

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

27 JULY 2018

SITE INSPECTIONS

Report of the Head of Development Management

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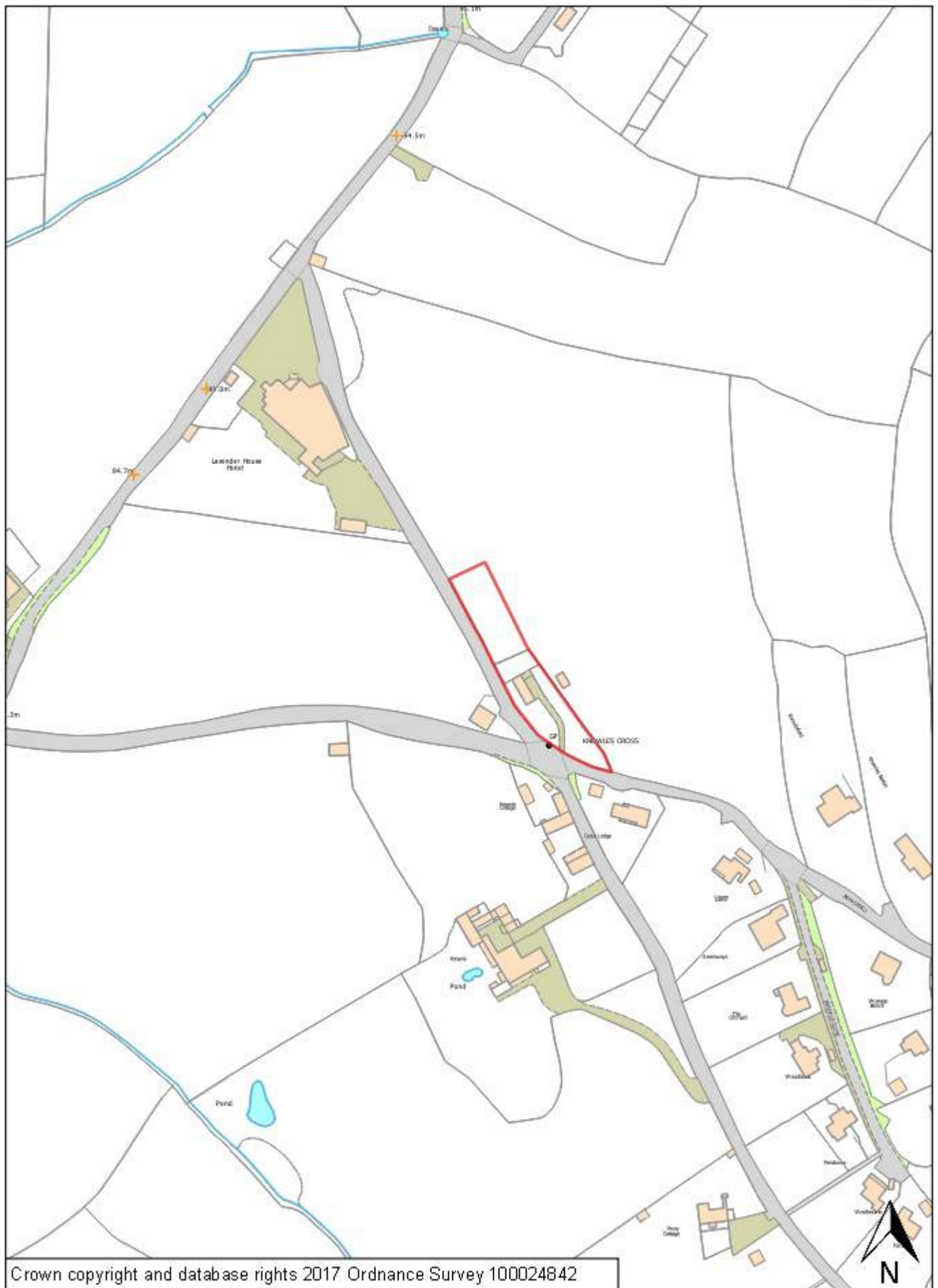
1. 0186/18 – Lower Lawn, Knowle Cross

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Lower Lawn, Knowle Cross 0186/18



Scale 1:2,500



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DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

27 July 2018

SITE INSPECTIONS

Report of the Head of Development Management

1 Application No: **0186/18** District/Borough: **Teignbridge District**
 Application Type: **Full Planning Permission** Parish: **Ashburton**
 Grid Ref: **SX747696** Officer: **Louise Barattini**

Proposal: **Creation of a 20m x 40m manege for private use, new field shelter and improvements to landscaping and drainage**

Location: **Lower Lawn, Knowle Close, Ashburton**
 Applicant: **Mr T Brayshaw**

Recommendation: **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed manege, by reason of its siting, design and the extent of excavation works, would have a harmful 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 and Circular 2010, the National Planning Policy Framework 2012 and the Dartmoor National Park Design Guide.

The Panel convened on the site and took the opportunity to view the existing stable building and its surroundings. They walked into the field where the manege is proposed. The Planning Officer explained the proposal as presented referring to the site location plan. The panel noted that the positioning of the field shelter will require the relocation of the existing hedgebank.

The applicant explained the markers on the site and identified the changes in levels.

The Panel asked the applicant about the surfacing of the manege which is to be recycled carpet as they wanted assurances that there would be no increased flooding on the road due to the development. Furthermore, they asked the applicant how the material from the excavation will be disposed of. The applicant advised that they would use this to improve the hedgebank to the north east of the field. The Panel outlined some concerns relating to the access particularly if the applicants purchased further horses and needed more frequent access.

The Panel concluded that the proposal would not harm the character and appearance of this part of the National Park particularly as significant landscaping is proposed to screen the development. However, they wanted to see any approval conditioned for private use only and a condition securing the removal of the existing field shelter.

Notwithstanding the Panel's view, officers remain of the opinion that the substantial engineering works required to create the training area will have a significant and detrimental impact on the character and appearance of this part of the National Park for the reasons as set out in the accompanying report.

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Introduction

The site relates to a field at Knowle Cross on the outskirts of Ashburton.

The application proposes a 20m x 40m manege, new field shelter and associated landscaping and drainage (private use).

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

Planning History

0097/10	Timber-framed building comprising three stables, tackroom and feed store and improvements to existing access
	Full Planning Permission Grant Conditionally 30 April 2010

Consultations

Teignbridge District Council:	Does not wish to comment
County EEC Directorate:	No highway implications
Environment Agency:	No objection - Flood Zone 1 standing advice
DNP - Trees & Landscape:	The proposed development will have a detrimental impact on the character and special qualities of the area, is unsympathetic development that will harm the wider area. The proposal is contrary to policy and should be refused.

Parish/Town Council Comments

Ashburton TC:	Support - The exercise area will be shielded by a Devon bank. There are no near neighbours and there have been no objections from the community.
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Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR2 - Settlement Strategies

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

COR3 - Protection of Dartmoor's special environmental qualities

COR4 - Design and sustainable development principles

COR5 - Protecting the historic built environment

DMD12 - Conservation Areas

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

DMD7 - Dartmoor's built environment

Representations

1 letter of objection

The Lavender House Hotel objects on the grounds of the scale of the proposed development and its potential for commercial use; they question if a maximum number of horses would be specified in any permission.

They also express concern about drainage running off the hill which is already an issue with water pooling on the highway, adverse impact on views and the tranquillity of this part of the landscape.

Observations

POLICIES

The principal consideration in the determination of this application is landscape impact.

The policies within the Development Plan and National Planning Policy Framework place great weight on conserving landscape and scenic beauty in National Parks. Policies COR1, COR3, COR4, DMD1b and DMD5 establish the requirement for new development to 'conserve and/or enhance' the character and special qualities of the Dartmoor National Park landscape. The Dartmoor National Park Design Guide provides further advice.

Policy DMD5 states that development proposals should conserve and/or enhance the character and special qualities of the Dartmoor landscape by:

- ~~r~~especting the valued attributes of landscape character types identified in the Dartmoor National Park Landscape Character Assessment;
- ~~e~~nsuring that location, site layout, scale and design conserves an/or enhances what is special or locally distinctive about landscape character;
- ~~r~~etaining, integrating or enhancing distinctive local natural, semi-natural or cultural features;
- ~~a~~voiding unsympathetic development that will harm the wider landscape or introduce or increase light pollution;
- ~~r~~especting the tranquillity and sense of remoteness of Dartmoor.

Policy DMD33 deals specifically with horse related developments and requires new development to demonstrate that, on its own or cumulatively with other nearby horse related development, it will not harm local landscape character and will reflect the principles set out in the Design Guide SPD.

The DNPA Design Guide states that new buildings, arenas and sand schools should typically be sited within, or adjacent to, existing buildings. New development should be carefully sited to minimise impact and be hidden from view by existing vegetation and landform, minimise the need for earthworks so that the development integrates with the surrounding landscape.

THE SITE

The surrounding landscape is characterised by the undulating topography of rolling hills and slopes and defined by a strong mosaic of irregular pastoral fields. It is located within the landscape character type 3A 'Upper Farmed & Wooded Valleys'.

The field in question is grazed pasture, appears on the Tithe map and is likely to be medieval in origin. It is part of a historic field system which is mostly intact.

The importance of this field system has been recognised by the Dartmoor National Park Authority as possessing special historic and setting value to the Conservation Area and the application site is within the field system which has been designated as an area of historic setting for the Conservation Area.

ASSESSMENT

The application proposes a 20m x 40m manege, new field shelter, hedge bank enclosures and associated drainage works. The equestrian development is for private use and would be situated adjacent to the existing stable building on the site.

The applicant is seeking the manege for his daughter who is interested in dressage and due to the limitations of exercising the horses within the fields and the dangers of riding out on the roads. The revised siting of the field shelter enables siting on a concrete pad and proximity to the existing stabling.

A concern has been raised about the visual impact by the neighbouring hotel. With regards to the visual impact, there will be glimpsed views into the site of the proposed manege from the lane running along the western boundary of the site and it would also be visible from the Lavender House Hotel; these views will vary at different times of the year.

The field is sloping and therefore, to allow for the creation of a level exercising area (manege), it is proposed to excavate to a depth of between 1/2m at the higher end with a with a 1½m hedge bank with planting atop. This would result in a steep escarpment along the length of the manege (40m) equating to approximately 3.5m high at the northern end (not including planting height above).

This would result in fairly substantial engineering works to accommodate a level riding area in a sloping field and therefore questions the suitability of the proposal within this field parcel. The Design Guide advises that equestrian developments should minimise the need for earthworks so that the development integrates with the surrounding landscape.

The proposed manege would form an engineered terrace at the base of the field, adjacent to

the public highway. Its impact would be exaggerated further by the contrasting surfacing materials and its fenced enclosure. The proposal would not respect the existing sloping landform or pastoral character of this landscape. It would significantly change the characteristic landform here and introduce an alien feature detrimental to the character and appearance of the local landscape.

Whilst it is clear that the applicant has carefully considered the layout and is proposing traditional hedge bank landscaping around the development, this unfortunately does little to mitigate its impact in this particular case and would potentially exaggerate its impact (adding to the height of the escarpment along the north east of the manege).

The proposed field shelter arrangement introduces revisions to existing hedgebank enclosures and creates an additional secondary hedgebank behind with new access tracks/extensions of hardstanding. This extends the development further into the field and will accentuate the impact on landscape character and visual amenity. There would appear to be sufficient space within the existing generous levelled areas around the stables to accommodate a field shelter without development encroaching further into the field.

It is recognised that horse related development can change the character of a landscape and this impact is referred to in DMD33 where horse related development will only be allowed if it can be demonstrated that the proposal will not harm the local character. This is particularly difficult in the case of maneges which are not traditional landforms and can have a similar visual appearance to a levelled car parking area; the surfacing is different, but both contrast with the pastoral character of the landscape.

The National Character Area profile for Dartmoor (150) also mentions that maneges and other horse facilities are resulting in the gradual encroachment of development into the landscape.

The policy test is very clear that development should conserve and/or enhance the character and appearance of Dartmoor's landscape. This private development will have a detrimental impact on the rolling pastoral character of this enclosed medieval landscape which is designated for the contribution it makes to the historic setting of the Conservation Area. There is considered to be no over-riding justification for this private development that would outweigh the landscape harm created.

Whilst the public consultation has raised concerns about the scale of the proposed development and its potential for commercial use, the proposal is for a private manege; if the application was to be approved it would be conditioned as such. The scale, private use and siting relative to neighbouring properties and the highway is such that there are not considered to be implications for residential amenity in respect of noise and disturbance. The proposal for a private manege, served by the existing access, does not give rise to highway safety objections.

Concerns regarding drainage have been raised and reference made to the existing situation of run-off from the field pooling onto the highway; the application proposes soakaways for dealing with surface water drainage.

The Lavender House Hotel has questioned why they did not receive a letter notifying them of the proposed development. A public notice was displayed at the site entrance in accordance with the regulations and this neighbour does not physically adjoin the application site (it is separated by a highway).

CONCLUSION

Maneges are a difficult development type to assimilate into Dartmoor's rolling agricultural landscape.

This difficulty is clearly demonstrated by this proposal which includes a significant engineered terrace in contrast to the scenic rolling landscape which is a characteristic feature of the historic landscape setting of Ashburton. The field shelter and creation of new hedge banks and tracks will further encroach into this pastoral field and accentuate its impact.

Where maneges are proposed on level ground and closely associated with large agricultural buildings their impact is often more subdued.

This is a private recreational development in contrast to an agricultural proposal where there may be farming and economic considerations to weigh into the considerations for the application.

The applicant has not submitted a request for pre-application advice prior to this application but has been advised of the difficulty supporting this planning application. He has respectfully requested that the application be taken to a decision.

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

27 July 2018

APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Report of the Head of Development Management

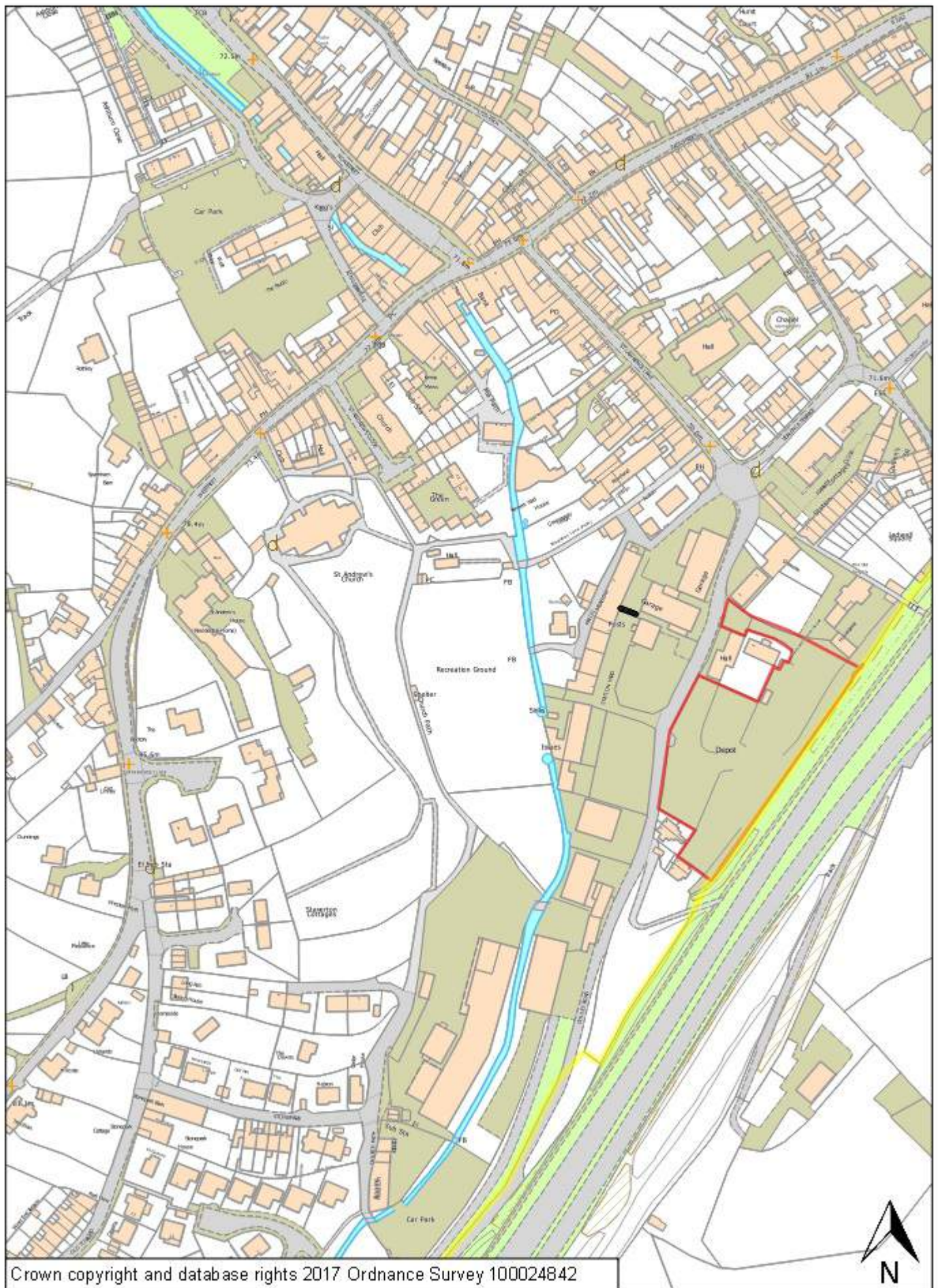
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Former Outdoor Experience site 0439/17



Scale 1:2,500



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1. Application No: **0439/17** District/Borough: **Teignbridge District**
Application Type: **Outline Planning Permission** Parish: **Ashburton**
Grid Ref: **SX757696** Officer: **Louise Barattini**

Proposal: **Redevelop site by erection of 24 dwellings and associated works**

Location: **Former Outdoor Experience
Site, Chuley Road, Ashburton**

Applicant: **Mr R Honour**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The Local Planning Authority is not satisfied, on the basis of the evidence presented, that the applicant has fully demonstrated that the scheme will deliver the maximum reasonable amount of affordable housing on the site. The proposed contribution of 4 intermediate units (shared equity & starter homes) fails to meet the tenure need as evidenced by the Housing Authority. The proposal is therefore contrary to policies COR15, DMD21 and ASH2 of the Dartmoor National Park Development Plan and to the advice contained within the National Planning Policy Framework 2012 and the English National Parks and the Broads UK Government Vision and Circular 2010.
2. The proposal fails to make provision for public car parking to serve the centre of Ashburton and is therefore contrary to policy ASH2 of the Dartmoor National Park Development Plan.

