

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

14 June 2019

SITE INSPECTIONS

Report of the Head of Development Management

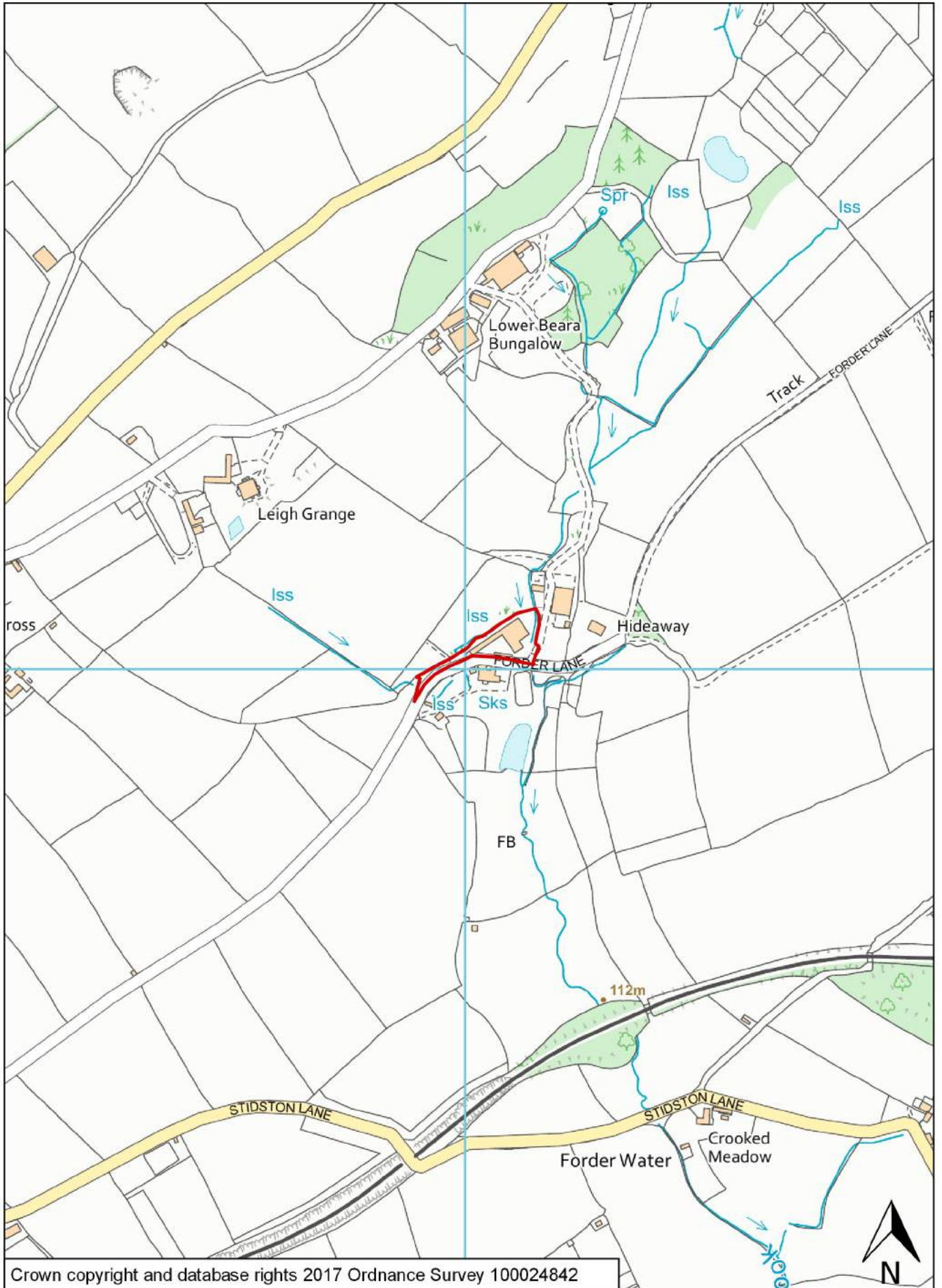
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0612/18 Forder Barns South Brent



Scale 1:5,000



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DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

14 June 2019

SITE INSPECTIONS

Report of the Head of Development Management

1 Application No: **0612/18** District/Borough: **South Hams District**
Application Type: **Full Planning Permission** Parish: **South Brent**
Grid Ref: **SX710610** Officer: **Jo Burgess**

Proposal: **Change of use of and conversion of redundant agricultural barn with renovation to form multi use accommodation including 3 workshops, a studio, a 3 bed holiday let, a 1 bed holiday let, a 4 bed flat in association with the studio and one of the workshops, retaining existing south facing single storey barn E and demolish lean to barn C and shed F**

Location: **Forder Barns, Forder, South Brent**

Applicant: **Mr & Mrs S Gleed**

Recommendation: **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed development would result in the creation of an unjustified open-market dwelling in the countryside contrary to policies COR2, COR15, DMD1a, DMD9 and DMD23 of the Dartmoor National Park Development Plan and the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and National Planning Policy Framework 2019.
2. The proposed development would result in the creation of workshops and a design studio which constitute an unjustified and inappropriate form of business development in the countryside contrary to policies COR2, COR18, DMD1 and DMD9 of the Dartmoor National Park Development Plan and the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and National Planning Policy Framework 2019.

The Panel met in the yard adjacent to the barns and inspected all the buildings. It was noted that the one bedroom holiday let included a more recent lean to which will require a doorway in the stone wall and that the interesting door in the gable end of the group would be re-hung as a shutter but that no details have been provided.

Although some details of the roof, eaves and ridge detail, continuous rooflights and shutters

have been submitted it was noted by Members of the Panel that there were some structural issues with the barns which raised concerns.

The Parish Council support the proposal because it will bring a use back to the barns despite acknowledging that it is contrary to policy.

The Head of Development Management acknowledged that this is a fine range of barns that has clearly had several phases of development. The inspection identified a number of omissions from the plans and lack of detail regarding the structural integrity and alterations to the buildings associated with the conversion. He also pointed out that in this location alternative low key community and business uses do not appear to have been explored. The Members of the Panel were advised that in order to inform a more appropriate conversion and use of the building, a detailed statement of significance, structural survey and details of the external treatment of the whole yard should be required before any departure from policy should be considered. Having seen the buildings Members unanimously supported this approach and the officer recommendation.

5. Application No: **0612/18** District/Borough: **South Hams District**
Application Type: **Full Planning Permission** Parish: **South Brent**
Grid Ref: **SX710610** Officer: **Jo Burgess**

Proposal: **Change of use of and conversion of redundant agricultural barn with renovation to form multi use accommodation including 3 workshops, a studio, a 3 bed holiday let, a 1 bed holiday let, a 4 bed flat in association with the studio and one of the workshops, retaining existing south facing single storey barn E and demolish lean to barn C and shed F**

Location: **Forder Barns, Forder, South Brent**

Applicant: **Mr & Mrs S Gleed**

Recommendation **That permission be REFUSED**

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2. The proposed development would result in the creation of workshops and a design studio which constitute an unjustified and inappropriate form of business development in the countryside contrary to policies COR2, COR18, DMD1 and DMD9 of the Dartmoor National Park Development Plan and the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and National Planning Policy Framework 2019.

Introduction

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

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

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

Planning History

9/45/031/94/04 Change of use of barn for storage of sports products
Change of Use Grant Conditionally 06 June 1994
09/45/1405/80 Temporary use of mobile home during building of bungalow for
agricultural worker

	Change of Use	Grant Conditionally	31 October 1980
09/45/0048/78	Proposed change of use of single storey barn to retail of animal foods		
	Change of Use	Refused	10 March 1978

Consultations

Environment Agency:	Flood Risk Zone 1 - standing advice applies
South Hams District Council:	Does not wish to comment
County EEC Directorate:	On balance, there are no objections to the proposals.
DNP - Ecology & Wildlife Conservation:	Works shall not proceed until a European Protected Species Licence (EPSL) for the development has been obtained from Natural England. Works to proceed in strict accordance with the approved drawings and the recommendations in Section 5 of the bat emergence survey report (Western Ecology, 25/9/18), subject to any variation required by Natural England under any license issued.

