plan.

The application is presented to Members due to the Town Council objection and the departure from the Local Plan policies in terms of affordable housing provision.

Planning History

0383/17 Change of use of upper floors from B1(a) (Accountancy Practice) to C3

(Residential) comprising three flats

Full Planning Permission Grant Conditionally 04 December 2017

0259/17 Conversion of building retaining shop on ground floor and construction of

three open market residential dwellings created above and to the rear of

the property

Full Planning Permission Withdrawn 09 June 2017

Consultations

Environment Agency: Flood zone 2 and 3. Standing advice applies.

Teignbridge District Council: Does not wish to comment. County EEC Directorate: No highway implications.

DNP - Ecology & Wildlife Works to proceed in strict accordance with the

Conservation: recommendations in the ecological assessment report

(Corylus Ecology, 01/02/2019).

A condition should be attached that there shall be no additional external lighting installed at the application site

without prior written approval of the Authority.

Viability Assessor (TDA): Despite the proposed changes the conclusion of our

findings remain unchanged. There will be cost savings from the smaller scale of the works but not sufficient to justify

any affordable housing contributions.

Parish/Town Council Comments

Ashburton TC: Objection due to lack of affordable housing provision

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

COR8 - Meeting the challenge of climate change

DMD12 - Conservation Areas

DMD1b - Delivering National Park purposes and protecting Dartmoor National

Park's special qualities

DMD21 - Residential development in Local Centres

DMD24 - Extensions and alterations to dwellings

DMD4 - Protecting local amenity

DMD40 - Parking provision - Residential

DMD7 - Dartmoor's built environment

Representations

None to date.

Observations

PROPOSAL

This application proposes the change of use of the upper floors of the building to three open market dwellings in the form of a one bedroom flat, a two bedroom flat and a studio flat.

A shared access and new stairwell is proposed, in order to accommodate the proposed stairwell the existing flat roof section at first floor level will be raised.

Solar panels are proposed at second floor level to the rear of the building. No amenity space, bin storage or parking has been proposed.

Work is currently being undertaken on the property as part of the previously approved application.

PLANNING HISTORY

A planning application for a similar development was approved by Members in December

2017 (ref: 0383/17). The previous application was for the change of use of the upper floors to three open market dwellings in the form of 2 two-bed dwellings and a studio apartment. This permission is extant and the applicant could continue with this permission if they wished to do so.

The application subject of this report comprises a re-configuration of the three flats in the previous application.

PRINCIPLE OF DEVELOPMENT

Ashburton is identified as one of the larger settlements within the Park and defined as a Local Centre. Local policies COR15 and DMD21 make provision for the development of market housing where this will facilitate the delivery of affordable dwellings for local persons. The policy requires the proportion of affordable housing to be not less than 50% of the units provided. This means that for new housing development, the first unit proposed will need to be an affordable dwelling for a local person.

Policy DMD21 sets out the circumstances in which new housing will be permitted within Local Centres.

In this case, three dwellings are proposed, this would mean that to accord with policy at least two of the dwellings would need to be affordable.

This proposal does not offer any affordable housing provision however a viability study has been submitted with the application to suggest open market dwellings are justified in this location. This viability report has been independently assessed by our consultant; the assessor has confirmed that affordable housing or a contribution to provision of off site affordable housing is not justified in this development.

IMPACT ON CONSERVATION AREA

The site is located within the Ashburton Conservation Area and therefore any works need to be considered against the ability of the scheme to conserve and or enhance the Conservation Area.

The building is in a poor state of repair and the upper floors of the building have been vacant for a while; it is assessed that the proposed works will improve the appearance of the building and, as a result, will result in an enhancement to the building and to the character and appearance of the Conservation Area. Although the upper floors of the building cannot be seen from the public domain the building is visible from the rear terrace of 5 North Street.

The proposed works are not considered to adversely affect the character and appearance of the Conservation Area.

DESIGN CONSIDERATIONS

The proposal is predominantly for internal alterations and change of use. The addition of a flat roof extension to accommodate the stairwell is the main external change and the inclusion of an additional window/ roof windows to the rear and side elevations respectively. The design of the proposed alterations are considered acceptable.

The proposed works are considered to conserve and enhance the heritage significance of the

building and the wider Conservation Area. However, it is recommended that samples of the external materials are secured by a condition to ensure that these are appropriate.

FLOOD RISK CONSIDERATIONS

The site lies in an area identified as Flood Zone 3 by the Environment Agency which indicates that new development should be located elsewhere wherever possible.

This proposal is for the conversion and change of use of an existing building which is located in the town centre of Ashburton.

The flood risk to the ground floor will be unchanged from the present situation and the proposed first and second floor accommodation is well above the worst case flood level indicated by the Environment Agency.

Whilst, the proposal would introduce a more vulnerable use to the site, it is not dissimilar to the existing situation for neighbouring residential units and whilst it is recognised that access to the property would be difficult during times of flooding, residents would be safe in the upper floors of the building.

Given that this is an existing building it is not considered that the proposal would significantly increase flood risk to justify a refusal of this application.

There is no objection raised on flood risk ground.

PARKING

Policy DMD40 states that off-street car parking for new residential development should be provided within the curtilage of the property or allocated elsewhere. For flats a minimum of one and a half spaces per dwelling or unit is required. Car free development will be considered favourably where reasonable alternative parking provision exists.

No parking provision assessment has been provided with the application to identify why less than a normal minimum number of car parking spaces would be appropriate.

However, the building is located within a town centre location where occupiers would have access to public transport. Occupants would also have access to services and facilities to meet their day to day living requirements within walking distance given that the property is located in the heart of Ashburton Town Centre.

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

CONCLUSION

The proposal presents a departure from our development plan policies, predominantly policies COR15 and DMD21. It would not provide any affordable dwellings for local persons in line with strategic objectives of the Development Plan for the National Park. However, it has been demonstrated to the satisfaction of Officers that, at this point in time, the provision of affordable housing on site or monetary contributions for provision elsewhere would make the

scheme unviable to deliver.

On balance, and given the extant planning permission which remains in place, the proposal is considered to present a sustainable form of development and is recommended for approval subject to appropriate conditions.

0064/19 - South Warne Farm, Mary Tavy

Scale 1:1,999





3. Application No: 0064/19 District/Borough: West Devon Borough

Application Type: Full Planning Permission Parish: Mary Tavy

Grid Ref: SX500790 Officer: Helen Maynard

Proposal: Replacement agricultural livestock building (22.86m x 19.8m)

Location: South Warne, Station Road,

Mary Tavy

Applicant: Mrs Kim Langley

Recommendation That permission be GRANTED

Condition(s)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

- 2. The development, hereby approved shall, in all respects, accord strictly with the following approved drawings: Site Location Plan, Block Plan and three unnumbered drawings received 4 February 2019.
- Prior to installation samples of all proposed surfacing, external facing and roofing materials shall be submitted to the Local Planning Authority for approval; thereafter unless otherwise agreed by the Local Planning Authority in writing, only approved surfacing, external facing and roofing materials shall be used in the development.
- 4. The agricultural building hereby permitted shall only be used for agricultural purposes reasonably necessary on the holding to which it relates. Upon its becoming redundant for such purposes, the building shall be removed and the land reinstated to its former condition within a period of six months, unless the Local Planning Authority shall grant planning permission for an alternative use of the building.
- 5. 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.
- 6. Prior to the building being brought into use a Waste Management Plan must be submitted to and approved in writing by the Local Planning Authority.
- 7. If works take place within the bird breeding season (which typically lasts between 1 March and 15 September in any year) then those parts of the building directly affected should be checked for the presence of nesting birds no more than 24 hours prior to the commencement of works. If nesting birds are present then works should not commence until breeding has finished and all fledglings have departed the nest.
- Prior to the substantial completion of the development hereby permitted, details of the proposed surface water drainage, which shall be adequate to ensure that no surface water drains or runs onto the highway, shall be submitted to the Local Planning Authority for approval; implementation of the development hereby permitted shall be strictly in accordance with the approved details.

Introduction

South Warne Farm is located to the south east of Mary Tavy on the junction of Station Road and Warne Lane.

This application proposes the replacement of an existing agricultural building.

A decision on the application was deferred at the April 2019 Development Management Committee.

Planning History

	0671/18	Replacement agricultural livestock building			
		Full Planning Permission	Withdrawn	15 January 2019	
	0384/18	using of livestock			
		Full Planning Permission	Grant Conditionally	10 October 2018	
	0616/17	Erection of agricultural building	(22.9x15.9m)		
		Prior Notification	Planning Permission Required	08 January 2018	
	0551/17	Extension of domestic curtilage storey extension	together with the cons	truction of two	
		Full Planning Permission	Grant Conditionally	21 December 2017	
0457/17 Erection of two storey extension					
		Full Planning Permission - Householder	Withdrawn	23 October 2017	
0192/17 Construction of two storey extension to existing farm				ouse	
		Full Planning Permission - Householder	Withdrawn	26 May 2017	
	03/42/1357/91	Dung store			
		Full Planning Permission	Grant Unconditionally	10 September 1991	
	03/42/1256/90	Steel framed corrugated store for hay and cows			
		Full Planning Permission	Grant Conditionally	30 July 1990	

Consultations

West Devon Borough Council: Does not wish to comment. County EEC Directorate: No highway implications.

Environment Agency: Flood zone 1. Standing advice applies.

DNP - Ecology & Wildlife

Conservation:

If works take place within the bird breeding season (which typically lasts between 1 March and 15 September in any year) then those parts of the building directly affected should be checked for the presence of nesting birds no more than 24 hours prior to the commencement of works. If nesting birds are present then works should not commence until breeding has finished and all fledglings have departed

the nest.

DNP - Trees & Landscape: Comments are the same as the previous application

(0384/18). No objections to the proposal.

Parish/Town Council Comments

Mary Tavy PC: Object. This proposed building is right up to the property

boundary and beside the road and will be unattractive for road users. It is taller than the current building and will be more oppressive. It is within 100m of residential properties, and even closer than the building it is replacing.

The proposal is not like-for-like or a direct replacement. It is the Council's view that the location close to the road and housing is not appropriate for a building with the intended use.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR3 - Protection of Dartmoor's special environmental qualities

COR4 - Design and sustainable development principles

DMD1a - Presumption in favour of sustainable development

DMD1b - Delivering National Park purposes and protecting Dartmoor National

Park's special qualities

DMD34 - Agricultural and forestry

DMD4 - Protecting local amenity

DMD5 - National Park Landscape

DMD7 - Dartmoor's built environment

Representations

3 letters of objection 1 letter of support 1 other letter

Objections

- The building should be placed further from the road and neighbouring residential properties
- Odour
- Noise
- Sewage issues/disposal of animal effluent
- Devalue neighbouring properties.
- The building is too large

Observations

INTRODUCTION

South Warne Farm is located to the south east of Mary Tavy on the junction of Station Road and Warne Lane.

