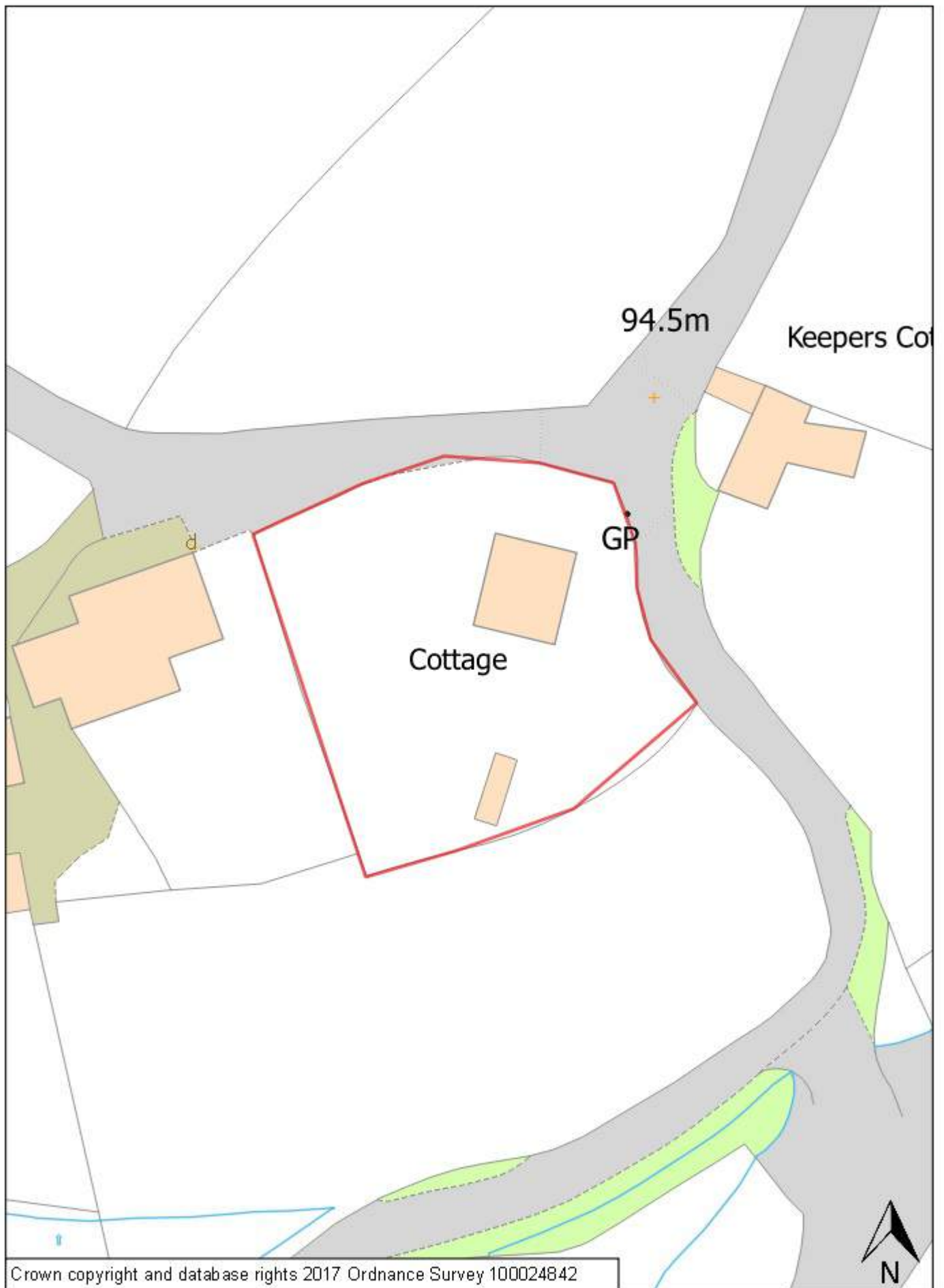


Weavers Cottage - 0090/17

Scale 1:500



DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

26 May 2017

SITE INSPECTIONS

Report of the Acting Head of Planning

1 Application No: **0090/17** District/Borough: **South Hams District**
 Application Type: **Full Planning Permission - Householder** Parish: **Dean Prior**
 Grid Ref: **SX722643** Officer: **Jo Burgess**
 Proposal: **Erection of single storey rear extension**
 Location: **Weavers Cottage, Deancombe**
 Applicant: **Dr J Hedger**
 Recommendation: **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed extension by virtue of its inappropriate scale, massing and design would fail to conserve or enhance, and would be detrimental to, the character and appearance of the cottage (a non-designated local heritage asset) contrary to policies COR1, COR3, COR4, COR5, DMD1a, DMD1b, DMD3, DMD7, DMD8 and DMD24 of the Dartmoor National Park Authority Development Plan and to the advice contained in the English National Parks and the Broads UK Government Vision, Circular 2010 and the National Planning Policy Framework 2012 and the Dartmoor National Park Design Guide.
2. In the absence of clear design considerations to indicate otherwise, the proposed extension, by reason of its size would be contrary to policies COR1, DMD1b and DMD24 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.

The panel convened at the front of the cottage where the Officer explained the proposal and Members viewed the proposal from all sides of the cottage and inspected the downstairs accommodation.

With the permission of the Chairman of the Panel, the applicant had displayed extracts from historic maps. These showed that there was previously a two-storey extension to the north west of the cottage. This was of a similar footprint to the additional floor area being created by virtue of the extensions. 3D model images were also shown to Members and these

together with the extracts from the historic maps will be included in the powerpoint presentation at the next meeting.

There was no District Council representative present.

The Parish Council representative was unable to attend but, has since confirmed that he had seen the pegging out of the proposed extension and was satisfied that this will enhance the property. He also commented that knowing the parishioner who has applied for this extension, he was sure that it will be done to the highest standards.

Members noted the problems with the condition of the property and in particular the problem with the location of the existing staircase in relation to the fireplace. They also noted that the extension would not cause any problems for neighbours. A check of the Ordnance Survey map confirmed that there is a public footpath to the south west but from the wider landscape Members considered that the extension is unlikely to be prominent.

Members raised concerns regarding the junction between the new modern extension and the historic cottage, the materials, the suspension of the terrace and extension above the garden. Members were particularly concerned that because the extensions will have an impact on all the elevations, it will change the character of the cottage too much and that because of this they found it difficult to support the proposal.

8. Application No: **0090/17** District/Borough: **South Hams District**
 Application Type: **Full Planning Permission - Householder** Parish: **Dean Prior**
 Grid Ref: **SX722643** Officer: **Jo Burgess**
 Proposal: **Erection of single storey rear extension**
 Location: **Weavers Cottage, Deancombe**
 Applicant: **Dr J Hedger**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed extension by virtue of its inappropriate scale, massing and design would fail to conserve or enhance, and would be detrimental to, the character and appearance of the cottage (a non-designated local heritage asset) contrary to policies COR1, COR3, COR4, COR5, DMD1a, DMD1b, DMD3, DMD7, DMD8 and DMD24 of the Dartmoor National Park Authority Development Plan and to the advice contained in the English National Parks and the Broads UK Government Vision, Circular 2010 and the National Planning Policy Framework 2012 and the Dartmoor National Park Design Guide.
2. In the absence of clear design considerations to indicate otherwise, the proposed extension, by reason of its size would be contrary to policies COR1, DMD1b and DMD24 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

Weavers Cottage is a very small cottage in the small hamlet of Deancombe. The boundaries of the property with the surrounding lanes are formed with high hedges and there are several outbuildings within the garden.

The proposal is to remove existing extensions at the rear and replace them with a two-storey gable and a contemporary flat roofed ground floor extension. The cottage is being adapted so that it can be used by a disabled occupant.

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

Planning History

0123/02	Single-storey wooden shed to replace decrepit caravan currently on site in garden to rear of house		
	Full Planning Permission	Grant Conditionally	10 April 2002

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 accordance with the findings and recommendations in Section 5 of the preliminary ecological appraisal report (Green Lane Ecology ref 06916/GLE).

There shall be no additional external lighting installed at the application site without the prior written approval of the Authority.

Parish/Town Council Comments

Dean Prior PC: Support

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR13 - Providing for high standards of accessibility and design

COR2 - Settlement Strategies

COR3 - Protection of Dartmoor's special environmental qualities

COR4 - Design and sustainable development principles

COR5 - Protecting the historic built environment

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

DMD14 - Biodiversity and geological conservation

DMD1a - Presumption in favour of sustainable development

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

DMD24 - Extensions and alterations to dwellings

DMD3 - Sustaining the quality of places in Dartmoor National Park

DMD7 - Dartmoor's built environment

DMD8 - Changes to Historic Buildings

Representations

None to date.

Observations

INTRODUCTION

Weavers Cottage is a small two-storey cottage with a dual pitch roof covered in artificial slate. To the rear is a two-storey extension constructed in the 1960s with a single storey lean-to. The property previously extended further to the west. That part of the building was demolished by a previous owner in 1969.

The cottage is full of asbestos, damp and in a generally dilapidated state. It is proposed to repair, renovate and extend the cottage and bring it up to Lifetime Homes standards. The applicants (who have a disabled son) wish to use the cottage to provide an opportunity for people with severe mobility problems, especially those who have suffered trauma in conflict settings, to enjoy Dartmoor. It should be noted that the Authority cannot control or limit the occupation of the cottage to reflect this aspiration but officers recognise that the design and layout is led by the desire to provide fully accessible facilities for a disabled person and space for their carer or family.

THE PROPOSAL

It is proposed to demolish the existing extensions which contain a kitchen which is not fit for purpose and a bathroom at first floor level. A new rear extension consists of a contemporary flat roofed ground floor extension providing a fully accessible bedroom, bathroom and living space with the overhanging roof forming a covered terrace on two sides. A new staircase within the extension will replace the existing one in the living room (to improve fire protection) and provide access to existing bedrooms and a bedroom and ensuite bathroom for a carer or family member, within an enlarged extension at first floor level.

The architect has sought to create a clear separation between the existing cottage and the new extension, in terms of its form, design and materials. The creation of a space that connects to the landscape was also an important element of the design. The ground floor extension is clad with stone and slate tiles in part but is predominantly formed with aluminium framed glazing with a heavy rendered fascia and flat overhanging roof. In terms of the existing cottage, externally vertical slate hanging is proposed on the west elevation to provide improved protection against the weather and the cob chimney is to be lime rendered.

PRE-APPLICATION ADVICE

The applicant sought pre-application advice and was advised that the use of modern materials to create suitable living space for disabled persons was likely to be acceptable in principle but the details of the design would need careful consideration. The policy requirements in terms of the percentage increase in habitable floor area were also highlighted.

POLICY

Policy DMD7 requires high standards of design and construction reflecting the principles set out in the Design Guide.

The Design Guide states that 'extensions offer an opportunity to use good contemporary design. It may be possible to add a well designed extension in a modern style as long as it is in harmony with the building'. It also states that 'scale is the major issue with all extensions - new extensions should not overwhelm the original building - a small original building has less opportunity for extending'.

Policy DMD8 requires the Authority to come to a balanced judgement having regard to the scale of any harm or loss and the significance of non-designated buildings or assets.