Parish/Town Council Comments

South Brent PC:	The Parish Council supports this application, to preserve barns worthy of preservation, to protect the wildlife habitat and to make retention of the barns viable.
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Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR14 - Meeting the infrastructure requirements of new development
COR15 - Providing for limited new housing to meet local needs
COR18 - Providing for sustainable economic growth
COR2 - Settlement Strategies
COR3 - Protection of Dartmoor's special environmental qualities
COR5 - Protecting the historic built environment
COR7 - Providing for the conservation of Dartmoor's varied plant and animal life and geology
DMD14 - Biodiversity and geological conservation
DMD1a - Presumption in favour of sustainable development
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD23 - Residential development outside Local Centres and Rural Settlements
DMD3 - Sustaining the quality of places in Dartmoor National Park
DMD44 - Tourist accommodation
DMD8 - Changes to Historic Buildings
DMD9 - The re-use and adoption of historic buildings in the countryside

Representations

1 letter

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

Observations

INTRODUCTION

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

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

THE NON-DESIGNATED HERITAGE ASSET

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

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

POLICY

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

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

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

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

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

BUSINESS USES

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

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

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

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

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

THE CONVERSION

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

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

CONCLUSION

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

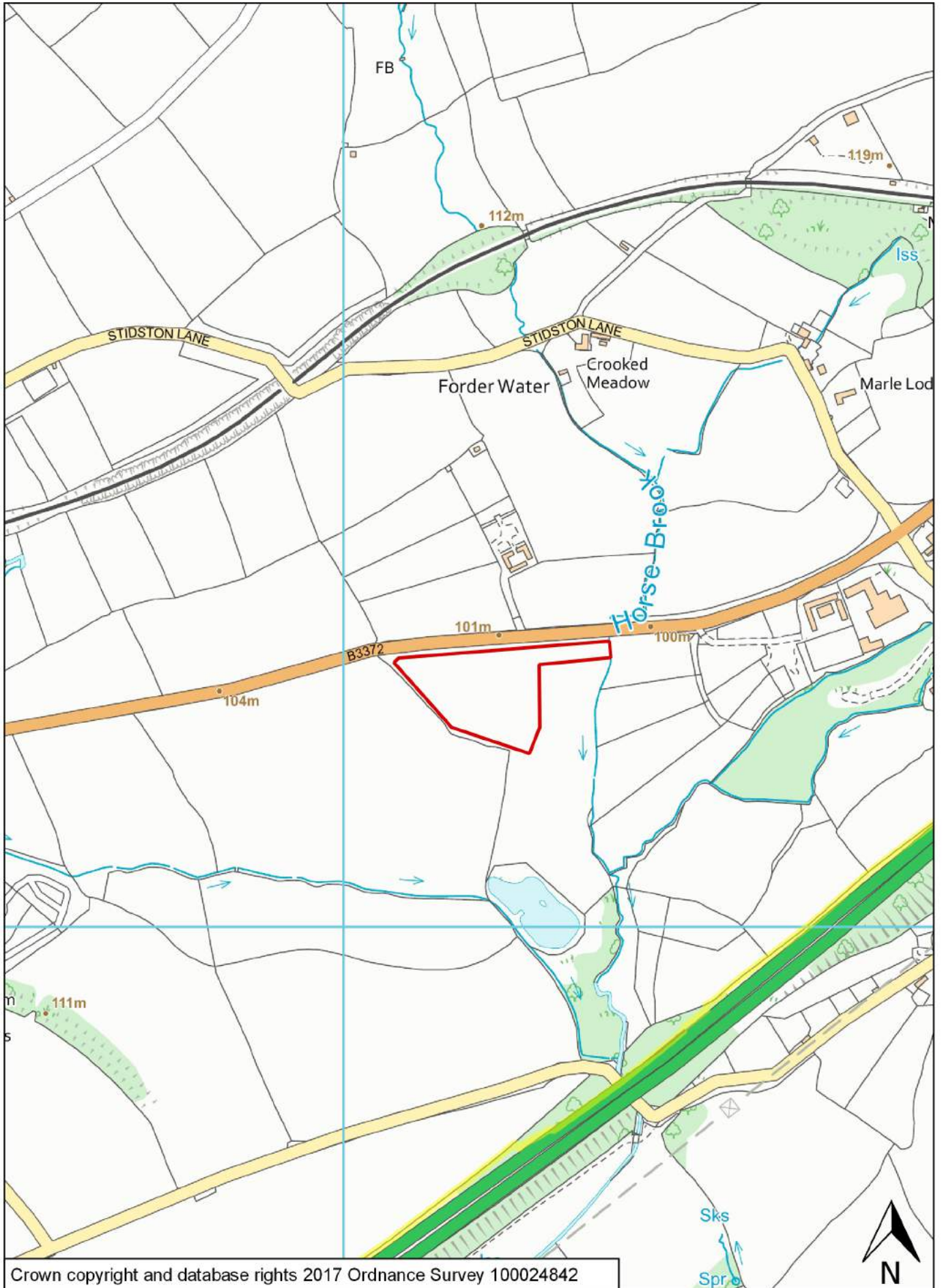
The applicants do not operate an essential rural business and there are no operational demands which require them to live in close proximity to the workshop or the studio. In reality these elements are part of the already large residential unit of accommodation.

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

0052/19 - Land near South Brent



Scale 1:5,000



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2 Application No: **0052/19** District/Borough: **South Hams District**
Application Type: **Full Planning Permission** Parish: **South Brent**
Grid Ref: **SX711602** Officer: **Jo Burgess**

Proposal: **Construction of veterinary centre, formation of access track/parking areas and landscaping works**

Location: **Land South of B3372, South Brent**
Applicant: **Blackdown Equine Practice**

Recommendation: **That permission be REFUSED**

Reason(s) for Refusal

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

The Panel convened on the site to discuss the implications of the proposal to erect a new building to house the equine vet practice.

The Case Officer referred to the details of the application, making specific reference to the access issues, new service track and footprint of the proposed building. Members were shown the detailed plans for the development, including photomontages produced by the applicant. The proposed materials and finishes were explained. The location of the lung rings and position of the new hedgerows were pointed out. She also indicated the proximity of the National Park boundary and the vantage points on higher ground to the north east.

Following questions from Members the applicant confirmed the following;

- the building would be 2 storeys in height to the apex
- on average there would be 2/3 horses per day booked into the facility
- the nearest similar facility is based in Cullompton (approx. 40 miles away)
- the current business operates from an office based at Berry Pomeroy (10 miles away)
- there are no facilities for surgery, etc. at the current base
- the hours of opening would be 08.30 – 18.00, Monday – Friday (vet on call out of hours)

- Horseboxes/trailers may be left on site by owners during visits
- there may be an occasional need for staff to be present overnight to monitor sick animals
- the business wishes to expand into large farm animals including cattle fertility testing

The Parish Council representative reiterated its support for the scheme. The District Council representative supported that view.

There followed a detailed discussion on the practical aspects of the building layout and its relationship to the parking and turning areas. The areas for exercising horses were noted. Drainage aspects were debated as it was noted that soakaway tests had failed in this location. Members raised concerns about the proximity of watercourses and the nearby fishing lakes. In particular, they raised concerns about dung storage, foul drainage and access to utilities to light and power the building. It was also noted that there may be a requirement for additional isolation buildings.

The Panel did not reach a conclusion. They understood the policy issues raised by the imposition of a new business unit in a countryside location but also considered that the proposed use required a rural location with links to good access. They acknowledged that the building was well designed using appropriate materials and that, with suitable controls, light pollution should not be overly problematic. A need for further comprehensive landscaping was discussed together with specific details of the works required to create the proposed access. They considered matters related to foul drainage and surgical effluent needed further consideration.