This application proposes the replacement of an existing agricultural building (existing: 216sqm, proposed: 453sqm).

A previous application for a 325sqm building on the same site was approved at Committee on 5 October 2018 (ref: 0384/18). The building subject of this report is marginally larger than the recently approved application and the doors are located on the opposite elevation to allow direct access to the adjoining field.

PROPOSAL

This application proposes a 22.86m x 19.8m (453sqm) agricultural building for the housing of livestock. The building is 6.3m in height to ridge and 4.27m to eaves level.

The building is required to house cattle during the winter months. The current buildings are no longer fit for purpose as the cubicles are too small and there is inadequate ventilation.

The proposed building is steel framed with pre-cast concrete panel at the base of the walls and vertical timber boarding above. The roof is to be constructed of grey fibre cement corrugated sheeting.

JUSTIFICATION

The applicant has not submitted any additional information regarding stock levels. It is therefore assumed that the stock and land holding is the same as the previous application. (ref: 0384/18)

South Warne Farm comprises 34ha of grassland. The applicant's current stock levels are:

- -32 Suckler Cows with 10 calves
- -35 breeding ewes

The applicant intends to increase the stock levels once the building has been erected.

POLICY

Development Plan Policies COR1, DMD1b, COR3 and DMD5 establish the requirement for new development to respect and enhance the character, quality and tranquillity of local landscapes and the wider countryside.

Policy DMD34 is specifically concerned with new agricultural development. It permits such development where it is proportionate to the use of the land and its function, relates well to landscape features and building groups, is orientated to respect topography, will not cause unacceptable environmental or archaeological harm and makes efficient use of buildings.

The Dartmoor National Park Design Guide recommends that new farm buildings should aim to fit into, and be sympathetic to, existing farmsteads and landscape, avoiding visually intrusive new buildings that are too dominant or overbearing and should respect the scale of surrounding buildings.

LANDSCAPE IMPACT

The building will be visible from Station Road and the lane leading to North Warne. These are also more distant views from the minor road to the south west. The building will be viewed as part of the existing farm complex. The proposed development is considered to have a minimal impact on the character of the local landscape and a minimal visual impact.

RESIDENTIAL AMENITY

The comments received from the Parish Council and the neighbours are noted. However, this application is replacing an existing livestock building. The use and activity is established and

the provision of a replacement building for over-wintering livestock will therefore not substantially detract from the living conditions of neighbouring occupiers beyond what already occurs at the site. The increase in the size of the building is modest when compared to the extant permission ref: 0384/18.

It is acknowledged that the building is approximately 26m from the dwelling Michaelmead (approximately 5m closer than the existing livestock building).

UPDATE

At the Development Management Committee on 5 April 2019 Members asked for some additional information regarding the access and yard area associated with the building. The application's agent has confirmed that the submitted drawings were incorrect and the access to the building was to be on the south east elevation (facing the farmstead rather than the road). Updated elevation drawings have been submitted to clarify this issue and will be presented at the meeting.

CONCLUSION

Given that this is a working farm in a rural landscape the principle of a replacement agricultural building is considered acceptable. while it is in relatively close proximity to other residential properties on the edge of the village it seeks to replace an existing, dilapidated building which has historically been used for housing livestock.

On the basis of the revised plan and balance of considerations, including the precedent of the existing building on this site, the proposed building is considered acceptable in this location.

0060/19 - Grimstone Manor, Horrabridge Scale 1:4,000 Jordan House eal is) Pit (dis) Monkswell H Path East Whea Robert (dis Grimstone Pit (dis) Cottage Ford Iss California Spreads Cottages Sks Shackleton Clouteron Farm Foxhams Farm

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4. Application No: 0060/19 District/Borough: West Devon Borough

Application Type: Full Planning Permission - Parish: Horrabridge

Householder

Grid Ref: SX516705 Officer: Mike Blissett

Proposal: Erection of single storey home office (annexe) on redundant tennis

court

Location: **Grimstone Manor, Horrabridge**

Applicant: Mr L Allers and Ms P Stephens

Recommendation That permission be REFUSED

Reason(s) for Refusal

1. The proposed building, by reason if its scale, massing, height and design would fail to demonstrate a scale and layout appropriate to the site and its surroundings and would not conserve or enhance the quality and distinctiveness of the built environment or local landscape character. In the absence of any overriding need the proposal would be contrary to policies COR1, COR2, COR3, COR4, COR18, DMD1a, DMD1b, DMD3, DMD5 and DMD7 of the Dartmoor National Park Development Plan and to the advice contained in the English National Parks & Broads UK Government Circular 2010, the National Planning Policy Framework 2019 and the Dartmoor National Park Design Guide 2011.

Introduction

Grimstone Manor is an unlisted Georgian manor house set in a park of some 8ha. There is a public footpath (which runs from north to south) to the east of the application site and the road immediately north of the Manor House is also a Public Right of Way. The site is surrounded by mature trees, limiting views from these footpaths and other public places.

This application is before the Committee due to the support of the Parish Council.

Planning History

0001/09 Erection of single storey five-bay shed for domestic garaging and storage

of horticultural maintenance equipment on redundant tennis court

Full Planning Permission Grant Conditionally 16 February 2009

O644/08 Change of use from group residence to private dwelling house

Change of Use Grant Unconditionally 05 December 2008

3/35/186/97/03 Construction of single storey extenstion to provide new dining room

Full Planning Permission Grant Conditionally 26 September

1997

3/35/022/93/01 Detached building providing ancillary accommodation in connection with

existing use.

Outline Planning Permission Refused 02 April 1993

3/35/002/92/01 Detached building providing ancillary accommodation in connection with

existing use.

Outline Planning Permission Withdrawn 13 July 1992

03/35/0043/86	wimming pool			
	Full Planning Permission	Grant Conditionally	24 March 1986	
03/35/1357/81	Construction of gardeners cott	of gardeners cottage on site of existing barn		
	Outline Planning Permission	Withdrawn	12 May 1982	
03/35/1603/78	Change of use from residential (including two flats) to a study centre providing constructive holidays.			
	Full Planning Permission	Grant Conditionally	22 March 1979	
03/35/0130/78	Conversion of barn to a cottage for horticultural unit			
	Full Planning Permission	Refused	07 April 1978	
3/35/707/75	Demolition of existing barn/stable and construction of a dwelling			
	Outline Planning Permission	Refused	14 November 1975	

Consultations

Environment Agency: Flood risk zone 1 - Standing advice applies.

West Devon Borough Council: Does not wish to comment.

County EEC Directorate: No highways objection.

Parish/Town Council Comments

Horrabridge PC: Support.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR4 - Design and sustainable development principles

DMD1b - Delivering National Park purposes and protecting Dartmoor National

Park's special qualities

DMD7 - Dartmoor's built environment

Representations

None to date.

Observations

USE

The applicant has stated the intention to use the unit as a home office for two occupiers of the main manor house to carry out office work and occasional spill-over work testing equipment etc. The applicant sells scientific equipment which often requires electronic/programming interfacing and which they would like to do at the home office rather than at their industrial unit (away from this property) since there is not any (equipment) building to do, and this would save on commuting and mean that they can work in relative peace and quiet. The equipment takes up a reasonable amount of space which is why they want a unit of this size rather than one that could only accommodate a couple of desks. The applicant does not propose to have other employees working in the building.

DESIGN

The building would feature gable ends, with a vaulted ceiling and mezzanine storage area. Black feather edge timber boarding with painted timber barge boards and a slate roof are the proposed finishes. Large, prominent windows in the gable ends, together with four rooflights, would illuminate the mezzanine level.

AMOUNT AND SCALE OF DEVELOPMENT

The proposed building would have a footprint of 128sqm and provide 111sqm of useable office accommodation (including mezzanine space with headroom up to 2.1m), 34sqm of mezzanine storage space, a kitchenette and a WC. Whilst the building has been described as single storey, its ridge would be 6.5m above ground level due to its width and the headroom of the mezzanine. Combined with its length, this would present considerable mass and bulk for a building described as an annexe.

The amount of internal floorspace and facilities is more suggestive of a freestanding business unit than a "home office". Despite the intended use proposed at this time, the building could potentially accommodate a number of workers in the future, introducing new vehicular movements to the area related to commuting and deliveries.

POLICIES

Policy COR1 - sustainable development within the Dartmoor National Park. The proposed development would fail to provide high quality design due to its setting. Freestanding buildings in the Park usually include agricultural dwellings, barns and public buildings such as visitor centres and public halls, in commensurate surroundings. In this location, the proposed building would be incongruous due to its mass, height and scale, and as such would not sustain the local distinctiveness, character, townscape, or the setting of settlements.

Policy COR4 requires that development proposals demonstrate a scale and layout appropriate to the site and its surroundings, conserving or enhancing the quality and distinctiveness of the built environment and local landscape character, as well as promoting the re-use and refurbishment of existing buildings. This would be a new, large, freestanding building, separated from and unrelated to the main Manor house, therefore at odds with the requirements of this policy.

Policy DMD1b states that development will only be provided for where it would conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park. The proposed development would fail to meet this requirement by virtue of its scale, mass, height and bulk and due to its introducing a commercial use onto the site.

Policy DMD7 requires high standards of design and construction to conserve and enhance the character of the local built environment and reinforce the distinctive qualities of places through the consideration of uses, scale, height and solid form. As stated above, this would be an incongruous new building, unrelated to its surroundings, which would fail to meet these requirements due to its use, scale, design, height and solid form, as stated above.

Policy DMD25 concerns ancillary residential accommodation. However, the applicant has explained that the proposed building will be used for business rather than residential use, so this policy does not apply.