The applicant has given information regarding the cultural value of the cottage by virtue of previous occupiers and it appears on the Historic Environment Record by virtue of its age. It is therefore a non designated heritage asset and an important element of the cultural heritage of the National Park.

Policies COR1, COR3, COR5, DMD1b and DMD3 address cultural heritage so are also relevant.

Policy DMD24 also refers to the Design Guide and requires that extensions and alterations to a dwelling will not adversely affect the appearance of the dwelling, its curtilage or immediate surroundings, even if not generally visible from public viewpoints.

It also states that unless design considerations indicate otherwise, the habitable floorspace of extensions should not be increased by more than 30%.

The proposed ground floor extension will project a further 4m from the rear wall of the cottage beyond the existing extension and will project 5m to the west of the existing gable and over 3m further than the existing lean-to to the east at the rear of the property. The first floor element of the extension will project a further 2m than the current extension with a similar ridge height and a flue on the western side.

The increase in the scale and massing of the cottage result in the extension overwhelming the cottage rather than being subservient to it. This is reflected in the extensions amounting to over 60% increase in the internal floor area of the cottage. The applicants argue that this is offset to a degree by the removal of the detached building in the garden resulting in a 35.5% increase in floor area. Policy DMD24 specifically states that outbuildings should not be included in the calculation of habitable floorspace.

Following a site visit and an assessment of the proposal, officers advised the applicants that the size, massing and design of the extension was considered to be excessive and that significant changes to the plans would be required to enable officers to support the application. The applicant was invited to withdraw the application and discuss the proposal further before resubmitting.

The applicants have submitted further plans and sought to offset the increase in internal floor area by the removal of two outbuildings. However, the recommendation is based on the plans as originally submitted which remain unacceptable.

SUSTAINABLE DEVELOPMENT

The cottage in it's current condition is not fit for purpose and it is important to sustain it by active residential use and by meeting Lifetime Homes standards, the development would meet the needs of a section of society for which access to Dartmoor is limited. However, the detrimental impact on the character and appearance of the cottage outweighs the benefits the development would bring. On balance, it is considered that the development is not sustainable development in accordance with DMD1a.

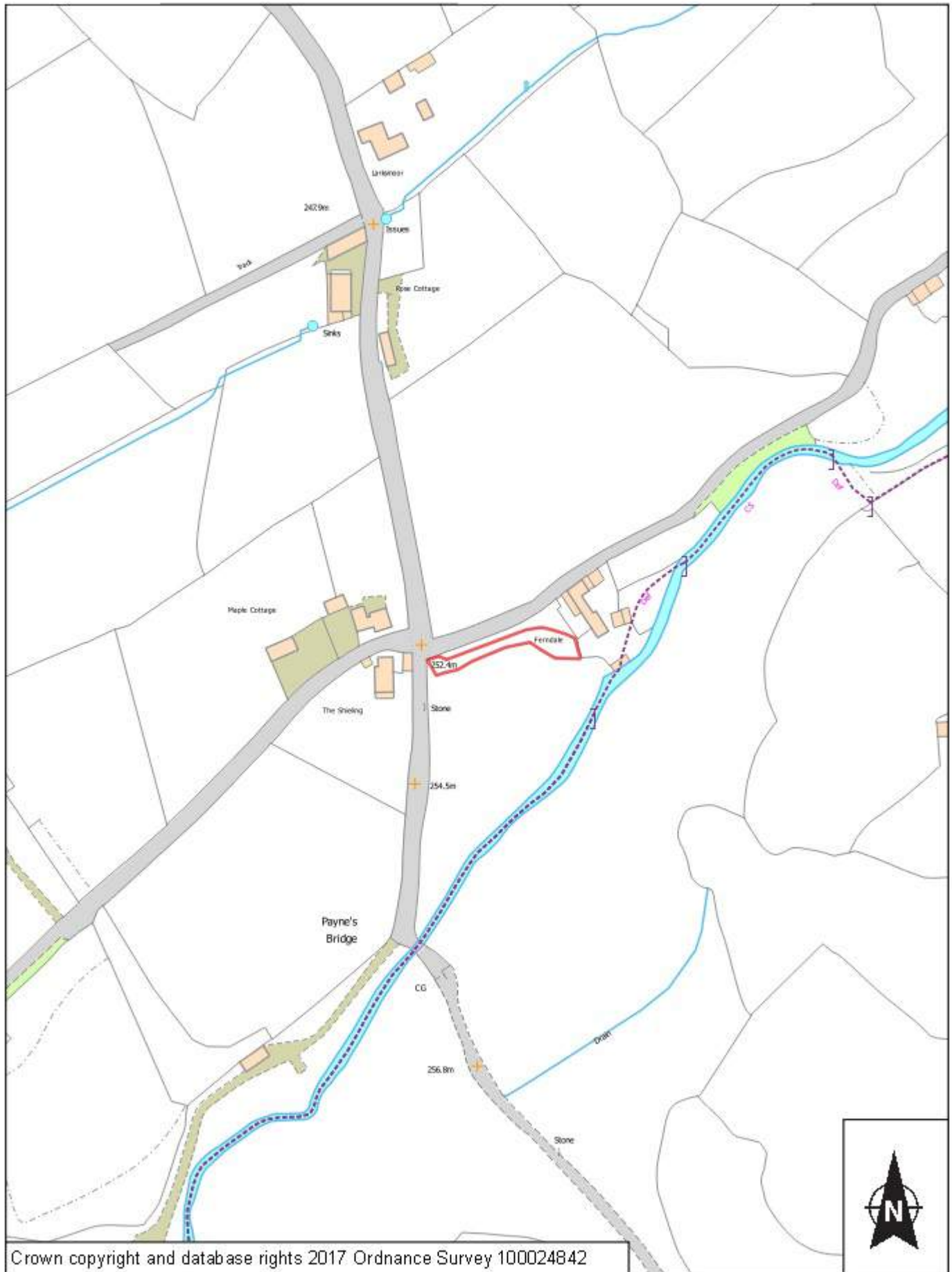
ECOLOGY

Survey work has been carried out and if approved, conditions relating to bat mitigation and external lighting could address the policy requirements in COR7 and DMD14.

CONCLUSION

The aspiration to provide Lifetimes Home standard accommodation for disabled persons is supported by the design guide and policy however, this application has demonstrated that it is difficult to achieve where the accommodation is being provided in the form of an extension to a very small historic cottage, an undesignated but important element of the cultural heritage of the National Park.

Officers have not ruled out that a contemporary extension can achieve the standard of accommodation being sought but consider that the scale, siting and massing need further revision to prevent the original historic cottage being overwhelmed.



2 Application No: **0043/17** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission - Householder** Parish: **South Tawton**
Grid Ref: **SX658916** Officer: **Helen Herriott**
Proposal: **Construction of driveway**
Location: **Ferndale, Throwleigh Road, South Zeal**
Applicant: **Mr R Knibbs**

Recommendation: **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed driveway, by reason of its siting, layout and appearance, would have a detrimental impact on the character and appearance of this part of the National Park contrary to policies COR1, COR3, COR4, DMD1b and DMD5 of the 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 2011.

The panel convened at the site where the applicant's agent had 'pegged out' the proposal.

The Officer explained the proposal, identified the proposed location of the driveway and the existing access to the property. The Officer clarified the policy position and reiterated the conflict of the proposals with policy DMD5.

The Parish Councillor (Tony Fey) joined the panel at this point. The Chair's introduction and Officer comments were then repeated.

The finish of the proposed track (300mm excavation with terram geotextile filter fabric and 75mm compacted stone and sand) was discussed. The finish level is proposed to be the same as the existing grass level. The proposed width of the track was confirmed by the applicant as 3.60m and was approximately 1m from the existing granite wall field boundary. It was confirmed by the Officer that no fencing was proposed as part of the application.

It was noted by a Member that there was a large tree adjacent to the site; however the minimal excavation was not considered an issue.

One Member asked if there would be any alterations to the existing gate access. The applicant's agent responded stating that the gate would be re-hinged in the opposite direction.

The panel walked the length of the proposed driveway around the outside of the dwellinghouse and along the existing access track.

The applicant's agent was asked by a Member about the ownership of the existing access track and roadside wall. It was not clear whether the wall was in their ownership, the track was not.

The Parish Councillor raised no specific questions or concerns.

The applicant's agent was advised by the Chair that he would have the opportunity to speak at the next Planning Committee Meeting if he so wished.

The members unanimously agreed with the Officer recommendation and that there was no overriding need for the proposal due to the existing adequate access. Concerns were also raised regarding the blind view pulling out on to Throwleigh Road (which was considered a very busy road, particularly during the summer).

CHRISTOPHER HART

3. Application No: **0043/17** District/Borough: **West Devon Borough**
 Application Type: **Full Planning Permission - Householder** Parish: **South Tawton**
 Grid Ref: **SX658916** Officer: **Helen Herriott**

Proposal: **Construction of driveway**

Location: **Ferndale, Throwleigh Road, South Zeal**

Applicant: **Mr R Knibbs**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed driveway, by reason of its siting, layout and appearance, would have a detrimental impact on the character and appearance of this part of the National Park contrary to policies COR1, COR3, COR4, DMD1b and DMD5 of the 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 2011.

Introduction

The site is located between Throwleigh and South Zeal. Ferndale is a detached dwelling with an existing access located to the north east of the dwelling.

This application is brought before Members in view of the comments made by the Parish Council.

Planning History

0510/03	Alterations to outbuilding to form implement shed and change of use of part field to gain access and building of new stone wall Full Planning Permission	Grant Conditionally	01 September 2003
0032/03	Alterations and additions with change of use from domestic fuel store to utility room in adjoining building Full Planning Permission	Grant Conditionally	07 March 2003
3/26/098/98/03	Change of use of existing single storey lean-to outbuilding to form new kitchen and utility room. Full Planning Permission	Grant Unconditionally	08 June 1998

Consultations

Environment Agency: Part of the property is located within Flood Zone 2. The driveway is proposed outside the Flood Zone.

West Devon Borough Council: The driveway will be falling back from the highway to prevent any surface water from discharging onto the highway. If however, levels do allow for a fall onto the highway, suitable methods should be employed to prevent surface water entering the highway (such as a cut of drain

at the entrance). It would be beneficial that any proposals adjacent to the floor zone are kept at ground level to prevent any reduction in floodplain capacity.

County EEC Directorate: No highways implications

Parish/Town Council Comments

South Tawton PC: Supports the application

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

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

DMD38 - Access onto the highway

DMD5 - National Park Landscape

Representations

No letters were received

Observations

PROPOSAL

The proposal seeks to create a new driveway at the existing detached dwellinghouse.

POLICY

Policy DMD38 advises that particular attention should be given to the need to retain hedgebanks, hedges, walls and roadside trees. Given the existing gate, there will be no requirement to alter the stone walls adjacent to the highway. There will be no increase in traffic from the new access and it has been confirmed by the Highways Officer that there will be no issues in terms of highway safety.