6. Application No: **0052/19** District/Borough: **South Hams District**
Application Type: **Full Planning Permission** Parish: **South Brent**
Grid Ref: **SX711602** Officer: **Jo Burgess**

Proposal: **Construction of veterinary centre, formation of access track/parking areas and landscaping works**

Location: **Land South of B3372, South Brent**

Applicant: **Blackdown Equine Practice**

Recommendation **That permission be REFUSED**

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2. The proposed development by reason of its design and isolated location will be visually intrusive in the landscape and have a detrimental impact on the character and appearance of this part of the Dartmoor National Park landscape contrary to policies COR1, COR3, COR4, DMD1b, DMD5 and DMD33 of the Dartmoor National Park Development Plan and to the advice contained in the English National Parks and the Broads UK Government Vision 2010, the National Planning Policy Framework 2019 and the Dartmoor National Park Design Guide.

Introduction

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

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

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

Consultations

Environment Agency:	Flood Risk Zone 1 - standing advice applies
South Hams District Council:	No objection
DNP - Ecology & Wildlife Conservation:	No objection on ecology grounds, subject to a condition requiring a revised and updated ecological appraisal and mitigation plan to be submitted and approved by the Authority, showing how the environment, habitats and species will be protected and where possible enhanced during the works.

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

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

If you are minded to approve the planning application, then we would recommend conditioning for a detailed design of the permanent surface water drainage system and that confirmation of a connection to the watercourse is provided as part of this condition. Details for maintenance (who shall maintain; what they will maintain; how they will maintain) and exceedance flow routes should also be submitted.

Devon & Cornwall Constabulary: No objections to the proposal but raise some concern over the lack of reference to security for the premises.

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

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

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

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

Parish/Town Council Comments

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

Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR15 - Providing for limited new housing to meet local needs
COR18 - Providing for sustainable economic growth
COR2 - Settlement Strategies
COR21 - Dealing with development and transport issues in a sustainable way
COR24 - Protecting water resources from depletion and pollution
COR3 - Protection of Dartmoor's special environmental qualities
COR4 - Design and sustainable development principles
COR7 - Providing for the conservation of Dartmoor's varied plant and animal life and geology
COR8 - Meeting the challenge of climate change
COR9 - Protection from and prevention of flooding
DMD14 - Biodiversity and geological conservation
DMD1a - Presumption in favour of sustainable development
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD23 - Residential development outside Local Centres and Rural Settlements
DMD3 - Sustaining the quality of places in Dartmoor National Park
DMD33 - Horse related development
DMD38 - Access onto the highway
DMD5 - National Park Landscape
DMD7 - Dartmoor's built environment

Representations

5 letters of support

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

Observations

INTRODUCTION

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

THE PROPOSAL

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

POLICY

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

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

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

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

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

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

LANDSCAPE AND VISUAL IMPACT

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

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

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

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

TRANQUILLITY

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

ECOLOGY

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

HIGHWAYS

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

SURFACE WATER DRAINAGE

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

CONCLUSION

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

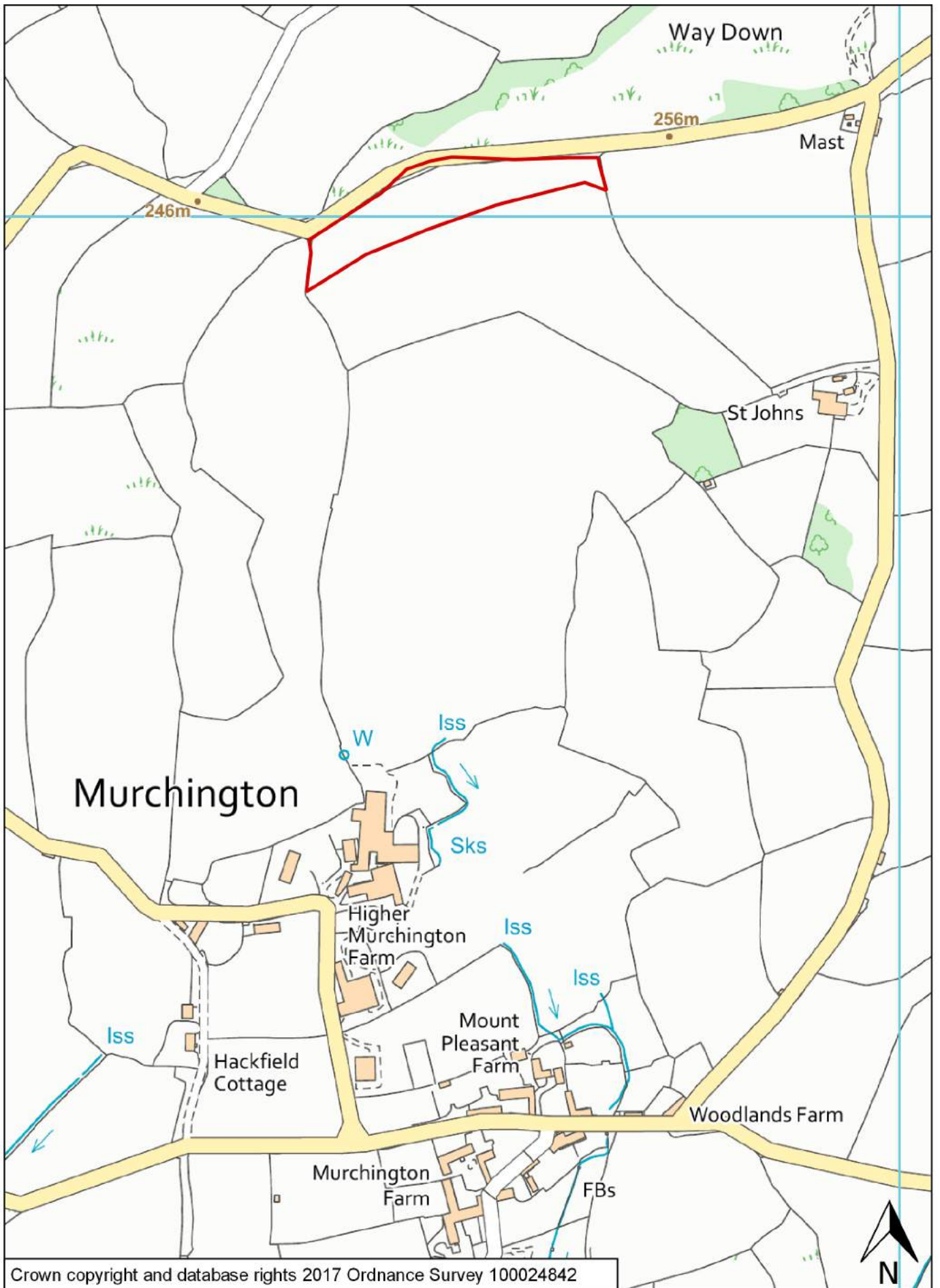
In addition although the applicant has taken into account design and siting issues, the built form is not considered to be appropriate in the context of policies COR4 and DMD7.

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

0106/19 - Land opposite Way Down



Scale 1:4,000



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3 Application No: **0106/19** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Throwleigh**
Grid Ref: **SX686889** Officer: **Helen Maynard**

Proposal: **Change of use from agricultural land to campsite for 12 tents and associated shower/toilet and storage sheds (1 March to 31 October use only)**

Location: **Field opposite Waye Down, Murchington**

Applicant: **DJ Vincent & Partners**

Recommendation: **That permission be REFUSED**

Reason(s) for Refusal

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

The panel convened at the site, no Parish or applicant representatives were present.

The Officer explained the proposal. The Officer advised that there was no concern with a farm diversification scheme for the farm but the location, landscape impact and isolation of the proposed scheme was a significant concern. Officers clarified the policy position and reiterated the policy conflict with DMD5 and DMD35. A farm diversification scheme is only appropriate when the proposal is consistent in its scale and environmental impact with the character and appearance of the area and should be located on the farm holding or on land directly associated with the operation of the farm it is supporting.