Introduction

The application relates to an elongated parcel of land between Chuley Road and the A38, formally occupied by 'Outdoor Experience' a camping and caravan retailer.

The site is located within the settlement boundary of Ashburton and falls within the Chuley Road allocation policy for mixed use re-development (policy ASH2).

The application is in outline for the erection of 24 dwellings and associated works with an agreed means of access and layout. All other matters are reserved for future consideration.

The application is presented to Members as it has attracted a lot of public interest and is a departure from policy.

Planning History

0076/15	Demolition of three buildings and removal of a portacabin	
	Demolition Notification	Prior Approval not required 13 March 2015

Consultations

Environment Agency: The EA has no objections to the proposal on flood risk grounds provided that conditions are included on any permission granted in respect of:
-Impact to the Chuley Road culvert;
-Site investigation and remediation;

<p>DNP - Archaeology: DCC Strategic Planning (Education):</p>	<p>-Unsuspected contamination; -Construction Environment Management; -Surface Water Discharge</p> <p>No archaeological concerns</p> <p>The proposed 24 family-type dwellings will generate an additional 6 primary pupils and 3.6 secondary pupils.</p>
	<p>Devon County Council seek a contribution towards additional education infrastructure at Ashburton Primary School. The school is forecast to be at capacity and therefore DCC request a contribution to mitigate the impact the development will have. The contribution sought is £81,912 (based on the March 2015 DfE extension rate per pupil of £13,652) which will be used to provide education facilities at Ashburton Primary School. There is currently capacity at the designated secondary school, South Dartmoor Community College for the pupils likely to be generated by this development and therefore a contribution towards secondary education would not be required.</p> <p>In addition to the contribution figures quoted above, the County Council would wish to recover legal costs incurred as a result of the preparation and completion of the Agreement. Legal costs are not expected to exceed £500.00 where the agreement relates solely to the education contribution.</p>
<p>Highways England:</p>	<p>In trip generation terms, Highways England are satisfied that the proposals do not impact adversely upon the operation of the trunk road (A38).</p> <p>The noise impact assessment identifies a need for 2m high acoustic barrier. Highways England remain concerned at potential impact on traffic noise for the properties as the development site is located between two existing Noise Important Areas identified by Defra and it will therefore be important for the Authority to ensure appropriate mitigation by condition if minded to grant.</p> <p>The tree constraints plan also identifies a number of trees that are within Highways England land that may require protection or removal during construction. A method of works would need to be agreed and works outside of land in applicant's control must be agreed with Highways England in advance and the developer may be required to enter into an appropriate legal agreement with all costs borne by the applicant.</p> <p>A condition is recommended for a highway boundary treatment plan to be submitted for approval in consultation with Highways England. This should include a method statement for tree protection.</p>

Teignbridge District Council
(Housing):

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

Given the pressures of an aging population TDC would welcome any potential for better future proofed homes, in the form of Lifetime Homes (more accessible) and wheelchair user properties in both affordable and market sectors.

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

24 dwellings are proposed all 2 and 3 bed – with 4No affordable (80% discounted from open market value), noted as either shared ownership or starter homes (nb. starter homes are not currently defined as affordable housing).

Policy compliant affordable housing provision for this scheme would be 12 units – with 9No rented and 3No intermediate – hence this proposal falls a long way short of the Local Plan policy requirements.

It will be interesting to see how the Ashburton community prioritises the provision of public parking over the provision of affordable housing. Both are particularly important to the community, but inevitably members of the community are particularly focussed on affordable housing provision as their highest priority. TDC has affordable housing as an identified corporate priority. Tenure profile for affordable housing provision will also be an important debate because the majority need is for rented – but this will pull down AH revenues. Nb - There is no evidence of need for starter homes even if they are subsequently redefined by the government as affordable housing.

Given the very high levels of evidenced affordable housing need in Ashburton, and the difficulties (because of land ownership issues) in delivering an affordable housing scheme on the allocated site in the northern part of the

Teignbridge District Council
(EHO):

Teignbridge DC
(Contaminated Land):

town, it is essential that the Authority seek to secure the maximum deliverable affordable housing for this site at Chuley Road.

The Environmental Health Officer has studied the updated reports and is minded to accept this proposal. The levels of noise being experienced by the residents are likely to be at acceptable levels. No objection is raised.

No objection subject to the following conditions:

1. Site Characterisation

No development shall take place until a further phase 2 assessment has been submitted to and approved in writing by the Local Planning Authority. This assessment must estimate and evaluate the potential risks to people, property and the environment identified in the Phase 1 study (ref No 13464 / R2) submitted with the application. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwater and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

2. Submission of Remediation Scheme

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report (that

demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

4. Reporting of Unexpected Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with. Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority.

Devon County Council (Flood Risk):

An initial objection has been withdrawn. There is now no in-principle objection to the planning application, assuming that the following pre-commencement planning conditions are imposed on any approval:

1. No part of the development hereby permitted shall be commenced until the detailed design of the proposed permanent surface water drainage management system has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the lead Local Flood Authority. The design of this permanent surface water drainage management system will be in accordance with the principles of sustainable drainage systems, and those set out in the Outline Drainage Strategy 13464-200-R1, dated 14/07/17.

2. No part of the development hereby permitted shall be commenced until the full details of the adoption and maintenance arrangements for the proposed permanent surface water drainage management system have been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the lead Local Flood Authority.

Historic England:

The site is not within a Conservation Area nor the setting of a high grade heritage asset but is adjacent to the former railway station, a complex of non-designated heritage assets of historic significance.

Historic England considers the station site itself offers considerable potential for being re-used for public transportation, be that as part of a park-and-ride or re-opened rail link to Buckfastleigh. Any proposal for this site

should not prejudice any longer term aspiration for the station site.

DNP - Ecology & Wildlife
Conservation:

Historic England has previously suggested the station site be incorporated into the Ashburton Conservation Area. The proposed development will be acceptable if the following planning condition is included:

No development shall take place until a landscape and ecology management plan, including management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted and approved in writing. The landscape and ecology management plan shall be carried out as approved and any subsequent variations shall be agreed in writing. The scheme shall include the recommendations of the ecology report (EcoLogic, 160803 rev01 November 2017).

DNP - Building Conservation
Officer:

The Conservation Area boundary is close to the development site on its north-western side and abuts it on its northern side. No heritage assets are identified within the area of the proposed site, which appears to have been relatively undeveloped during the period of the railway. The closest designated heritage asset is the Grade II Listed former railway goods shed which is 30m to the west. There are also undesignated buildings of historic interest immediately surrounding the site at: 4, 5, 6 and 7 Chuley Road; the Masonic Hall; and Hazeldene. The development has the potential to impact on the setting of these as well as the surrounding area.

In particular, the Masonic Hall would have housing immediately to its rear and to its south. From Chuley Road the proposed houses would be seen in juxtaposition with the front elevation, which makes a positive contribution to the streetscape, although the part nearest the development is a later extension of minimal architectural merit.

The arrangement of the railway era houses in the vicinity is generally into long terrace rows built up to the highway edge or semi-detached pairs. The proposed housing along Chuley Road is in blocks of three and set back from the street, so is not inkeeping. Overall, the development would be improved if the proposed housing reflected more of the surrounding area in terms of its layout, design and materials but assuming these issues can be addressed, I do not object to the use of this site on the grounds of impact on the historic built environment.

DNP - Trees & Landscape:

No objection in principle to housing on this site. However in relation to hedge and tree retention the development is poorly designed. I would like to see a layout that gives

County EEC Directorate:

enough space between the retained trees and the dwellings to ensure the long term retention of these trees.

The site has been visited by an officer from the Highway Authority on more than one occasion and the officer is also familiar with the general area throughout the day and on different days of the week.

The application is supported by a Transport Statement which, despite some unfortunate specific inaccuracies, is broadly accepted and agreed by the Highway Authority. The section at para. 5.2.4, considering the trip generation of the proposed use compared to the previous use as a caravan/camper sales establishment would be beneficially amplified by the provision of some numerical evidence, but it is accepted that the proposed use has the potential to generate fewer vehicle movements and the types of vehicles from the proposed development would indeed be smaller than previously generally. For that reason, the actual access point at the northern end of the site is considered acceptable to serve the site as proposed, although its geometry and visibility may not comply with contemporary design guidance.

The applicant has asked for means of access to be assessed in detail at the outline planning application stage. It is not entirely clear what is proposed with respect to the access and parking arrangements for the site and along the frontage to Chuley Road and the proposals are acceptable from the highway authority's perspective. Suitable conditions are therefore recommended to be imposed on any planning permission granted.

1. No part of the development hereby approved shall be commenced until:

- a) The access road has been laid out, kerbed, drained and constructed up to base course level for the first 20 metres back from its junction with the public highway
- b) The ironwork has been set to base course level and the visibility splays required by this permission laid out
- c) The footway on the public highway frontage required by this permission has been constructed up to base course level
- d) A site compound and car park have been constructed to the written satisfaction of the Local Planning Authority

2. The occupation of any dwelling shall not take place until the following works have been carried out to the written satisfaction of the Local Planning Authority:

- a) The cul-de-sac carriageway including the vehicle turning head within that phase shall have been laid out, kerbed, drained and constructed up to and including base course level, the ironwork set to base course level and the sewers,

manholes and service crossings completed;

- b) The cul-de-sac footways and footpaths which provide that dwelling with direct pedestrian routes to an existing highway maintainable at public expense have been constructed up to and including base course level;
- c) The cul-de-sac visibility splays have been laid out to their final level;
- d) The street lighting for the cul-de-sac and footpaths has been erected and is operational;
- e) The car parking and any other vehicular access facility required for the dwelling by this permission has/have been completed;
- f) The verge and service margin and vehicle crossing on the road frontage of the dwelling have been completed with the highway boundary properly defined;
- g) The street nameplates for the spine road and cul-de-sac have been provided and erected.

3. When constructed and provided in accordance with conditions 1 and 2 above, the carriageway, vehicle turning head, footways and footpaths shall be maintained free of obstruction to the free movement of vehicular traffic and pedestrians and the street lighting and nameplates maintained to the satisfaction of the Local Planning Authority.

4. No development shall start until a Method of Construction Statement, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.

5. Before any of the operations which involve the movement of materials in bulk to or from the site are commenced, facilities shall be provided as must be agreed with the Local Planning Authority, in order that the operator can make all reasonable efforts to keep the public highway clean and prevent the creation of a dangerous surface on the public highway. The agreed measures shall thereafter be retained and used whenever the said operations are carried out.

A number of Informative notes for the applicant are also recommended.

Natural England Consultation Service:

No objection - subject to appropriate mitigation being secured

Natural England notes that the Authority, as competent authority under the provisions of the Habitats Regulations, has screened the proposal to check for the likelihood of significant effects.

The assessment concludes that the proposal can be screened out from further stages of assessment because significant effects are unlikely to occur, either alone or in combination. This conclusion has been drawn having regard for the measures built into the proposal – including the production of a Landscape and Ecological Management Plan (LEMP) - that seek to avoid all potential impacts. On the basis of information provided, Natural England concurs with this view. An appropriate planning condition or obligation should be attached to the planning permission to secure these measures if approved.

South West Water: No objection

Parish/Town Council Comments

Ashburton TC: The Town Council objects for the following reasons:

The floor area of the houses are tiny and not conducive to modern family living and does not take into account the proximity of the Conservation Area.

The proposal does not meet affordable housing targets of 50% and fails to offer any public car parking in lieu of affordable housing. A site near the centre of the town like this with potential for public parking is a rarity and certainly something that should be explored. Viability issues should be dealt with at the detailed stage when all relevant surveys and realistic costs are obtained.

The existing access has limited visibility being on a blind bend and there may be issues during peak times trying to exit the site. Vehicle movements will be significantly more than forecast in the transport survey. There is no footpath along the vehicular access and only a stepped pedestrian access further into the site which will not be accessible to all persons. There also appears to be no footpath accessing the houses on the lower tier of the site. Pedestrian safety should be built into the plans. The scheme should ensure no encroachment of parking at the front of the site on the public highway.

Further intrusive ground investigation to confirm depth of bearing strata, bearing capacity and other relevant geotechnical parameters should be undertaken together with a detailed flood risk assessment to inform density and layout of development and impact on neighbouring

dwellings.

Neighbours have concerns relating to foundation disturbance, surface water run-off flooding, vehicular access rights, felling of trees on third party land and overshadowing impact.

There needs to be some development at the site as it is currently unsightly and the land has potential to meet some of Ashburton's housing and parking needs. Unfortunately the current plans overload the site with small, poorly designed houses that do not meet the affordable housing criteria nor offer public parking. There are also concerns over highway safety, potential for exacerbating flooding issues along Chuley Road and ground stability impacting neighbours.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

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

COR14 - Meeting the infrastructure requirements of new development

COR15 - Providing for limited new housing to meet local needs

COR2 - Settlement Strategies

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

COR24 - Protecting water resources from depletion and pollution

COR4 - Design and sustainable development principles

COR5 - Protecting the historic built environment

COR6 - Protecting Dartmoor's Archaeology

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

COR8 - Meeting the challenge of climate change

COR9 - Protection from and prevention of flooding

DMD12 - Conservation Areas

DMD13 - Archaeology

DMD14 - Biodiversity and geological conservation

DMD16 - Hazardous installations and potentially polluting activity

DMD17 - Development on contaminated land

DMD18 - Development on unstable land

DMD1a - Presumption in favour of sustainable development

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

DMD2 - Major Development

DMD21 - Residential development in Local Centres

DMD3 - Sustaining the quality of places in Dartmoor National Park

DMD38 - Access onto the highway

DMD4 - Protecting local amenity

DMD40 - Parking provision - Residential
DMD45 - Settlement boundaries
DMD7 - Dartmoor's built environment
DMDASH2 - Redevelopment area at Chuley Road

Representations

25 letters of objection 5 letters of support 7 other letters

The OBJECTORS raise the following points:

- the railway line and station needs to be safeguarded and this development will impact on potential for the railway and the economic benefits such a development would bring; the railway embankment could be used for additional flood defences in the area.
- a separate application for the railway is being prepared
- the town needs affordable housing, better parking for residents and visitors, and more community resources.
- we don't need more expensive housing and busier roads, especially on the primary school route with potential for accidents. The proposal will make the parking problems in the town worse. School drop off times are heavily congested and the A38 Whistley Hill access is not the best.
- the Masterplan provided a good framework and should be followed
- additional traffic will cause highway safety and congestion issues along St Lawrence Lane, Whistley Hill/A38 junction
- a proportionate contribution to highway issues for the re-development area as a whole should be sought
- public parking provision should be made on site to address policy and town's problems
- the Ecological Scoping Report identifies retention of broadleaf woodland which conflicts with the plans
- there is no reference to railway heritage; the design should be better and reflect the local vernacular or exemplary contemporary design and sustainability.
- how will the units be affordable?
- more affordable housing should be provided and the viability assessment made available for public scrutiny
- the houses are too close to the A38 (fumes/noise); similar housing at Heathfield has taken a long time to sell
- the size of the site varies across the plans
- there is insufficient shops, doctors and dentists to support this scale of housing
- the traffic study has not used accurate statistics or projections with regards to traffic flow
- the area desperately needs a new access road from the Peartree area of town (all Masterplan development should contribute towards such a road)
- surface water is proposed to be discharged to the Balland Stream but this is at capacity and it will therefore increase flooding
- the density is too high and should be reduced
- access and parking are inadequate (there should be more than 2 spaces per dwelling)
- the Masterplan should be urgently re-started so that applications like this one can be properly evaluated in the context of the masterplan and piecemeal redevelopment stopped
- an application should not be accepted in isolation
- the site is more suitable for industrial development and car parking given its proximity to noisy A38 and poor air quality.
- Ashburton open-air swimming pool cites parking as a serious issue for its users, which impacts on the viability of this important community asset. The scheme proposes no

public parking that would allow greater community use of both the pool and the town centre (especially those with mobility issues or very young children)

- unacceptable impact on land stability and resultant impact on neighbouring properties and further geotechnical study is requested
- it will increase run-off and cause flooding to neighbouring dwellings complicated by the geology of the site
- it will be overshadowing, overbearing and overlook neighbouring properties
- it will remove scope for existing emergency access through the site to some neighbouring properties
- third party trees cannot be pruned or removed
- those with mobility issues or with pushchairs will favour access down vehicular access rather than proposed pedestrian routes and no pavement is proposed
- it will block access rights to Chuley Bungalow
- the old apple tree should be retained on site

The SUPPORTERS raise the following points:

- support in principal but some concerns with the scheme submitted and a desire for the masterplan framework to be followed (parking, flooding and traffic issues need to be worked on together as a whole)
- it will not impact on reinstatement of the railway
- more housing is needed, there has been a lack of development for years
- the site needs redeveloping and the railway idea is not sensible
- a number of objections are from people who do not live in Ashburton and who are pushing their agenda for a steam railway; houses are needed and steam trains are noisy, dirty and not eco-friendly.
- the Friends of Ashburton Railway Station state that the land does not physically impact on the historic railway formation and raise no objection to a residential development; they cautiously support the proposal subject to a caveat regarding shortfall of affordable housing, design and layouts, materials and landscaping

Observations

SITE ALLOCATION POLICY ASH2

The Chuley Road allocation arose following the expressed interest of three major landowners seeking to redevelop their sites and the opportunity to bring this forward as a comprehensive redevelopment of the area for the benefit of the local community.