IMPACT

The driveway will run the length of one field, adjacent to the existing track thus having a detrimental impact on what is currently agricultural land. As an acceptable access already exists to the property there would appear to be no overriding need for a domestic drive over agricultural land. It would be visually intrusive and have a detrimental impact on the character of the area and is therefore unacceptable. The landscape Character Type in this area is (2D: Moorland Edge Slopes). The Landscape Character Assessment for Dartmoor National Park identifies valued attributes for this landscape type as;

- A rich and intricate landscape full of contrasts.
- Strong pattern of medieval fields with prominent Devon hedgebanks and dry stone walls.
- Pastoral character of fields contrasting with areas of heathy moorland.
- Strong local vernacular of granite, colourwash and slate.
- Spectacular views to the moorland core of Dartmoor as well as the surrounding

- Countryside outside the National Park.
- Features associated with the area's mining heritage and historic land uses.

The proposed driveway is to serve the existing dwelling and will be very visible from the highway. The driveway does not conserve or enhance the pastoral character of the local landscape or character of the medieval field systems. The proposed track would be visible from the road and present as a stark feature cutting across the agricultural field, unrelated to existing landscape and topographical features.

CONCLUSION

Policy DMD5 is very clear that development should conserve and/or enhance the special character of Dartmoor's landscape, respecting the valued attributes of landscape character types and avoiding unsympathetic development that will harm the wider landscape. The proposal would have a detrimental impact on the character and appearance of this part of the National Park.

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

26 May 2017

APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Report of the Acting Head of Planning

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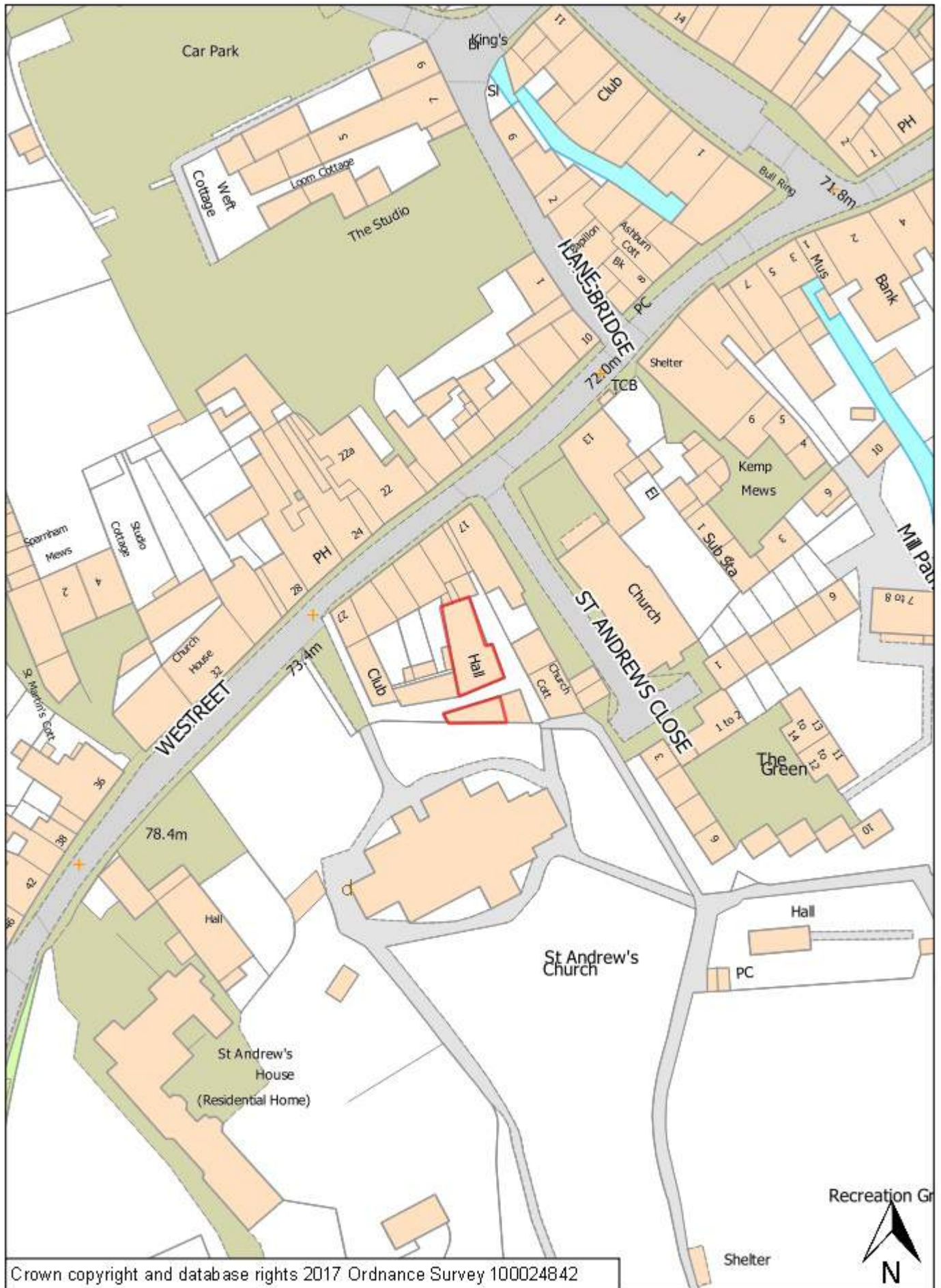
Item No. **Description**

1. 0115/17 - Conversion of hall to three dwellings (Full Planning Permission), St John's Ambulance Hall, Ashburton
2. 0111/17 - Conversion of stables building to holiday let unit (Full Planning Permission), Bank House Stables, R/O 19 East Street, Ashburton
3. 0131/17 - Hinging of shippon door to allow inward opening (Listed Building Consent), Middle Venton Farmhouse, Drewsteignton
4. 0117/17 - Construction of new dwelling house (Under National Planning Policy Framework paragraph 55) (Full Planning Permission), Corner site between Huccaby House and Byeways House, Sheepstor
5. 0068/17 - Replacement of existing garage with new garage/studio (Full Planning Permission - Householder), Lower Hillsborough, 2 Southcombe Street, Chagford
6. 0649/16 - Change of use from bar/restaurant to five flats (Full Planning Permission), Devon Tors Hotel, Yelverton
7. 0130/17 - Conversion of barn to holiday let (Full Planning Permission), Stone Barn, Stone Farm, Buckland-in-the-Moor

St Johns Hall, Ashburton - 0115/17



Scale 1:1,000



1. Application No: **0115/17** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **Ashburton**
Grid Ref: **SX755697** Officer: **Jo Burgess**

Proposal: **Conversion of hall to three dwellings**

Location: **St John's Ambulance Hall,
Ashburton**

Applicant: **Mr P Pascoe**

Recommendation **That, subject to the consideration of any further comments from the
Town Council, 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. 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 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.
3. Prior to the installation of any joinery, details including 1:5 sections shall be submitted to the Local Planning Authority for written approval. All new external timber on the building hereby approved shall be painted unless otherwise agreed by the Local Planning Authority in writing and retained as such thereafter.
4. The two windows in the east elevation of the development and two windows in the west elevation shown to be obscured glass on drawing 2185/05D hereby approved shall be glazed in obscure glass and thereafter obscure glass shall be retained at all times.
5. 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.
6. Prior to the installation of any rooflight in the development hereby approved, details of the proposed rooflight(s) shall be submitted to the Local Planning Authority for approval; thereafter, unless otherwise agreed by the Local Planning Authority in writing, only approved rooflight(s) shall be used in the development.
7. 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 28 November 2016.

Introduction

St John's Ambulance Hall is located in the centre of Ashburton, to the rear of West Street and adjacent to St Andrew's Church.

It is proposed to convert the building to three open market dwellings. There is an existing outbuilding adjacent to the hall proposed to be used for bin and bike storage. There is no off

street parking associated with the proposal.

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

Planning History

0229/01	Replacement of old steel windows with new uPVC		
	Full Planning Permission	Grant Conditionally	04 June 2001

Consultations

Environment Agency:	Flood Risk Zone 1 - standing advice applies
Teignbridge District Council:	Does not wish to comment
County EEC Directorate:	There is a comprehensive on-street controlled parking regime with yellow lines and parking bays which prohibit parking in unsafe and unsuitable locations on the highway. An objection on highway safety grounds is not sustainable, having particular regard to the advice in the National Planning Policy Framework (NPPF).
DNP - Archaeology:	As the development does not entail disturbance of the ground, no archaeological impacts are anticipated
DNP - Building Conservation Officer:	In light of the evidence provided in respect of the 1938 conversion from cottages to the Hall, there are no objections in principle on building conservation grounds. The scheme reinstates some of the pre-conversion divisions and it is accepted that the post 1938 phase is of limited historic value. The roof structure as a surviving element of the cottages is important to retain.
DNP - Ecology & Wildlife Conservation:	No objection

Parish/Town Council Comments

Ashburton TC:	The Town Council objected to the original scheme on grounds of residential amenity - the new windows on both elevations would overlook nearby residents, lack of affordable housing and parking. The views of the Town Council in respect of the amended plans will be reported at the meeting
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Relevant Development Plan Policies

- COR1 - Sustainable Development Principles
- COR15 - Providing for limited new housing to meet local needs
- COR17 - Promoting increased health and well-being
- COR2 - Settlement Strategies
- COR21 - Dealing with development and transport issues in a sustainable way
- 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

DMD12 - Conservation Areas
DMD13 - Archaeology
DMD14 - Biodiversity and geological conservation
DMD19 - Sustainable Communities
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
DMD3 - Sustaining the quality of places in Dartmoor National Park
DMD4 - Protecting local amenity
DMD40 - Parking provision - Residential
DMD45 - Settlement boundaries
DMD8 - Changes to Historic Buildings

Representations

4 letters of objection 2 other letters

The original scheme proposed the installation of new windows in the western elevation and this led to objections from the immediate neighbour and those facing the building to the west. They also raised concerns regarding lack of parking provision and affordable housing.

The neighbour to the east raised concerns regarding access to Church Path during construction work, especially for disabled persons.

Observations

INTRODUCTION

St John's Ambulance Hall resulted from the conversion of four cottages in 1938. It is situated on Church Path off West Street and can only be approached by foot. The hall was closed due to falling income and increased running costs. The property was marketed in 2015 but a local community group had the building listed as an 'asset of community value'. The group was then allowed to take over and run the hall for 12 months at a Peppercorn Rent but was unable to raise the necessary money to buy the hall and withdrew their bid. The property was marketed again and sold at auction in September 2016.

THE PROPOSAL

The building has a large entrance door at the south end and large windows which give light to the hall on the east elevation. The original cottage at the north end had only minor alterations and retained its' character. It has one small window on the east elevation which is to be retained but with obscure glazing.

It is proposed to divide the building into three dwellings – one with one bedroom, one with two bedrooms and one with three bedrooms. The large windows are to be removed and more traditional cottage style windows installed in the south and east elevations, a former window is to be opened up and roof lights installed on the east elevation. The internal spaces are to be subdivided and a new floor installed, however the roof structure is to remain intact. A separate outbuilding is proposed to be used for bike and bin storage for the dwellings.

POLICY

The site falls within the boundary of Ashburton set out in the Development Plan. Policy COR2 states that within Local Centres such as Ashburton, it is expected that development will cater for local requirements and those of the rural hinterland.