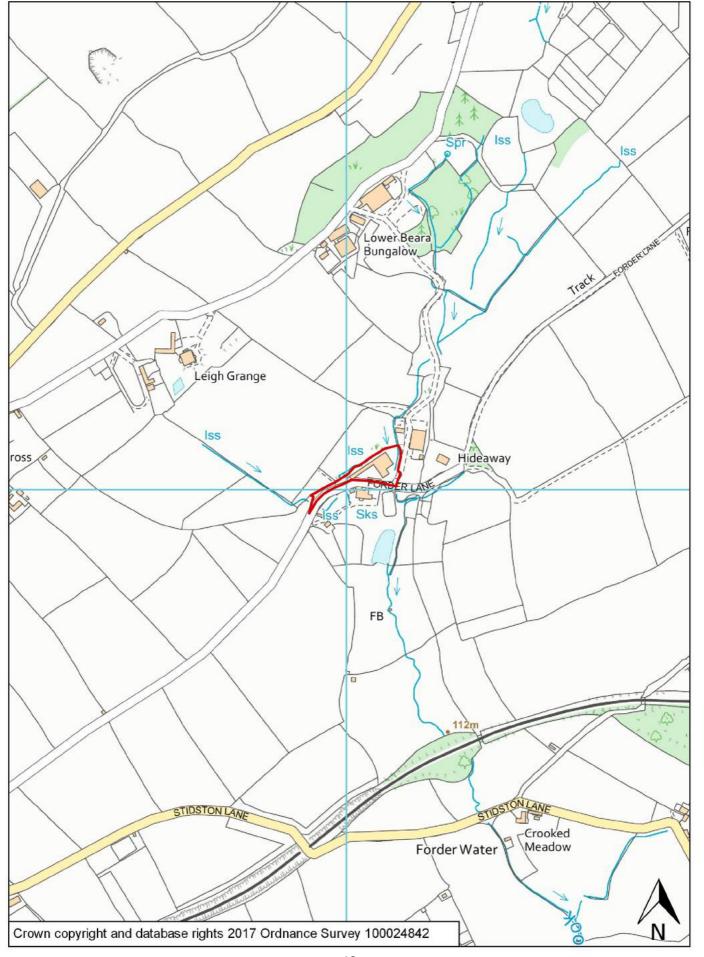
CONCLUSION

While Grimstone Manor is a substantial property, the proposed building will be set away from the house. It is a building of a significant scale which will have a detrimental impact in this location. The proposed use does not override the concerns in this respect.

0612/18 Forder Barns South Brent







5. Application No: **0612/18** District/Borough: **South Hams District**

Application Type: Full Planning Permission Parish: South Brent
Grid Ref: SX710610 Officer: Jo Burgess

Proposal: Change of use of and conversion of redundant agricultural barn with

renovation to form multi use accommodation including 3 workshops, a

studio, a 3 bed holiday let, a 1 bed holiday let, a 4 bed flat in

association with the studio and one of the workshops, retaining

existing south facing single storey barn E and demolish lean to barn C

and shed F

Location: Forder Barns, Forder,

South Brent

Applicant: Mr & Mrs S Gleed

Recommendation That permission be REFUSED

Reason(s) for Refusal

The proposed development would result in the creation of an unjustified openmarket dwelling in the countryside contrary to policies COR2, COR15, DMD1a, DMD9 and DMD23 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 National Planning Policy Framework 2019.

The proposed development would result in the creation of workshops and a design studio which constitute an unjustified and inappropriate form of business development in the countryside contrary to policies COR2, COR18, DMD1 and DMD9 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 National Planning Policy Framework 2019.

Introduction

Forder Barns are a group of substantial barns in open countryside outside South Brent. The barns are part of a historic farmstead and are considered to be a non-designated heritage asset.

It is proposed to convert the barns into a 4 bedroom flat for occupation by the owners in association with their use of a design studio and one of three workshops to be created, together with two holiday lets. In association with the work a modern lean-to and shed are to be demolished.

The application is presented to the Committee in view of the Parish Council comments and at the request of a Member.

Planning History

9/45/031/94/04 Change of use of barn for storage of sports products

Change of Use Grant Conditionally 06 June 1994

09/45/1405/80 Temporary use of mobile home during building of bungalow for

agricultural worker

Observations

INTRODUCTION

This application was the subject of pre-application discussions and although the issues raised initially regarding the conversion itself have been fully considered in this submission, there are fundamental policy objections to this proposal.

The applicants would occupy a four bedroom apartment with access to their design studio and workshop. The additional workshops would be rented out to local businesses. The three bedroom holiday let and one bedroom holiday let will be owned and managed by the applicants.

THE NON-DESIGNATED HERITAGE ASSET

The history of the barns is set out in the Heritage Statement within the Design and Access Statement. Briefly, the barns appear on the Historic Environment Record with the farmstead dating to 1279. They form an L shape. The barn facing south east has a date stone dating it to 1838. This stone building has a series of openings on the ground floor, some with original brick and granite lintels and at the first floor level ventilation slits, dove roosts and one pitching door. Although there has been some subdivision of the original spaces on the ground floor the large storage rooms on the first floor remain with original roof trusses. The barn facing south west appears to be a former threshing barn with access to the large open first floor via a stone staircase in the yard. The yard elevation at ground floor level has been the subject of more modern works to make a large opening enabling it's use as a vehicle and machinery store. There is a single storey stable at the south east end.

The barns are in good condition but the applicant has pointed out that they are likely to deteriorate without maintenance due to water penetration, some subsidence and a hole in the roof of the large barn.

POLICY

The conversion into three workshops, a studio, two units of holiday accommodation and a flat together with the demolition of two more modern structures has to be considered against policies COR2, COR15, COR18, DMD9 and DMD23.

The buildings are located in the open countryside where policies of development restraint apply. New development is guided to sustainable locations within settlements and not typically permitted in open countryside.

Policy DMD9 allows for the conversion of historic buildings in the open countryside only where the new use comprises business use or short stay tourist accommodation, will provide local community services or facilities or in the case where a business or community use has been shown not to be viable or feasible, will allow affordable housing for local persons or accommodation for local persons or accommodation for agricultural, forestry or rural enterprise workers. This is a sequential test and the policy does not allow for open market dwellings in barn conversions in line with COR15 and DMD23.

The four bedroom flat is contrary to policies COR2, COR15 and DMD23 because the applicants are not employed in agriculture, forestry or another essential rural business.

Business and community uses are considered to offer wider public benefits which residential uses do not, hence policy COR18 sets out very specific circumstances where local employment and business opportunities will be permitted in the open countryside but sets out in the supporting text that the residential aspect of live work units should be considered against COR15.

BUSINESS USES

The holiday lets are in accordance with policies DMD9 and DMD44 subject to the necessary tie as they constitute short stay accommodation in a converted historic building.

The design studio and one of the workshops (below the flat) are proposed for use by the applicants who have been running an interior design business and a small building company in Warwickshire. This element of the scheme amounts to a live work arrangement the residential element of which has been considered above in the context of COR15 and DMD23.

The uses proposed by the applicants would appear to be business uses supported by DMD9, however the proposal also needs to be assessed against policy COR18. This policy sets out very specific circumstances where local employment and business opportunities will be permitted. It is recognised that there is little public benefit from live work units because the sustainability of someone living where they work, is off set by the need to travel to obtain services.

It is noted that the development is not small scale and the business does not exist on the site at present. The buildings were formerly used for agriculture but the applicants are not taking on the agricultural holding. In addition the physical relationship between the proposed residential accommodation and the proposed workshops indicate a level of integration which could make it very easy for the residential accommodation to grow into the 'studio' and 'workshop' in future, resulting in loss of the business element and a very substantial dwelling. No phasing is proposed so there is no guarantee that the workshops to be let or the holiday lets will be implemented. In addition the provision of one of the workshops below a holiday let and the large workshop adjacent to other residential accommodation, would appear to compromise their attractiveness to potential occupants. Although insulation could be provided, without details of how this would affect historic floors the detailed impact of new uses on the building cannot be fully assessed.

It is noted that certain permitted development rights exist in respect of proposed use of agricultural buildings for business uses but no application has been made to establish if these rights exist for these buildings and so this is not a material planning consideration when considering the scheme before Members.

THE CONVERSION

The conversion of the buildings has been well detailed and carefully considered in the light of the pre-application advice with openings being retained and utilised, with a corrugated metal roof replacing a box profile roof containing suitably detailed continuous roof lights, slate roofs being retained on the majority of the building, glazing with internal bi-fold shutters, timber joinery and metal rainwater goods. Internally there is minimal disruption to existing fabric to create new openings, the partitions go up to the underside of the roof with roof lights set into the roof on the north west elevation out of public view and the removal of modern additions that will enhance the character and appearance of the barns. Overall the conversion is considered to be in accordance with the requirement within DMD9 for the building to be

Change of Use Grant Conditionally 31 October 1980

09/45/0048/78 Proposed change of use of single storey barn to retail of animal foods

Change of Use Refused 10 March 1978

Consultations

Environment Agency: Flood Risk Zone 1 - standing advice applies

South Hams District Council: Does not wish to comment

County EEC Directorate: On balance, there are no objections to the

proposals.

DNP - Ecology & Wildlife

Conservation:

Works shall not proceed until a European Protected Species Licence (EPSL) for the development has been

obtained from Natural England.

Works to proceed in strict accordance with the approved drawings and the recommendations in Section 5 of the bat emergence survey report (Western Ecology, 25/9/18), subject to any variation required by Natural England under

any license issued.

Parish/Town Council Comments

South Brent PC: The Parish Council supports this application, to preserve

barns worthy of preservation, to protect the wildlife habitat

and to make retention of the barns viable.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR14 - Meeting the infrastructure requirements of new development

COR15 - Providing for limited new housing to meet local needs

COR18 - Providing for sustainable economic growth

COR2 - Settlement Strategies

COR3 - Protection of Dartmoor's special environmental qualities

COR5 - Protecting the historic built environment

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

DMD14 - Biodiversity and geological conservation

DMD1a - Presumption in favour of sustainable development

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

DMD23 - Residential development outside Local Centres and Rural Settlements

DMD3 - Sustaining the quality of places in Dartmoor National Park

DMD44 - Tourist accommodation

DMD8 - Changes to Historic Buildings

DMD9 - The re-use and adoption of historic buildings in the countryside

Representations

1 letter

One letter of support raising issues relating to ecology has been received.

capable of conversion without the need for substantial extension, alteration or reconstruction of the existing structure. Indeed the removal of the two modern structures are to be welcomed.

CONCLUSION

The residential use is contrary to policy and although a legal agreement could be imposed to tie the residential element to the workshops, studio and holiday lets this should only be considered in accordance with policies COR15, COR18 and DMD23 where the business element constitutes an essential rural business.