The allocation identifies constraints and opportunities particular to the locale; the policy text is set out below.

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

Development in this area may include:

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

Development of this site should:

- (i) meet the parking needs of existing and new commercial and residential uses, and provide further public car parking to serve the centre of Ashburton;

- (ii) conserve and enhance the site's railway heritage;
- (iii) provide a pedestrian link between Bulliver's Way and the Recreation Ground;
- (iv) adopt a sequential approach to the layout and design of development and be supported by a flood risk assessment which includes consideration of climate change and demonstrates that any development will be safe, not increase flood risk elsewhere and where possible reduces flood risk overall.

Proposals at ASH2 should accord with a comprehensive masterplan for the entire site prepared in association with the local community, relevant stakeholders and the Dartmoor National Park Authority".

MASTERPLAN

The aim of this allocation, and the masterplan, was to respond to an opportunity to improve the built environment of this area on the edge of the town centre, recognising some sites within the area were going to become available, and aiming out of this to respond, in a co-ordinated way, to key issues raised by the community around highways, parking and flood events.

Unfortunately work on the masterplan was suspended in April 2016 following a counter proposal to protect the historic route of the railway track through the masterplan site. This presented a weakness when balanced against the evidence supporting the original draft strategy and left the Authority with little option but to progress with the original masterplan. A subsequent legal challenge was made against the Authority's intention to approve the masterplan and the difficult decision was taken by the Authority to cease work on the masterplan and review the position within 12 months.

The decision was taken in May 2017 to take no further action on the masterplan and focus discussion regarding the site through the Local Plan review. Ultimately the Authority was keen to enable development to move forward in the Chuley Road area where it was consistent with the community objectives in the allocation policy, and was mindful of the additional resource required in pursuing a Masterplan with the uncertainty around its benefits. The detailed reasoning for this was set out in the report for the Authority Meeting on the 26 May 2017 which can be viewed on the Authority's website.

The Authority sought legal advice in respect of the consideration of planning applications in the absence of an adopted Masterplan. This advice states that, in essence, the Authority can in considering any planning applications on the site, still apply (a-b), and (i-iv) of Proposal ASH2. The Authority may disregard the requirement for the Masterplan provided it advertises applications as a departure and is clear around the reason for ceasing or pausing any Masterplan process. The application has been advertised as a departure because there is no adopted masterplan for the proposed development to comply with.

Members of the public have expressed concern on this application about sites coming forward in a piecemeal fashion and the lack of a Masterplan framework.

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

It was always the case that sites would be likely to come forward at different stages given the number of different landowners and interests involved. In the absence of a Masterplan, applications are to be considered on the basis of case-by-case negotiation and site viability.

Officers are also considering a scheme for residential development on part of the existing Tuckers site at Brewery Meadow under planning application ref: 0035/18.

MAJOR DEVELOPMENT

Paragraph 116 of the National Planning Policy Framework (NPPF) states that planning permission should be refused for major developments in National Parks except in exceptional circumstances and where it can be demonstrated they are in the public interest. This is reiterated in policy DMD2 of the Local Plan.

The determination of whether a proposal amounts to 'major development' is a matter of planning judgement to be decided by the decision maker. It is not synonymous with the definition of a 'major planning application', but rather whether the development could be construed as major development in the ordinary meaning of the word having regard to the character of the development in its local context. Recent headline applications for major developments in England's National Parks include fracking, power line infrastructure, quarrying etc.

Having regard to the character, nature and scale of the proposed residential development on previously developed land within the settlement boundaries of the Local Centre of Ashburton, and taking the local circumstances and context into account, it is not considered to be a 'major development' under paragraph 116 of the NPPF.

THE PROPOSAL

The application is an Outline Planning Application and seeks to establish the principle of residential development for 24 dwellings on the land with an agreed means of access and layout. All other matters are reserved for future consideration.

The applicant is looking to sell the site with a permission and not to develop the land himself.

The proposal seeks to make use of the existing vehicular access which would serve a development of 15 houses on the upper part of the site with the remaining 9 units on the lower part of the site (the latter accessed on foot from Chuley Road). The parking for all the housing is proposed on the upper park of the site.

Illustrative plans have been submitted with the application indicating how the applicant considers the landscaping, scale and appearance of the site could be designed. These matters, however, are reserved for future consideration and the layout proposed could accommodate a different design.

Comments have been received objecting to the detailed design of the scheme in relation to the floor space, scale and appearance of houses which are stated to be insensitive to the character and appearance of the area and with no reference to the local vernacular, railway heritage, exemplary contemporary design or sustainability.

These plans are illustrative only, do not tie the Authority to a specific design and this could be made explicit in a planning condition.

At this stage the Authority is being asked to consider the principle of 24 dwellings on the site and means of access and layout. These are the key matters for consideration.

SAFEGUARDING OF FUTURE RAILWAY LINE

A number of objections have been received from railway enthusiasts stating that the proposed development would prejudice the reinstatement of the railway line and its potential to bring economic, social, educational and environmental benefits to the area.

Another objector states that the site could provide for a Park & Ride car park for the new station.

Any case to resist an application on the basis that it would prejudice the potential return of the railway would require robust evidence to justify grounds for refusal.

The site in question is not on the line of the historic railway track and no robust evidence has been presented to demonstrate adverse impact on any future potential to reinstate the railway. This is acknowledged by 'The Friends of Ashburton Railway Station' who state that the proposal does not physically impact the historic railway and do not raise an 'in principle' objection to the scheme.

PRINCIPLE OF RESIDENTIAL DEVELOPMENT

Policy ASH2 is a mixed use development allocation and the policy identifies that development in Chuley Road area may include housing and commercial uses comprising principally business use (B1), financial and professional services (A2), shops (A1) and restaurants and cafés (A3).

The former business on this site (Outdoor Experience) has relocated its operations to its larger site at Teigngrace a short distance away. The site is currently vacant and cleared of buildings.

While reference has been made in the public consultation process to the site being more suitable to a commercial use next to the noisy A38, policy ASH2 requires a sequential approach to the layout of development across the redevelopment area; This site is the only site in the redevelopment area wholly within the low risk flood zone and therefore it is appropriate to consider a residential use on this site as it is a more vulnerable development type (in contrast to employment uses) and would therefore not be appropriate in the higher risk flood zones outside of the site.

AFFORDABLE HOUSING

The public object to the low provision of affordable housing being proposed.

Policies COR15 and DMD21 of the Local Plan establish the requirement for all new housing within Local Centres such as Ashburton to provide not less than 50% affordable housing provision, unless a higher proportion of market housing is essential to secure the overall viability of the development or the delivery of significant local infrastructure provision of clear benefit to the local community.

It was acknowledged at the allocation stage that achieving a 50% split would be difficult across this brownfield site and therefore policy ASH2 specifies that a proportion of affordable housing

shall be delivered subject to further assessment of viability.

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

The proposal is for 24 dwellings (2 and 3 bed units) of which 4 are proposed to be intermediate affordable dwellings; this amounts to approximately a 17% provision. The information submitted by the applicant states that these would be provided as starter homes/shared equity units.

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

The Housing Officer has advised that the need is for social rent properties in Ashburton. The policy is explicit that the level of affordable housing needs to be justified through a viability assessment. The proposed level at 17% is relatively low and the proposed tenure does not reflect the evidenced need. Ashburton has high levels of evidenced unmet housing need and it is important to ensure that the assumptions in the appellant's viability appraisal are robust. This is the principal reason behind the delay in the determination of this application.

The Authority's independent surveyor has critically appraised the financial information submitted by the applicant and has produced his own high level viability appraisal due to identified deficiencies and ambiguities in the information submitted with the application. The ambiguity is principally around the submitted build costs.

The viability of residential developments are most often assessed as a percentage of profit on Gross Development Value. The results of the high level viability appraisal are that this scheme could support affordable housing and at a tenure to meet local need and still be within an accepted developer profit margin.

Despite ongoing correspondence on this matter, the Authority's independent surveyor has not been presented with evidenced information to support the submitted high build costs and therefore recommends that the Local Planning Authority does not accept the proposed 17% affordable housing at the tenure proposed (starter home & shared equity).

CAR PARKING

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

The Chuley Road redevelopment allocation was identified as an opportunity to increase public parking provision close to the centre of Ashburton; the policy includes the requirement for development within the allocation to meet the parking needs of existing and new uses and to provide further public car parking. The site is within Flood Zone 1 (low risk) and a sequential approach to redevelopment in the Chuley Road allocation would guide public parking to sites such as this with low flood risk.

The Town Council, in their consideration of the application, were asked to consider their priorities for the site in respect of affordable housing and public car parking to assist officers in their negotiations on this application in response to the viability issues raised on this site.

The Town Council have identified the site as being close to the centre of Ashburton, providing a rare opportunity for public parking provision, and have expressed a clear preference for public parking.

Policy DMD40 stipulates a minimum of 2 spaces for semi-detached dwellings and 1.5 spaces for terraced dwellings. The proposed layout accommodates 51 car parking spaces for the 24 units; 14 spaces in excess of the minimum parking requirement set out in policy.

The agent explains that the residential parking over-provision is to ensure an appropriate number of parking spaces per dwelling (i.e. 2 per dwelling) to ensure that the development is attractive to purchasers and therefore viable.

The agent has been asked to consider public parking provision on the site and explains that the development is only marginally viable and that there is no scope for public parking. He cites that affordable housing is more palatable to developers than public parking and that this was specified as a preference through the pre-application community engagement.

HERITAGE CONSERVATION & LAYOUT CONSIDERATIONS

Policies COR1, COR3, COR5, DMD1b, DMD7 and DMD12 are concerned with the conservation and enhancement of Dartmoor's built environment and cultural heritage, including the setting of conservation areas and listed buildings.

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

The site is situated on the fringe of the Conservation Area within the heart of Ashburton's railway and industrial heritage which has a distinctive character. The site itself appears to have been relatively undeveloped during the period of the railway. There are a number of undesignated heritage assets within proximity of the site associated with the former railway and indeed the former railway goods shed which is a Grade II listed building.

While a number of representations have commented on the illustrative designs set out on the plans, the key consideration is the use, layout and density of development and its impact on heritage interests and the built environment.

The density of the proposed scheme is shaped by the constraints of the site, in particular the topography, and is not inconsistent with the tight knit grain of development in the vicinity.

The layout of development on the site is similarly constrained by the challenging topography of the site and access arrangements, which has influenced the subdivision of the site into lower and upper development areas. This will result in a tiered development and add to the interest in roof scape in Ashburton which is characterised by changes in level and variety in roof heights.

The immediate area is characterised by longer terraces of buildings, however, variety is provided by individual buildings and the semi-detached railway cottages on the periphery of

the site.

It would be preferable to see a stronger terrace along the frontage with one access point to provide continuity of street frontage and reduced 'engineered access points' to this site (which is elevated above the highway). This has also been picked up in the public consultation responses. The agent has explained the difficulties of achieving this with the topography and the need to provide for units that are easily accessible.

The proposed arrangement of smaller terraced units will nonetheless allow for glimpsed views across Ashburton's roofscape from the A38, and equally from within Ashburton to the rising hills beyond which is a defining characteristic of this settlement.

The layout proposes terraced housing on the existing elevated platform at the front of the site; to reduce levels would take the site outside of the low risk flood zone. The adjacent Masonic Hall is similarly elevated above the highway.

Having regard to these matters, whilst there is aspiration from planning and historic building officers to improve the layout, it would be difficult to justify and sustain grounds for refusal on this basis. A future reserved matters application will ensure that the detailed design, scale and materials are appropriate. This outline proposal will not harm the setting of heritage assets and will conserve the character and appearance of the Conservation Area.

The proposed parking layout within the site is reflective of an urban parking layout (incorporating on-street and courtyard parking) rather than cul-de-sac suburban parking. This reflects the topographical constraints of the site and is considered an appropriate solution in the context of this part of Ashburton.

The elevation plans provided are illustrative only and do not tie the Authority to the design proposed which could be made explicit in any planning condition.

FLOOD RISK

THE NPPF and policy COR9 establish the requirements for ensuring new development does not increase flood risk. Policy ASH2 requires a sequential approach to development across the allocation site and the need to demonstrate that the development will be safe and not increase flood risk elsewhere, where possible reducing flood risk overall.

This application site is the only site within the Chuley Road allocation that is wholly within flood zone 1 (low risk). The proposed access into the site is from land within the higher risk flood zones. The whole area, including the application site, is however within a Critical Drainage Area (CDA); an area which the Environment Agency has notified as having critical drainage problems. In these locations, there is a need for surface water to be managed to a higher standard than normal to ensure any new development will contribute to a reduction in flooding risks in line with NPPF.

The principal flood risk within the CDA and watercourse catchment arises from the under-capacity of the River Ashburn and the extensively culverted Balland Stream. Surface water discharges from the site contribute to these watercourses and associated off-site flood risk.

The local community have suffered from flooding events in the past and are understandably concerned about potential for increased flooding from the development. A number of residents have raised queries regarding the capacity of the Balland Stream Culvert to take surface water

drainage from the development.

Soakaways are not possible within the site, due to topography, geology and potential contamination constraints, and therefore underground attenuation tanks are proposed to intercept and slow surface water discharge from the site back to notional 'greenfield' rates on the site in order to minimise flood risk.

Devon County Council Flood Team, the Environment Agency and South West Water are satisfied that surface water drainage arrangements can be accommodated. Detailed information will be required about the capacity of the existing drainage system to accommodate proposed flows, with a requirement for detailed design of new controlled surface water outfall into the Balland Stream or River Ashburn if the existing is deficient.

The Flood Risk Assessment has been undertaken by the same consultant engineers as the Phase 1 Environmental Report and takes account of this information and conclusions.

ACCESS & HIGHWAY SAFETY

Policy COR21 sets out the requirement for new development in relation to highway safety.

Local residents are concerned that the proposal will exacerbate congestion, parking problems highway safety issues in the area and a number dispute the findings and evidence in the traffic report.

Highways England does not raise any issues from a safety or capacity perspective in relation to the A38.

The application is supported by a transport statement the information and conclusions of which are supported by the Highway Authority. The Highway Authority accepts that the proposed residential use has the potential to generate fewer vehicle movements than the authorised use of the site and the types of vehicles would be smaller also. For these reasons, the proposal to utilise the existing access is considered acceptable despite the fact that the geometry and visibility may not comply with contemporary guidance.

Whilst members of the public wish to see a new access into the site from Peartree Cross, this is not required to make the development acceptable on highway grounds and would make the development unviable.

Concerns have also been expressed that those with mobility issues or using pushchairs will favour utilising the vehicular access where no footpath is included. The plans incorporate a pedestrian route through the site to Chuley Road utilising a ramped arrangement of sloped routes.

ECOLOGY

Policies COR7 and DMD14 deal with biodiversity and protected species.

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

It concludes that there would be no negative impact on possible nesting birds, reptiles or amphibians provided the marginal woodland cover is maintained and precautions taken during site clearance.

A precautionary approach with respect to the South Hams SAC is proposed in light of the level of survey data. The proposed mitigation is centred on the eastern boundary to the A38 and is to retain and reinforce the line of trees and shrubs, and limit light disturbance on this boundary during the construction and occupation of the site.

Natural England have confirmed that the proposed development would not have a likely significant effect on the SAC due to the distance of the site from the component roost of the SAC and the sub-optimal nature of any potential flight corridor along this side of the A38.

The details of mitigation and enhancements would need to be set out in a landscape and ecology management plan (LEMP) and lighting plan.

TREES

Policies COR3 and DMD5 deal with the conservation and enhancement of the landscape and landscape features of the National Park. Policy DMD7 requires development proposals to have regard to the trees within the local built environment.

The layout shows the retention of certain trees together with trees to be removed within the ownership of the Highways England. Highways England do not object to this in principal but recommend that works need to be agreed in advance with the applicant and the Highways England. This applies to any trees proposed for removal outside their ownership.

The Trees & Landscape Officer raises no objection in principal to the trees proposed for removal. The proposed layout seeks to retain some key trees along the A38 embankment. The development is outside the root protection zone of these trees, however, the Officer is concerned about the poor relationship presented with future occupiers of dwellings. Having regard to the fact that these trees can further buffer noise and outlook to the A38 it is unlikely to be desirable for future occupiers to press for the removal of these trees. The applicant was asked to consider the layout in this respect but, given the challenging constraints of the site as a whole and the need to address a number of planning considerations, was unable to offer any revision to the layout proposed. Similarly, with regard to the hedgerow along the site frontage, the applicant is balancing the space demands of achieving development on this front section of the site, in combination with addressing the constraints of the site.

A landscaping plan is proposed to provide a green edge to the A38 corridor and as part of the ecological mitigation.

CONTAMINATION

Policy DMD17 deals with development on contaminated land.

The Preliminary Environmental Report (PER) identifies potential for contamination due to historic land uses. Intrusive ground investigation is recommended to inform remediation as appropriate and could be dealt with by planning condition.

LAND STABILITY

A number of neighbouring properties have expressed concerns regarding land stability. Policy DMD18 deals with development on unstable land.

Within the Preliminary Environmental Report (PER) the consultant engineers identify that ground stability hazards are rated as low or very low, with the exception of compressible ground, which is rated as moderate. This is considered to be related to alluvium deposits 18m to the west of the site. This is not concluded to be on the site itself nor have they identified it as impacting on the site.