Policies COR2, COR15 and DMD21 only allow conversion of an existing building to residential accommodation in a Local Centre where the proportion of affordable housing to meet local need is not less than 50%.

The applicant is proposing all the dwellings to be open market and submitted a viability assessment to demonstrate that the conversion would not be viable if affordable housing were to be required; indeed it concluded that the development is potentially unviable even where the dwellings are valued at open market value.

The viability assessment has been reviewed by an independent Development Surveyor and he has concluded that the appraisal is not unreasonable and that given the normal level of profit allowed for, affordable housing contributions cannot be justified in this case.

LOSS OF COMMUNITY FACILITIES

Policies COR12 and DMD19 seek to protect existing community facilities. In this case the former owners of the hall marketed the property and it was registered as an asset of community value. The community were unable to raise the funds to keep the hall as a community facility. There are other community halls nearby within Ashburton so the Authority is satisfied that the facility is not capable of being sustained. The principle of the loss is therefore accepted.

THE CONVERSION

DMD9 sets out criteria against which the conversion of non-residential buildings outside classified settlements should be assessed. Those criteria equally apply to conversion of buildings within settlements and include the need for the building to be capable of conversion without the need for substantial alteration.

The building can be regarded as a non-designated heritage asset. Originally the conversion appeared to officers to be contrary to DMD9 in that significant alterations to openings were to take place and the character and appearance of the building would not therefore be conserved. However, further information regarding the original configuration of the pre 1938 cottages has been provided. The proposal re-instates some of the pre-conversion divisions and the replacement of the large hall windows with smaller scale domestic windows and the details of the conversion are now acceptable under the terms of DMD9.

IMPACT ON CONSERVATION AREA

DMD12 requires development within a conservation area to only be permitted where the character or appearance of the conservation area is preserved or enhanced. The property is a dominant building when viewed from the path from West Street and Church Path and is in close proximity to the Grade I Listed St Andrews Church. The alterations to the building will restore it to its' original form as cottages. The conversion will therefore preserve and enhance the character and appearance of the building and the wider conservation area in accordance with DMD12.

ARCHAEOLOGY

The site is within the Ashburton Conservation Area and the site is in the heart of the medieval settlement. There is therefore a high potential for the presence of buried heritage assets on the site. However, it has been clarified that no ground works are to take place so the proposal is in accordance with COR6 and DMD13.

AMENITY

Policies COR4 and DMD4 address the need to protect residential amenity. The concerns of neighbours to the west have now been addressed by amended plans to the satisfaction of officers; in that one rooflight has been removed and the re-opened window and retained window will have obscure glass.

On the east elevation the ground floor windows in cottage 3 are opposite Tanyard Cottage which is less than 5m away. These are now shown to be obscure glazed to protect privacy.

Subject to conditions requiring obscure glazing to be installed and retained it is considered that the proposal is in accordance with policies COR4 and DMD4.

ECOLOGY

An ecological survey report was submitted and no bats or evidence of nesting bird activity was found. A standard precautionary condition is considered to be appropriate in accordance with policies COR7 and DMD14.

PARKING

No parking is being provided in association with the conversion. The parking standards set out in policy DMD40 would normally require a minimum of one and a half spaces per dwelling for terraced cottages such as those proposed.

The Town Council and neighbours have raised concerns regarding the adequacy of the parking provision and Teignbridge District Council has confirmed that there is a long waiting list for permits in the car park.

The Highways officer has not raised any objections and has advised that because there is a comprehensive on-street controlled parking regime with yellow lines and parking bays which prohibit parking in unsafe and unsuitable locations on the highway, any shortfall when compared to the DNPA minimum parking standards set out in policy DMD40 would not result in any tangible compromise in highway safety contrary to COR21; so in his view an objection on highway safety grounds is not sustainable, having particular regard to the advice in the National Planning Policy Framework (NPPF).

CONCLUSION

The principle of supporting new dwellings in converted buildings in sustainable locations such as Ashburton is set out in policies COR2, COR15 and DMD21. The requirement for affordable housing can be varied where a higher proportion of open market housing can be shown to be essential to secure the overall viability of the development. The applicant has demonstrated to the satisfaction of an independent surveyor that this is the case with this

proposal. The principle of departing from the Development Plan and allowing all three dwellings to be open market is therefore acceptable in this case.

The proposal is considered to be environmentally, socially and economically sustainable in accordance with the NPPF and policies COR1 and DMD1a and subject to conditions addressing ecology and details of joinery will conserve and enhance the cultural heritage and wildlife of the National Park as required by DMD1b.

The Town Council originally objected to the application. With respect to the amended plans the Town Council has acknowledged that the privacy issues have been addressed but retain concerns that the scheme represents 'overdevelopment' with no parking and the potential for obscure glazing to be replaced by clear glass in the future. The Town Council continues to object to the application.

The issues raised by the Town Council relating to amenity and the conversion itself have been addressed to the satisfaction of officers by the amended plans subject to conditions; however in the context of government guidance in the NPPF, it is not considered appropriate to refuse planning permission for reasons relating to the concerns raised by the Town Council regarding lack of parking provision.

The recommendation is therefore to grant permission subject to the conditions set out at the head of this report.

'Bank House Stables', Ashburton 0111/17



Scale 1:1,000



2. Application No: **0111/17** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **Ashburton**
Grid Ref: **SX756699** Officer: **Jo Burgess**

Proposal: **Conversion of stables building to holiday let unit**

Location: **Bank House Stables, R/O 19
East Street, Ashburton**

Applicant: **Mr M Gill**

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 approved holiday let shall not be used or occupied other than for the provision of short let holiday accommodation and shall not at any time be used, let, sold or otherwise occupied as a persons' sole or main place of residence. No person, couple, family or group shall occupy or use the accommodation hereby permitted for a single period or cumulative periods exceeding 28 days in any calendar year. An up to date register of the names and addresses of all occupiers should be maintained and made available to the Authority on request.
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 holiday unit 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. Prior to the installation of any joinery, details including 1:5 sections shall be submitted to the Local Planning Authority for written approval. All new external timber on the building hereby approved shall be left to weather naturally unless otherwise agreed by the Local Planning Authority in writing and retained as such thereafter.
5. 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.
6. No work shall commence on the development hereby permitted until a written scheme providing for an appropriately qualified archaeologist to carry out a full archaeological watching brief during all stages of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme, which shall be written and implemented at the applicant's expense, shall provide for the observation, recording and recovery of artefacts and post-excavation analysis. A full report detailing the findings shall be submitted to and approved in writing by the Local Planning Authority before the substantial completion of the development, unless otherwise agreed in writing by the Local Planning Authority.

7. 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 17 September 2016.
8. All new stonework shall be laid and pointed using traditional techniques and materials so as to match the stonework on the existing building. Prior to the new garden wall being constructed a sample panel shall be prepared for inspection by the Local Planning Authority and no further stonework shall be carried out until the sample panel has been inspected, and approved by, the Local Planning Authority.
9. Prior to the installation of any rooflight in the development hereby approved, details of the proposed rooflight(s) shall be submitted to the Local Planning Authority for approval; thereafter, unless otherwise agreed by the Local Planning Authority in writing, only approved rooflight(s) shall be used in the development.

Introduction

The 'Bank House Stables' building is located at the rear of the former National Westminster Bank on East Street with access being gained to the property from Stapledon Lane.

It is proposed to convert the building to a holiday let and enclose part of the yard to form a walled garden. Two parking spaces are also indicated within the yard.

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

Planning History

0482/13	Internal alterations to existing flats Listed Building Consent	Grant Conditionally	11 November 2013
05/31/1499/86	Roof over walled yard to form storage area Full Planning Permission	Grant Unconditionally	16 July 1986

Consultations

Environment Agency:	Flood Risk Zone 1 - standing advice applies
Teignbridge District Council:	Does not wish to comment
DNP - Ecology & Wildlife Conservation:	No objection
DNP - Archaeology:	Due to the archaeological sensitivity of the site of the proposed development and archaeological watching brief is recommended on all groundworks, both inside the building and outside.
DNP - Building Conservation Officer:	The revisions represent an improvement over the originally submitted scheme and subject to details of external windows and doors being approved, the application is supported
County EEC Directorate:	No objection

Parish/Town Council Comments

Ashburton TC:	The Town Council objects to the application, raising concerns regarding the size of the unit, amenity issues,
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safety issues relating to the first floor windows and lack of parking. Despite the amendments to the proposal the Town Council remains concerned that the proposal seeks to cram too much into an extremely small building and that by virtue of the lack of parking, the proposal will exacerbate the existing issues within the town.

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
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
DMD12 - Conservation Areas
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
DMD3 - Sustaining the quality of places in Dartmoor National Park
DMD4 - Protecting local amenity
DMD40 - Parking provision - Residential
DMD44 - Tourist accommodation
DMD8 - Changes to Historic Buildings

Representations

1 letter

The neighbours to the rear have asked officers to ensure that the proposed roof lights to the North West elevation do not create any over looking issues and that appropriate parking standards are applied.

Observations

INTRODUCTION

19 East Street is the former National Westminster Bank (now an estate agent) and a Listed Building. Historically the building was used as a garage by the Bank Manager who lived above the bank. The building pre-dates the bank and for this reason it is not considered to be a curtilage listed building. Access to the building and the associated yard is from Stapledon Lane.

THE PROPOSAL

The building was last used for storage in association with the residential accommodation

above the bank. It is proposed to convert the building to a holiday let.

The building is constructed from stone but has been the subject of various alterations to the original fabric, windows and doors and internal floors. In front of the building are tiles that appear to tie in with the former use as a stable.

It is proposed to carry out alterations to the building including the installation of two rooflights, the installation of new windows and doors into existing openings, installation of a new staircase and internal subdivision of the building to create a two bedroomed unit of holiday accommodation. The existing 'stable' paving outside the building is to be re-laid in a walled garden with parking provided in the shared yard.

POLICY

The site falls within the boundary of Ashburton as set out in the Development Plan. Policy COR2 states that within Local Centres such as Ashburton, it is expected that development will cater for local requirements and those of the rural hinterland.

Policies COR2, COR15 and DMD21 only allows conversion of an existing building to residential accommodation in a Local Centre where it would be affordable housing to meet local need.

Although a holiday let is residential accommodation, an occupancy condition ensures that it is only used for short term holiday purposes. Holiday accommodation plays a large part in generating tourism income in the National Park and is considered to be a form of business development. Policy COR18 allows for small scale business development in Local Centres and Policy COR19 allows for tourism development that respects the special qualities of the National Park.

Policy DMD44 states that tourism development will be permitted for the conversion of existing buildings for short stay accommodation within Local Centres and in the supporting text reference is made to policy DMD9.

THE CONVERSION

DMD9 sets out criteria against which the conversion of non-residential buildings outside classified settlements should be assessed. Those criteria equally apply to conversion of buildings within settlements and include the need for the building to be capable of conversion without the need for substantial alteration, for the conversion work to be in keeping with local building styles and materials and existing significant historic or architectural elements to be incorporated into the design.

The original submission was considered to be contrary to DMD9 in that openings were to be enlarged, the details of the windows were considered to be inappropriate and it was not clear whether the 'stable' paving outside the building was to be retained. As a result the character and appearance of the building as a former stable would have been lost and the setting of the building would not have been sustained.