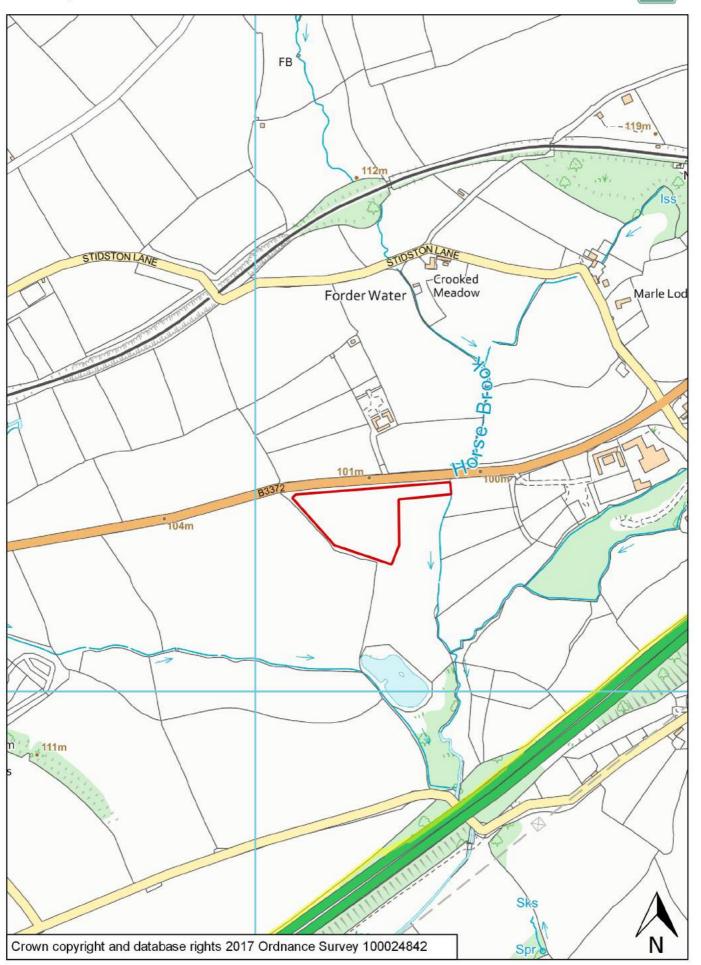
The applicants do not operate an essential rural business and there are no operational demands which require them to live in close proximity to the workshop or the studio. In reality these elements are part of the already large residential unit of accommodation.

Although the holiday lets are in accordance with policies COR18 and DMD9, this should not over-ride the fundamental objection to the creation of an open market dwelling in the countryside.

0052/19 - Land near South Brent







6. Application No: 0052/19 District/Borough: South Hams District

Application Type: Full Planning Permission Parish: South Brent
Grid Ref: SX711602 Officer: Jo Burgess

Proposal: Construction of veterinary centre, formation of access track/parking

areas and landscaping works

Location: Land South of B3372, South

Brent

Applicant: Blackdown Equine Practice

Recommendation That permission be REFUSED

Reason(s) for Refusal

- The proposed development is positioned in an unsustainable location in the open countryside and is not providing a local employment or business considered to be appropriate in this location, essential to be in this location or for which there is appropriate justification. It is therefore considered to be contrary to policies COR1, COR2, COR18 and DMD1a of the Dartmoor National Park Development Plan and to the advice contained in the English National Parks and the Broads UK Government Vision 2010, the National Planning Policy Framework 2019 and the Dartmoor National Park Design Guide.
- 2. The proposed development by reason of its design and isolated location will be visually intrusive in the landscape and have a detrimental impact on the character and appearance of this part of the Dartmoor National Park landscape contrary to policies COR1, COR3, COR4, DMD1b, DMD5 and DMD33 of the Dartmoor National Park Development Plan and to the advice contained in the English National Parks and the Broads UK Government Vision 2010, the National Planning Policy Framework 2019 and the Dartmoor National Park Design Guide.

Introduction

The land to which this application relates is a field between South Brent and Marley Head to the south of the B3372.

It is proposed to construct a veterinary centre, form an access track and parking areas and carry out associated landscaping works.

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

Consultations

Environment Agency: Flood Risk Zone 1 - standing advice applies

South Hams District Council: No objection

DNP - Ecology & Wildlife

Conservation:

No objection on ecology grounds, subject to a condition requiring a revised and updated ecological appraisal and mitigation plan to be submitted and approved by the Authority, showing how the environment, habitats and species will be protected and where possible enhanced

during the works.

DNP - Trees & Landscape:

The location, site layout, scale and design does not conserve what is special or locally distinctive about the landscape character, it is an unsympathetic development that will harm the wider landscape and will increase light pollution. The development will be visually intrusive and be poorly related to other farm buildings or settlements.

Devon County Council (Flood Risk):

The submitted drainage report determines soakaways to be unviable and recommends that the site should attenuate and discharge to the watercourse at greenfield runoff rates. It is unclear whether the watercourse is within land owned by the applicant or not, and whether a connection to a watercourse is feasible. We would recommend that this is confirmed at this stage and that details clarifying and demonstrating the surface water drainage system are submitted.

If you are minded to approve the planning application, then

we would recommend conditioning for a detailed design of the permanent surface water drainage system and that confirmation of a connection to the watercourse is provided as part of this condition. Details for maintenance (who shall maintain; what they will maintain; how they will maintain) and exceedance flow routes should also be submitted. No objections to the proposal but raise some concern over the lack of reference to security for the premises.

No development will be permitted within 3m of the water main and ground cover should not be substantially altered.

Should the development encroach on the 3m easement, the water main will need to be diverted at the expense of the applicant.

A plan, showing suitable visibility from the proposed access to a derestricted 'B' class road based on a full topographic survey should be provided. This should indicate sight lines of 2.4m x 160m in both directions from the access, which is appropriate for the observed 85 percentile speed of approximately 50mph. This will be especially important having regard to the type of vehicles (slower-moving horse boxes and towed horse boxes) that may be using the access.

A condition requiring the provision of the access, parking facilities, commercial vehicle loading/unloading area, visibility splays, turning area, access drive and access drainage before occupation should be applied.

Devon & Cornwall Constabulary: South West Water:

County EEC Directorate:

Parish/Town Council Comments

South Brent PC: Supports this application which has a proven need and will bring benefits of employment and kudos to South Brent. In respect of the original scheme, concerns were expressed regarding the highway access. The latest details are noted.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR15 - Providing for limited new housing to meet local needs

COR18 - Providing for sustainable economic growth

COR2 - Settlement Strategies

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

COR24 - Protecting water resources from depletion and pollution

COR3 - Protection of Dartmoor's special environmental qualities

COR4 - Design and sustainable development principles

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

COR8 - Meeting the challenge of climate change

COR9 - Protection from and prevention of flooding

DMD14 - Biodiversity and geological conservation

DMD1a - Presumption in favour of sustainable development

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

DMD23 - Residential development outside Local Centres and Rural Settlements

DMD3 - Sustaining the quality of places in Dartmoor National Park

DMD33 - Horse related development

DMD38 - Access onto the highway

DMD5 - National Park Landscape

DMD7 - Dartmoor's built environment

Representations

5 letters of support

Letters of support state that this would make an accessible veterinary base for local horse owners in the nearby vicinity and would be far simpler to access than other more distant surgical facilities. The applicants have been highly respected, dedicated and well known in the South Hams area for some years. It is also considered that, with its sympathetic and unobtrusive design, it will soon blend in.

Observations

INTRODUCTION

The applicant is an established farm animal and equine veterinary practice operating from premises near Totnes. The company requires a new purpose built premises with a base near the A38 to serve the South Devon and Dartmoor catchment.

THE PROPOSAL

It is proposed to erect a detached building to accommodate a surgery, stables, consultation rooms, offices and an overnight staff amenity facility, with access via a new vehicle access and track from the B road. New hedges are proposed together with lunging circles with a fibre sand finish.

POLICY

An overnight staff amenity facility is proposed. Under the terms of policies COR2, COR15 and DMD23 in order to ensure that a new unjustified dwelling is not created in the countryside, a condition restricting its use to that related to the facility would be necessary.

The building amounts to a new equine business in the open countryside. Policy DMD33 requires that where commercial equine enterprises are proposed a wider environmental assessment will be required and it has to be demonstrated that on its own or cumulatively with other nearby horse related development, it will not harm local landscape character. Stidston Stables is located to the east on the edge of other buildings and to the north of the road is a well screened stable building.

Policies COR1, DMD1a and COR18 require new employment sites to be provided within existing centres in the interests of sustainable development, other than in very specific circumstances. In terms of COR18 it could be argued that this facility is development to assist the agricultural sector or another rural enterprise with strong links to the cultural heritage of Dartmoor in terms of Dartmoor ponies and the role of horses for agricultural and recreational purposes.

The applicants state that they have outgrown their current premises and highlighted specific requirements for a safe, clean and controlled environment, secure grazing, minimal noise disturbances, easy road access for horse trailers and a rural location to allow horses to run out and be observed.

The applicants have also set out that they have considered a variety of sites in the vicinity and along the A38 corridor but these have been discounted for a number of reasons. They argue that in accordance with the guidance in the National Planning Policy Framework 2019 this facility will meet the needs of the rural economy. It is also argued that 3 new full time jobs will be created and the business will bring economic benefits to the local economy.

Officers accept that information has been provided relating to alternative sites. Clearly the facility will be in a convenient location and serve the rural hinterland including the National Park, however there is no essential requirement for this business to be located in this isolated location within the National Park. The location of such a business in the open countryside can only be justified if there are exceptional circumstances and it is not considered that sites outside the National Park have been explored fully or that this is truly the only site which could accommodate the needs of the applicant. It is a parcel of agricultural land that is available and gives the applicants the space they need and is in a convenient location.

LANDSCAPE AND VISUAL IMPACT

Policy DMD5 is the critical policy which makes reference to the Landscape Character Assessment. The site is a field with an existing gateway from the main road. The applicants have demonstrated that none of the hedge which forms the boundary with the road will have to be removed to achieve the necessary visibility splays. The hedge in places is in poor condition. The field is a pastoral field enclosed with banks with mixed native hedgerow growing on top. The field system is likely to be mid to late medieval and in recent times several historic field boundaries have been removed to amalgamate fields.

The site is located on 'Inland Elevated Undulating Land' (Landscape Character Type 5A). The small hamlet of Stidston lies to the east and the Local Centre of South Brent to the west. The A38 lies to the south and the main railway line to the north. The proposed development will be

an isolated development which does not reflect the building pattern found in this locality and it will therefore have a detrimental impact on the character and special qualities of the landscape.

The building has been designed to have the impression of being a farm building with a metal roof and timber cladding, however the roof alignment due to the L shaped design, results in a building which is not agricultural in its form and the rooflights, louvres and glazing in the gable facing the road are details which further add to the impression of a new non-agricultural building in the open countryside. Although hedge planting is proposed and there are existing hedges which provide screening from certain locations at times of the year, officers are of the view that it will be visually intrusive from Portford Lane to the South and from Brent Hill to the north, from where it will appear as an isolated structure that has little relationship with other structures and settlements. It is therefore considered contrary to policy DMD5.

TRANQUILLITY

The extent of the glazing raises concerns regarding light pollution in an isolated location having an impact on tranquillity.

ECOLOGY

A preliminary ecological appraisal has been submitted. If permission were to be granted an additional updated ecological appraisal and mitigation plan is considered to be necessary to ensure the protection of wildlife and supporting habitat to secure opportunities for the enhancement of the nature conservation value of the site in line with policies COR7 and DMD14.

HIGHWAYS

The original plans were not sufficient to demonstrate to the Highways Officer that sight lines were possible in both directions from the access appropriate to allow for traffic speeds of 50mph. Additional plans were submitted showing the necessary visibility splays. From a highway safety point of view the application now meets the requirements of policy COR21.