No subsidence or landslide potential has been identified to evidence that the ground conditions on the site are unstable or will be made unstable by the proposed development to justify further investigation at this stage or to thwart the principle of a development on the site.

Given the presence of limestone bedrock beneath the site the PER considers that there is potential for solution features to be present. The geotechnical implications of solution features at surface and at depth are recommended to be taken into account in the site development; e.g. foundations and drainage design. This is also bearing in mind the presence of made up ground on the site as the site has historically been terraced.

The consultant engineers do not consider that land stability needs further interrogation prior to accepting the principle of development on the site; however, they specify that further investigation is undertaken to confirm detailed design of foundations and associated infrastructure.

No independent expert/professional advice to dispute the information and recommendations submitted in the PER has been forwarded.

Input has been sought from the Building Control Officer and from a Civil & Structural Engineer at Teignbridge District Council; they both confirm that intrusive ground stability investigation works would need to be undertaken to inform detailed construction methodology which could be dealt with by condition prior to development works taking place.

NOISE IMPACT

A Noise Survey has been undertaken to determine levels of noise within the site from the A38 and to model impact on the facades and external amenity areas of the proposed dwellings.

The external amenity areas on the proposed layout will be within acceptable British Standard noise guidelines for noise levels in this location adjacent to the busy A38.

With regard to internal habitable rooms, provided that through-frame window mounted trickle ventilators are incorporated into the double glazed units of habitable windows on certain facades of the development, together with a system for whole house background ventilation and fresh air inlets, then there is sufficient mitigation to prevent a harmful noise impact. All windows should be capable of being opened.

Whilst there would be noise disturbance during any construction period, the proposed end use (residential) would not have an adverse noise impact on neighbouring dwellings.

NEIGHBOUR AMENITY

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

A number of neighbouring residents have expressed concerns about the impact of the development on their living conditions.

The application seeks permission for the layout proposed; detailed design, scale and arrangement of windows etc. would be a matter for detailed consideration at the reserved matters stage. The elevation and floorplan drawings are for illustrative purposes only.

The proposed northernmost terrace would be situated approximately 15m from the flank wall with the neighbouring property to the north. Existing windows in the flank elevation of this neighbouring dwelling are offset from the layout of the proposed terrace. The roof lights in the adjacent barn are at high level.

Chuley Road Bungalow is enveloped within the development site. The proposed layout of dwellings on the lower site will not adversely impact on the amenities of these neighbouring occupiers. The upper terraces would be located approximately 18m to the east of this dwelling. There is a small kitchen window in the side elevation of this neighbouring dwelling facing west. Given the intervening distance, relationship and change in topography, no significant harm is considered.

No's 4 – 7 Chuley Road are located at the southern end of the development. No.7 has a flank wall located along the site boundary with a ground floor obscure glazed kitchen window. The proposed development is to the north, at a similar ground level and the nearest terrace at 10m away is offset behind the building line of this neighbouring dwelling and the layout proposed does not give rise to amenity concerns.

Number 4 Chuley Road is situated on low ground flanking onto Chuley Road. Dwellings are proposed on high ground to the rear (east) beyond the high retaining wall of this neighbouring dwelling at a distance of approximately 16m from the principle rear wall of this cottage and offset from the rear outlook of this dwelling. Having regard to the steep change in topography and relationship presented, it is not considered that the proposed layout will undermine the residential amenities of these neighbouring occupiers. No.4 has a half glazed porch door in the side elevation flanking the proposed lower terrace of dwellings to the north and a first floor window off-set from the proposed building line. No adverse impact is considered in this respect.

The relationship with Nos 5 and 6 Chuley Road, which are off-set further from the layout of dwellings, is considered to be acceptable.

OTHER ISSUES RAISED BY RESIDENTS

A neighbouring occupier has raised questions about access rights for maintenance to her property which flanks the development site. This is a civil matter between respective landowners and not a matter for planning.

The occupiers at Chuley Bungalow have flagged up an access covenant across the site into their property. The applicant has allowed for this in the layout of the development.

CONCLUSION

The site is within a mixed use development allocation in the Chuley Road area of Ashburton (policy ASH2). The existing business use is vacant and the site has been cleared. The site is one of the few sites in the allocation area which is in the low risk flood zone and therefore sequentially preferable for housing. The density proposed reflects the constraints of the site and is not inconsistent with the tight knit grain of development in the vicinity.

The site in question is not on the line of the historic railway track and will not prejudice the future potential to reinstate the railway.

The outline application seeks approval for access arrangements and layout only. The proposed re-use of the existing vehicular access is acceptable; it has the potential to generate fewer vehicle movements than the authorised business use of the site (and with smaller vehicles).

The proposed layout is constrained by the challenging topography of the site and access arrangements; this has influenced the subdivision of the site into the lower and upper development areas. While officers have sought to negotiate some detailed layout amendments, the applicant is unable to make these changes and it would be difficult to sustain a refusal on such grounds. A future reserved matters application will ensure that the detailed design, scale and materials are appropriate in design terms for the site.

The principle issue with this application is the delivery of community benefits set out in policy ASH2.

Policy ASH2 is explicit that the the level of affordable housing needs to be justified through a viability assessment. The Authority's independent assessor has critically appraised the financial information submitted by the applicant and has produced his own high level viability appraisal due to identified deficiencies and ambiguities in the information submitted with the application. The applicant has been given the opportunity to provide further information to justify his case, however, the Authority's assessor has not been presented with evidenced information to support the submitted high build costs and therefore recommends that the Authority does not accept the proposed 17% affordable housing offer and tenure proposed (starter homes and shared equity units). This intermediate affordable housing tenure fails to meet the need for social rented properties identified by the Housing Authority (TDC).

The applicant has made no offer to provide public car parking on the site. He considers that the scheme is only marginally viable and that the inclusion of public parking would further detract from developers investing in the site.

While officers recognise that this development opportunity seeks to realise the aspirations of the Local Plan, there are fundamental difficulties that have yet to be resolved. Despite protracted negotiations in the last year we are no nearer to resolving the two main issues regarding affordable housing and public parking provision. The report highlights that significant progress has been made on a range of other matters however, at this time, the affordable housing offer is below what our advisors consider the site could achieve. For that reason, together with the lack of public parking, officers feel that the application cannot be supported at this time and that further negotiations are now unlikely to lead to a resolution.

Land at Glebelands, Buckfastleigh 0253/18



Scale 1:2,250



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2. Application No: **0253/18** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **Buckfastleigh**
Grid Ref: **SX734665** Officer: **Louise Barattini**
- Proposal: **Demolition of garages and erection of 3 dwellings and parking together with additional replacement parking on separate land parcel**
- Location: **Land between 13-24 Glebelands and Land adjacent to 53-56 Glebelands, Buckfastleigh**
- Applicant: **Teign Housing**
- Recommendation **That, subject to the completion of a S106 legal agreement to secure two units of affordable housing for local persons, 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 permitted shall be carried out in accordance with the following approved drawings: 1622-100B, C-GA-300 P1, C-GA-106 P1, C-GA-105 P1, 1622-103 C, 1622-101 C, 1622-104 C, 1622-102 C and C-GA-100 P2
3. No works in connection with the permission hereby approved shall commence on the site until a Construction Method Statement has been agreed in writing with Local Planning Authority. It shall include details of:
(a) Parking for vehicles and site personnel, operatives and visitors
(b) Loading and unloading of plant and materials
(c) Storage of plant and materials
(d) Programme of works including measures for access arrangements and traffic management
(e) Location of welfare/site office facilities required
The development shall thereafter be constructed in full accordance with the Construction Method Statement unless otherwise agreed in writing with the Local Planning Authority.
4. Site clearance, preparation or construction work shall only take place on site between 08:00 and 18:00 Monday to Friday and 08:00 and 13:00 on Saturdays, not at any time on Sundays, Bank or Public Holidays.
5. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements in section 4 of preliminary ecological appraisal report by Tor Ecology, dated 16/1/17.
6. A remediation scheme stated in the Report by Terraforma (south) January 2018 Ref No 6067 submitted with this application shall be implemented in accordance with the approved timetable of works. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority for approval.

7. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with. Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to the Local Planning Authority for approval.
8. Prior to the commencement of the development hereby permitted, details of the proposed landscaping and planting scheme shall be submitted to the Local Planning Authority for approval. The landscaping and planting shall be carried out in accordance with the approved scheme within twelve months of the commencement of the development, or such longer period as the Local Planning Authority shall specify in writing. The landscaping and planting shall be maintained for a period of five years from the date of the commencement of the development, such maintenance shall include the replacement of any trees or shrubs that die or are removed.
9. No part of the development hereby approved shall be brought into its intended use until the accesses, parking facilities, visibility splays and access drainage have been provided and maintained in accordance with the drawings hereby approved and retained for that purpose at all times thereafter.
10. The existing redundant accesses shall be effectively and permanently closed, including the reinstatement of the kerbs to full height in accordance with details which shall previously have been submitted to the Local Planning Authority for approval as soon as the new access is completed in accordance with the approved plans.
11. Notwithstanding the plans hereby approved and prior to the commencement of the development hereby approved, samples of all proposed surfacing, external facing and roofing materials shall be submitted to the Local Planning Authority for approval prior to the relevant works/installation of materials taking place; thereafter unless otherwise agreed by the Local Planning Authority in writing, only approved surfacing, external facing and roofing materials shall be used in the development.
12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking and re-enacting that Order with or without modification, no windows or other openings shall be created, formed or installed in the side elevations of the dwellings hereby approved at first floor level or above without the prior written authorisation of the Local Planning Authority.
13. Details of any proposed boundary fencing, walling or railings, shall be submitted to the Local Planning Authority for approval prior to their installation. Thereafter, the development shall be constructed in accordance with the approved details.
14. Details of the proposed windows and doors shall be submitted to the Local Planning Authority for approval prior to their installation. Thereafter, the windows and doors shall be installed in accordance with the approved details.

15. Unless otherwise previously agreed in writing by the Local Planning Authority, the frames of all external windows and doors in the building shall be recessed at least 100mm in their openings.
17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking and re-enacting that Order with or without modification, no extension to the affordable dwellings hereby approved shall be constructed without the prior written authorisation of the Local Planning Authority.

Introduction

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

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

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

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

Consultations

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

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

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

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

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

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

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

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

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

Parish/Town Council Comments

Buckfastleigh TC:

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

- Unclear what type of affordable housing is proposed?

Social housing is preferred

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

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

- The road is too narrow to accommodate on street parking

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

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

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR15 - Providing for limited new housing to meet local needs

COR2 - Settlement Strategies

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

COR4 - Design and sustainable development principles

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

DMD14 - Biodiversity and geological conservation

DMD17 - Development on contaminated land

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

DMD21 - Residential development in Local Centres

DMD3 - Sustaining the quality of places in Dartmoor National Park

DMD39 - Provision of car parks

DMD4 - Protecting local amenity

DMD40 - Parking provision - Residential

DMD7 - Dartmoor's built environment

Representations

9 letters of objection

Petition against the proposal, with 24 signatures

Petition against the proposal, with 95 signatures

Local residents have raised the following objections:

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

Observations

PRINCIPLE OF HOUSING

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

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

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

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

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

DESIGN

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

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

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

LOSS OF OPEN SPACE

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

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

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

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

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

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

NEIGHBOUR AMENITY

Policy DMD4 deals with the protection of residential amenity.

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

residential amenity of the adjacent neighbours.

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

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

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

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

WILDLIFE

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

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

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

CONTAMINATION

Policy DMD17 deals with contamination on development sites.

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

DRAINAGE

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

PARKING & HIGHWAY SAFETY

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

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

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

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

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

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

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

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

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

OTHER MATTERS RAISED BY CONSULTATION PROCESS

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

CONCLUSION

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

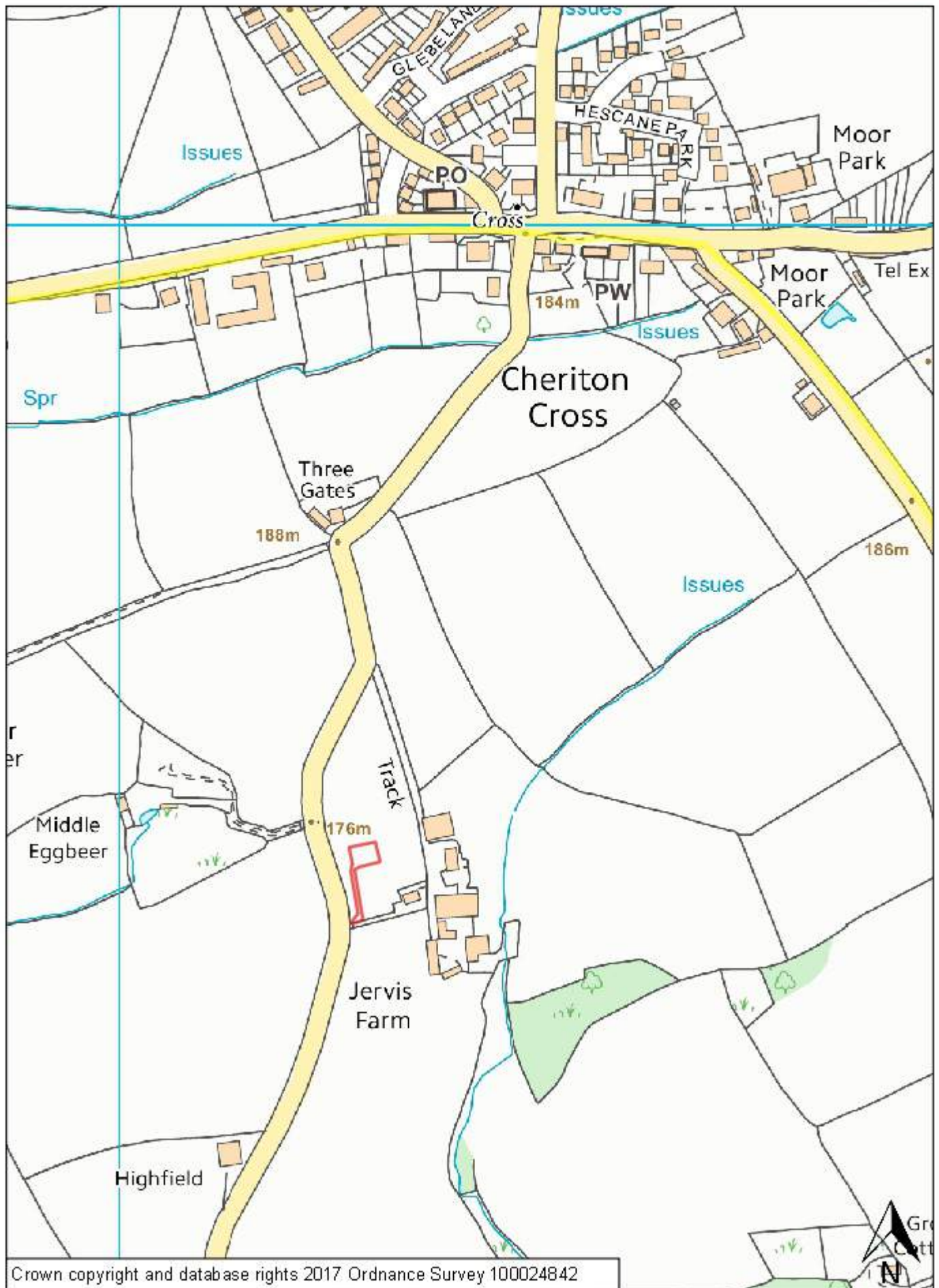
Registered housing providers such Teign Housing have limited grant funding available for the delivery of social rent housing and are therefore exploring development on owned land to be able to finance such developments.

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

Jervis Farm, Cheriton Bishop 0131/18



Scale 1:4,000



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3. Application No: **0131/18** District/Borough: **Mid Devon District**
Application Type: **Full Planning Permission** Parish: **Cheriton Bishop**
Grid Ref: **SX771924** Officer: **Helen Maynard**

Proposal: **Farm workers dwelling**

Location: **Jervis Farm, Cheriton Bishop**

Applicant: **Mr A Retter**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposal is in an area where the Authority would only permit development which is necessary in the interests of agriculture or an established rural business. Having considered an assessment of the holding, the Authority is not satisfied that the agricultural need claimed for this development is such as to override the policy objection. The proposal is contrary therefore to policy DMD23, COR1, COR2 and COR15 of the Dartmoor National Park Development Plan and to the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010.

Introduction

Jervis Farm is an agricultural holding comprising 324ha (49% is owned and 51% is taken on an array of agreements).

This application proposes a third dwelling at the farm.

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

Consultations

West Devon Borough Council: Does not wish to comment.

County EEC Directorate: No highway implications

Environment Agency: Flood zone 1. Standing advice applies.

DNP - Trees & Landscape: No objection in principle to a dwelling on this land if there is agricultural justification for it, but would like to see it located closer to the existing farm complex and along the southern boundary of the field.

Agricultural Consultant: The financial test has been met, but the functional test has not been met. The arable enterprise does not require, in most instances, labour to be readily available on site most times day and night, therefore the existing essential labour requirement has been calculated as less than two fulltime farm workers equivalent per annum.

Parish/Town Council Comments

Cheriton Bishop PC: Support

Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR15 - Providing for limited new housing to meet local needs
COR2 - Settlement Strategies
COR2 - Settlement Strategies
COR3 - Protection of Dartmoor's special environmental qualities
DMD1a - Presumption in favour of sustainable development
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD23 - Residential development outside Local Centres and Rural Settlements
DMD3 - Sustaining the quality of places in Dartmoor National Park
DMD38 - Access onto the highway
DMD4 - Protecting local amenity
DMD40 - Parking provision - Residential
DMD5 - National Park Landscape
DMD5 - National Park Landscape

Representations

1 letter of support

Supporting young farmers

Observations

PROPOSAL

Jervis Farm is located in open countryside to the south of Cheriton Bishop where Core Strategy policies COR2, COR15 and policy DMD23 only allow for a new dwelling where it is to serve the proven needs of agriculture. This is supported by advice in the National Planning Policy Framework.