The plans under consideration now show the openings on the south east elevation to be retained and a more appropriate design of painted windows and doors to be installed. The 'stable' paving is to be re-laid within the new walled garden and it has been concluded that the details of the conversion are now acceptable under the terms of DMD9.

IMPACT ON CONSERVATION AREA

DMD12 requires development within a conservation area to only be permitted where the character or appearance of the conservation area to is to be preserved or enhanced. From Stapledon Lane the new stone garden wall will enclose the walled garden. The front of the building will only be visible at an oblique angle and from other premises to the south. The appearance of the building and the yard area will be enhanced by virtue of the conversion and associated external works and it is therefore considered to be acceptable.

ARCHAEOLOGY

The site is within the Ashburton Conservation Area and the site is in the heart of the medieval settlement. There is therefore a high potential for the presence of buried heritage assets on the site. The archaeologist has therefore asked for an archaeological watching brief condition to be imposed in relation to all groundworks, both inside and outside the building; in accordance with COR6 and DMD13.

AMENITY

Policies COR4 and DMD4 address the need to protect residential amenity. Two new rooflights are being installed on the rear elevation, one into a new bathroom and one in a bedroom. Sections confirm that the rooflight in the bathroom will be 2.2m above floor level so there will be no overlooking of the adjoining property.

ECOLOGY

An ecological survey report was submitted and no bats or evidence of nesting bird activity was found. A standard precautionary condition is considered to be appropriate in accordance with policies COR7 and DMD14.

PARKING

The plans show two parking spaces in the rear yard. These would serve the holiday unit and the existing residential unit above the bank.

The Town Council and the neighbour have raised concerns regarding the adequacy of the parking provision and Teignbridge District Council has confirmed that there is a long waiting list for permits in the car park.

The highways officer has not raised any objections and has advised that because there is a comprehensive on-street controlled parking regime with yellow lines and parking bays which prohibit parking in unsafe and unsuitable locations on the highway, any shortfall when compared to the DNPA minimum parking standards set out in policy DMD40 would not result in any tangible compromise in highway safety contrary to COR21; so in his view an objection on highway safety grounds is not sustainable, having particular regard to the advice in the National Planning Policy Framework (NPPF).

CONCLUSION

The principle of supporting short stay tourism accommodation in sustainable locations such as Ashburton is set in policies COR2, COR18 and DMD44.

The proposal is considered to be environmentally, socially and economically sustainable in accordance with the NPPF and policies COR1 and DMD1a and subject to conditions addressing archaeology and ecology will conserve and enhance the cultural heritage and wildlife of the National Park as required by DMD1b.

The Town Council originally objected to the application. With respect to the amended plans the Town Council has reiterated its concerns regarding the size of the unit, safety of the first floor windows and, in particular, insufficient parking.

The holiday let will be small but issues raised by the Town Council relating to amenity and issues raised by the Building Conservation Officer in relation to the conversion itself, have been addressed to the satisfaction of officers by the amended plans; however in the context of government guidance in the NPPF, it is not considered appropriate to refuse planning permission for reasons relating to the concerns raised by the Town Council regarding lack of parking provision. Safety matters relating to first floor windows are a building regulations issue.

The recommendation is therefore to grant permission subject to the conditions set out at the head of this report.

Middle Venton - 0131/17



Scale 1:1,250



3. Application No: **0131/17** District/Borough: **West Devon Borough**
Application Type: **Listed Building Consent** Parish: **Drewsteignton**
Grid Ref: **SX694910** Officer: **James Aven**

Proposal: **Hinging of shippon door to allow inward opening**

Location: **Middle Venton Farmhouse,
Drewsteignton**

Applicant: **Mrs L Sowery**

Recommendation **That, consent be REFUSED**

Reason(s) for Refusal

1. The proposed changes to the external door, by reason of its impact on the form and significance, historic interest, cultural significance and alteration of an important fixture of the Grade II* Listed longhouse would be detrimental to the character and appearance of the Listed Building and there are no public benefits to outweigh the harm that would result. The proposal is therefore contrary to policies COR1, COR3, COR5, DMD1b, DMD3 and DMD8 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, the National Planning Policy Framework 2012 and the Dartmoor National Park Design Guide 2011.

Introduction

Middle Venton is a Grade II* listed Devon longhouse in the small hamlet of Venton within the parish of Drewsteignton. The farm was listed in 1988.

The complex at Middle Venton comprises the Grade II* house and shippon, a Grade II listed barn on the western side of the former farmyard now a courtyard, a cow byre and series of barns and linhay type structures forming the southern and eastern sides of the courtyard; these buildings being Listed by association with the house and shippon.

This application seeks consent to amend the approved design of the shippon door to allow it to open inwards instead of outwards.

This application is presented to Committee in view of the Parish Council's comments.

Planning History

0108/17	Installation of vertical cast iron soil vent pipe (100mm diameter) on rear of house		
	Listed Building Consent	Grant Conditionally	05 May 2017
0432/16	Installation of 40mm soil vent pipe on rear of house		
	Listed Building Consent	Grant Conditionally	19 October 2016
0332/14	Change of use of land from agricultural to garden		
	Change of Use	Refused	30 July 2014
	Appeal lodged: 03 November	Result: Allowed	
	14		
0573/13	Retention of limecrete floor and limewashing of the walls		

	Listed Building Consent	Refused	11 March 2014
0572/13	Retention of glazing to former loading door and timber shutter on rear of house		
	Listed Building Consent	Refused	11 March 2014
0571/13	Retention of hand rail and balustrade to shippon end of house		
	Listed Building Consent	Refused	11 March 2014
0544/13	Retention of en suite bathroom		
	Listed Building Consent	Refused	11 March 2014
0570/13	Replacement door and shutter within the shippon end of house		
	Listed Building Consent	Refused	11 March 2014
0543/13	Amended design for two doors and amended detail of glazing to lean-to		
	Listed Building Consent	Grant Unconditionally	05 December 2013
0101/09	Alterations and extensions to farmhouse and reroofing of shippon roof in thatch		
	Listed Building Consent	Grant Conditionally	25 November 2009
0100/09	Alterations and extensions to farmhouse and reroofing of shippon roof in thatch		
	Full Planning Permission	Grant Conditionally	08 October 2009
0439/07	Internal and external alterations		
	Listed Building Consent	Withdrawn	30 July 2007
0703/05	Internal and external alterations to farmhouse, 'linhay' and 'stables'		
	Listed Building Consent	Withdrawn	01 November 2005
0700/05	Extension of domestic curtilage to incorporate west end of home paddock		
	Full Planning Permission	Withdrawn	17 October 2005
03/09/1654/79	Conversion of building to provide additional accommodation		
	Change of Use	Grant Conditionally	29 January 1980
0171/17	Amend details of approved ref: 0109/09 to delete glazed porch and light in cross passage door plus amended design for former shippon door		
	Listed Building Consent	Not yet determined	

Consultations

West Devon Borough Council:	Does not wish to comment
County EEC Directorate:	No objections
Environment Agency:	Flood risk zone 1 - Standing advice applies
DNP - Building Conservation Officer:	This guidance from the planning inspector in the appeal response is clear. The door should open outwards. I concur with Historic England's advice regarding alternative solutions to secure an outward opening door, as set out in their consultation response dated 4 April 2017. Consent should not be granted for this application.
Historic England:	Middle Venton Farmhouse is listed grade II* as a building of more than special architectural interest. That puts it in the top 6% of the nation's listed buildings. Its cultural

significance derives from its evidential, historic and aesthetic values. It is observably a former longhouse, as has been noted in the report prepared by Exeter Archaeology in 2006, and has a high survival of distinctive, diagnostic and high-quality features. It is part of a still relatively unspoiled farmstead which contributes to its significance, with a grade II barn at the entrance.

The defining feature of longhouses is the Shippon (byre) for animals, generally cattle, once entered from a common through passage, as seen at Higher Uppacott. Middle Venton is a relatively late example of this type and so a secondary door was formed to separate access to domestic quarters from access to the byre and this is the subject of this application. Longhouses are a vernacular plan type of great antiquity and of international significance. They are a Dartmoor speciality and a comparative rarity, about 125 identified in Devon to date. Very few, little more than a dozen, survive with their Shippon still so legible as at Middle Venton.

An application for listed building consent for the installation of an external door to the Shippon opening and shutters to the windows was refused in 2013, following a robust objection from Historic England (then England Heritage). This was due to the incremental domestication of the Shippon through a wide variety of works including the installation of an unsuitable glazed door. An appeal against the refusal was partially dismissed and in respect to the proposed external door to the Shippon, which was dismissed, the Inspector highlights that “Although the appellant has experienced difficulties with the installation of an outward opening solid door set further into the opening, I am not persuaded that a suitable solution cannot be found, by using hinges that would allow the door to open 180° against the wall. As installed, the existing door fails to maintain the historic character of the building and I consider that listed building consent should not be granted for it. This part of the appeal on ground (e) therefore fails.”

The appeal clearly sets out that the door should be outward opening. We appreciate that there may be difficulties in following the Inspector’s advice due to the setback of door within the reveal. However, we do not consider that the applicant has exhausted all the options to comply with the inspector’s direction. Therefore, we would expect to see reasonable steps being taken to consider alternative solutions to secure an outward opening door within this location. This could include traditional techniques such as securing a catch to the outside of the outward opening door to hold it open against the wind. The configuration of the house does provide one further option, which is to insert

the new Shippon door as approved, and use the cross passage door, immediately adjacent to it as the principal domestic access into this end of the building, thus removing the issue regarding the wind catching the door. Consequently, we are not convinced by the justification set out within the report for the proposed revision to the opening of the Shippon (Para 132, NPPF) and would expect a more meaningful attempt to comply with the parameters set out by the inspector in this decision.

Historic England recommends that the Authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice.

Parish/Town Council Comments

Drewsteignton PC: Supports the application because it considers it to be a householder development, the proposal is a minor alteration that will not be detrimental to the overall presentation of the building and will have no detrimental effect on the National Park.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR3 - Protection of Dartmoor's special environmental qualities

COR5 - Protecting the historic built environment

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

Representations

None to date.

Observations

INTRODUCTION

Middle Venton is a Grade II* listed farmhouse. An archaeological assessment carried out in 2006 highlighted two aspects of Middle Venton which mark its particular importance, Firstly it was 'quite remarkably unaltered' - retaining the plan and volumes of the rooms in almost a complete state but also features and it's roof. The report states 'more exceptional is the survival in unaltered form of approximately half of the shippon and this was the crucial feature in placing a high listing status on the farm in 1988'. The Grade II* listing reflects the fact that it is recognised as an important survival - only 6% of Listed Buildings in England are of this status and on Dartmoor there are probably less than 20 longhouses which retain partially converted shippons and only about 5 or 6 of which have unconverted shippons. The significance of the building is set out in the comments from Historic England.

PLANNING HISTORY

In 2009, planning permission and listed building consent were granted for an extension on the rear of the dwelling that contained a replacement staircase, a bathroom at first floor level and a ground floor toilet. Although contrary to many of the Development Plan policies at that time, these applications were supported by the Authority and Historic England because it enabled the cross passage to be re-opened and the plan of the hall to be restored by removing a ground floor bathroom and staircase, whilst retaining the unconverted shippon and securing the reinstatement of certain features and fixings.