The Officer advised that there were pre-application discussions regarding the proposal which identified this as an inappropriate site for a campsite (in landscape terms). Officers referenced the Applicant's statement at the Development Management Committee meeting where they stated that other sites had been investigated and deemed inappropriate for various reasons. The application documents do not identify where these alternative sites are.

The panel stood in the field looking south and walked up to the large tree on the field boundary to view the site and Higher Murchington Farmstead.

Members were unanimous in their opinion of the proposal. They felt that there was significant landscape impact and the benefits of farm diversification did not outweigh the harm to the landscape.

Members advised of the value of a site visit and felt that the proposal was a significant

intrusion into the countryside and would be visible from panoramic views. As well as the proposed structures, the cars associated with each tent were an additional concern.

They noted that the prevailing wind would affect the campsite as the area is extremely exposed and that if they were to approve any application here it could set a precedent for future inappropriate farm diversification schemes.

The panel was in agreement with the Officer recommendation but acknowledged the dilemma in finding an appropriate site for a campsite within the holding.

CHRISTOPHER HART

1. Application No: **0106/19** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Throwleigh**
Grid Ref: **SX686889** Officer: **Helen Maynard**

Proposal: **Change of use from agricultural land to campsite for 12 tents and associated shower/toilet and storage sheds (March to October use only)**

Location: **Field opposite Waye Down, Murchington**

Applicant: **DJ Vincent & Partners**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

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

Introduction

Planning History

0543/18	Change of use from agricultural land to campsite for 12 tents and associated shower/toilet and storage sheds		
	Full Planning Permission	Refused	13 December 2018

Consultations

Environment Agency: Flood zone 1. Standing advice applies.

West Devon Borough Council: Does not wish to comment.

County EEC Directorate: The development that is the subject of this application was also the subject of a former application, (ref: 0543/18). The highway authority's response to this application is similar to the previous application and, is as follows:-

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

DNP - Trees & Landscape: This is a similar application to that submitted and refused by the Authority last year, the only difference is the camping will be limited to a period between March and October. The impact of the development on the landscape will be the same and the comments made in relation to the previous application still apply.

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

DNP - Ecology & Wildlife Conservation: No objection.

Parish/Town Council Comments

Throwleigh PC: Supportive of this farm diversification scheme

Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR2 - Settlement Strategies
COR4 - Design and sustainable development principles
COR5 - Protecting the historic built environment
DMD1a - Presumption in favour of sustainable development
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD3 - Sustaining the quality of places in Dartmoor National Park
DMD35 - Farm diversification
DMD4 - Protecting local amenity
DMD44 - Tourist accommodation
DMD5 - National Park Landscape
DMD7 - Dartmoor's built environment

Representations

1 letter of objection 19 letters of support

Support

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

Objection

- Visually intrusive
- Located on a ridge
- Noise pollution

Observations

INTRODUCTION

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

PROPOSAL

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

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

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

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

HOLIDAY ACCOMMODATION

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

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

FARM DIVERSIFICATION

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

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

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

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

LANDSCAPE CHARACTER

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

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

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

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

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

The proposed campsite is considered to be visually intrusive. The cumulative impact of the tents, associated buildings/structures and recreational area will have a detrimental impact on the landscape character of the area, which is contrary to policy COR1(h) and COR3. The development does not enhance what is special or locally distinctive about the landscape character and is an unsympathetic development that will harm the wider landscape.

The development is contrary to policy DMD5 because it does not conserve and/or enhance the character and special qualities of Dartmoor's landscape by respecting the valued attributes, specifically the strong pattern of medieval fields with prominent Devon hedgebanks and pastoral character of fields which contrast with areas of heathy moorlands.

CONCLUSION

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

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

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

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

The application is recommended for refusal.

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

14 June 2019

APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Report of the Head of Development Management

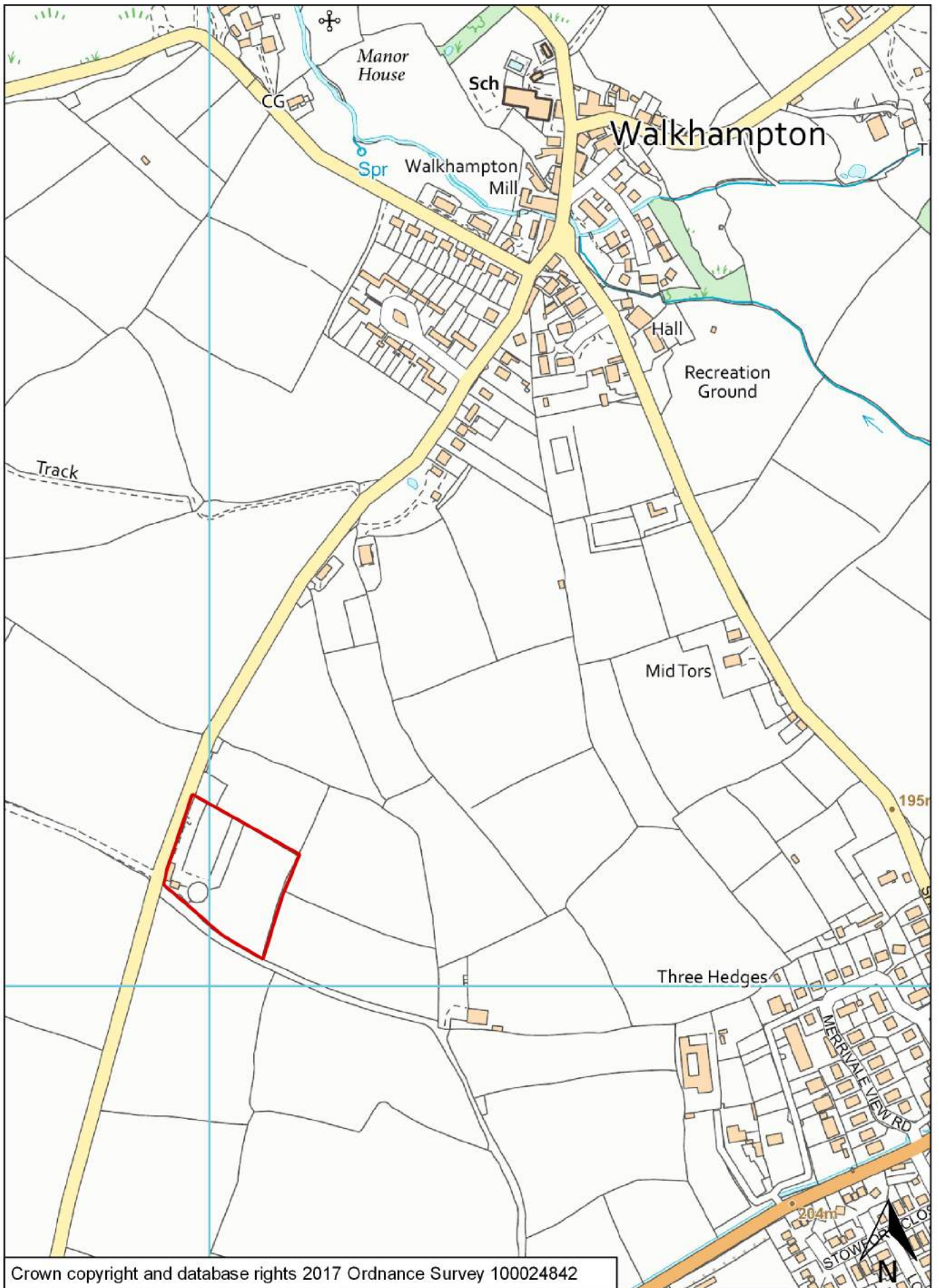
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0072/19 - Woodmans Corner