SURFACE WATER DRAINAGE

The access track will have a permeable surface and drain by onsite infiltration from the building. A private drainage system for foul water will discharge into the watercourse subject to the necessary licences. DCC Flood Risk has recommended a condition requiring a detailed design of the permanent surface water drainage system and confirmation of a connection to the watercourse to ensure that there is no impact on the flood zone to the south. Subject to a condition being imposed the proposal is considered to be in accordance with policies COR8, COR9 and COR24.

CONCLUSION

Although the applicant explains that there are no other viable sites that meet their specific business needs and there will be direct economic benefits from the business and it will be of benefit to local users, officers are not convinced that it is essential for this business to be in this location or that there are exceptional circumstances which justify the location of a new business in this isolated location in the open countryside. Where there would be a harmful impact on National Park interests. It is therefore considered to be contrary to policies COR2 and COR18.

In addition although the applicant has taken into account design and siting issues, the built form is not considered to be appropriate in the context of policies COR4 and DMD7.

This is a significant development outside of a settlement where the impact will be harmful. The economic benefits are not considered to override the first purpose of National Park designation. The Government has confirmed that the conservation of the scenic beauty and landscape of the National Parks must be given great weight in the planning policies that apply and the Development Management decisions that are made. Policy DMD5 is the critical policy which seeks to conserve and enhance the character and special qualities of the Dartmoor landscape. The proposal will be in direct conflict with this policy objective.

0461/18 Land at Spindles Ashburton Scale 1:2,500

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7. Application No: 0461/18 District/Borough: Teignbridge District

Application Type: Full Planning Permission Parish: Ashburton

Grid Ref: SX753707 Officer: Jo Burgess

Proposal: Erection of dwelling and removal of existing mobile home

Location: Land at Spindles, Rew Road,

Ashburton

Applicant: Ms C Ballard

Recommendation That permission be REFUSED

Reason(s) for Refusal

1. The proposed erection of a dwelling in a location outside a classified settlement is unsustainable development, contrary to policies COR1, COR2, COR15, DMD1a, DMD1b and DMD23 of the Dartmoor National Park Development Plan and to advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2019.

The design and massing of the proposed dwelling is harmful to the character and appearance of this part of Dartmoor National Park and contrary to policies COR1, COR2, COR4, DMD1a, DMD1b, DMD3 and DMD7 of the Dartmoor National Park Development Plan and to advice contained in the Dartmoor National Park Design Guide and the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2019.

Introduction

Spindles is a detached dwelling in the open countryside near to Ashburton, set within a large garden area. A Certificate of Lawfulness for Existing Development was granted in 2011 for the siting of a mobile home for residential purposes on an area previously used as a vegetable garden.

It is proposed to replace the mobile home with a permanent dwelling.

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

Planning History

Use of land for the siting of a mobile home used for residential purposes

Certificate of Lawfulness for Certificate issued 16 December 2011

an existing use

05/31/3384/87 Erection of 3-bedroomed house

Outline Planning Permission Refused 04 March 1988

Appeal lodged: 07 October 88 Result: Dismissed

Consultations

Environment Agency: The applicant should make use of infiltration devices if the

infiltration testing proves viable in line with the surface water management hierarchy. The Flood Risk Assessment dated June 2018 states, in Section 5.1.9, that percolation

tests are being carried out and if favourable rates are produced, an infiltration trench will be provided. The Agency recommends that the infiltration trench is designed if soil infiltration rates are favourable.

If infiltration is not viable at the site, the applicant has produced an alternative attenuation based surface water

drainage strategy.

The Environment Agency (EA) should be consulted on this proposal as it falls within Flood Zone 3 of the EA Flood

Map for planning.

Following further correspondence it has been confirmed that a condition regarding infiltration testing is acceptable.

Teignbridge District Council: Does not wish to comment County EEC Directorate: No highway implications

DNP - Trees & Landscape: No objection - the proposed development will have minimal

impact on the character of the area and minimal visual

impact

DNP - Ecology & Wildlife

Conservation:

The recommendations of the report, especially for the retention of the hedge should be a condition of approval. The Flood Risk Assessment (FRA) states that percolation

Devon County Council (Flood Risk):

tests are being carried out and if favourable rates are produced, an infiltration trench will be provided. If infiltration is not viable the applicant has produced an alternative attenuation based surface water drainage strategy. As the site falls within Flood Risk Zone 3 we recommend the Environment Agency are consulted.

Parish/Town Council Comments

Ashburton TC: Support - will improve the site

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR2 - Settlement Strategies

COR24 - Protecting water resources from depletion and pollution

COR3 - Protection of Dartmoor's special environmental qualities

COR4 - Design and sustainable development principles

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

COR8 - Meeting the challenge of climate change

COR9 - Protection from and prevention of flooding

DMD14 - Biodiversity and geological conservation

DMD1a - Presumption in favour of sustainable development

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

DMD23 - Residential development outside Local Centres and Rural Settlements

DMD24 - Extensions and alterations to dwellings

DMD27 - Replacement dwellings in the countryside

DMD3 - Sustaining the quality of places in Dartmoor National Park

DMD5 - National Park Landscape

DMD7 - Dartmoor's built environment

Representations

1 letter of objection 1 other letter

One neighbour raises a question regarding flood risk and states that nobody has been living in the caravan for well over 2 years. Another neighbour raises concerns regarding water pressure in the pipes running along the land and increased risk of damage to Old Barn.

Observations

INTRODUCTION

The site is on the edge of Ashburton but in open countryside where policies COR15 and DMD23 apply. There is an existing mobile home on the land which has the benefit of a Certificate of Lawfulness for the 'use of land for the siting of a mobile home for residential purposes'.

This application for an open-market dwelling in the countryside has been advertised as a departure, however the Certificate of Lawfulness is a material planning consideration.

The applicants were advised at pre-application stage that because the mobile home is not a dwellinghouse, policy DMD27 which deals with replacement dwellings does not strictly apply. If the caravan is to be replaced by something other than another caravan, there would therefore need to be some overriding justification and significant planning gain that does not cause any material harm to the area.

PLANNING HISTORY

Outline permission for a three-bed dwelling house on the land was refused in 1988 and the subsequent appeal dismissed on grounds of it being sporadic development and on highway safety grounds. The intervening Certificate of Lawfulness and lack of a highway objection mean that this earlier decision should be given little weight.

The Certificate of Lawfulness issued in 2011 is referred to elsewhere in this report.

THE FALL BACK POSITION

As part of his justification, the applicant argues that, should this application be refused, his 'fall-back position' is that the existing mobile home could be replaced with a larger unit of 134sqm (approximately 268m3 and twice the size of the existing).

Officers have sought legal advice on this point and have been advised that the Certificate of Lawfulness granted in 2011 confirms the lawfulness of the siting of a mobile home for residential purposes only on an area of land shown edged in red on the plan annexed to the Certificate. The red line was drawn tight around the footprint of the existing caravan to illustrate that the certificate only applies to that particular part of the property. The Certificate also confirmed that the Authority had not been provided with sufficiently clear and precise

information to satisfy it that the surrounding land had been used ancillary to the mobile home and as such, it cannot be used for the siting or extension of a mobile home, or for any use ancillary to the mobile home.

It is the Authority's opinion therefore that the only fall-back position is that the Applicant may be able to replace the existing mobile home with another mobile home without the need for planning permission, provided: (1) it fits within the red line on the 2011 CLEUD plan; (2) it falls within the legal definition of a caravan; and (3) the replacement does not constitute a material change of use (which will be a matter of fact and degree in each case).

POLICY

No specific policy relates directly to the replacement of mobile homes with permanent structures in the National Park; the closest policy within the Development Plan relating to this proposal is DMD27 which refers to replacement dwellinghouses. Nevertheless, the Authority has granted permission for such developments in a few circumstances.

On each occasion that such a permission has been granted under the current development plan, the replacement building has been on the same or very similar footprint as the former caravan, or it has been extended into adjoining land lawfully used in association with the existing caravan.

SIZE – Policy DMD27 limits the size of replacement dwellings to a 15% increase in volume. By way of comparison, the floor area of the existing mobile home is 27sqm and the volume approximately 54m3, whereas the submitted proposal amounts to a floor area of approximately 95sqm giving an approximate volume of 300m3.

ENERGY EFFICIENCY - Policy DMD27 also requires that there is a major additional improvement in energy efficiency which could not be achieved by modification or adaption of the existing building.

Clearly the new dwelling will be built to current building regulations, will incorporate photovoltaic panels and will result in a significant improvement in energy efficiency which could not be achieved by modification or adaptation of the existing mobile home so meets the sustainability tests in DMD1a and DMD3.

DESIGN AND APPEARANCE - Policy DMD27 requires that the replacement will enhance the local environment. The proposed dwelling is an over-complicated timber clad 'L' shaped structure with a slate roof on the main house and zinc over the veranda, metal flue visible in the public domain and photovoltaics facing south west into the garden. Windows and doors will be timber with stainless steel guttering. The flue pipe can be conditioned to be painted black.

Overall, due to the design, massing and location of the proposed dwelling, this is not considered to be appropriate or an enhancement of the area. A simpler and more modest design would be more appropriate in this rural setting in accordance with COR4 and DMD7.

OTHER MATTERS

Although some additional traffic will be generated on the public right of way, the fact that the caravan has been lived in is a factor and in this context the proposal is considered to be in accordance with DMD42.

In terms of Ecology the recommendations of the report, especially for the retention of the hedge could be a condition of any approval.

In terms of flood risk the site falls within Flood Risk Zone 3 so policy COR9 applies. The EA and DCC have confirmed that in light of the FRA a condition in respect of drainage plans and infiltration tests is acceptable if permission were to be granted.

CONCLUSION

In light of the legal advice received, officers consider that the only fall-back position available to the applicant is that the existing mobile home can be replaced within the planning unit as defined by the red line on the plan accompanying the Certificate of Lawfulness and NOT with a larger mobile home which would extend outside this line.

The principle of replacing the mobile home with a permanent dwelling may be acceptable in terms of thermal and energy efficiency but in order to be considered an enhancement in this discreet location, it would need to be of a similar scale to that of the existing mobile home.

The erection of a relatively large replacement dwelling which, by virtue of its size, design and location is contrary to policies COR1, COR2, COR4, COR15, DMD1, DMD7, DMD23 and DMD27 of the Dartmoor National Park Development Plan and to the advice in the Dartmoor Design Guide, cannot be justified in this rural location and it is therefore recommended that permission be refused.