Members may recall considering seven applications seeking retrospective listed building consent for unauthorised works of alterations at this property at the Committee meeting in March 2014. Whilst it was recommended and agreed at this meeting that consent be granted for the retention of an external door to a separate annexe, Members refused to grant listed building consent for the retention of an en suite bathroom in the main house, the retention of a hand rail and balustrade in the shippon, the retention of glazing to the former loading door and new timber shutter on the rear of the shippon, the retention of a limecrete floor and limewashing of the shippon walls and a replacement door within the shippon.

The reasons for refusal included the impact of the respective works on the significance, historic interest and cultural significance of the Grade II* Listed longhouse and the detrimental impact the alterations have to the character and appearance of the Listed Building and to this part of the National Park.

At its meeting in December 2014, the Development Management Committee authorised legal action to resolve several unauthorised works to the property and three enforcement notices were served in January 2015 seeking, amongst other things, the replacement of the external door to the shippon.

These notices were subsequently appealed and were part dismissed and part allowed by the Inspector in September 2015.

With regard the shippon door, the Inspector found that;

"the listed building consent granted in 2009 envisaged a solid panelled door retained in this opening which, although not the original, would nevertheless be sympathetic to the agricultural character of the shippon.

... it seems to me to be all the more important that, given the internal changes, the exterior of the building continues to reflect and reinforce the historic distinction between the original domestic and agricultural parts of the building.

Although the appellant has experienced difficulties with the installation of an outward opening solid door set further into the opening, I am not persuaded that a suitable solution cannot be found, by using hinges that would allow the door to open 180° against the wall. As installed, the existing door fails to maintain the historic character of the building and I consider that listed building consent should not be granted for it. This part of the appeal on ground (e) therefore fails."

The Inspector went on to confirm that the enforcement notice requires the landowner to "remove the unauthorised external door to the shippon and install a plain plank door, opening outwards, in a position mid-way in the reveal".

THE PROPOSAL

The plans approved in 2009 showed the existing solid timber shippon door to be rehung to open outwards. The door was removed in 2013 and an inward opening glazed door installed on the inside of the doorway into the shippon and a timber shutter installed on the outer wall.

The enforcement notice requires the landowner to remove the unauthorised external door to the shippon and install a plain plank door, opening outwards, in a position mid-way in the reveal. For reasons mentioned below, the applicant does not consider this to be practical and has applied for the solid plank door to open inwards.

CONSIDERATIONS

The applicant accepts the Inspectors decision with regard the need to replace the door with a planked door and for it to be located in the centre of the reveal but considers that the requirement for the door to open outwards leads to practical difficulties in that the door is large and wide and is prone to catch the wind and be smashed against the wall.

The applicants agent has questioned the need to be outward opening and has stated that the use of parliament hinges to allow the door to fold flat against the exterior wall would not be traditional and would appear "distinctly odd". The applicants agent states that he is not aware of any historical or architectural reason why the door should not open inwards and does not consider there to be any identifiable impact on the significance of the building caused by having an inward opening door.

The listed building consent granted in 2009 was supported by the Authority and Historic England as it enabled the cross passage to be re-opened and provided for the reinstatement of the cross passage door and the re-opening of the doorway between the cross passage and shippon. The consent also provided for the external shippon door to be re-hung to open outwards so as to avoid obstructing the cross passage/shippon door that was to be reinstated. Whilst the cross passage doorway has been re-opened, no door has been installed as approved as this would clearly interfere with the current inward opening shippon door. The omission of the internal cross passage/shippon door means that the full benefits of granting LBC in 2009 have not been realised and this door cannot and will not be installed whilst the external shippon door continues to open inwards.

SIGNIFICANCE

The 2006 archaeological assessment states that around the cow door, noticeably massive pieces of granite have been employed, supporting the conclusion that this door, which allowed separate access to the shippon, is a primary feature of the building and the significance of the historic doorway lies in its evidential value.

Prior to the applicant carrying out works to the building, externally the shippon had a very different appearance to the house by virtue of a corrugated iron roof, the stonework not being rendered and the non-domestic access door and window. The Authority gave planning permission and Listed Building Consent for the whole of the roof of the building to be thatched, however sought to retain the visual differentiation between the farmhouse and the shippon by insisting on the existing door being retained.

Maintaining the unconverted character of the shippon has been paramount in all the negotiations between officers and the applicant. Policy DMD8 requires the Authority only to grant consent for alterations to listed buildings when, having assessed the significance of the building (which is high in this case with the property being Grade II* listed) and whether the

proposed development will result in harm to the building and the scale of the harm; it concludes that any harm is outweighed by the public benefits the proposed development will bring.

In this case officers have assessed the harm and consider that the proposal would detract from the original significance and form of the building, adversely affect its historical interest and cultural significance and does not protect the important fixtures of the building.

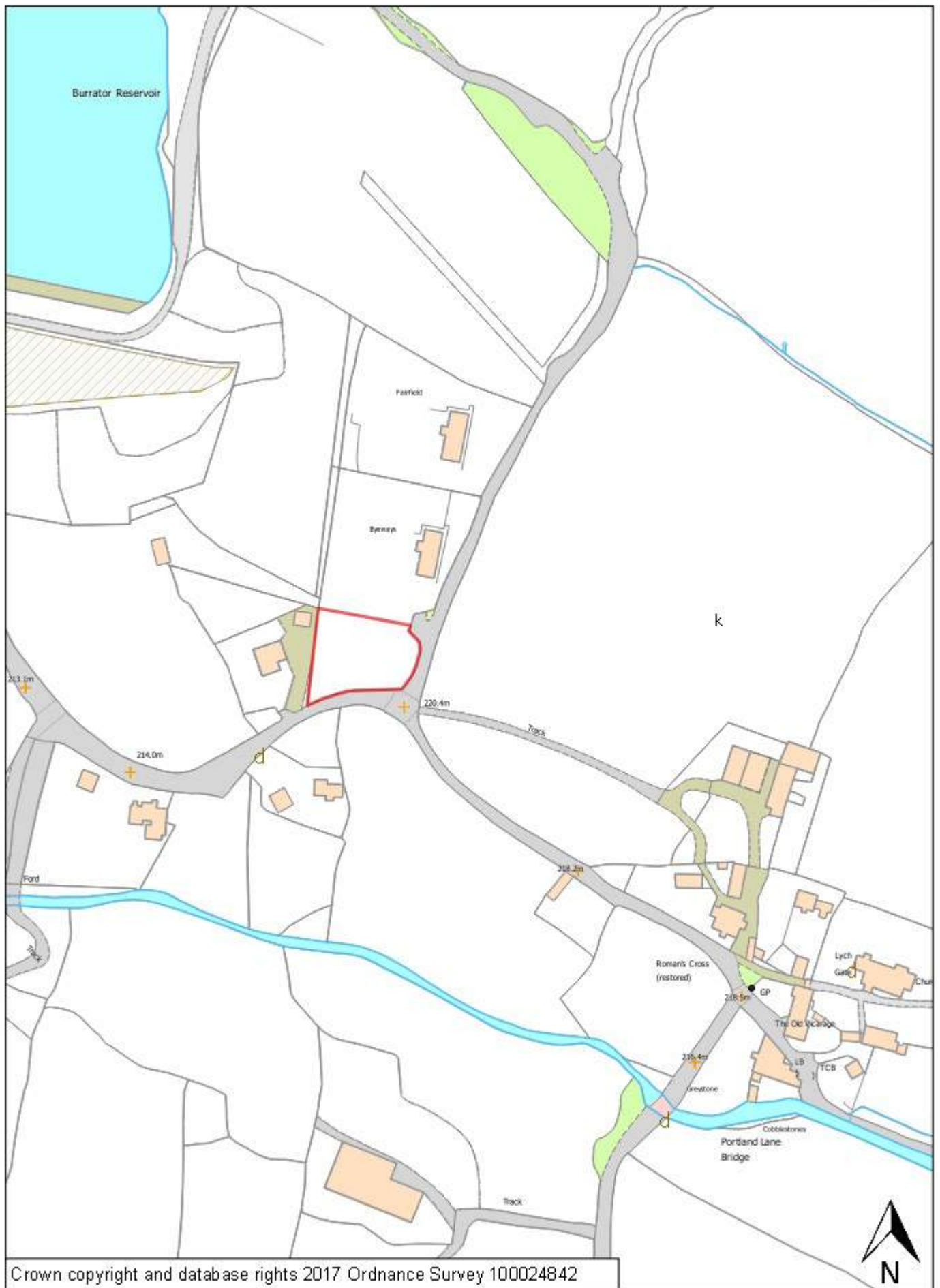
CONCLUSION

The Inspectors 2015 appeal decision clearly sets out that the door should be outward opening. There may be difficulties in following the Inspector's advice due to the door being setback within the reveal however, the Authority and English Heritage does not consider that the applicant has exhausted all the options to comply with the inspector's direction and has not proven that that it is not possible to achieve. It is therefore recommended that Listed Building Consent be refused.

New dwelling, Sheepstor 0117/17



Scale 1:2,000



4. Application No: **0117/17** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Sheepstor**
Grid Ref: **SX558677** Officer: **Louise Barattini**

Proposal: **Construction of new dwelling house (Under National Planning Policy Framework paragraph 55)**

Location: **Corner site between Huccaby House and Byeways House, Sheepstor**

Applicant: **Mr & Dr D Sheppard**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed dwelling fails to meet the exceptional criteria as set out in paragraph 55 of the National Planning Policy Framework 2012. In particular, it is not a dwelling of truly outstanding design, which is sensitive to the defining characteristics of the local area or one which significantly enhances its immediate setting.
2. The proposal would therefore constitute an unsustainable and unjustified dwelling in the open countryside and one that would fail to conserve and/or enhance the special qualities of this part of the Dartmoor National Park contrary to policies COR1, COR2, COR3, COR4, COR15, DMD1b, DMD5 and DMD23 of the Dartmoor National Park Development Plan, to the advice contained in the English National Parks and the Broads UK Government Vision 2012 and the National Planning Policy Framework 2012.

Introduction

The site is located within Sheepstor, west of the church with Burrator Reservoir lying to the northwest behind a fir tree plantation. It occupies the corner plot between two dwellings, Huccaby to the north and Byeways to the west, in a small group of outlying dwellings to the west of the historic core of this rural hamlet.

Sheepstor is not a designated settlement within the Development Plan; it is located in the open countryside.

The site is formed by a square paddock and slopes down towards the south west, becoming steeper in the south western corner.

The site is flanked by, and elevated above, the public highway along its eastern and southern boundary and is exposed to views from the surrounding rising moorland.

The application is presented to committee in view of the policy issues it raises.

Planning History

0671/14	New dwelling		
	Full Planning Permission	Refused	10 February 2015
	Appeal lodged: 12 June 15	Result: Dismissed	

Consultations

West Devon Borough Council:	Does not wish to comment
Environment Agency:	No objection - Flood zone 1 standing advice only
County EEC Directorate:	No highway implications
DNP - Trees & Landscape:	The development will have an adverse impact on the character of the local landscape. The development will be contrary to policy COR1 in that it does not respect or enhance the character, quality or tranquillity of the local landscape. It is contrary to policy COR3 in that the development does not conserve or enhance the characteristic landscapes and features that contribute to Dartmoor's special qualities. The development is also contrary to policy DMD5 because it does not conserve or enhance the character and special qualities of the Dartmoor landscape, particularly the pastoral character of the small paddock. Also, the development does not add to the strong perception of tranquilly, remoteness and seclusion: 'a place to hide'.
DNP - Ecology & Wildlife Conservation:	The report concludes negligible impact on protected species or habitats. No further survey is required.