Scale 1:4,598



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1. Application No: **0072/19** District/Borough: **West Devon Borough**
 Application Type: **Full Planning Permission** Parish: **Burrator**
 Grid Ref: **SX531690** Officer: **Jo Burgess**

Proposal: **Removal of condition number 5 of approved planning permission 0149/13 to allow the use of lights during the period 1 October to 1 April**

Location: **land at Woodmans Corner, Walkhampton**

Applicant: **Ms S Langley**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

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

Introduction

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

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

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

Planning History

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

Consultations

West Devon Borough Council: Does not wish to comment
County EEC Directorate: No highway implications
Environment Agency: Flood Zone 1 - standing advice applies

Parish/Town Council Comments

Burrator PC: The Parish Council support the application. No planning reason was given. The applicant attended the Parish Council meeting and explained that the lights were not permanently fixed, run from a generator for the duration and needed to attend to a horse that needed extra attention in the evenings for recovery.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR11 - Retaining tranquillity
COR2 - Settlement Strategies
DMD1a - Presumption in favour of sustainable development
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD3 - Sustaining the quality of places in Dartmoor National Park
DMD33 - Horse related development
DMD4 - Protecting local amenity
DMD5 - National Park Landscape

Representations

None to date.

Observations

INTRODUCTION

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

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

POLICY

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

Policy COR11 is the Authority's strategic policy referencing tranquillity and seeks to ensure it is

sustained throughout the National Park.

Policy DMD4 is clearly relevant because it seeks to protect residential amenity and states that development should not introduce levels of lighting that would adversely affect human health and well being or detract from the special qualities of the area. In this case those special qualities are set out in the Landscape Character Assessment.

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

TRANQUILLITY AND LIGHT POLLUTION

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

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

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

The nearest residential development is 265m away on the edge of Walkhampton to the east and Dousland is 500m to the south. Dark skies are a special quality of the National Park and light pollution will impact on this special quality. The erection of a new light source in an isolated location has potential to directly and indirectly impact on tranquillity and dark night skies.

Paragraph 180 (c) of the NPPF requires planning policies and decisions to ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on amongst other things the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

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

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

LEGAL ADVICE

This application was deferred from the May meeting due to the receipt of a letter from solicitors acting for the applicant on the morning of the meeting. The letter challenges the recommendation, concluding that the relative harm caused by removing or varying the condition is minimal in the context of the modest nature of the lighting and surrounding land uses. It is argued that it would be inconsistent to refuse permission given the presence of comparable, illuminated land-uses in the vicinity of the application site. Reference is also made to the policies being cited being different to those given as the reason for imposing the condition in the first place and the relevance of the quoted policies. The letter concludes with the question as to whether it is really necessary to restrict external lighting in this case and whether the recommendation is reasonable.

CONCLUSION

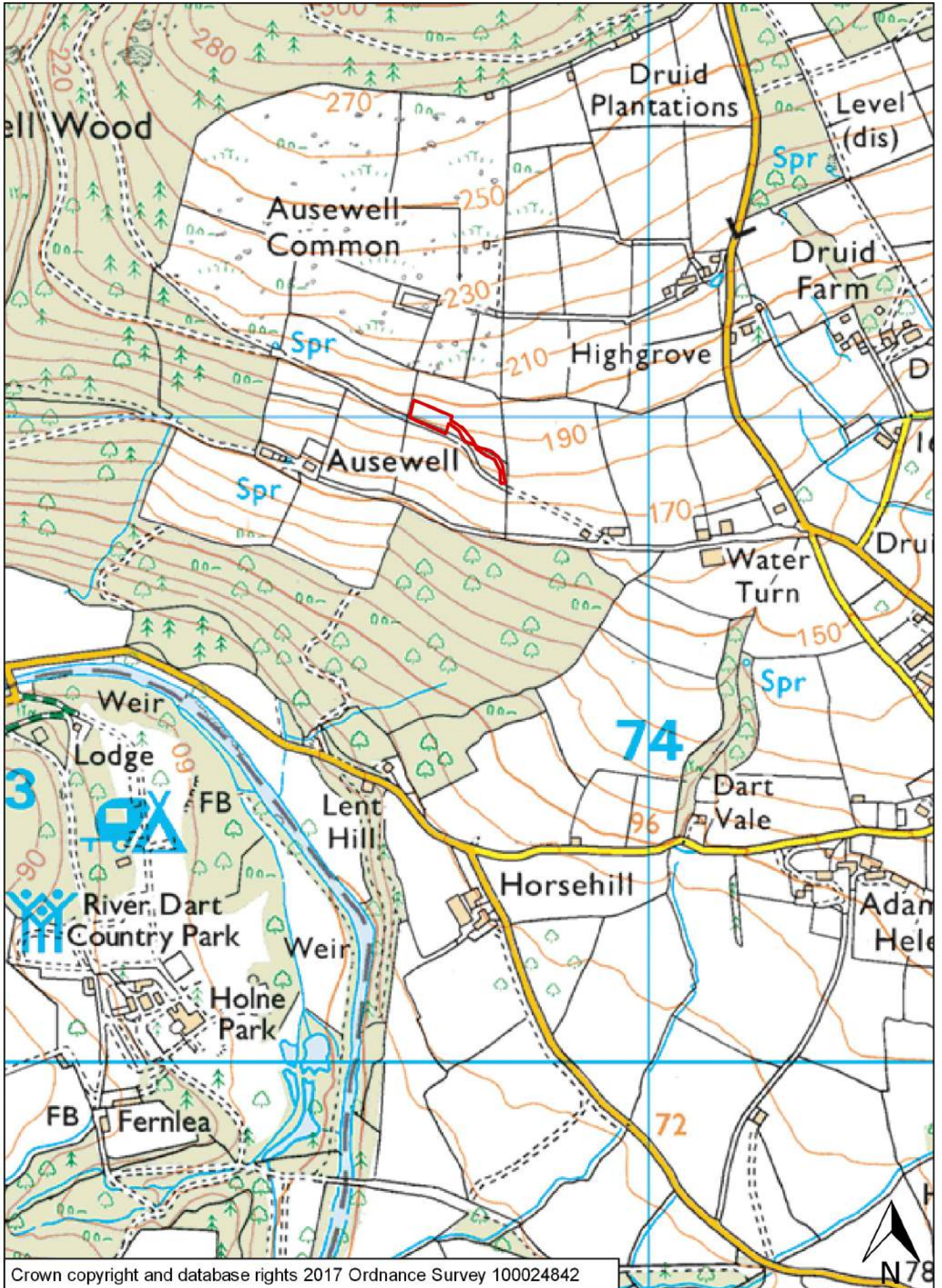
It is acknowledged that the Parish Council has supported this retrospective application and that artificial lighting may benefit users in the winter months.

The points made in the solicitors letter are not considered to raise specific legal issues, rather it is matter of planning judgement as to whether or not the existing lighting is acceptable or not. The condition did not rule out lighting but there is no obligation on the Authority to accept the lighting that has been installed. In this isolated location and having noted the points made by the applicant regarding the seasonal use, the modest nature of the lighting (200 watts, battery powered, downward angle etc), officers still consider that the use of the lights would have a significant impact and would be harmful to the wider character of the area. They will clearly impact on aspects of tranquillity and are contrary to policies COR11, DMD4 and DMD5.

0141/19 - Land at Ausewell, Ashburton



Scale 1:8,000



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2. Application No: **0141/19** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **Ashburton**
Grid Ref: **SX737709** Officer: **Helen Maynard**

Proposal: **Creation of outdoor manege**

Location: **Land at Ausewell, Ashburton**

Applicant: **Mr & Mrs K Raggett**

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 2019 and the Dartmoor National Park Design Guide.

Introduction

The site is located approximately 2.5km to the north west of Ashburton. The site is existing agricultural land with a large agricultural barn and parking area to the south east corner of the field.