This application proposes a two bedroom agricultural worker's dwelling at Jervis Farm.

HOLDING

The land, buildings and main farmhouse are owned by the farming business GF and DJ Retter & GG Retter.

Mr GF Retter (applicant's grandfather) remains a partner of the business but lives in a care home off farm. Mrs DJ Retter remains a partner in the business but is retired and remains in occupation of the farmhouse at Jervis Farm.

The following family members live in the second agricultural dwelling known as Moor View, which is located south of Jervis Farmhouse. Mr G Retter (applicant's father), a partner in the business; Mrs S Retter (applicant's mother) a partner in the business; Mr A Retter (applicant) a partner of the business) and Miss R Retter (applicant's sister) who runs and manages a dog kennels and grooming business at Moor View.

The key issues are whether the proposal provides over-riding justification for a new dwelling in the countryside and the impact on the character, appearance and amenities of this part of the National Park landscape.

FINANCIAL & FUNCTIONAL TEST

The independent agricultural consultant has advised that the business was established in 1947 and in the 1960s they purchased a neighbouring holding with a second dwelling known as Moor View. The two farms have been combined to create one agricultural unit.

The holding comprises 324 hectares; 49% of which is owned.

The applicant operates a mixed livestock farming business model including sheep, suckler cows and beef finishing. The current stock levels are:

- 400 breeding lowland ewes
- 8 rams
- 75 suckler cows
- 3 bulls
- 55 calves less than 6 months old
- 36 stirks between 6 and 12 months old

In addition to the livestock enterprise the farm includes winter and spring arable cropping over 120 hectares.

POLICY

Planning policy is explicit that new dwellings in the countryside will only be permitted in exceptional circumstances; a dwelling to meet the proven needs of an established agricultural/forestry enterprise being one of those circumstances. The assessments of such proposals are subject to the stringent tests set out in policy DMD23.

The independent land agent has confirmed that the labour unit calculation proves that less than two full time equivalent workers are required to live on or nearby the site. Therefore, there is an essential functional need for one dwelling on the holding or in the area/nearby.

This application is effectively for a third farm dwelling, the first being occupied by the retired grandparent(s) and the second by the parents. The labour unit calculation proves that less than two workers need to live on site or nearby.

The scale and size of the unit is not such that even a second or third farm worker is warranted to be readily available on site at most times. There is therefore no functional need for an additional dwelling.

It is noted that the independent consultant has excluded the arable labour requirements of the holding as this, in most instances, does not require labour outside of normal working hours or require someone to be on site at most times day or night. The arable labour requirements were used in calculations provided by the applicant's agricultural agent, which led to his calculation that just less than 3 full time equivalent workers were required at the farm.

In addition, there is a potentially satisfactory existing building that could perhaps be converted, subject to further investigation ('the traditional building adjacent to Jervis Farmhouse'). It is also noted that the proposed dwelling offers little extra security for the farm from opportunists.

It is within the gift of the family unit to reorganise the living arrangements without the need to buy, rent or build a new dwelling. The applicants have within their ownership and control, two dwelling houses in the area of Jervis Farm which are suitable and available to meet the needs

of the enterprise and the personal living requirements of all business partners.

The functional need has not been met for a third agricultural worker's dwelling at Jervis Farm.

DESIGN AND LANDSCAPE IMPACT

The applicants have taken on board pre-application advice given by Officers and the design is considered to be broadly acceptable in terms of the policies within the Development Plan and the Dartmoor National Park Design Guide.

The attached garage is considered large and not usually acceptable for farm worker's dwellings, however it is not considered to be problematic in this instance.

A number of concerns are still to be addressed by the applicant. Officers advised:

- Timber or aluminium windows should be used rather than PVCu
- Remove the boxed verges
- Use cladding and other materials to break up rendered elevations and provide interest
- Reduce width of projection (bedroom 1 and 2) of north west elevation and projection (open plan kitchen) on south west elevation to provide less dominant projections more traditional proportions and roof pitch

The Landscape Officer has noted that the building is poorly located in the context of the existing farm complex and would be better located along the southern boundary of the field. The applicant has advised that due to the overhead power lines, it was not possible to move the dwelling closer to the field boundary; Western Power have advised the applicant that the building must be at least 7 metres from the high voltage overhead power lines.

It is noted that no mitigation is proposed and a means of enclosure would usually assist in assimilating the building into the landscape, this may be problematic due to the chosen location and result in drawing attention to the building but should be considered.

The proposed location is considered to be acceptable in landscape terms and although bringing the building further south would be preferable, this location has been sufficiently justified by the applicant.

RESIDENTIAL AMENITY

Having regard to the layout, siting and design of the proposed single storey dwelling and the distance and relationship with neighbouring properties, it is considered that there is no detrimental impact on neighbouring amenity.

CONCLUSION

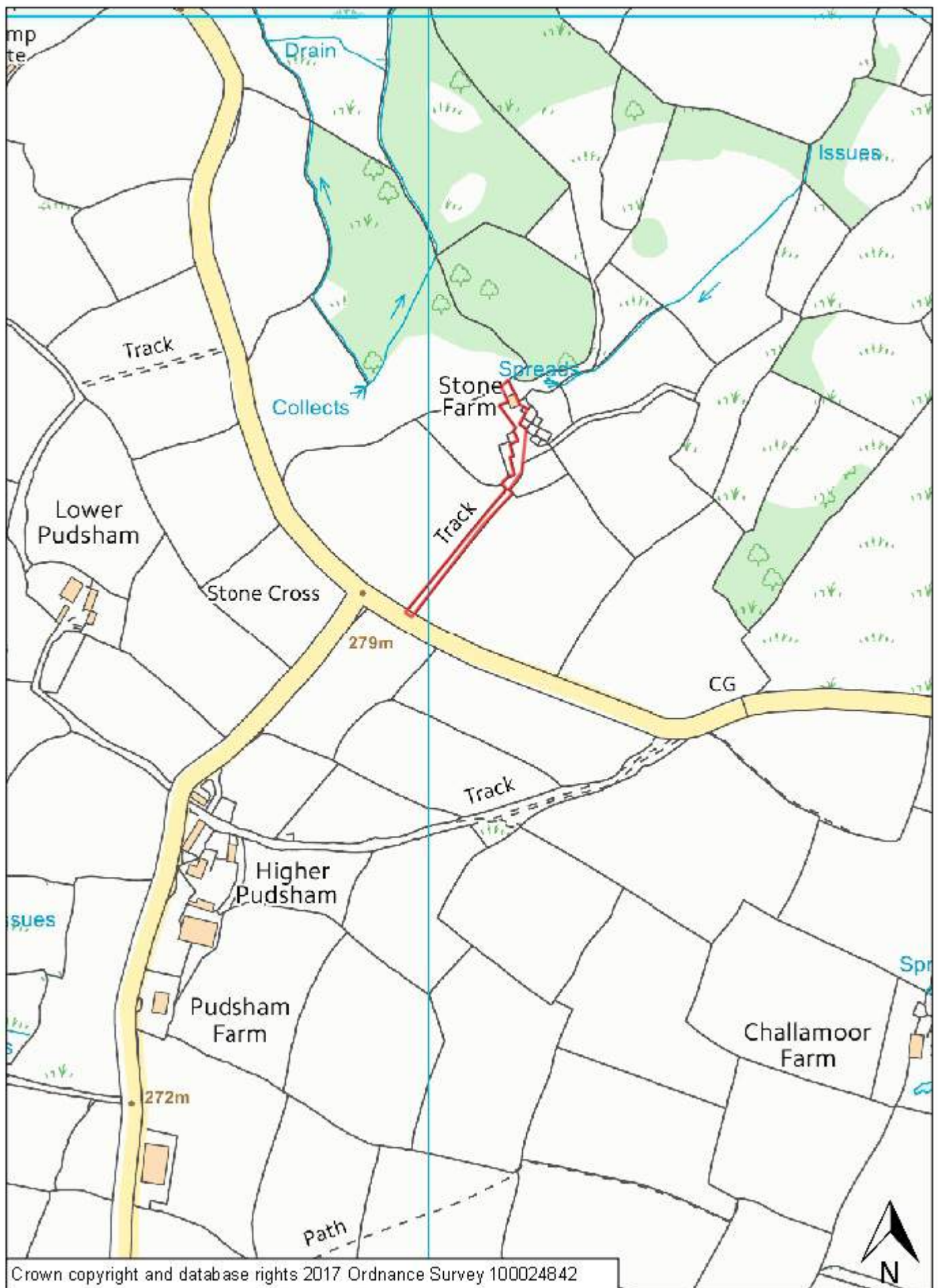
The existing farm business is well served by the two dwellings that currently existing on the farm. Personal circumstances dictate that the occupiers would prefer a third, new dwelling to accommodate their needs.

The assessment of the holding has proved that scale and size of the unit is not such that even a second or third farm worker is warranted to be readily available on site at most times. There is therefore no functional need for an third dwelling at Jervis Farm.

Stone Barn, Buckland-in-the-Moor 0328/17



Scale 1:4,000



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4. Application No: **0328/17** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **Buckland-in-the-Moor**
Grid Ref: **SX720746** Officer: **Helen Maynard**

Proposal: **Conversion of redundant barn with re-instatement of lean-to extension to holiday let**

Location: **Stone Barn, Stone Farm, Buckland-in-the-Moor**

Applicant: **Mr S Hext**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposal would result in an unjustified unit of holiday accommodation in an isolated building outside any recognised settlement, contrary to policies COR1, COR20, DMD9, DMD35 and DMD44 of the Dartmoor National Park Authority Development Plan and to the advice contained in the English National Parks and The Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.

Introduction

Stone Barn is located approximately 1.6km north of Buckland in the Moor. It is an isolated stone barn with a corrugated metal roof. There are ruins comprising some stone walling to the rear (north west elevation) of the barn. The application seeks permission to convert the building into a two bedroom holiday letting unit.

Members resolved to grant planning permission in September 2017 subject to the imposition of a S106 legal agreement to tie the unit to the farm business. That agreement remains unsigned hence the latest report.

Planning History

0130/17	Conversion of barn to holiday let		
	Full Planning Permission	Refused	02 June 2017
0928/07	Conversion of barn to form an agricultural dwelling		
	Full Planning Permission	Refused	05 February 2008
05/07/2445/79	Dwelling on site of former dwelling		
	Outline Planning Permission	Refused	07 December 1979

Consultations

Environment Agency:	Flood Risk Zone 1 - standing advice applies
Teignbridge District Council:	Does not wish to comment
County EEC Directorate:	No highway implications
DNP - Ecology & Wildlife Conservation:	Works to proceed in strict accordance with the recommendations in Section 8 of Preliminary Ecological Assessment Report (George Bemment Associates, 8/3/17) and that this should be a condition of any planning consent. The planning condition shall be discharged when the consultant ecologist confirms in writing that the

DNP - Building Conservation
Officer:

recommendations have been implemented.

In building conservation terms, if the barn is redundant for agricultural purposes its reuse could be supported. It is a simple structure and the only standing remnant of the now ruined and isolated farmstead, which has medieval origins and a potentially high archaeological interest. The barn meets the criteria for a non-designated heritage asset (there is a building shown here on the c.1840 Tithe Map) and is, in any event, recorded as a Historic Farmstead. This surviving barn is certainly worth conserving as it makes a positive contribution to Dartmoor's historic environment.

The immediate development site comprises the barn, lean-to (currently in an unroofed state) and yard. Historically, there was no internal connection between the barn and lean-to, but a new small single door width opening is proposed. Overall, the submitted scheme is sympathetic and relatively low-impact. There are no new external openings and the use of the interior space is not overly intensive. The former yard provides a defined 'curtilage' which should prevent any of the trappings of its domestic use spilling out into the ruined farmstead.

If approved, condition external joinery details – the proposed stained finish is not acceptable and either the wood should be left to weather naturally or be painted. Also details of services and air/waste extraction are required and samples/details of external materials. Any repointing of stone walls should use a lime mortar.

DNP - Archaeology:

Stone Farm is a farmstead abandoned c. 1880, consisting of a group of ruinous buildings and a barn which remains in use. The focus of the site is a building interpreted as a possible longhouse or cross-passage house which has been altered and added to several times during the course of its life. The farmstead appears on the tithe map of 1841 but several pieces of evidence indicate its origin is significantly earlier. An 1875 reference by C. Worth notes the presence of features he interprets as loopholes for musketry, possibly dating to the English Civil War. On firmer ground, ownership of the farm can be traced from the 17th century, while a 14th century documentary reference refers to a John atte Stone indicates a medieval origin which would be supported by the presence of a longhouse or cross passage house.

This evidence suggests that Stone Farm possesses a high degree of evidential value while its status as a farmstead grants it a degree of illustrative historical value.

Although not indicated in the supporting documents it is assumed that the proposed development will require groundworks to install services and construct appropriate

floors within the building. Given the archaeological sensitivity of the site and according to policies COR1, COR3, COR6 and DMD13, an archaeological watching brief (standard condition XO3) is recommended on groundworks both inside and outside the building that is the subject of the proposed development.

Parish/Town Council Comments

Buckland-in-the-Moor Parish The Parish Meeting strongly supports the application.
Meeting:

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR2 - Settlement Strategies

COR20 - Providing for agricultural diversification

COR4 - Design and sustainable development principles

COR8 - Meeting the challenge of climate change

DMD1a - Presumption in favour of sustainable development

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

DMD35 - Farm diversification

DMD4 - Protecting local amenity

DMD44 - Tourist accommodation

DMD7 - Dartmoor's built environment

DMD8 - Changes to Historic Buildings

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

Representations

7 letters of support

The letters received in support of the application all consider this to be a worthy farm diversification exercise which will add value to an established farm business finding an appropriate use for a redundant building.

Observations

THE PROPOSAL

The application proposes the conversion of an existing barn and reinstatement of a lean-to to create a two bedroom holiday let with a new slate roof. The application proposes an enclosed amenity area associated with the property to the north-west elevation.

The existing access is to be utilised, with chippings and 'compacted material' proposed as surfacing for the track. One parking space is proposed for which a hardstanding is required, however the dimensions and materials are not provided. No information has been submitted on how services/utilities will reach the property.

Stone Farm is a historic farmstead appearing on the 19th Century Maps. The building is a modest field barn and appears on the Historic Environment Record. It is positioned in an isolated undeveloped site in this rolling pastoral landscape, divorced from other building

groups. The site is located immediately adjacent to a Section 3 Woodland of Conservation Importance.

The application is proposed as a farm diversification scheme for Pudsham Farm. Pudsham Farm is located approximately 0.5km from Stone Barn. Pudsham Farm is approximately 100ha (250 acres) with 250 cattle and 90 sheep.

PLANNING HISTORY

There is a history of attempts to develop the site by the current owner.

An outline planning application for a new dwelling (ref 05/07/2445/79) was submitted for this site in 1979. That application was refused permission on policy and highway grounds.

In 2007 an application for the conversion of the barn to an agricultural worker's dwelling (ref 0928/07) was refused permission on three grounds. The agricultural need claimed was unsubstantiated; the works necessary to convert the barn to residential accommodation would have been detrimental to the character and appearance of the barn and the area; there was limited visibility for vehicles using the access where the access roads are of narrow width and poor alignments and being unsuitable to accommodate increase in traffic.

An application for the conversion of the same barn to a holiday let (ref 0130/17) was considered at the Development Management Committee on 26 May 2017. Permission was refused for the following reasons:

-The proposal would result in an unjustified unit of holiday accommodation in an isolated building outside any recognised settlement, not part of an acceptable farm diversification scheme.

-The proposed conversion scheme of this isolated barn, together with the associated domestic driveway and curtilage, would substantially harm the significance of the undesignated heritage asset and there are no substantial public benefits which would outweigh that harm.

The latest application is presented following discussion with officers in respect of the above reasons for refusal.

PRINCIPLE OF CONVERSION TO HOLIDAY USE/POLICY IMPLICATIONS

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

(i) The building should be sited where there is reasonable access to local services and facilities preferably by a variety of means of transport;

(ii) The building should demonstrate a form, structure or history that is traditional within the context of Dartmoor's built heritage;

(iii) The building should be:

- structurally sound;
- appropriately sized for the proposed new use;
- capable of conversion without the need for substantial extension, alteration or reconstruction

of the existing structure;

- capable of conversion without requiring significant changes in the relationship with existing ground levels;

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

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

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

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

Policy COR20 states that 'the principal aim of farm diversification proposals should maintain the core agricultural business whilst conserving or enhancing the wildlife, natural beauty or cultural heritage of the National Park or contributing to the public's enjoyment and understanding of its special qualities. Existing buildings should be re-used where possible'.

Policy DMD35 states that permission will be granted for development to support farm diversification enterprises where the proposal complies with the following criteria;

(i) it is located on the farm holding or on land directly associated with the operation of the farm and is intended to support the farm enterprise;

(iv) it is consistent in its scale and environmental impact with the character and appearance of the area;

(v) it is based on the scope to add value to the agricultural output of the holding and/or the commercial opportunities offered by the farm's buildings, or environmental qualities or cultural heritage assets.

It states that 'traditional buildings should be used in preference to other types of structures. To ensure that any development remains ancillary and tied to the farm enterprise, planning agreements will be used or conditions will be imposed'.

Policies COR20 and DMD35 set out that farm diversification should help to maintain (and not supplant) the core agricultural business and conserve/enhance the wildlife, natural beauty and cultural heritage of the Park.