Parish/Town Council Comments

Burrator PC:	<p>The Parish Council objects to the proposal on the following grounds:</p> <p>(i) it does not meet the tests set out in para.55 of the NPPF</p> <ul style="list-style-type: none">-it is not for an essential rural worker- it does not relate to a heritage asset, re-use of a building or previously developed land- it is not of exceptional architectural quality, truly innovative or outstanding design <p>(ii) It would conflict with the policies of the Local Plan</p> <ul style="list-style-type: none">-it would conflict with policy DMD4 as it would increase light pollution and traffic levels which will detract from the special qualities of the area-it would conflict with the rural housing policy DMD23 (it is not for an agricultural worker or affordable housing). <p>The approval of this development may set a precedent for future similar development in the Dartmoor National Park and will encourage by example, exceptions to policies laid down for good reason.</p>
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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
- COR3 - Protection of Dartmoor's special environmental qualities
- COR4 - Design and sustainable development principles

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

DMD17 - Development on contaminated land

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

DMD40 - Parking provision - Residential

DMD5 - National Park Landscape

DMD7 - Dartmoor's built environment

Representations

19 letters of objection 2 letters of support

SUPPORTERS:

- The architect is internationally well known architect for his low impact, environmentally friendly and sympathetic schemes.
- The proposed dwelling is small, of low impact and exceptional quality

OBJECTORS:

- No change in policy since previous decision
- Dispute the recommendation of the South West Design Review Panel (SWDRP)
- The site should be left as it is
- Contrary to local policy; housing and countryside protection
- No overriding need
- Unsustainable greenfield location
- If granted it will set a harmful precedent
- Not meet criteria of paragraph 55 site as it fails to significantly enhance its immediate setting
- Glass and wood elevations with serpentine wall will not enhance the area
- The character and integrity of Dartmoor's villages should be preserved
- Concerns about where discharged water from the bioplant will go if the ground becomes saturated. It will end up on neighbours and highway land (which are at lower levels).
- Excavated material from site will go to landfill
- The views of the local community should be heard
- The site is unsuitable for development
- The applicants do not need to live in the village and this is a speculative proposal
- The most defining characteristic of Sheepstor is the vernacular nature of its buildings, nestling round its simple, rugged church. Innovative and sophisticated are definitely not adjectives that would apply to this hamlet and it has been particularly fortunate to retain its guileless charm.
- A flat (gently sloping) roof and glass panels are alien and intrusive features in this setting.
- The proposed serpentine wall would be out of place here - Stone walls on Dartmoor have sometimes had to bend to avoid a natural obstacle and some are curved by nature

of their purpose, as in pounds (Dunnabridge, Broadun), but typical local walls are built straight. A serpentine in Sheepstor would simply look like a conceit (or less politely, a gimmick).

-Exterior walls breaking into the interior of buildings are not a tradition in south west Dartmoor.

-The Panel refers to the scheme returning to use 'a vacant plot last used for workers' accommodation many years ago' (at the time of the building of Burrator Dam). This is a weak argument which would be similar to citing the former army camp on Plaster Down as a precedent for building a holiday camp in the area.

-This could be an interesting and innovative proposal in some locations, but it is quite out of place in the hamlet of Sheepstor.

-There has never been a building on the applicants site the only workers huts were on Byeways and Fairfield

- The site has, in the living memory of local inhabitants, only been used as grazing for working horses during the building of Burrator Dam, and sheep grazing at other periods.

- The design has its merits but would be alien in this setting and more appropriate elsewhere

Observations

PLANNING HISTORY

A previous submission for a National Planning Policy Framework (NPPF) para.55 dwelling on the site was refused and dismissed at appeal in 2005. The Inspector concluded that the design was neither truly outstanding or innovative; nor would the proposal significantly enhance its setting. Indeed, he concluded that the proposal would have an adverse impact on the character and appearance of the surrounding area and the great weight that should be given to conserving the landscape and scenic beauty of National Parks which have the highest level of protection in relation to these areas. He observed the angular roof of the proposal to be overly obtrusive in the landscape where weathering has led to more rounded shapes and forms, that shape would not sit within the landscape but rather draw attention to its unusual form. He found the overall industrial feel of that design to be out of kilter with the prevailing landscape.

POLICY CONSIDERATIONS

The site is located outside any defined settlement and is designated as countryside for planning purposes and subject to policies of development constraint.

Sheepstor would not normally be considered an appropriate location for any form of residential development, either open market or affordable housing. Policy COR2 provides a clear set of spatial development principles and identifies those Local Centres and Rural Settlements where appropriate development serving local need will be acceptable. Sheepstor is not identified as either a Local Centre or Rural Settlement. Policy DMD23 establishes that new dwellings in the countryside will only be granted in exceptional circumstances, for example where it is required to meet the essential needs of a rural worker on the land or where it relates to a barn conversion for an affordable dwelling.

The Inspector in his appeal decision in 2015 acknowledged that there were no arguments that a dwelling in this location would enhance or maintain the viability of rural communities and noted the inaccessibility of the site which would necessitate virtually all day to day needs

requiring access to a private car. A dwelling in this location would not constitute a sustainable form of development in line with the main principles of the National Planning Policy Framework (NPPF) or policy COR1 of the Development Plan.

The applicant is seeking approval under the Paragraph 55 of the NPPF which makes certain exceptional provisions for new isolated houses in the open countryside and can offer an exemption from planning constraints for individual houses provided they meet specific criteria. The full text of Paragraph 55 of the NPPF is as follows;

'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- the essential need for a rural worker to live permanently at or near their place of work in the countryside; or
- where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
- where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
- the exceptional quality or innovative nature of the design of the dwelling. Such a design should:
 - a) be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
 - b) reflect the highest standards in architecture;
 - c) significantly enhance its immediate setting; and
 - d) be sensitive to the defining characteristics of the local area.'

The opportunity for isolated new dwellings of exceptional architectural design in the countryside initially appeared in Planning Policy Guidance Note No. 7 (1997) and was framed around the opportunity to add to the tradition of the country house. This exception was carried forward into Planning Policy Statement No. 7 (2004) and is contained within the NPPF today.

The emphasis is on truly outstanding or innovative design that raises the bar, reflecting the highest standards in architecture - dwellings which significantly enhance their immediate setting and respond to the defining characteristics of the area.

It is clear that the policy test is not just about the architectural credentials of the new build but is as much about the consideration of the site, its context and demonstration of a significant enhancement of the locale.

The site is within a National Park and the NPPF and the National Parks Circular both make expressly clear that National Parks have the highest status of protection in relation to landscape and scenic beauty. The Inspector acknowledged that the appeal site was set within a landscape of exceptional value. Any development within the National Park would be expected to achieve high standards of architecture and respond sensitively to setting and reinforce local distinctiveness.

The first principle of the National Park is one of conserving the landscape and biodiversity. The 'Sandford' principle requires the Authority to give this primacy where there is any perceived conflict.

The landscape policies within the Development Plan require new development to demonstrate

the conservation and/or enhancement of the character and special qualities of the Dartmoor National Park landscape and for locally distinctive design (policies COR1, COR4, DMD7, COR3 and DMD5). Policy DMD1b makes clear that the conservation and enhancement of the natural beauty, wildlife and cultural heritage of the National Park will be given priority over other considerations in the determination of development proposals.

Policy DMD5 is a detailed landscape policy which requires development proposals to conserve and/or enhance the character and special qualities of the Dartmoor landscape by (i) respecting valued attributes of landscape character types, (ii) ensuring that location, site layout, scale and design conserve and/or enhance what is special or locally distinctive about landscape character, (iii) retaining, integrating or enhancing distinctive local natural, semi-natural or cultural features (iv) avoiding unsympathetic development that will harm the wider landscape or introduce or increase light pollution, (v) respecting the tranquillity and sense of remoteness of Dartmoor.

The Dartmoor Design guide promotes high quality locally distinctive design and makes clear that contemporary design should draw on the distinctiveness of Dartmoor's landscape and buildings and reinforce Dartmoor's sense of place, be fully integrated with issues of sustainability and sit comfortably and complement the existing buildings and landscape.

NPPF PARAGRAPH 55 TESTS:

ISOLATED LOCATION

The site lies outside any defined settlement, and within a countryside location for planning purposes, is not necessarily an 'isolated dwelling' that would be conceived under a strict interpretation of para.55 of the NPPF and the original objective of adding to the isolated country house tradition.

The application proposes a small dwelling on a small site, one that would effectively be sandwiched between two existing dwellinghouses. The proposed site would be viewed in the context of these adjacent dwellings (and indeed the dwelling to the south on the opposite side of the highway) against a wooded backdrop on the outskirts of the historic rural hamlet of Sheepstor (not a classified settlement in the Local Development Plan).

Whilst the site has a degree of isolation in terms of its location, it would not be visually/physically isolated in the landscape from other building groups and would appear as an 'infill' development.

The previous Inspector in dismissing the appeal, did not comment on the physical or visual isolation of the dwelling in the countryside in his assessment against para.55; he commented that the site was not fully sustainable, being remote from services and requiring day to day needs to be met by private vehicle.

Its relative isolation is therefore based on sustainability arguments and distance from necessary services.

ARCHITECTURAL DESIGN

The NPPF test in this respect requires the dwelling to be 'truly outstanding or innovative' and to 'raise standards of design more generally in the area'. It should 'reflect the highest standards in architecture'.

The proposal seeks to extend the dry stone faced boundary bank as a 'serpentine dry wall' which would arc through the site and form the spine of the proposed dwelling and an internal feature of the design. The architect explains that this would anchor the proposed single storey dwelling into its setting as a singular architectural element. The proposed building form is of a simple square plan with green oak/douglas fir corner posts and frameless glass elevations at lower level with timber cladding above, incorporating concealed insulated timber shutters recessed behind the upper cladding to conceal the glazing when desired. The monopitch roof is designed to follow the slope of the land with a moss/sedum covering and three roof lights. Two discrete stainless steel rainwater outlets are proposed on the lower elevation and a coreten entrance canopy to the north elevation. Local materials and craftsmanship is proposed for the natural building elements in the proposal. A concrete granite aggregate wall and ramp is proposed to provide sloped access down into the dwelling from the higher level of the site and the adjacent parking spaces which are proposed behind the arc of the drystone wall. The garden is proposed with fruit and vegetable areas and retention of bracken and grass forward of the dwelling.

The architect explains that the majority and type of materials to be used, locally sourced (although not from the immediate site/locale) and crafted, minimises the carbon footprint. Biodisc, heat pump, under floor heating and a borehole are proposed with high thermal mass in the solid floor and shutters to thermally control the dwelling temperature.