There are extant permissions for a manege and an agricultural building (refs: 0207/17 and 0593/18) to the east of the application site. Neither of these have yet been built.

This application proposes the erection of a 20m x 40m manege.

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

Planning History

0593/18	Erection of general purpose agricultural building		
	Full Planning Permission	Grant Conditionally	19 December 2018
0264/18	Change of use of half of lean-to for stabling of horses		
	Full Planning Permission	Grant Conditionally	16 July 2018
0176/18	Provision of general purpose agricultural/livestock building (22.5m x 9m)		
	Full Planning Permission	Withdrawn	27 April 2018
0207/17	Change of use of agricultural land to equestrian to provide outdoor arena		
	Full Planning Permission	Grant Conditionally	27 June 2017

Consultations

Environment Agency: Flood zone 1. Standing advice applies.
Teignbridge District Council: Does not wish to comment.
County EEC Directorate: No highway implications.
DNP - Trees & Landscape: The proposal will have a detrimental impact on the

character of the area, which is contrary to policy COR 1 (h) and COR 3. The development does not enhance what is special or locally distinctive about the landscape character, and it is an unsympathetic development that will harm the wider landscape. The development is contrary to policy DMD5 because it does not conserve/or enhance the character and special qualities of Dartmoor's landscape by respecting the valued attributes of this landscape type, specifically the productive farmland with small fields and winding lanes enclosed by thick hedgerows. Also it does not respect the pastoral character of the fields and the relic medieval field pattern. The development will be contrary to DMD33 because the development will not conserve and/or enhance the special qualities of this part of the Dartmoor landscape.

Devon County Council (Flood Risk):

Following initial comments, the applicant has submitted additional information regarding surface water drainage aspects of this application. The applicant should maintain the surface water drainage system in accordance with Ciria C753 and any relevant manufacturer's guidance.

DNP - Archaeology:

Bronze Age landscapes of this type are very rare nationally and internationally and thus have a high degree of heritage significance derived largely from their evidential value for agriculture and settlement in this period. Accordingly, this area should be considered an undesignated heritage asset.

Given the archaeological sensitivity of the site, an archaeological watching brief (standard condition X03) is recommended according to policies COR1, COR3, COR6 and DMD13.

Parish/Town Council Comments

Ashburton TC:

Support - this is considered to be an extension of the previous application on site to re-site the barns and change the use from agricultural to equestrian.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR2 - Settlement Strategies

COR3 - Protection of Dartmoor's special environmental qualities

COR4 - Design and sustainable development principles

COR6 - Protecting Dartmoor's Archaeology

DMD13 - Archaeology

DMD1a - Presumption in favour of sustainable development

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

DMD33 - Horse related development

DMD4 - Protecting local amenity

DMD5 - National Park Landscape

Representations

None to date.

Observations

PROPOSAL

This application proposes the construction of a manege for private use. The proposed 20m x 40m manege is to be located in the south west corner of the field. Levelling of the land will be required to accommodate the proposed manege (maximum cut of 1.5m).

An existing mature hedge provides screening from the private road to the south. The proposed surface of the manege will be Padstow sand. No external lighting is proposed and no fencing is proposed on any side of the manege. A native hedgebank is proposed along the northern boundary of the site.

The site for the manege is a field. The land rises to the north and the manege will be dug into the ground. A large agricultural building lies to the east of the site.

PLANNING HISTORY

A previous application was submitted to the Authority (ref: 0207/17) for the same proposal in 2017. Due to the landscape impact of the proposal, the location was amended in order to group the manege with the existing agricultural building within the field. The application was approved with the manege adjacent to the existing building where the ground is not as steep. Permission 0207/17 is extant and no work has yet commenced in relation to this application.

At this time there was no lawful equestrian use on the site. An application (Ref: 0264/18) was submitted and approved for change of use of part of the existing barn for stabling of horses.

An application for an agricultural building in the same location as the extant manege was submitted and approved by the Authority (Ref: 0593/18). Officers understood that the manege was no longer required.

The applicant has not submitted a request for pre-application advice prior to this application but has been previously advised of the difficulty supporting an application for a manege in this location.

POLICY

DMD33 allows for recreational or commercial horse keeping where adequate land, buildings and facilities are available for the number of horses kept on the land. Where no buildings are needed they are well related to existing buildings and other local features.

The DNPA Design Guide states that “new buildings, arenas and sand schools should generally be sited within or adjacent to existing buildings” and “should be generally hidden from view by existing vegetation and landform”.

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:

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

ASSESSMENT

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

LANDSCAPE IMPACT

The visual impact of the proposal will be limited as the site is well screened from public view however, the site forms part of an historic enclosed field system, which could be late medieval in origin. The field system is virtually intact.

The proposed development will however have a detrimental impact on the character of the local landscape.

The field is sloping and therefore, to allow for the creation of a level manege, it is proposed to excavate to a depth of 1.5 metres at the higher end with a hedgebank with planting on top. This would result in a steep escarpment along the length of the field. It is noted that this steep bank already exists behind the existing agricultural building and the escarpment would follow this line.

This would result in fairly substantial engineering works to accommodate a level riding arena in a sloping field and therefore questions the suitability of the proposal within this field parcel is questionable. 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, the proposal would not respect the existing sloping landform or pastoral character of this landscape, it would significantly change the characteristic landform and introduce an alien feature detrimental to the character and appearance of the local landscape.

The proposed position of the manege would be detrimental to this part of the National Park as the development is extending further into the field and accentuating the impact on the landscape character.

It is recognised that horse related development can change the character of a landscape and this impact is referred to in policy 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 a manege which is not a traditional landform 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 manege and other horse facilities are resulting in the gradual encroachment of development into the landscape.

In terms of the cumulative impact of development. It is noted that there is an existing manege in the field to the north west of the site although this is outside of the ownership of the applicant.

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.

CONCLUSION

Manege 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 creation of new hedge banks and tracks will further encroach into this pastoral field and accentuate its impact.

The isolation of the building in the south west corner of the field is not considered to be appropriate. A more appropriate location for the manege would be grouped with the existing building rather than disconnected and in the corner of the field.