0114/19 3 New London Princetown







8. Application No: 0114/19 District/Borough: West Devon Borough

Application Type: Full Planning Permission - Parish: Dartmoor Forest

Householder

Grid Ref: SX593737 Officer: Jo Burgess

Proposal: Erection of two-storey side extension to dwelling

Location: 3 New London, Princetown

Applicant: Mr & Mrs Harries

Recommendation That permission be REFUSED

Reason(s) for Refusal

The proposed extension by virtue of its inappropriate scale, massing and design would fail to conserve or enhance, and would be detrimental to, the character and appearance of the cottage (a non-designated local heritage asset) contrary to policies COR1, COR3, COR4, COR5, DMD1a, DMD1b, DMD3, DMD7, DMD8 and DMD24 of the Dartmoor National Park Development Plan and to the advice contained in the English National Parks and the Broads UK Government Vision Circular 2010 and the National Planning Policy Framework 2019 and the Dartmoor National Park Design Guide.

Introduction

3 New London is a modest semi-detached property. It is set back from a private road, which is accessed from the B3212, in open countryside on the outskirts of Princetown.

It is proposed to erect a two-storey extension at the side of the property which amounts to a 83% increase in habitable floor area.

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

Planning History

0371/18 Erection of two-storey side extension

Full Planning Permission - Refused 05 November 2018

Householder

0198/14 Single storey side/rear extension to dwelling

Full Planning Permission - Grant Conditionally 02 June 2014

Householder

3/55/033/93/03 Demolition of extension and construction of new single storey extension

Full Planning Permission Grant Unconditionally 02 April 1993

03/40/1827/80 Internal alterations including forming bathroom and rebuilding

conservatory and the addition of a porch

Full Planning Permission Grant Unconditionally 12 January 1981

Consultations

Environment Agency: Flood Risk Zone 1 - standing advice applies

West Devon Borough Council: Does not wish to comment

County EEC Directorate: No highway implications

DNP - Ecology & Wildlife No objection subject to the recommendations of the bat

Conservation: and bird inspection and emergence survey report (Paul R

Gregory, July 2018) being followed and an informative

regarding protected species.

Parish/Town Council Comments

Dartmoor Forest PC: The PC unanimously resolved to support this application.

The applicant explained to the PC that he had considered the reasons for the previous application being refused and had adjusted the plans for this application accordingly. The PC are of a view that this application should be supported as it enables the property to be used by a young family who are committed to living and working in the village.

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

COR5 - Protecting the historic built environment

DMD1a - Presumption in favour of sustainable development

DMD1b - Delivering National Park purposes and protecting Dartmoor National

Park's special qualities

DMD24 - Extensions and alterations to dwellings

DMD3 - Sustaining the quality of places in Dartmoor National Park

DMD7 - Dartmoor's built environment

DMD8 - Changes to Historic Buildings

Representations

20 letters of support

The application is supported on grounds that the applicants are a young family trying to stay in the village and that the position and size of the extension is acceptable in light of other extensions to nearby cottages. Reference is also made to the unsafe staircase and the role of the applicants in the local community.

Observations

INTRODUCTION

New London is a group of eight cottages which is a fine example, very rare on Dartmoor, of industrial housing specifically built for tin miners. Built between 1872-3, they were originally inhabited by workers employed at Whiteworks Mine and for this reason the group appears on the Historic Environment Record. They were built as pairs of semi detached cottages with a single storey lean-to and access from the side.

THE PROPOSAL

This application follows the refusal of a previous application considered by Members following

a site inspection.

The proposed ridge of the extension is 1.86m below that of the main ridge of the house. Previously the development extended 7m from the main side wall of the existing house. It now is proposed to extend 5.3m from the main side wall of the existing house (4.24m from the side wall of an existing single storey side porch). The extension was previously flush with the front elevation of the cottage but it is now set back 1m from the front of the cottage, however as a result it extends to the rear elevation of the main cottage thus resulting in the side window in the main cottage being lost.

Previously two dormers were proposed on the north east and south west elevations whereas one is now proposed in each elevation set back into the roof rather than continuing into the roof from the eaves.

The resultant substantial two-storey extension to the side of the existing cottage, amounts to an 83% increase in habitable floor area.

PLANNING POLICIES

Policy DMD7 requires that, development should conserve and enhance the local built environment and reinforce the distinctive qualities of places. The Design Guide states that scale is the major issue with all extensions to existing properties. Extensions should not overwhelm the original building - a small original building has less opportunity for extending. Side extensions should not have a width greater than half the width of the front of the original house.

Policy DMD24 requires that extensions represent a design approach that reflects the principles of the guidance on extensions and alterations to dwellings set out in the Dartmoor Design Guide, will not adversely affect the appearance of the dwelling, its curtilage or immediate surroundings, even if not generally visible from public viewpoints and the total habitable floorspace, unless design considerations indicate otherwise, will be increased by more than 30%. The applicants argue that because the property is well screened and only visible from a distance that there is little or no harm but DMD24 makes it very clear that harm does not depend on whether or not the development is generally visible from public viewpoints.

LAYOUT

The property has two bedrooms. It is proposed to add one bedroom at first floor level. The rooms at first floor level have limited head height in part due to the inclusion of dormer windows. There is currently no first floor bathroom so an en-suite and separate family bathroom are included in the extension, together with a new staircase. It is argued that the existing stairs are dangerous so a new set meeting current building regulations is proposed in the extension with the existing stairs being removed.

The position of the extension no longer retains the only ground floor window to the existing lounge but with the removal of the staircase the lounge will extend to the front of the property where there is an existing window in the south west elevation. The ground floor will contain a kitchen dining room, ground floor WC and the new staircase.

DESIGN AND MASSING

The advice in the adopted Design Guide is very clear and is especially relevant given that

these unique cottages were designed as symmetrical pairs of cottages. Although the extension has been reduced in width the proposed extension is well over double the width of the cottage, rather than it projecting less than half the width of the existing cottage as set out in the Design Guide.

It is acknowledged that the line of the main extension is now set back 1m from the front elevation, whereas previously the ground floor porch extended 800mm beyond the front elevation and that the dormers have been set back into the slope of the roof.

However, the percentage increase reflects the fact that the proposed extension will clearly overwhelm this modest cottage and in the context of the Design Guide and policies DMD7 and DMD24 in particular is considered to be unacceptable.

It is acknowledged that both 5 and 6 New London have been extended. Number 5 was extended first in 1988 before the current policies and design guide were in place. The extension given permission in 2014 for the same property, constituted a ground floor single storey extension set towards the rear of the property and it was concluded that the proposed extension, because it was set back from the front of the house, was sympathetic to the scale and proportions of the main building. Number 6 was extended in 1993 prior to the existing policy regime.

HERITAGE ISSUES

The cottages appear on the Historic Environment Record and as such should be considered as a non-designated heritage asset. Policy DMD8 requires that the Authority comes to a balanced judgement where applications affect non-designated assets, having regard to the scale of any harm and the significance of the asset.

REPRESENTATIONS

A large number of letters of support have been received. All refer to the small size of the property, the unsatisfactory layout, the fact that the applicants operate a business in the village and wish to stay there with their young family.

The Parish Council has supported the application acknowledging the 30% rule and impact on the frontage and referring to the size and layout issues, but also to the fact that the property is not visible from the road or adjoining properties due to the high natural fences provided by surrounding trees.

CONCLUSION

It is acknowledged that the property is small, that a home office is not unreasonable and that the applicants make a contribution to the local community; however this is not a material planning consideration when considering an application to extend a modest dwelling of historic interest.

It is recognised that the property is enclosed at the front and side by a hedgebank, there are substantial trees on the boundary with number 2 and it has a wide garden to the side. It is acknowledged that the applicants have sought to address some of the previous concerns, setting back the extension, reducing its width and setting the dormers into the roof; however it is considered that the design, size and massing of the proposed extension would overwhelm this modest property as well as compromise the symmetry of the pair, to the detriment of the

original historic and distinctive character of the property itself and the group as a whole.

Members may recall that at the previous meeting they acknowledged that the property needed modernising and extending but agreed with officers that the baseline for a 3 bed should be used. The National Housing standards give a figure of 93sqm plus 30% max resulting in approximately 120sqm being considered reasonable.

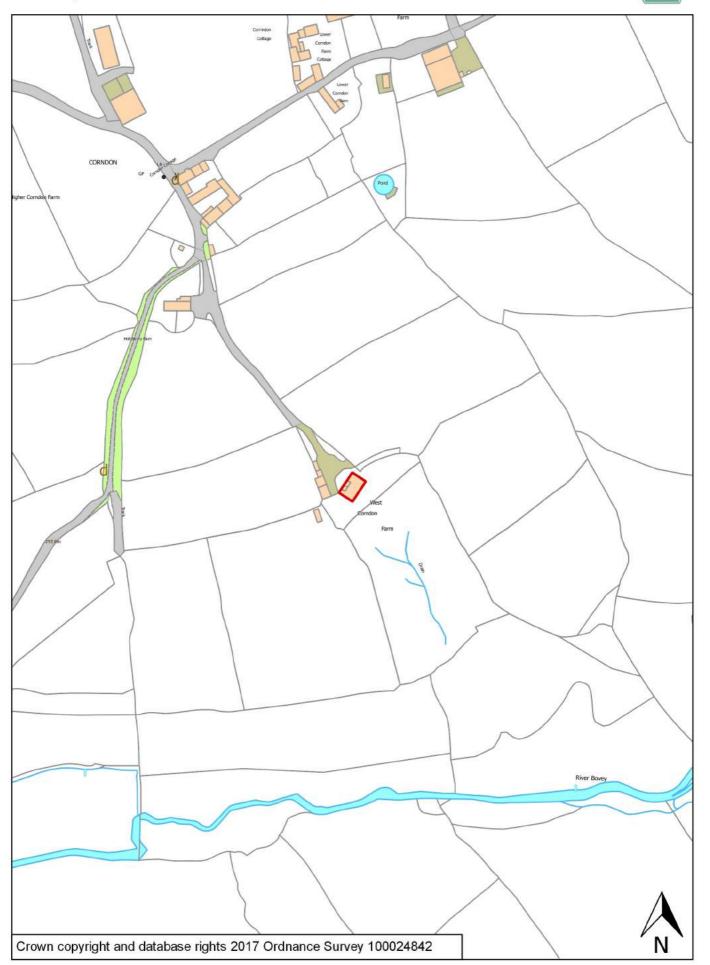
This proposal would result in a property of 146.6sqm. There are no clear and over-riding design grounds for accepting a substantial increase in floor area beyond the 30% permitted by policy DMD24. Maintaining a stock of modest size dwellings remains an important objective of this policy.

The recommendation is therefore to refuse planning permission.