IMPACT

Pudsham Farm comprises 100ha (250 acres) of predominantly enclosed pasture fields. It is a mixed livestock farm centred on the farmhouse and buildings at Pudsham Farm. The barn is the only building on the parcel of land on the northern side of the holding, separated from the farmstead by the highway leading to Widecombe-in-the-Moor. It is therefore physically separate and visually isolated from any other development in this location being approximately 370m from the nearest dwelling (in other ownership) and 500m north of the farmstead from which it would be managed.

The barn's location means that there is no reasonable access to local services and facilities on foot or by other sustainable means of transport. This runs contrary to the provisions of policy DMD9 and the strategic objectives of policy COR1 and DMD1b.

The building is a modest field barn and relatively rare within the Dartmoor farming and farm building context and appears on the Historic Environment Record. It is positioned in this rolling pastoral landscape, divorced from other building groups and away from the public highway.

The Dartmoor Landscape Character Assessment classifies this landscape as Moorland Edge Slopes. The strategy for this landscape type seeks to carefully control new development outside the footprint of the landscapes small, nucleated medieval settlements. The building is visually prominent in the landscape. The conversion of this isolated building, together with the associated domestic curtilage, and associated driveway, could be argued to have a harmful urbanising impact on the character and appearance of this part of the Dartmoor National Park landscape, contrary to policies COR1, COR3, DMD1b, DMD5 and DMD9.

FARM DIVERSIFICATION

A set of 2016 accounts; a letter from Francis Clark LLP and a letter from Cornish and Devonshire Cottage Holidays were submitted with the application.

The letter from Francis Clark advises that in recent years the return from farming at Pudsham Farm has been at a level which would represent a significant shortfall compared to the National Minimum Wage rates and in the long term is unlikely to be sustainable.

Cornish and Devonshire Cottage holidays have confirmed the approximate gross income for the property.

Francis Clark has summarised the trading results of the farm business for the last five years (since 2012). The average net profit since 2012 is very modest. They have also confirmed that the proposed holiday let at Stone Farm is likely to produce a net annual profit in the region of £10,000.

From the submitted accounts the holiday unit could provide around a tenth of the farm's total yearly income – the majority still originating from farming activity, livestock sales and contracting. It would however be likely to provide a main source of profit when assessed against the limited profits returned by the farm operations. The applicant's agent has indicated that the substantial capital outlay necessary to finance the conversion will be met by his input. The question of how the applicant will repay that input from the relatively modest returns remains unanswered.

Policy DMD35 states that well-conceived schemes for business purposes that are consistent in scale with their rural location will be encouraged but must conserve and enhance the wildlife, natural beauty or cultural heritage of the National Park or contribute to the public's enjoyment and understanding of its special qualities. A holiday unit could meet some of these objectives. On balance, this evidence it is now accepted and, in principle, this proposal forms a genuine farm diversification exercise meeting the aims of policies COR20 and DMD35.

DESIGN AND HERITAGE POLICY

Policies COR1, COR3, DMD8 and DMD1b establish the requirement for the conservation and

enhancement of Dartmoor's cultural heritage.

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

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

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

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

Stone Farm is a farmstead abandoned c. 1880, consisting of a group of buildings, most of which are in a ruinous state. The focus of the site is a building interpreted as a possible longhouse or cross-passage house which has been altered and added to several times during the course of its life.

The farmstead appears on the tithe map of 1841 but several pieces of evidence indicate its origin is significantly earlier. An 1875 reference by C. Worth notes the presence of features he interprets as loopholes for musketry, possibly dating to the English Civil War. On firmer ground, ownership of the farm can be traced from the 17th century, while a 14th century documentary reference refers to a John atte Stone indicates a medieval origin which would be supported by the presence of a longhouse or cross passage house. This evidence suggests that Stone Farm possesses a high degree of evidential value while its status as a farmstead grants it a degree of illustrative historical value.

Following the refusal of the most recent application the applicant has taken on board advice from the Building Conservation Officer and amended the design of the scheme. The proposal is now a sympathetic conversion without the requirement for additional openings or significant alterations to the existing historic barn.

The Building Conservation Officer considers that if the barn is redundant for agricultural purposes he could support its adaptive reuse. It is a simple structure and the only standing remnant of the now ruined and isolated farmstead, which has medieval origins and a potentially high archaeological interest. The barn meets the criteria for a non-designated heritage asset (there is a building shown here on the c.1840 Tithe Map) and, in any event, the

site is recorded as a Historic Farmstead. This surviving barn is certainly worth conserving as it makes a positive contribution to Dartmoor's historic environment. The immediate development site comprises the barn, lean-to (currently in an unroofed state) and yard. Historically, there was no internal connection between the barn and lean-to, but a new small single door width opening is proposed. Overall, the submitted scheme is sympathetic and relatively low-impact. There are no new external openings and the use of the interior space is not overly intensive. The former yard provides a defined 'curtilage' which should prevent any of the trappings of its domestic use spilling out into the ruined farmstead.

WILDLIFE CONSIDERATIONS

A protected species survey has been submitted with the application. No evidence of bats or nesting birds was recorded. Evidence of previous nesting birds was noted. The recommendations of the report are to be followed to ensure that protected species are not adversely affected in accordance with policies DMD14 and COR7.

CONCLUSIONS

The revisions to the planned scheme together with further evidence concerning the support for the existing farming enterprise meet a number of the concerns that were expressed at the time the previous application was considered. The proposed works have been scaled back to a scheme that pays respect to the simple character of the barn. While there are remaining concerns about the relative isolation of the building and its distance from the associated farmstead, on balance this is now a scheme that can be seen to offer the possibility of genuine farm diversification and, on balance, has sufficient benefit to outweigh those concerns. The proposed conditions are relative to its use and consistent with other schemes of this nature.

UPDATE

Since the Committee meeting in September 2017 the necessary S106 legal agreement has been drafted seeking to tie the holiday let to the farming business as part of a farm diversification scheme. The applicant has been unwilling to sign the document which would allow planning permission to be released.

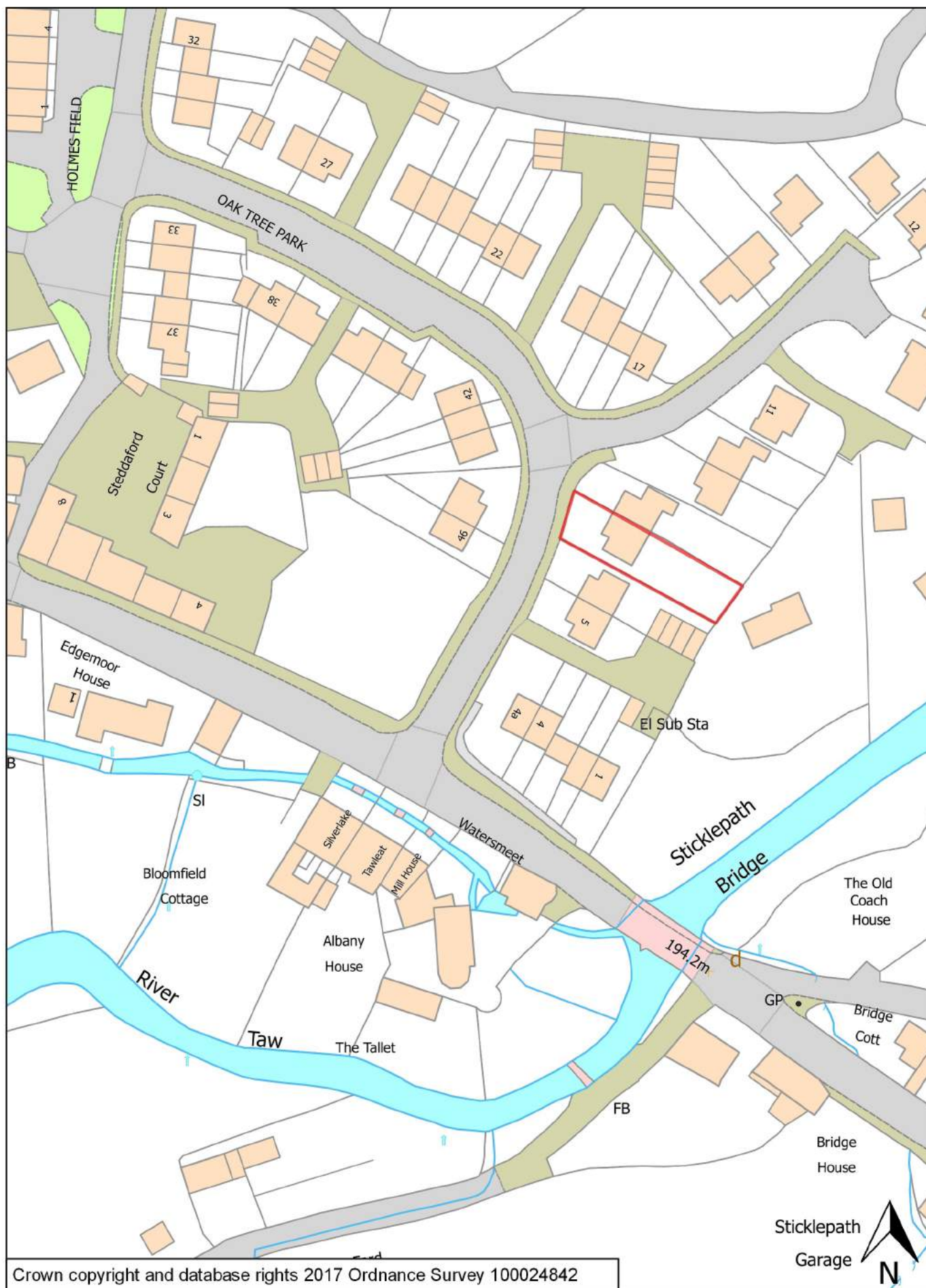
While the scheme is considered acceptable as part of a farm diversification exercise, Officers cannot support a new holiday let in this isolated location without the confidence that it is tied to the farming business. It is therefore necessary to refer this back to Members for a revised decision.

In the absence of any overriding need or special justification for holiday accommodation in this location the recommendation must therefore be one of refusal at this time.

0252/18 - 7 Oaktree Park, Sticklepath



Scale 1:1,000



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5. Application No: **0252/18** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission -** Parish: **Sticklepath**
Householder
Grid Ref: **SX643941** Officer: **Helen Maynard**

Proposal: **Erection of first floor extension and conservatory**

Location: **7 Oaktree Park, Sticklepath**

Applicant: **Mr & Mrs M Williams**

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 drawings: Dwg/Exe/2, Dwg Exe/5, Dwg Exe/6 valid 23 May 2018.
3. The materials to be used in the finishing of the external walls and roof of the development hereby approved shall, unless otherwise previously agreed by the Local Planning Authority in writing, match those used on the existing building.

Introduction

7 Oaktree Park is a semi-detached dwelling situated within a modern cul-de-sac of uniform character within the rural settlement of Sticklepath.

The application proposes a two-storey side extension to provide additional bedroom and living accommodation.

The application is presented to Members in view of the Parish Council comments and as the proposal presents a departure from the 30% floor space threshold within policy DMD24.

Consultations

West Devon Borough Council: Does not wish to comment.

Environment Agency: Flood zone 1. The driveway of the site is within Flood zone 2. Standing advice applies.

County EEC Directorate: No highway implications.

DNP - Ecology & Wildlife Conservation: No objection.

Parish/Town Council Comments

Sticklepath PC: Object due to the loss of a parking space on the driveway.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR2 - Settlement Strategies

COR4 - Design and sustainable development principles

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

DMD12 - Conservation Areas

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

DMD24 - Extensions and alterations to dwellings

DMD4 - Protecting local amenity

DMD7 - Dartmoor's built environment

Representations

1 letter of support 1 other letter

Concerns have been raised regarding the increased height and size of the conservatory and the potential loss of light into 6 Oaktree Park.

Observations

PROPOSAL

This application proposes a two-storey side extension to the existing property and the replacement of the conservatory with a rendered rear extension with roof tiles to match the existing property (on the same footprint). The materials of the side extension are also to match the existing building.

PLANNING POLICIES

Policies DMD1, COR1, COR4 and DMD7 establish the objectives for conserving and enhancing the character and appearance of Dartmoor's built environment. This is reflected in The English National Parks and Broads UK Government Vision and Circular 2010.

Policies DMD7 and COR4 set out design considerations for new development, notably; scale, height, alignment, layout detailing and materials.

Policy DMD24 requires extensions to be consistent with advice contained in the Dartmoor Design Guide and not to adversely affect the appearance of the dwelling and its surrounds and not increase the habitable floor space of the existing dwelling by more than 30% unless clear design considerations indicate otherwise.

The Dartmoor Design Guide requires high quality locally distinctive design and advises that new extensions should not overwhelm the existing property.

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

ASSESSMENT OF FLOOR SPACE INCREASE AND DESIGN

The property has been previously extended to provide a conservatory and is a three bedroom semi-detached dwelling with a relatively small floor space of 82sqm. This is marginally below national space standards for a two-storey three bedroom, four person house. The DCLG's Technical Housing Standards 2015 recommend a minimum of 84sqm for such accommodation. The proposed extension will deliver 35sqm of habitable floor space and provide one additional bedroom creating a total floorspace of 117sqm. This presents a 43%

increase in habitable floor space. This exceeds the threshold set out in policy DMD24, however, if we acknowledge the deficiency of the existing floor space and assess the proposal against the national space standard for this size property then the percentage increase is reduced to 41%.

The proposed extension has been designed to be sympathetic in scale, proportions, form, detailing and materials to the existing dwelling (and the semi-detached pair) and will appear as a subservient addition to the side of the dwelling, set back from the front elevation with a lower ridge height. The character and scale of the extension is similar to the side extension of nearby property on Oaktree Park which was approved by Members in 2016 (ref: 0293/16).

The Design Guide acknowledges the importance of scale as a major consideration for householder extensions, the emphasis being on extensions not "overwhelming" the existing property. The proposed extension is appropriately design and scaled; it could not be said to overwhelm the existing property.

Having regard to the National Space Standards, the neutral impact of the proposed development in the street scene, its sympathetic scale and form; it would be difficult to sustain a reason for refusal on floor space grounds.

There will be no material harm to the character and appearance of this part of the Dartmoor National Park and there are clear design and material considerations for departing from the 30% in this particular instance.

PARKING

The Parish Council has raised an objection to the extension. It considers that the existing driveway accommodates 2 vehicles; the proposed extension will increase the footprint of the building which will reduce the length of the driveway to accommodate only one vehicle.

The driveway is approximately 10m at present and approximately 1.4m will be lost by the proposal.

A medium sized car, as currently owned by the applicants is approximately 4m in length. It is considered that there is additional space on the driveway to allow for a second vehicle. The loss of 1.4m of the driveway would not change this situation.

DNPA parking policy DMD40 states that a minimum of two spaces per dwelling for a semi-detached property. It is considered that there will be adequate parking on this drive for two small or medium sized vehicles.

There are no objections from the Highways Officer.

The comments from the Parish Council are noted, however, it would be difficult to sustain a reason for refusal on parking grounds.

AMENITY

The proposed extension has been designed with consideration for neighbouring properties. The adjacent dwelling to the south west has a garage window in the side elevation flanking the proposed extension and as such there would be no impact on light to habitable rooms/outlook. The residential amenity of the adjoining semi would also be protected. The proposal will

therefore not be in conflict with the objectives of policy DMD4.

CONCLUSION

The proposed extension seeks to add a modest amount of additional accommodation to the dwelling. It is acknowledged that the percentage floor space will increase beyond that permitted under policy DMD24 however, in this case, the design fits comfortably with the style of the property and the estate in general.

Having regard to the above factors, it is recommended that planning permission be granted, subject to appropriate conditions.



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6. Application No: **0187/18** District/Borough: **South Hams District**
Application Type: **Full Planning Permission** Parish: **Cornwood**
Grid Ref: **SX610587** Officer: **Jo Burgess**

Proposal: **Conversion of stone buildings to one live-work unit and one family dwelling including demolition of concrete block addition to barn and agricultural building together with associated landscaping**

Location: **Moor Farm, Ivybridge**

Applicant: **Mr & Mrs Darwall**

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. Development to be carried out in accordance with approved plans.
3. The studio and office space as shown on the approved plan shall be used for B1 (a) purposes only and for no other purpose (including any other purpose in Class B1b, B1c, B2, B8 or C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking and re-enacting that Order with or without modification, no material alterations to the external appearance of the building(s) shall be carried out and no extension, building, enclosure, structure, erection, hard surface, swimming or other pool shall be constructed or erected in or around the curtilage of the dwelling hereby permitted, and no windows or roof lights other than those expressly authorised by this permission shall be created, formed or installed, without the prior written authorisation of the Local Planning Authority.
5. No development shall take place until full details of all new joinery including doors and windows have been submitted to and approved in writing by the Local Planning Authority; thereafter unless otherwise agreed by the Local Planning Authority in writing only approved joinery shall be used in the development.
6. No development shall take place until full details including profiles and sections, of eaves and verges, drawn to a scale of 1:5, have been submitted to and approved in writing by the Local Planning Authority; thereafter unless otherwise agreed by the Local Planning Authority in writing only approved eaves and verges shall be used in the development.

7. No development shall take place until a full photographic schedule of all surviving historic ironmongery, including pintles, strap hinges, catches and remains of machinery has been submitted. This should show their current location on an accompanying plan together with a proposed plan showing where the historic features are to be re-located. This shall be submitted to and approved in writing by the Local Planning Authority before any works take place; thereafter unless otherwise agreed by the Local Planning Authority in writing the ironmongery should be re-located in the development in accordance with the approved plan.
8. The roof of the development hereby approved shall be covered in a 'Lugo' natural slate, unless otherwise agreed in writing with the Local Planning Authority. At all times thereafter the roof shall be maintained in the approved natural slate.
9. The roof slate shall be fixed by nailing only, unless otherwise previously agreed in writing with the Local Planning Authority.
10. Prior to the first occupation of the units hereby approved, the agricultural building to the south-west of the barns to be converted should be removed, the demolition material permanently removed from the site and the ground reinstated. The new dry stone and earth wall shall be provided in accordance with the drawings hereby approved. The stone wall shall be retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
11. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements of the ecological survey report dated 18 January 2017.
12. The development hereby permitted shall not be occupied until the four parking spaces for motor vehicles shown on the approved plan, have been provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority and made available for use; thereafter the parking spaces shall be permanently retained for that use alone.