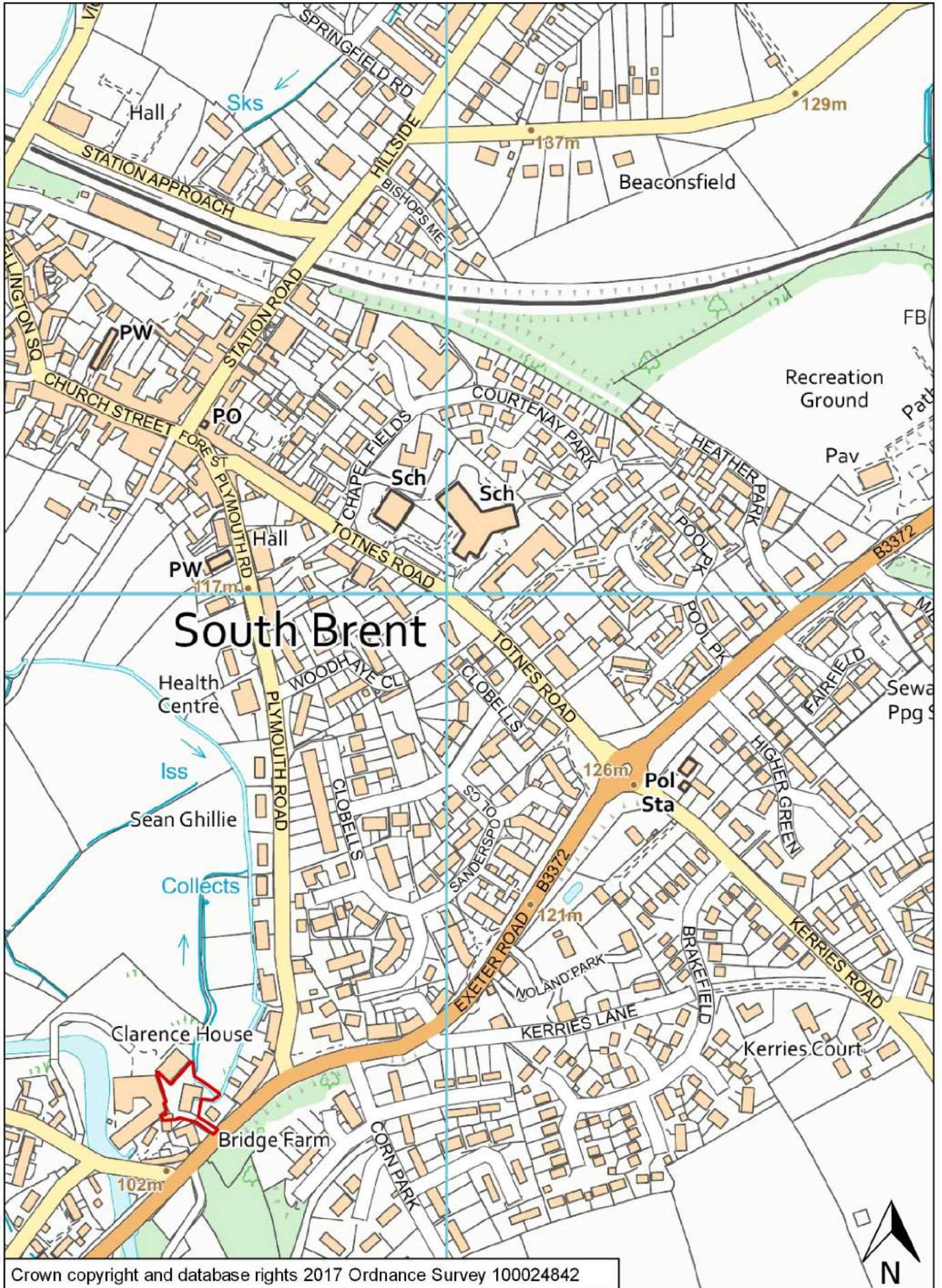
Where manege are proposed on level ground and closely associated with large agricultural buildings their impact is often more subdued.

This is a private recreational development in contrast to an agricultural proposal where there may be farming and economic considerations to balance against the acknowledged harm. There are no public benefits to outweigh the identified harm in this case.

0046/19 - Mill House, Manor Mills, South Brent



Scale 1:4,000



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3. Application No: **0046/19** District/Borough: **South Hams District**
Application Type: **Full Planning Permission** Parish: **South Brent**
Grid Ref: **SX697559** Officer: **Helen Maynard**

Proposal: **Change of use and conversion of B1(a) office building to three dwellings (two affordable) with parking facilities**

Location: **Mill House, Manor Mill, Exeter Road, South Brent**

Applicant: **Mr R Tombs**

Recommendation **That, subject to the completion of a Section 106 legal agreement in respect of affordable housing, 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: 1738.6G received 28 February 2019, Site Location Plan, and 1738.7A valid 29 January 2019.
3. A detailed schedule of all new timber windows and exterior doors shall be submitted by the Local Planning Authority for approval in writing prior to their installation. At all times thereafter only the approved windows and doors shall be used in the building.
4. Unless otherwise agreed by the Local Planning Authority there shall be no external lighting attached to the exterior or within the curtilage of the building.
5. Unless otherwise 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 and all new joinery shall receive an oiled or dark stained finish prior to the first occupation.
6. All new power and/or telephone cables serving the property shall be placed underground.
7. The development hereby permitted shall be limited to the conversion of the existing building and shall not authorise any works amounting to the demolition or rebuilding of the existing building or any part of it.
8. Notwithstanding the approved drawings, prior to installation, full details of any works to upgrade the access driveway and parking areas including any new surface materials, landscaping and drainage culverts shall be submitted to and approved in writing by the Local Planning Authority prior to these works taking place. Any works that are required shall be undertaken prior to the first occupation of the dwelling.
9. 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.

10. 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 dwellings 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.
11. All works shall proceed in strict accordance with the recommendations in the bat and nesting bird survey report (Butler Ecology, dated 29 January 19).
12. All new stonework shall be laid and pointed using traditional techniques and materials so as to match the stonework on the existing building.
13. All gutters and downpipes on the development hereby approved shall be of metal construction and round or half-round in section and, unless otherwise agreed by the Local Planning Authority in writing, shall be painted black not later than 30 days after the substantial completion of the development.
14. No part of the development shall be occupied until such time as a Management Scheme for the ownership and future management of the leat has been submitted to, and approved in writing by, the Local Planning Authority. This scheme should include an agreement that the ownership of the leat will remain within the ownership of all the residential units i.e. one single land owner or a management company if the units have different owners.

Introduction

Mill House and River View are located off Exeter Road within South Brent, a designated local centre in the Local Plan.

This application proposes the conversion of the existing B1 and B8 (use class) Mill building to C3 (use class) residential dwellings comprising one open market dwelling and two affordable dwellings.

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

Planning History

0380/18	Retention of existing commercial building at River View and change of use and conversion of Mill House from B1 to three dwellings	Full Planning Permission	Refused	11 September 2018
0046/18	Change of use of Mill House and River View from B1 office to C3 residential comprising 3 open market and 4 affordable dwellings. Provision of new and altered window door openings on both buildings and raising of roof of rear of Mill House	Full Planning Permission	Withdrawn	21 March 2018
0338/17	Change of use from offices B1(a) to dwelling C3	Prior Approval (Class O)	Prior Approval Refused	29 August 2017
	Appeal lodged: 06 September 17	Result:	Dismissed	

0337/17	Change of use from offices B1(a) to dwelling C3 Prior Approval (Class O)	Prior Approval Refused	29 August 2017
	Appeal lodged: 07 September 17	Result: Dismissed	
0546/16	Change of use from office to dwelling Prior Approval (Class O)	Prior Approval Refused	05 December 2016
	Appeal lodged: 07 February 17	Result: Dismissed	
0545/16	Change of use from office to dwelling Prior Approval (Class O)	Prior Approval Refused	05 December 2016
	Appeal lodged: 07 February 17	Result: Dismissed	

Consultations

Environment Agency:	Further to the submitted CCTV survey (April 2019), the EA is able to withdraw its objection subject to a condition being included on any permission granted relating to the ownership and maintenance of the culverted leat.
South Hams District Council:	Does not wish to comment.
County EEC Directorate:	No objection.
DNP - Building Conservation Officer:	No objection to this proposal. The proposed design for the windows and doors is well-considered and appropriate to the character of this building.
DNP - Ecology & Wildlife Conservation:	Works to proceed in strict accordance with the recommendations in the bat and nesting bird survey report (Butler Ecology, dated 29/1/19).
South Hams District Council (Housing):	<p>This should be a condition of any planning consent. The planning condition shall be discharged when the consultant ecologist confirms in writing to the Authority that the recommendations have been implemented.</p> <p>There is a need for more affordable rented housing in South Brent. There is a current up to date Housing Needs Survey in South Brent. This was completed in March 2014 and found a local need for 45 rented homes and 5 shared ownership homes in the Parish over the next 5 years. Since this survey was undertaken 14 affordable homes to rent were completed in South Brent in 2016 at Palstone Meadow. This still leaves a need for 33 rented homes and 5 shared ownership homes.</p> <p>There is a need for more affordable housing to rent and buy in South Brent, however the overwhelming need is for more rented housing. There is a need for some social rented housing in South Brent as well as Affordable Rent tenure. Evidence for this can be found in the 2014 parish housing needs survey which demonstrated that 35 of the households with a housing need, had an income of less</p>

than £20,000 per annum.

Parish/Town Council Comments

South Brent PC: Objects to this application due to:

- The vehicle access/egress in this location is dangerous;
- Pedestrian access to the site would need to be provided;
- A suitable footway link to the village centre and the foot/cycle path would be required; the existing footway is very narrow adjacent to Beacon Terrace.