0022/19 West Corndon Chagford







Application No: 0022/19 District/Borough: West Devon Borough

Application Type: Full Planning Permission -Parish: Chagford

Householder

Grid Ref: SX692850 Officer: Jo Burgess

Proposal: Modification of existing dwelling including re-establishment of second

storey to store

Location: West Corndon, Chagford

Applicant: Mr & Mrs H Cooke

Recommendation That permission be REFUSED

Reason(s) for Refusal

1. The proposed extension by virtue of its inappropriate scale, massing and design would fail to conserve or enhance, and would be detrimental to, the character and appearance of the dwelling (a non-designated local heritage asset) contrary to policies COR1, COR3, COR4, COR5, DMD1a, DMD1b, DMD3, DMD7, DMD8 and DMD24 of the Dartmoor National Park Development Plan and to the advice contained in the English National Parks and the Broads UK Government Vision Circular 2010 and the National Planning Policy Framework 2019 and the Dartmoor National Park Design Guide.

Introduction

West Corndon is a detached farmhouse in open countryside near Chagford.

It is proposed to erect an extension over an existing store to the side and rear of the existing dwelling.

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

Planning History

0611/18 Modification of dwelling and erection of single storey extension to form

garden room

Full Planning Permission -Withdrawn 14 December 2018

Householder

0141/02 Convert redundant barn into holiday let

> Full Planning Permission Grant Conditionally 13 May 2002

Consultations

Environment Agency: Flood Risk Zone 1 - standing advice applies

West Devon Borough Council: Does not wish to comment County EEC Directorate: No highway implications

DNP - Archaeology: No archaeological concerns are anticipated for the

proposed development

DNP - Ecology & Wildlife

An ecological survey report (David Wills, 22 October 2018) Conservation: has been submitted. The survey methods, presentation of

results and recommendations are satisfactory. The

recommendations of the report should be a condition of approval.

Parish/Town Council Comments

Chagford PC: Support - will enhance the property

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

COR5 - Protecting the historic built environment

COR6 - Protecting Dartmoor's Archaeology

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

DMD13 - Archaeology

DMD14 - Biodiversity and geological conservation

DMD1a - Presumption in favour of sustainable development

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

DMD24 - Extensions and alterations to dwellings

DMD3 - Sustaining the quality of places in Dartmoor National Park

DMD4 - Protecting local amenity

DMD8 - Changes to Historic Buildings

Representations

None to date.

Observations

INTRODUCTION

This application follows the withdrawal of the previous application and negotiations during the course of this application where alternative schemes have been suggested by the applicant and the officer; however it has not been possible to achieve a design which both parties have been able to agree to.

POLICY

Policies COR3, COR4, COR5, DMD3, DMD4, DMD7, DMD8 and DMD24 are most relevant. In terms of DMD24 there are differences between the parties regarding the percentage increase resulting from the extension. The applicant calculates the increase to be 31.98%. Officers calculate the increase to be 32.58%.

West Corndon is a historic farmstead and designated as a non-designated heritage asset. Policy DMD8 requires development relating to heritage assets to be assessed against its impact on the significance, form, quality and historic or architectural interest of the building. The design and massing of the proposed extension is such that it is not considered to be appropriate in this setting.

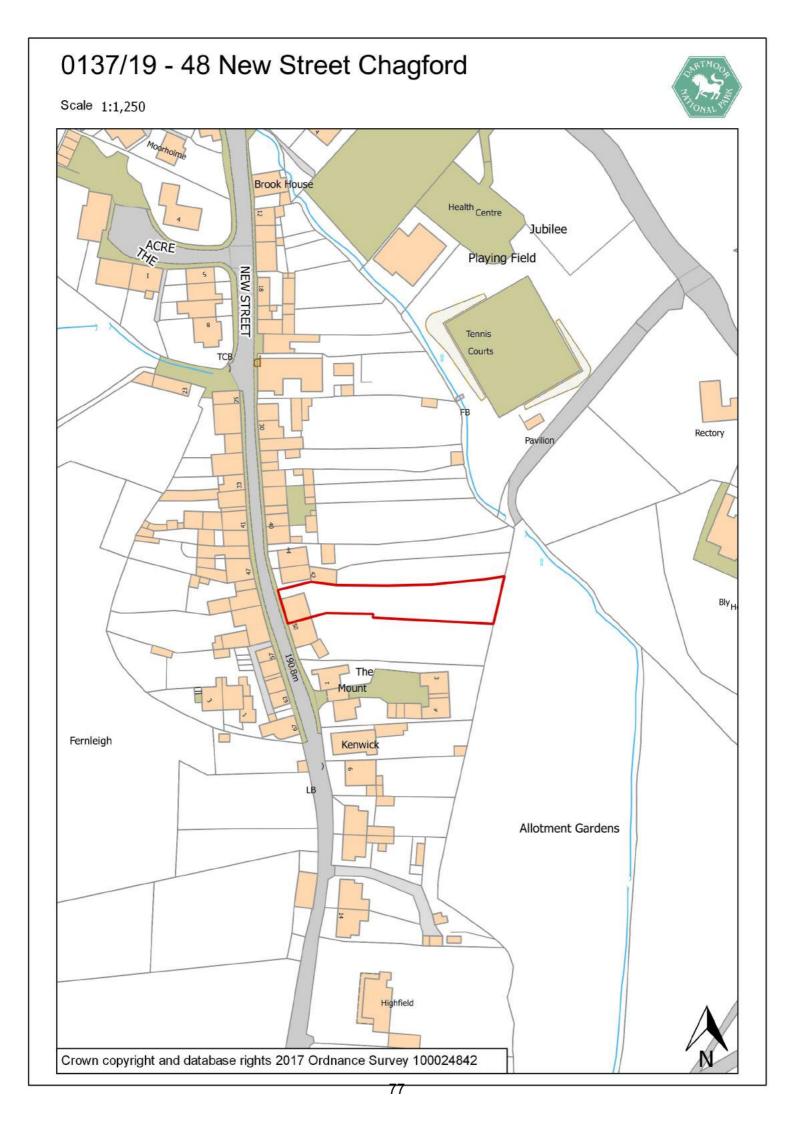
DESIGN

There is an existing lean-to on the side of the house and across the rear elevation. It is proposed to replace the side extension including part of the lean-to with a two-storey gabled extension with the ridge running at right angles to the roof on the main house. The orientation of the extension, the resultant length and the height of the eaves results in a form of development which is considered to be out of character and detrimental to the appearance of the main house. The extension is not set back from the principal elevation as suggested by the adopted Design Guide and the design details results in an extension which is discordant and out of keeping with the historic character of the simple traditional form of the farmhouse.

In response to the concerns raised regarding the form and design of the extension, the applicant suggested two alternative designs neither of which were considered to address the matters raised and the planning officer suggested a solution which on balance was considered to be appropriate given the advice in the design guide and the context. The applicant has stated that they consider the application proposal to be preferable in its scale, form and detail because the roof height would be lower, the extension distinct from the existing building and subservient.

CONCLUSION

The proposed extension is marginally above the 30% percentage increase required by DMD24. Although the height of the extension results in it being subservient when viewed from the south east, the orientation, design, length and massing of the extension is considered to be detrimental to the character and appearance of the dwelling. It is therefore recommended that planning permission is refused.



10. Application No: 0137/19 District/Borough: West Devon Borough

Application Type: Full Planning Permission - Parish: Chagford

Householder

Grid Ref: SX701872 Officer: Jo Burgess

Proposal: Loft conversion with roof dormer; new porch and conservatory to rear

together with replacement bridge connecting house with garden

Location: 48 New Street, Chagford

Applicant: Rev G Fenton

Recommendation That permission be REFUSED

Reason(s) for Refusal

1. The proposed dormer by virtue of its width and design would be detrimental to the character and appearance of the property and the character and appearance of the Chagford Conservation Area contrary to policies COR4, COR5, DMD7, DMD8, DMD12 and DMD24 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, the National Planning Policy Framework 2019 and the Dartmoor Design Guide.

Introduction

48 New Street is an unlisted semi-detached property within the Chagford Conservation Area.

It is proposed to infill a void to the rear to form a ground floor extension and convert the roofspace with a large dormer on the rear elevation.

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

Planning History

0190/18 Conversion of existing store above garage to ancillary accommodation

and enclosure of balcony

Full Planning Permission - Grant Conditionally 11 June 2018

Householder

Consultations

West Devon Borough Council: Does not wish to comment County EEC Directorate: No highway implications

Environment Agency: Flood Risk Zone 1 - standing advice applies

DNP - Building Conservation The proposed design would have an adverse impact on the

Officer: character and appearance of the Conservation Area.

Parish/Town Council Comments

Chagford PC: Support

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

COR5 - Protecting the historic built environment

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

DMD12 - Conservation Areas

DMD14 - Biodiversity and geological conservation

DMD1a - Presumption in favour of sustainable development

DMD1b - Delivering National Park purposes and protecting Dartmoor National

Park's special qualities

DMD24 - Extensions and alterations to dwellings

DMD4 - Protecting local amenity

DMD7 - Dartmoor's built environment

Representations

None to date.

Observations

INTRODUCTION

It is proposed to construct a new porch and conservatory to the rear of this semi-detached house and replace an existing bridge which connects the first floor of the house to the garden. This element of the proposal is considered to be acceptable.

It is also proposed to convert the loft and erect an associated roof dormer on the rear elevation of the roof. It is this element of the proposal which is unacceptable.

POLICY

The dwelling is located in the Chagford Conservation Area which is a designated heritage asset and as such, policies COR5, DMD8 and DMD12 are particularly relevant.

The dwelling is close to Listed Buildings but the proposal does not affect their setting.

Policies COR4, DMD7 and DMD24 relate to extensions to domestic properties.

PLANNING CONSIDERATIONS

The property is a semi-detached property. Planning permission was recently granted for works to the adjoining property including the installation of two conservation roof lights.

The proposed dormer has a catslide or swept roof and will be 4.4m wide with two windows within the face of the dormer. The proposed dormer will be a bulky addition to the rear elevation and contrary to the advice in the Dartmoor Design Guide.

The Design Guide states that "dormer windows should be no wider than a double side hung casement with simple swept or gabled roofs. When used in loft conversions they should relate to the size and position of existing windows. Large flat roof box dormers should be avoided".

In the context of the Conservation Area and given the successful installation of conservation roof lights in the adjoining property, this aspect of the development is considered to be unacceptable.

The applicant has stated that the room in the roof and associated dormer are critical to his plans for the property so it has not been considered appropriate to enter into any negotiation in this regard.