Introduction

Moor Farm lies within the Blachford Estate in open countryside to the south east of Cornwood. The farmhouse and barns are grade II listed buildings.

It is proposed to convert the listed barns to one live-work unit and one two bedroom dwelling. In association with this work a substantial post war agricultural building adjacent to the barns and farmhouse is to be demolished.

The application is presented to Members because it has been advertised as a Departure from the Development Plan.

Consultations

Environment Agency:	Flood Risk Zone 1 - standing advice applies
South Hams District Council:	Does not wish to comment
County EEC Directorate:	No highway implications
DNP - Ecology & Wildlife Conservation:	Works to proceed in strict accordance with the recommendations in the bat, barn owl and nesting bird survey report.

DNP - Archaeology:	No archaeological concerns are anticipated for the proposed development
DNP - Building Conservation Officer:	<p>The buildings have some historic interest with most of the fabric dating from the 19th century. The architectural interest of the group lies in its layout, external form, construction in relation to the neighbouring house and surrounding topography, and in its wider setting. Although there are some surviving internal features of moderate interest, the ground floor was largely adapted to modern farming practices in the mid-20th century with concrete floors and cement rendered walls.</p> <p>The structural engineer's report suggests that walls and roof trusses are sound although the first floor is in very poor condition. The building is in urgent need of re-roofing and floor replacement.</p> <p>Conversion almost inevitably leads to some harm to historic and architectural character, however in this case no new openings are required to provide adequate light and at ground floor level, the spaces and surfaces are much altered already. The impact on public views would be limited and the demolition of the modern shed would be a significant gain to the landscape setting of the group.</p> <p>The alterations are considered to be sympathetic and no significant historic fabric is likely to be affected. It will however be necessary for historic ironmongery to be reused on the site so a full schedule of where this survives and where it is to be used should be drawn up.</p>
Viability Assessor (TDA):	Provided the live work unit is conditioned accordingly, it is considered that a contribution towards affordable housing is not justified on grounds of viability.

Parish/Town Council Comments

Cornwood PC:	Support the application due to the demand for rental properties and the estate providing direct and indirect employment to a significant number of local people. The removal of the agricultural building will improve the landscape and enhance the setting of the listed buildings
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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
 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

DMD23 - Residential development outside Local Centres and Rural Settlements

DMD3 - Sustaining the quality of places in Dartmoor National Park

DMD4 - Protecting local amenity

DMD8 - Changes to Historic Buildings

Representations

1 letter of support

A neighbour has supported the application in view of the buildings not being suited to modern large scale farming and the two rental units adding to the housing stock in the village.

Observations

INTRODUCTION

Moor Farm is a prominent group of buildings when viewed from the road approaching Cornwood from Ivybridge. It consists of a listed farmhouse, an L shaped group of listed barns and a modern agricultural building.

Conversion of the barns to a two bedroom live work unit and a two bedroom dwelling is proposed. It is intended that both units will be rented by the Blatchford Estate with no planning restriction on the rental value or occupancy.

PRE-APPLICATION ADVICE

The proposal has been the subject of significant pre-application discussions. Officers advised that policies DMD9 and DMD23 require the provision of affordable housing on site in accordance with the Intermediate Housing model.

The applicant indicated that he was not willing to make provision on site. Given the likelihood of an affordable housing site coming forward within the village, officers advised that subject to a viability assessment, given the advice in the Affordable Housing SPD, a commuted sum in lieu of affordable housing could be appropriate in this case. Viability issues are discussed later in the report.

HOUSING POLICY

Policy DMD23 require that barn conversions in the open countryside, which meet the tests of DMD9, should provide affordable housing. Where this is not the case applications are, as in this case, advertised as a Departure from the Development Plan.

DMD9 also requires a sequential approach to be taken whereby business, community or short stay tourist accommodation are considered first before residential use. In this case a live work

unit is being proposed and the applicant does not want to use the barns as holiday lets.

DMD9 states that where a business or community use has been shown to be not viable or feasible, the proposal should provide affordable housing for local persons.

The Affordable Housing SPD states that the conversion or change of use of an existing historic building often results in dwellings which are unsuitable for affordable dwellings, by virtue of their anticipated market value. Additionally the impact upon the building of the conversion or adaption for the purposes of small units of housing is often considered to have an inappropriate impact on the significance of those buildings. This especially applies where the building is a heritage asset. In these circumstances the Affordable Housing SPD allows for a commuted sum in lieu of affordable on-site affordable housing to be considered.

In this case the applicant already owns the barns and has a number of rental properties on the estate so is looking to rent both units rather than sell them. A viability assessment was submitted and examined by an independent viability assessor acting on behalf of the Authority. The costs based on recognised data, were examined carefully and although they were considered to be relatively high, even if they were significantly reduced, the appraiser calculated that the Gross Development Value is such that the scheme cannot reasonably be expected to support a committed sum towards affordable housing.

EMPLOYMENT POLICY

The live work unit is considered to be a small scale development to facilitate the growth of small office and home- based enterprises in accordance with policy COR18. As a form of business use, this element of the proposal addresses this part of the DMD9 'sequential' approach to new uses for conversions. The viability assessor has stated that there is evidence to support the value assumed for this unit and indicated that the value of the live-work unit would be less than if it were purely a residential unit. The live-work unit will need to be conditioned accordingly.

IMPACT ON THE LISTED BUILDINGS

The barns have deteriorated due to water ingress over recent years and the Building Conservation Officer has advised that they are in urgent need of re-roofing and floor replacement.

Given the modern interventions on the ground floor there are no concerns in respect of archaeological interests.

Policy DMD8 requires that where a change of use, extension and alteration to a listed building is proposed, consent will only be granted where the significance of the building has been assessed and where the scale of any harm to the building is outweighed by the public benefits the development will bring.

The application included a detailed statement of significance. In summary the conversion does not include any new openings within historic stone work but includes the installation of conservation rooflights and roof glazing. The internal alterations are discussed in the Listed Building Consent report. The Building Conservation Officer has concluded that the conversion is a sympathetic conversion of the buildings.

He noted that the building contains a large collection of historic ironmongery - strap hinges,

pintles and catches associated with the original doors and has identified that these should be re-used on site.

The removal of the modern agricultural building is considered to provide a significant gain to the landscape setting of the group and is a factor which weighs in favour of the conversion and associated works.

ECOLOGY

Policies COR7 and DMD14 require that wildlife is protected and opportunities to support habitat and secure the nature conservation value of sites is secured. No evidence of protected species was found but the report contains recommendations in this respect and should be conditioned accordingly.

CONCLUSION

In accordance with policy DMD1a an assessment has to be made as to whether the proposed development is sustainable development.

The development proposes one live work unit and one new dwelling which will not be affordable contrary to policies COR2, COR15, DMD9 and DMD23.

The buildings are listed buildings and the Affordable Housing SPD sets out that commuted sum contributions can be accepted by the Authority in lieu of on-site affordable housing where the impact of conversion for the purposes of affordable housing is inappropriate. The applicant intends to rent the accommodation and has demonstrated to the satisfaction of the independent viability assessor, that the costs are such that it is not viable to provide affordable housing on site or to provide a commuted sum towards affordable housing elsewhere.

The Parish Council has supported the application and refers to the economic and social contribution made by the estate to the village community and the improvement to the setting of the listed buildings resulting from the removal of the modern building.

On balance, the proposal will secure development that improves the economic, environmental and social conditions in the area. It is a scheme that will preserve and enhance the special qualities of the listed buildings and give them an appropriate use. It is therefore considered to be sustainable development in accordance with the Development Plan in particular policy DMD1a and the National Planning Policy Framework.



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7. Application No: **0188/18** District/Borough: **South Hams District**
Application Type: **Listed Building Consent** Parish: **Cornwood**
Grid Ref: **SX610587** Officer: **Jo Burgess**

Proposal: **Conversion of stone buildings to one live-work unit and one family dwelling including demolition of concrete block addition to barn and agricultural building together with associated landscaping and two replacement windows in farmhouse**

Location: **Moor Farm, Ivybridge**

Applicant: **Mr & Mrs Darwall**

Recommendation **That consent be GRANTED**

Condition(s)

1. The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.
2. Development carried out in accordance with approved plans
3. No development shall take place until full details of all new joinery including doors and windows have been submitted to and approved in writing by the Local Planning Authority; thereafter unless otherwise agreed by the Local Planning Authority in writing only approved joinery shall be used in the development.
4. No development shall take place until full details including profiles and sections, of eaves and verges, drawn to a scale of 1:5, have been submitted to and approved in writing by the Local Planning Authority; thereafter unless otherwise agreed by the Local Planning Authority in writing only approved eaves and verges shall be used in the development.
5. No development shall take place until a full photographic schedule of all surviving historic ironmongery, including pintles, strap hinges, catches and remains of machinery has been submitted. This should show their current location on an accompanying plan together with a proposed plan showing where the historic features are to be re-located. This shall be submitted to and approved in writing by the Local Planning Authority before any works take place; thereafter unless otherwise agreed by the Local Planning Authority in writing the ironmongery should be re-located in the development in accordance with the approved plan.
6. The roof of the development hereby approved shall be covered in a 'Lugo' natural slate, unless otherwise agreed in writing with the Local Planning Authority. At all times thereafter the roof shall be maintained in the approved natural slate.
7. The roof slate shall be fixed by nailing only, unless otherwise previously agreed in writing with the Local Planning Authority.

Introduction

Moor Farm lies within the Blachford Estate in open countryside to the south east of Cornwood. The farmhouse and barns are grade II listed buildings.

It is proposed to convert the listed barns to one live-work unit and one two bedroom dwelling. In association with this work a substantial post war agricultural building adjacent to the barns

and farmhouse is to be demolished.

This listed building consent application is presented to Members for completeness, in association with the planning application preceding this report.

Planning History

0187/18	Conversion of stone buildings to one live-work unit and one family dwelling including demolition of concrete block addition to barn and agricultural building together with associated landscaping
	Full Planning Permission Not yet determined

Consultations

Environment Agency:	Flood Risk Zone 1 - standing advice applies
South Hams District Council:	Does not wish to comment
County EEC Directorate:	No highway implications
DNP - Building Conservation Officer:	<p>The buildings have some historic interest with most of the fabric dating from the 19th century. The architectural interest of the group lies in it's layout, external form, construction in relation to the neighbouring house and surrounding topography, and in it's wider setting. Although there are some surviving internal features of moderate interest, the ground floor was largely adapted to modern farming practices in the mid-20th century with concrete floors and cement rendered walls.</p> <p>The structural engineer's report suggests that walls and roof trusses are sound although the first floor is in very poor condition. The building is in urgent need of re-roofing and floor replacement.</p> <p>Conversion almost inevitably leads to some harm to historic and architectural character, however in this case no new openings are required to provide adequate light and at ground floor level, the spaces and surfaces are much altered already. The impact on public views would be limited and the demolition of the modern shed would be a significant gain to the landscape setting of the group.</p> <p>There should be no problem with installing sound and heat insulation or underfloor heating in the new floors, meaning that no significant historic fabric is likely to be affected.</p> <p>The alterations are considered to be sympathetic and no significant historic fabric is likely to be affected. It will however be necessary for historic ironmongery to be reused on the site so a full schedule of where this survives and where it is to be used should be drawn up.</p>

Parish/Town Council Comments

Cornwood PC:	Support the application due to the demand for rental
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properties and the estate providing direct and indirect employment to a significant number of local people. The removal of the agricultural building will improve the landscape and enhance the setting of the listed buildings.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR3 - Protection of Dartmoor's special environmental qualities

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

DMD8 - Changes to Historic Buildings

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

Representations

None to date.

Observations

INTRODUCTION

Moor Farm is a prominent group of buildings when viewed from the road approaching Cornwood from Ivybridge. It consists of a listed farmhouse, an L shaped group of listed barns and a modern agricultural building.

Conversion of the barns to a two bedroom live work unit and a two bedroom dwelling is proposed. Some alterations to windows are also proposed in the main farmhouse.

This application is the Listed Building Consent application associated with planning application preceding this report.

PRE-APPLICATION ADVICE

The proposal has been the subject of significant pre-application discussions. The design has been guided by these discussions and the subsequent Statement of Significance.

IMPACT ON THE LISTED BUILDINGS

The barns have deteriorated due to water ingress over recent years and the Building Conservation Officer has advised that they are in urgent need of re-roofing and floor replacement.

Given the modern interventions on the ground floor there are no concerns in respect of surviving archaeology.

The conversion does not include any new openings within historic stone work but includes the installation of conservation rooflights and roof glazing. Some internal sections of wall will be removed but these are not considered to cause unacceptable harm to the character of the

building. Installation of sound and heat insulation and underfloor heating will not affect any historic fabric. The conversion is considered to be a sympathetic conversion of the buildings.

The building contains a large collection of historic ironmongery - strap hinges, pintles and catches associated with the original doors. The Building Conservation Officer has identified that these should be re-used on site.

The removal of the modern agricultural building is considered to provide a significant gain to the landscape setting of the group and is a factor which weighs in favour of the conversion and associated works.

The proposed replacement window in the east wing of the farmhouse have been simplified and are considered to be acceptable.

CONCLUSION

In accordance with policies COR5, DMD8 and DMD9 the harm to the significance of the buildings resulting from the conversion is minor and outweighed by the benefits of the new use and removal of the modern agricultural building which currently has a detrimental impact on the setting of the farmhouse and the barns.

The Parish Council has supported the application and refers to the improvement to the setting of the listed buildings resulting from the removal of the modern building.

On balance, the public benefit of the proposed development outweighs the harm to the significance of the buildings and as such is considered to be in accordance with the National Planning Policy Framework.



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8. Application No: **0226/18** District/Borough: **West Devon Borough**
 Application Type: **Full Planning Permission - Householder** Parish: **Buckland Monachorum**
 Grid Ref: **SX524675** Officer: **Helen Maynard**
 Proposal: **Reconstruction of roof to accommodate bedroom, bathroom and study and changes to window locations and sizes at ground floor level**
 Location: **Easter Cottage, Meavy Lane, Yelverton**
 Applicant: **Mr A Layland**

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 drawings: 1804-01, 1804/02, 1804/05, 1804/06 valid 1 May 2018 1804/07 Rev A, 1804/08, 1804/09 received 6 June 2018.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking and re-enacting that Order with or without modification, no material alterations to the external appearance of the building(s) shall be carried out and no extension, building, enclosure, structure, erection, hard surface, swimming or other pool shall be constructed or erected in or around the curtilage of the dwelling hereby permitted, and no windows or roof lights other than those expressly authorised by this permission shall be created, formed or installed, without the prior written authorisation of the Local Planning Authority.
4. The roof of the extension hereby approved shall be covered in slate which shall be fixed by nailing only, unless otherwise previously agreed by the Local Planning Authority in writing.
5. The roof of the development hereby approved shall be covered in natural slate, sample(s) of which shall be submitted to the Local Planning Authority for approval prior to the commencement of any roofing work. At all times thereafter the roof shall be maintained in the approved natural slate.
6. The rooflights on the development hereby approved shall, unless otherwise agreed by the Local Planning Authority in writing, be of the "conservation type" with a frame flush with the outer face of the roof slope.

Introduction

Easter Cottage is a single storey building to the rear of Meavy Halt which has been converted to a dwelling. There is no vehicular access to the building.

This application proposes a first floor on the existing dwelling and the reconstruction of the roof to accommodate a bedroom, bathroom and study and changes to the window locations and size at ground floor level.

At the time of the site visit internal and external work was taking place on the building.

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

Planning History

03/32/1031/85	Change of use existing 'granny annex' to a separate dwelling		
	Full Planning Permission	Grant Conditionally	04 October 1985
03/32/1665/79	Conversion of existing building to provide granny flat		
	Change of Use	Grant Conditionally	07 March 1980

Consultations

Environment Agency:	Flood zone 1. Standing advice applies.
West Devon Borough Council:	Does not wish to comment.
County EEC Directorate:	No highway implications.
DNP - Ecology & Wildlife Conservation:	No objection

Parish/Town Council Comments

Buckland Monachorum PC:	Object on the grounds that the design and appearance does not fit with neighbouring properties and the development, if approved would have a negative visual impact on the area.
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Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR2 - Settlement Strategies
COR4 - Design and sustainable development principles
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD24 - Extensions and alterations to dwellings
DMD4 - Protecting local amenity
DMD7 - Dartmoor's built environment

Representations

6 letters of objection

The key issues raised by the objections are:

- The elevation of the roofline will be unsightly
- The dormers will result in a lack of privacy especially on the NW elevation
- Lack of parking provision for property
- Lack of light to Meavy Halt and Okedale

Observations

PROPOSAL

Easter Cottage is a single storey bungalow to the rear of Meavy Halt. It has a shared access with Meavy Halt and has parking for two vehicles.

The proposed re-modelling of the building comprises:

1. Raising roof 1.3m to provide habitable loft space

2. Addition of porch (east elevation)
3. Alterations to windows and doors at ground floor level
4. Changes to floor levels

Following concerns from the public Officers have worked with the applicant to reduce the height and bulk of the scheme. Amended plans have been received. The following assessment is based on the amended drawings.