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
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
DMD21 - Residential development in Local Centres
DMD4 - Protecting local amenity
DMD40 - Parking provision - Residential
DMD7 - Dartmoor's built environment
DMD8 - Changes to Historic Buildings

Representations

1 letter of support

Support

- Good use of existing building to meet housing need
- Conservation of building that may become derelict if no use is found.

Observations

PROPOSAL

Manor Mills is located within South Brent, a designated Local Centre with the main access from Exeter Road.

The site comprises two buildings. This application proposes the change of use of use of Mill House to one open market and two affordable dwellings. Mill House is identified as a non-designated heritage asset. The Historic Environment Record states that:

"Manor Mill, South Brent, also known as 'Brent Mill'. Dating back to at least 1277, it was originally a corn mill, but later used as a flock mill until 1923. Used more recently for the

manufacture of bedding.”

This building is currently vacant and some of the internal office partitions have been removed during investigations of damp within the building. The proposal comprises one open market unit (4 bed) and two affordable units (2 bed) 77sqm and 78sqm respectively.

River View is currently in unauthorised residential use. The applicant has indicated that the use will cease on the completion of these works. The application seeks to retain this as mixed use comprising B1 and B8 uses. It is noted that this in itself does not require planning permission as it is a reversion to the authorised use for these buildings.

On-site parking will be provided in the form of 6 parking spaces. Bin store and bike storage is proposed in the communal store.

Amenity/garden space for each property is shown on the proposed drawings.

PRE-APPLICATION ADVICE

Extensive pre-application advice was given following a previously refused scheme (ref: 0380/17), a previously withdrawn scheme (ref: 0046/18) and two prior approval applications (refs: 0545/16 and 0338/17).

LOSS OF EMPLOYMENT

The National Planning Policy Framework (NPPF) establishes the requirement for Local Plans to promote a strong rural economy to support economic growth in order to create jobs and prosperity. Local Planning Authorities should guard against the unnecessary loss of valued facilities and services (para 92)

Policy COR12 seeks to sustain and improve the range and quality of community services and facilities that are essential to the vitality of Dartmoor’s local community.

COR18 aims to assist in the provision of local employment and business opportunities particularly in Local Centres. In all cases, full consideration should be given to the use of existing buildings, particularly traditional buildings. The presumption will be that existing employment sites and premises will be retained for economic uses and proposals for the redevelopment of existing employment sites and premises for non-employment uses will be carefully assessed to ensure that the needs of business and industry in the National Park would not be harmed by such a change.

Two letters from Noon Roberts and Charles Darrow (commercial agents) respectively, have been submitted with the application. It appears that the planning agent has provided the wording therefore limited weight has been given to these letters, however, the letters advise that there is little demand for this type of office space which currently exists in this location.

It was clear from Officer site visits that Mill House needs significant work to be undertaken to make it useable as an employment space therefore a new use for this building may be the best course of action to conserve this heritage asset. The proposed scheme has provided the minimal evidence to suggest that loss of the employment use is acceptable however, on balance, the principle of converting Mill House to residential use is acceptable at this time.

PRINCIPLE OF CONVERSION TO RESIDENTIAL

COR15 and DMD21 indicate the circumstances where housing will be permitted in Local Centres. In addition, any development must not compromise the character and appearance of the area or the setting of a listed building and should be acceptable in terms of highway safety and the amenity of the surrounding properties. In all cases, except where indicated in a specific settlement policy, the proportion of affordable housing to meet local need should not be less than 50% of the units provided. However, any conversion must be assessed against the Development Plan as a whole.

A list of estimated figures has been submitted with this application; the viability report submitted by the applicant has been assessed in-house and queries were raised in relation to a number of the costings. Luscombe Maye have provided indicative estimated sale and rental values for the two affordable units. The rental values are considered to be affordable in the context of South Brent and are not dissimilar to the current rental values of the Westward Homes Cavanna Units at Palstone Meadow.

The South Hams Housing Officer has confirmed that there are a number of people in housing need in South Brent. She also notes that there is a notable house price / income gap and a shortage of private rented affordable housing.

The proposal is delivering at least 50% affordable housing, in an area of housing need, in accordance with policy DMD21.

HARM TO HERITAGE ASSET

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 which sets out National Park Purposes and establishes that the conservation and enhancement of cultural heritage of the National Park will be given priority over other considerations in the determination of development proposals. DMD8 is concerned with the conservation and enhancement of designated and undesignated heritage assets.

The applicant has submitted a Heritage Statement. The DNPA Building Conservation Officer has reviewed the scheme and this associated report. There are no objection to the proposal and considers that the proposed design is well considered and appropriate for the character of the building. The proposal is therefore considered to comply with policy DMD8.

OTHER CONSIDERATIONS

Policy DMD40 states that off street car parking for new residential development should be provided within the curtilage of the property or allocated elsewhere. For detached and semi-detached dwellings, a minimum of two spaces per dwelling; for flats a minimum of one and a half spaces per dwelling or unit is required. Car free development will be considered favourably where reasonable alternative parking provision exists. Car parking is critical to the quality of the external space and every effort should be made to reduce the dominance of the car in design of new developments.

It should be noted that the Highway Authority does not share the Parish Councils concerns with regard to highway safety. Similarly, there is no defined need for additional off site footways as a result of this development proposal.

It is acknowledged that there is limited opportunity to re-arrange the parking area and an acceptance that this is a difficult space to use. However, a bitumac surface directly up to the front doors of the dwellings is not an appropriate way of dealing with hard landscaping in the courtyard at the front elevation of the building therefore a condition is suggested to confirm the details of any proposed soft and hard landscaping around the building. A more detailed hard/soft landscaping scheme could be provided to ensure that the space between and around the buildings is providing the best scheme possible for this building. It is also noted that when a vehicle is parked at House 1, the emergency exit for the industrial buildings to the rear of the site will be inaccessible.

CONCLUSION

The proposal is considered to be a well conceived conversion to conserve the historic building. The provision of 2 affordable dwellings will assist in meeting the local housing need.

The proposal is considered to comply with policies of the Development Plan and is therefore recommended for approval subject to conditions.

CHRISTOPHER HART

Location: **land at Blindfield Meadow, Murchington**
Appellant: **Mr & Mrs R Davis**
Decision: **DISMISSED**

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

1 Application No: W/18/3217061 District/Borough: West Devon Borough
Appeal Type: Refusal of Full Planning Permission Parish: Walkhampton
Proposal: Erection of agricultural worker's dwelling
Location: **Eggworthy Farm, Sampford Spiney**
Appellant: **Mr B Landick**

2 Application No: W/19/3226004 District/Borough: Teignbridge District
Appeal Type: Refusal of Full Planning Permission Parish: Widecombe-in-the-Moor
Proposal: Construction of new dwelling (under National Planning Policy Framework para. 79)
Location: **field at Southcombe Cross, Widecombe**
Appellant: **Mr & Mrs I Bowman**

3 Application No: W/19/3226423 District/Borough: West Devon Borough
Appeal Type: Refusal of Full Planning Permission Parish: Whitchurch
Proposal: Change of use of barn to dwelling
Location: **Ashmill Farm, Grenofen**
Appellant: **Mr R Phillips**

4 Application No: W/19/3227755 District/Borough: Teignbridge District
Appeal Type: Refusal of Full Planning Permission Parish: Bridford
Proposal: Change of use of land to site one shepherd hut for holiday let
Location: **The Hide, Bridford**
Appellant: **Mr S Hornbuckle & Ms J Buresova**

5 Application No: W/19/3223644 District/Borough: West Devon Borough
Appeal Type: Refusal of Full Planning Permission Parish: Chagford
Proposal: Re-instatement of one dwelling back to two cottages
Location: **22 The Square, Chagford**

Appellant: **New Home Construction Ltd**

CHRISTOPHER HART