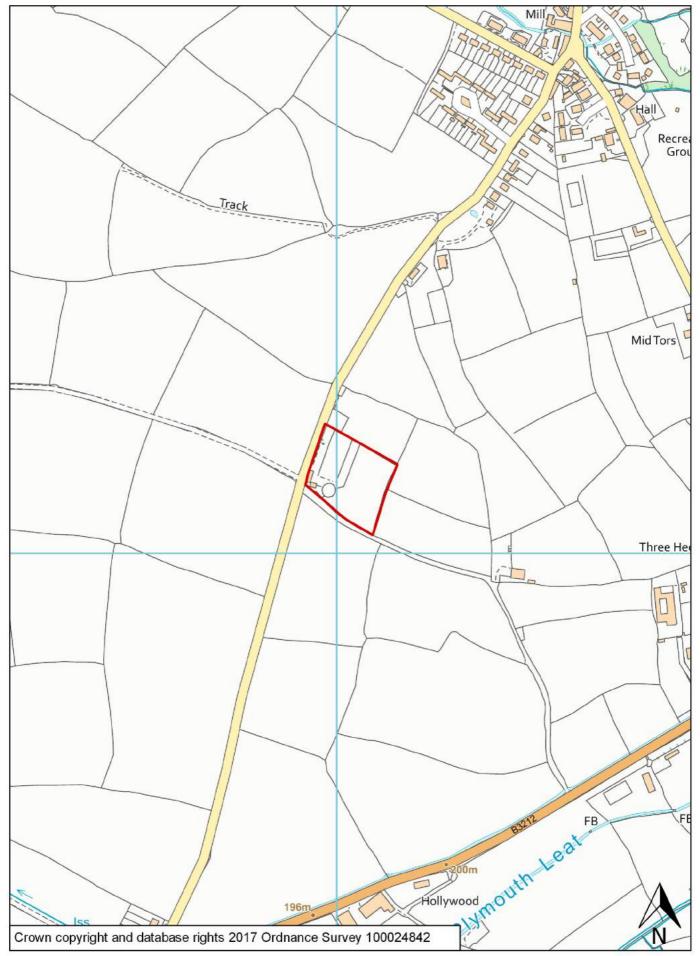
CONCLUSION

The width of the dormer does not relate well to the size and location of the existing windows and although the roof is swept to reduce its impact, the bulk and massing of the dormer is considered to be unacceptable and will not preserve or enhance the character or appearance of the Conservation Area.

0072/19 Woodmans Corner







11. Application No: 0072/19 District/Borough: West Devon Borough

Application Type: Full Planning Permission Parish: Burrator
Grid Ref: SX531690 Officer: Jo Burgess

Proposal: Removal of condition number 5 of approved planning permission

0149/13 to allow the use of lights during the period 1 October to 1 April

Location: land at Woodmans Corner,

Walkhampton

Applicant: Ms S Langley

Recommendation That permission be REFUSED

Reason(s) for Refusal

The proposed development by virtue of the lighting would not enhance what is special or locally distinctive about the landscape character; in particular the tranquillity, of this part of the Dartmoor Landscape, contrary to the Dartmoor National Park Development Plan in particular policies COR1, COR11, DMD1b, DMD4 and DMD5 and the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2019.

Introduction

The site is in open countryside between Walkhampton and Yelverton. It consists of a stable building, horse exercise circle and sand school given retrospective permission in 2013 for private purposes only.

The application is to remove a condition, which stated that at no time should external lighting be installed or used in association with the development. The lights have already been installed and the applicant is applying to use the lights between 1 October and 1 April.

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

Planning History

0149/13	Retrospective application to regularise the construction of a stable building, horse exercise circle and sand school together with the widening of the existing entrance and enlarged parking area		
	Full Planning Permission	Grant Conditionally	07 November 2013
0349/12	Retrospective application to regularise the construction of a stable building and horse exercise circle and sand school together with the widening of the existing entrance and enlarged parking area		
	Full Planning Permission	Withdrawn	14 March 2013
0835/06	Construction of three loose boxes, tack room and covered storage space including creation of parking/turning area, soft yard and schooling area		
	Full Planning Permission	Grant Conditionally	14 December 2006
0436/06	Construction of three loose boxes, tack room and covered storage area including creation of parking/turning area, soft yard and schooling area		
	Full Planning Permission	Withdrawn	03 August 2006

Consultations

West Devon Borough Council: Does not wish to comment County EEC Directorate: No highway implications

Environment Agency: Flood Zone 1 - standing advice applies

Parish/Town Council Comments

Burrator PC: The Parish Council support the application. No planning

reason was given.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR11 - Retaining tranquillity

COR2 - Settlement Strategies

DMD1a - Presumption in favour of sustainable development

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

None to date.

Observations

INTRODUCTION

This application results from enforcement investigations following the installation of the lights in November 2018.

The applicant has stated that the lights are necessary to be able to use the facilities in the winter months. They point out that the lights are battery powered so have a limited period of usage. They are 200 watts in output and are positioned behind hedges and angled downwards to avoid light spillage.

POLICY

The tranquillity found within Dartmoor National Park is increasingly rare and is cherished by Dartmoor's communities and visitors alike. A number of threats to tranquillity exist on Dartmoor; of relevance to planning is the impact (including cumulative impact) of isolated development in the open countryside and new light sources impacting on dark night skies.

Policy COR11 is the Authority's strategic policy referencing tranquillity and seeks to ensure it is sustained throughout the National Park.

Policy DMD4 seeks to protect residential amenity and states that development should not introduce levels of lighting that would adversely affect human health and well being or detract from the special qualities of the area.

The site falls within Landscape Character Area 2D Moorland Edge Slopes where the spread of equine enterprises (including floodlit training areas) is identified as a future force for change and the pastoral character of the fields is identified as a valued landscape attribute. Policy DMD5 requires that development proposals should conserve and/or enhance the character and special qualities of the landscape by amongst other things avoiding unsympathetic development that will introduce or increase light pollution.

TRANQUILLITY AND LIGHT POLLUTION

References to tranquillity are made throughout the DMD, both directly in policy and the supporting text. Most notably, in seeking to protect Dartmoor's landscape character, policy DMD5 requires development to respect tranquillity.

CPRE worked with Natural England and the Universities of Northumbria and Newcastle during 2005-2006 and, using 44 criteria that affect people's experience of tranquillity, produced a tranquillity map of England. On this map Dartmoor in the single largest unbroken area of tranquillity in southern England.

Although hedges screen the facilities from the road and the surrounding area, in winter time when the lights would be in use, vegetation is at its most sparse and the Authority cannot ensure that the boundary hedges are maintained. In any case the lighting columns are significantly higher than the hedges.

The nearest residential development is 265m away on the edge of Walkhampton to the east and Dousland is 500m to the south. Evidence from the CPRE confirms that the sky in this location is in the 15.7% of skies categorised as being the second darkest within the National Park with 80.5% being the darkest. Dark skies are a special quality of the National Park and light pollution will impact on this special quality. The erection of a new light source in an isolated location has potential to directly and indirectly impact on tranquillity and dark night skies.

Para 180 of the NPPF requires planning policies and decisions to identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

Dartmoor's dark-sky resource is under increasing threat as artificial lighting becomes more prevalent and skyglow from the rapidly growing urban centres of Exeter and Plymouth increases. External lighting should be avoided in the National Park not just to preserve tranquillity and dark night skies but also to protect nocturnal animals, the natural behavioural rhythms such as migration, reproduction and feeding patterns of all animals and the landscape and historic character of the National Park.

Where external lighting is absolutely necessary the impacts should be mitigated but in this case, lighting is not considered to be necessary and is not capable of mitigation.

CONCLUSION

it is acknowledged that the Parish Council has supported this retrospective application and that artificial lighting may benefit users in the winter months. However, in this isolated location, that would have a significant impact and would be harmful to the wider character of the area. They will clearly impact on aspects of tranquillity and are contrary to policies COR11, DMD4 and DMD5.

DARTMOOR NATIONAL PARK AUTHORITY DEVELOPMENT MANAGEMENT COMMITTEE

10 May 2019

APPEALS

Report of the Head of Development Management

Recommendation: That the report be noted.

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

1 Application No: D/19/3220688 District/Borough: West Devon Borough

Appeal Type: Refusal of Full Planning Parish: Buckland Monachorum

Permission - Householder

Proposal: Change of the roof structure for the existing planning permission from a

pitched roof to a flat roof (retrospective)

Location: Greeba, 7 Binkham Hill, Yelverton

Appellant: Mr C Dorey

Decision: ALLOWED

2 Application No: W/18/3206330 District/Borough: Teignbridge District

Appeal Type: Refusal of Full Planning Parish: Ashburton

Permission

Proposal: Erection of agricultural building for rare breed chicken farming (9m x 5m)

Location: land at Ausewell Common, Ashburton

Appellant: Ms V Siddell

Decision: **DISMISSED**

3 Application No: W/18/3206470 District/Borough: West Devon Borough

Appeal Type: Refusal of Prior Approval Parish: South Tawton

Proposal: Erection of 15m telegraph pole, 2 microwave dishes, 2 equipment cabinets

and associated parking area

Location: Land opposite Olditch Farm, Sticklepath

Appellant: Vodaphone Limited

Decision: ALLOWED

4 Application No: W/18/3215712 District/Borough: West Devon Borough

Appeal Type: Refusal of Full Planning Parish: Mary Tavy

Permission

Proposal: Agricultural barn (29m x 16m)

Location: Holditch Farm, Mary Tavy

Appellant: Mr M Venner

Decision: **DISMISSED**

5 Application No: W/18/3216692 District/Borough: West Devon Borough

Parish:

Appeal Type: Refusal of Full Planning

Permission

Proposal: Erection of dwelling

Location: Tyrwhitt House, Tavistock Road, Princetown

Appellant: Ms N Hutchinson

Decision: **DISMISSED**

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

1 Application No: W/19/3221187 District/Borough: West Devon Borough

Appeal Type: Refusal of Full Planning Parish: South Tawton

Permission

Proposal: Retrospective schooling and turnout area for horses

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

Appellant: Ms K Pearson

2 Application No: W/19/3223934 District/Borough: South Hams District

Appeal Type: Refusal of Full Planning Parish: South Brent

Permission

Proposal: Retention of existing commercial building at River View and change of use

and conversion of Mill House from B1 to three dwellings

Location: Manor Mill, Exeter Road, South Brent

Appellant: Packfirst Removals Ltd

CHRISTOPHER HART

Dartmoor Forest

DARTMOOR NATIONAL PARK AUTHORITY DEVELOPMENT MANAGEMENT COMMITTEE

10 May 2019

ENFORCEMENT ACTION TAKEN UNDER DELEGATED POWERS

Report of the Head of Development Management

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

(For further information please contact James Aven)

Recommendation: That the following decisions be noted.

1 Enforcement Code: ENF/0001/19 District/Borough: South Hams District

Grid Ref: Parish: SX672574 **Ugborough**

Breach: **Unauthorised buildings**

Location: Land east of Leigh Lane, Wrangaton

Action taken /

Notice served

No further action taken

CHRISTOPHER HART

enfdelcommrpt