The proposed roof has an angle of 48 degrees and the ridge is 1.3m higher than the existing roof level, the eaves are at the same level as the existing providing a "Dutch hip" roof. The bathroom dormer window has been reduced in size. The sill height of the dormer windows at first floor window level is 1.7m to prevent overlooking into neighbouring properties or garden. Alterations to the location of windows and doors at ground floor level are also proposed.

The materials proposed would match the existing finishes: white rendered walls, PVCu windows and doors however the proposed roof will be of natural slate rather than the existing felt shingles.

DESIGN

The National Planning Policy Framework attaches great importance to design; good design is highlighted as a key aspect of the sustainable development agenda. Planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

Policy DMD7 requires development proposals affecting built environment to have particular regard to the character and settings of heritage assets. It is considered that the proposal will preserve the character and appearance of the area, in accordance with policies COR4 and DMD7.

In this location there are a wide variety of building styles, this property is not readily seen from public viewpoints. The pagoda style roof of the existing building is unique and reflected in the proposed style of the altered roof. The dormer window is modest and although it is modern in style it is the size of a double hung casement window as identified in the DNPA Design Guide. In terms of assessing the proposal against policy DMD24; there is no conflict concerning the proposed increase in floorspace. The alterations at ground floor level to the positioning of the windows and doors on all elevations are considered minor and do not affect the character of the building or have any additional impact on the neighbouring properties compared to the existing situation.

The proposed extension does not conflict with policies COR1 and COR4 in that they will preserve the character and appearance of the area. They also accord with policies DMD24 and with advice in the Design Guide concerning extensions to dwellings.

NEIGHBOUR AMENITY

The proposed building is 11m from the rear of Okedale. Okedale has two first floor windows facing the property, the ground floor windows are screened by a boundary wall. The proposed building is 5m from the side elevation of Meavy Halt. Meavy Halt has one high level window on the elevation facing Easter Cottage. The proposed building will be 1.3m taller than the existing; the positioning of the building ensures that the building will not be overly dominant or lead to a loss of light in the neighbouring properties.

The proposal is not on a scale which will be dominant or overbearing on the occupants of neighbouring properties. The window sills of the first floor windows are at 1.7m in height from finished floor level and it is therefore not considered that overlooking from these windows will lead to a significant loss of privacy. The proposal will not lead to any additional overlooking or loss of privacy compared to the existing situation. The proposed development is therefore considered to comply with policy DMD4 in this regard.

The proposed development would not result in a building which would be out of character with other nearby properties and no harm has been identified to residential amenity locally.

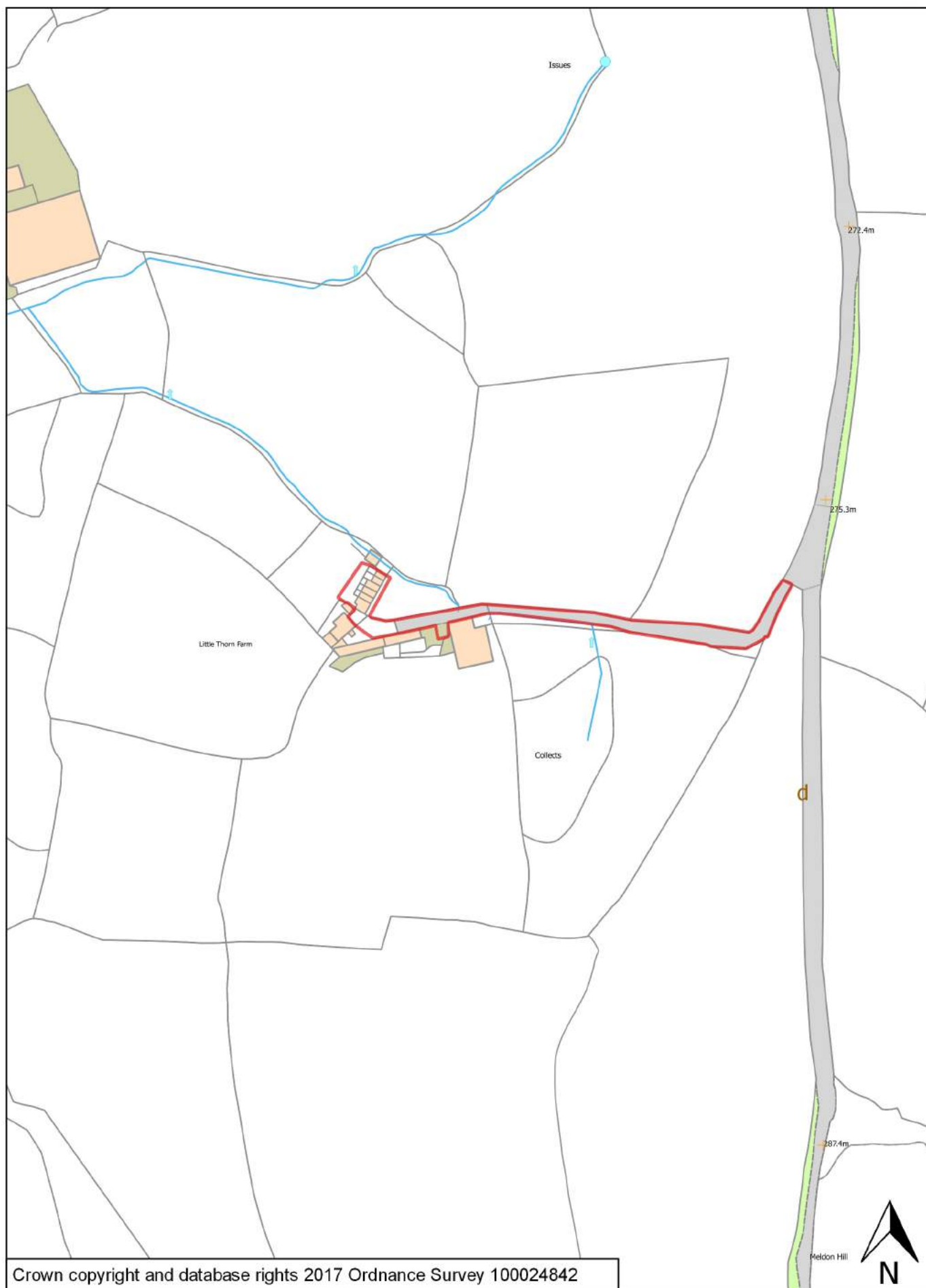
The comments of the Parish Council and neighbouring occupiers are noted but on this occasion it is considered that there are insufficient grounds to warrant a refusal of planning permission.

CONCLUSION

The proposed extension is considered appropriate in terms of its size, design and materials, and will not result in harm to residential amenity. Based on the above assessment, the application is recommended for approval.

0245/18 - Little Thorn Farm, Chagford

Scale 1:2,000



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9. Application No: **0245/18** District/Borough: **West Devon Borough**
 Application Type: **Full Planning Permission** Parish: **Chagford**
 Grid Ref: **SX688863** Officer: **Helen Maynard**

Proposal: **Change of use of existing farm office and store (former piggery) to holiday let and erection of new porch**

Location: **Little Thorn Farm, Chagford**

Applicant: **Mr R Gomme**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposal would result in an unjustified unit of holiday accommodation outside any recognised settlement, not part of an acceptable farm diversification scheme, contrary to policies COR1, COR20, DMD9, DMD35 and DMD44 of the Dartmoor National Park Authority Development Plan and to the advice contained in the English National Parks and The Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.

Introduction

Little Thorn Farm is an isolated farm in open countryside south west of Chagford. The former concrete piggery is located adjacent to the farmhouse and the associated kitchen garden.

This application proposes the change of use of the former piggery building to a two bedroom holiday let.

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

Planning History

0518/13	Upgrading of former piggery for management of farm and storage of produce and materials (retrospective)		
	Full Planning Permission	Grant Conditionally	12 December 2013
0152/13	Erection of two-storey extension to existing dwelling		
	Full Planning Permission - Householder	Grant Unconditionally	07 May 2013
0040/13	Erection of livestock barn (194sqm) to replace existing barn approved under ref. 0447/12 including the installation of 10kWh solar PV panels on roof		
	Full Planning Permission	Grant Conditionally	14 March 2013
0447/12	Erection of livestock barn (12m x 12m) to replace existing hay barn		
	Full Planning Permission	Grant Conditionally	26 September 2012
0160/12	Extension to existing house and retrospective change of use and alteration of piggeries to outbuilding for general storage		
	Full Planning Permission	Withdrawn	20 September 2012

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

Chagford PC: Support this application however would wish it to be used for holiday use only and remain attached to the house and not sold separately.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR15 - Providing for limited new housing to meet local needs
COR19 - Dealing with proposals for tourism development
COR2 - Settlement Strategies
COR20 - Providing for agricultural diversification
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
DMD35 - Farm diversification
DMD4 - Protecting local amenity
DMD40 - Parking provision - Residential
DMD44 - Tourist accommodation
DMD7 - Dartmoor's built environment

Representations

None to date.

Observations

THE PROPOSAL

This application proposes the conversion of the existing farm office and store into a two bedroom holiday let. There are no alterations proposed to the existing access to the farm. Two parking spaces are proposed in the existing parking area at the farm. The scheme is presented as a way of diversifying the small scale farming business.

The building is currently used for the preparation and storage of lamb, beef, wild rabbit, local wild venison and vegetables. The building accommodates freezers to store farm produced meat. Materials, supplies and catering equipment are also stored in the building.

PLANNING HISTORY

In 2011 the building was the subject of an enforcement complaint because works were being carried out to re-roof and timber clad it. New wooden windows have been introduced and internally it comprises a small kitchen, shower room and three further interconnected rooms. In 2013, planning permission was granted for the use of this building as a farm manager's office,

jam production and store (ref: 0518/13).

PRINCIPLE OF CONVERSION INTO HOLIDAY LET

Policy DMD9 establishes the principle of converting traditional rural buildings outside settlements into short stay holiday accommodation.

Policy DMD44 accepts the principle of holiday accommodation within the National Park where it will be provided as part of an acceptable farm diversification exercise.

Policy DMD35 states that where farm diversification schemes are approved, planning agreements or conditions will be used to ensure that the development remains ancillary and tied to the farm enterprise. Policies COR20 and DMD35 set out that farm diversification should help to maintain (and not supplant) the core agricultural business and conserve/enhance the wildlife, natural beauty and cultural heritage of the Park.

Little Thorn Farm comprises 11.5 acres (4.6ha) and is a smallholding comprising 36 sheep (14 breeding ewes, 20 lambs and 2 rams). The existing business has already diversified and consists of three strands:

1. Animal husbandry (36 sheep)
2. Organic horticulture
3. Seasonal mobile catering (serving food produced at the farm)

The proposed holiday let is considered to be an additional strand to the business.

The building is not considered to be a traditional rural building and is therefore contrary to policy DMD9.

Its isolated location also means that it fails to meet the circumstances in which new self-catering accommodation will be permitted under policy DMD44. It is however, within close proximity to the dwellinghouse.

FARM DIVERSIFICATION

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.

Policy DMD35 states that well-conceived schemes for business purposes that are consistent in scale with their rural location will be encouraged, providing they conserve and enhance the wildlife, natural beauty or 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.

Despite requests from Officers at validation stage, no business plan has been submitted to the Authority to assist Officers in understanding the relationship of the holiday accommodation to the farming activities at Little Thorn Farm. A statement describing the farm's operation has been submitted and it appears that there is limited agricultural activity on the site and the key activities are food production/preparation and catering on a small scale.

This farm is considered to be a small holding and it is unlikely that 36 sheep and horticultural activities provide a significant income. The applicant is not employed full-time at the farm and

the Agent has advised that he has “insufficient time or energy to run any meaningful agricultural operation”

It is likely that a holiday let at a small holding of this size is likely to produce a greater income than the agricultural activities themselves. The holiday let in this location is therefore considered to be akin to a new business in the open countryside which is not supported by policies COR18 and DMD44.

It is the Officer’s view that insufficient information has been submitted to assess whether the proposal is justified in this respect.

OTHER CONSIDERATIONS

Policy DMD23 states that outside the Local Centres and Rural Settlements, planning permission for a dwelling will only be granted where.... the proposal comprises the conversion of an existing building to an affordable dwelling and the conversion is compliant with policy DMD9.

Policy DMD44 allows for conversion of existing buildings for short stay accommodation within Local Centres and Rural Settlements but does not allow for tourism development outside settlements other than under very specific circumstances, including the extensions of existing hotels and guest houses and as part of a farm diversification exercise. The principle of new short stay accommodation in the open countryside is only supported where it complies with policies DMD9 and COR19.

Policy DMD9 allows for short stay tourist accommodation outside classified settlements only where it is achieved through the conversion or re-use of historic buildings. The former piggery building is not typical of a traditional Dartmoor building; a building that demonstrates, by its nature and plan form an agricultural or industrial history in the Dartmoor tradition, built before 1919.

By virtue of its age and appearance, this building does not merit retention and is not appropriate for conversion under the terms of policy DMD9. It would not therefore respect the special qualities of the National Park and would not comply with policy COR19.

DESIGN

The proposal is considered to be sympathetic to the existing building. The existing windows and doors, roof material and external timber cladding on all elevations are to remain as existing.

CONCLUSION

The applicant has failed to demonstrate that this proposal meets the policy requirements for farm diversification. There are no overriding reasons why this proposal should be supported in this instance.

The application is therefore recommended for refusal.

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

27 July 2018

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:	W/17/3191364	District/Borough:	Teignbridge District
	Appeal Type:	Refusal of Full Planning Permission	Parish:	North Bovey
	Proposal:	Construction of a general purpose agricultural building (18.3m X 12.2m) and formation of a new hardstanding		
	Location:	Hele Farm, North Bovey		
	Appellant:	Mr C Godfrey		
	Decision:	DISMISSED		
		APPLICATION FOR COSTS REFUSED		

2	Application No:	W/17/3191749	District/Borough:	Teignbridge District
	Appeal Type:	Refusal of Full Planning Permission	Parish:	Moretonhampstead
	Proposal:	New dwelling and improved access to the highway		
	Location:	Braemar, Court Street, Moretonhampstead		
	Appellant:	Mr & Mrs M Woolner		
	Decision:	DISMISSED		

3	Application No:	W/18/3192788	District/Borough:	Teignbridge District
	Appeal Type:	Refusal of Full Planning Permission	Parish:	Ashburton
	Proposal:	Erection of two bedroom chalet and decking area (retrospective) for short-term holiday use and ancillary guest accommodation		
	Location:	Lavender House Hotel, Knowle Hill, Ashburton		
	Appellant:	Devon Wedding Venue Ltd		
	Decision:	DISMISSED		

4	Application No:	Y/17/3190543	District/Borough:	West Devon Borough
	Appeal Type:	Refusal of Listed Building Consent	Parish:	Drewsteignton

Proposal: Hinging of shippon door to allow inward opening
 Location: **Middle Venton Farmhouse, Drewsteignton**
 Appellant: **Mrs L Sowery**
 Decision: **DISMISSED**

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

1 Application No: C/17/3188325 District/Borough: Teignbridge District
 Appeal Type: Enforcement Notice Parish: Moretonhampstead
 Proposal: Unauthorised engineering works/Change of use
 Location: **Linscott Farm, Moretonhampstead**
 Appellant: **Ms L Bisiker**

2 Application No: D/18/3199694 District/Borough: Teignbridge District
 Appeal Type: Refusal of Full Planning Permission - Householder Parish: Bridford
 Proposal: Standalone double garage
 Location: **Cedar House, Bridford**
 Appellant: **Mr & Mrs Jenner**

3 Application No: W/17/3184590 District/Borough: Teignbridge District
 Appeal Type: Refusal of Full Planning Permission Parish: Moretonhampstead
 Proposal: Creation of menage (60m x 20m) and associated ground works (retrospective)
 Location: **Linscott Farm, Moretonhampstead**
 Appellant: **Miss L Bisiker**

4 Application No: W/18/3196584 District/Borough: West Devon Borough
 Appeal Type: Refusal of Full Planning Permission Parish: Chagford
 Proposal: Demolition of dwelling, erection of five dwellings and alteration to access
 Location: **Woodcote, Chagford**
 Appellant: **Lawson Homes**

5 Application No: X/18/3200939 District/Borough: West Devon Borough
 Appeal Type: Refusal to issue a Certificate of Lawfulness Parish: Buckland Monachorum
 Proposal: Certificate of proposed use for the siting of a birdcage
 Location: **Higher Lake Farm, Lake Lane, Dousland**

Appellant: **Mark Williams**

6 Application No:	X/18/3201442	District/Borough:	South Hams District
Appeal Type:	Refusal to issue a Certificate of Lawfulness	Parish:	Dean Prior
Proposal:	Single storey extensions to rear and side		
Location:	Weavers Cottage, Deancombe		
Appellant:	Dr J Hedger		

CHRISTOPHER HART

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

27 July 2018

ENFORCEMENT ACTION TAKEN UNDER DELEGATED POWERS

Report of the Head of Development Management

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

(For further information please contact James Aven)

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

-
- | | | |
|---|---|---|
| 1 | Enforcement Code: ENF/0032/18 | District/Borough: Teignbridge District |
| | Grid Ref : SX834856 | Parish : Christow |
| | Breach : Unauthorised building - field shelter | |
| | Location : Land at Foxhole Hill, Christow | |
| | Action taken /
Notice served
. | No further action taken |
-
- | | | |
|---|---|---|
| 2 | Enforcement Code: ENF/0113/18 | District/Borough: West Devon Borough |
| | Grid Ref : SX675870 | Parish : Chagford |
| | Breach : Construction of large wooden structure in garden, close to road (also see ENF/0114/18 for related case) | |
| | Location : Southill Bungalow, Chagford, TQ13 8ES | |
| | Action taken /
Notice served
. | No further action taken |
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CHRISTOPHER HART

enfdelcommrpt