The scheme has been appraised by the South West Design Review Panel (SWDRP). This Panel provides impartial expert advice to applicants and Local Planning Authorities on design issues and is hosted by the South West Royal Institute of British Architects. The NPPF encourages Local Planning Authorities to have local design review arrangements in place to provide assessment and support to ensure high standards of Design.

The SWDRP have appraised the scheme stating that it is outstanding in its modesty and could be taken as a worthy example of a way to meet the specialness criteria of para. 55 without going to great lengths of scale or elaboration. It states that the house will achieve the exceptional quality necessary through its structural integrity, elegance, craftsmanship, quality of materials, and relationship to the landscape. It concludes that the scheme reflects the highest standards of architecture and would help to raise standards more generally in rural areas, because of its quality, because it will be seen and because it is a small scale house far more likely to be imitated than the more grandiose homes often associated with para. 55 submissions.

The advice from the SWDRP is a material consideration in the determination of this application and follows the best practice approach within the NPPF.

Officers consider this revised proposal to present a distinctive and high quality design in its own right. The architectural bar placed on para. 55 submissions is very high. The test for whether a proposal is 'truly outstanding' or 'reflective of the highest standards of architecture' is, however, more difficult for planning officers to confidently assess in isolation, unless a scheme is clearly and obviously in conflict with this. Establishing whether or not a proposal is of truly outstanding design is also invariably a subjective matter and is reflected in the comments received from the public. Unlike the previous application, this proposal now has the support of the independent and professional SWDRP and it may be difficult to substantiate an argument on architectural grounds alone in the face of this professional opinion.

Nevertheless, this is just one of the principle tests set out and cannot be seen in isolation from

the requirement to meet all of the essential criteria. Design considerations will always be open to subjectivity and must form part of the comprehensive assessment of this proposal as a whole. While professional opinion may point to an acceptance of this design it is right to give further consideration to this element in the wider context.

SIGNIFICANT ENHANCEMENT

The second test under para. 55 is whether the design would significantly enhance its immediate setting.

The site is within a National Park landscape the conservation and enhancement of its scenic beauty being its primary statutory purpose, great weight afforded to this principle within the NPPF and indeed the policies of the Local Development Plan as a whole. The Inspector, in his dismissal of the previous scheme, acknowledged that the site was within a landscape of exceptional value which the nation has chosen to safeguard.

The site itself is a small paddock with the land immediately to the north and west formed by woodland plantation surrounding Burrator Reservoir. The land to the south and east is undulating agricultural land comprising small to medium sized fields enclosed by Devon hedge banks. Isolated and linear groups of trees are growing on these hedge banks. The fields are likely to be mid to late medieval in origin and have a pastoral character. Narrow winding lanes connect small settlements. There is a dispersed settlement pattern around this part of Sheepstor with individual dwellings surrounded by gardens and most of the dwellings are modest in size, this contrasts with the historic core to the south east of the site.

The Landscape Character Assessment for Dartmoor National Park identifies these landscape types as 'Upland River Valleys and 2D Moorland Edge Slopes'. Key attributes include strong perceptions of tranquillity, remoteness and seclusion: 'a place to hide', sheltered landscape of high scenic value contrasting with the wild moorland above. Also, strong pattern of medieval fields with prominent Devon hedge banks and dry stone walls, pastoral character of fields contrasting with areas of heathy moorland and spectacular views to the moorland core of Dartmoor.

There is no evidence of a dwelling having been located on this site in the past. The paddock is likely to be medieval in origin. A large part of the medieval field system to the west of the site has been lost because of the reservoir and the character of the field system has changed because of the plantations planted around the reservoir. However, the medieval field system to the south and east is intact and the pastoral character remains. The site is seen in the context of the surrounding enclosed land and the loss of the paddock will have an impact on the pastoral character of the area.

The SWDRP state that the scheme will significantly enhance its immediate setting since it will return to use a vacant plot last used for workers accommodation many years ago. It goes on to explain that, as far it knows, this site has no other worth and it is unclear what would happen to the site should consent for a house be unobtainable and who would maintain it. It also commends the retention of trees and boundary wall and bank which are important features.

This is not a compelling argument to justify environmental enhancement in a National Park. To apply a logic that vacant sites in the countryside need to be developed to give them worth and enable maintenance of land would create a harmful precedent and conflict with the objectives of the National Park designation, its statutory purpose and its strategic landscape

policies.

The existing site is a small paddock forming part of a wider medieval field system and contributing to the more sporadic and spacious development pattern on the outskirts of the hamlet of Sheepstor. The site, its setting and quality of the local landscape, is not one that requires new development on this site nor does it require significant enhancement. The applicant does not elaborate on how the proposal meets the environmental enhancement test, albeit he states that this proposal offers a quieter response and the retention of existing landscape features (including bracken and rough grass to the front of the site).

No compelling evidence has been presented to demonstrate how or why a significant enhancement would occur and Officers are not satisfied that the quality of the architecture alone would be sufficient to significantly enhance its immediate setting.

The modest scale of the dwelling and its design for a 'quiet' understated presence in contrast to the archetypal bold statement of a para.55 exemption dwelling is interesting. Would the public view this scheme as adding to the country house tradition? On the one hand, the applicant's approach appears to be seeking to subdue the impact of the development and at the same time it does not make a grand statement for environmental enhancement. The test is not for a neutral impact, but for a significant positive enhancement; one that is exceptional and over-rides planning policies that would not normally permit such a development in this location.

Whilst the landscape design proposes fruit and vegetable areas and retention of bracken and grass forward of the dwelling. There would, however, be no control over the future landscaping or manicured/suburban garden that could be created once permission was approved and free standing structures within the grounds which would have an adverse impact on the character of this existing site. The extent of glazing in the elevations of the proposed development would also draw more attention to the building in the winter months and in the evenings; it would not be possible to control the use or timing of the timber shutters by planning condition.

The erection of the proposed dwelling, and the domestication of the site, would erode the simple agricultural character of this land parcel, which contributes to the character and appearance of the edge slopes/fringe of the moorland in this part of the National Park and to the spacious setting of properties on the outskirts of the rural hamlet of Sheepstor which contrasts with the clustered historic concentration of buildings around the early settlement - a distinctive characteristic of Dartmoor's historic settlements. The proposed development would not result in a significant enhancement of its immediate setting, indeed the existing site contributes positively in this setting and the quality of the development proposed is not considered sufficient in its own right to justify the significant enhancement of the site, nor would it heighten the distinctive characteristics of the local built environment.

SENSITIVITY TO THE DEFINING CHARACTERISTICS OF THE AREA

The final test is for the design to be sensitive to the defining characteristics of the local area.

The defining characteristics of the area are not explicitly set out in para. 55 of the NPPF, however, it would be reasonable to consider elements such as the pattern and grain of development, distinctive landscapes and features, locally distinctive buildings, building materials and form etc.

The Design Guide acknowledges that on Dartmoor the distinctive style is for simple, uncluttered and robust forms. On the western fringes of the moor which, even at lower altitudes, are still so exposed to the harsh weather that they reproduce some of the robust forms of the high moor. The high moor comprising simple and typically linear forms with strong horizontal emphasis; robust buildings to withstand the weather with a dominant use of granite as a building material. On the moorland fringes vernacular buildings are invariably constructed from locally available stone and, where geological conditions allowed, cob. Their strong visual presence coming in part from their distinctive roofs which is a consequence of steep pitches being needed for good drainage. Windows tend to be small side-hung casements with deep reveals to protect from the weather. Traditional vernacular building types are found within the core of Sheepstor; these are the buildings which contribute to, and help to define, the special character of this part of the National Park on the moorland fringe.

The objectors state that the form and materials of the proposed dwelling, together with the serpentine wall feature, will not be sensitive to the defining characteristics of the area; they state that it would form an alien structure in the landscape.

The scheme proposes a contemporary approach and this is considered in the context of Design Guide advice, principles of contemporary design and the defining characteristics of the locale.

The Dartmoor Design Guide states that contemporary design should draw on the distinctiveness of Dartmoor's landscape and buildings and reinforce Dartmoor's sense of place, fully integrate with issues of sustainability and that design cues could be taken from traditional materials used in an innovative way to create an interesting contemporary design without being strident or intrusive.

Officers do not dispute the high quality and integrity of the design proposed in its own right but rather challenge its sensitivity to the defining characteristics of Sheepstor and its immediate surroundings and this particular part of the test.

The proposed dwelling presents a distinctive and creative form, which draws on natural features to ground it into the landscape such as the moss and lichen roof and serpentine granite wall.

Whilst the proposed dwelling would hunkered down into the site by virtue of its single storey form, roof design and connection with the serpentine spine wall, it would nonetheless present an angular square plan form and distinctive solid/void relationship in contrast to the defining vernacular qualities of Sheepstor's distinctive buildings.

The previous scheme presented a larger and more dominant modernist building on the site which the Inspector considered to have an almost industrial feel which was out of keeping with the wider landscape. He commented on the angular roof form of this predecessor which would be overly obtrusive in a landscape where weathering has led to more rounded shapes and forms.

Whilst the present scheme has a modest/quieter presence in contrast to the former scheme, it cannot be confidently stated that the design would be sensitive to the defining characteristics of this local area so as to meet the exceptional tests for a dwelling in this location. Nor would it would not enhance its surroundings significantly by heightening the distinctive characteristics of the built environment of Sheepstor.

Officers have already commented under the heading of landscape enhancement about the negative impact on the character of the site and the sporadic pattern of development on the outskirts of Sheepstor which extends into this discussion on sensitively to the defining characteristics of the area.

CONTAMINATION

The Contamination report states that the site and surrounding area have not had any past potentially contaminating uses and that the only past known use of the land was as a field for grazing animals. The report concludes that the anticipated levels of contamination are unlikely to be harmful to human health or cause pollution to the water environment in line with policy DMD17.

HIGHWAY SAFETY

The site benefits from an existing vehicular access and the Highway Authority raise no objection on highway safety grounds to the proposed use of this access by a single dwellinghouse against policy COR21.

BIODIVERSITY

The preliminary ecological assessment identifies the site as comprising sheep-grazed acid grassland dominated by bracken. The report identifies a negligible impact on protected species or habitats. The proposal will not conflict with the objectives of policies COR7 and DMD14.

RESIDENTIAL AMENITY

The proposed dwelling would be positioned over 30 metres from the Byways House, which is located on higher ground to the north of the application site. No adverse impact is considered for this neighbouring dwelling having regard to the relationship presented, intervening distance, topography, the design and scale of the proposed dwelling.

The proposed dwelling would occupy an elevated position relative to Huccaby Cottage, which is located to the west of the application site. There would be a separation distance of approx. 15m at the closest point and 19m from the side lounge window (there are other windows to this room on the south elevation). Having regard to single storey dwelling proposed, despite the elevated nature of the application site the proposal is not considered to have an adverse impact on the residential amenities of neighbouring occupiers having regard to privacy, loss of light and overbearing considerations.

The concerns of the Parish Council regarding additional traffic are noted, however, the level of traffic generated by one dwelling in this setting would not be harmful to the amenities of the area.

OTHER MATTERS RAISED BY THE PUBLIC CONSULTATION EXERCISE

The objectors are concerned that the proposed development would set a harmful precedent. Each application is considered on its merits and the tests for an exceptional dwelling under para. 55 are just that, they are exceptional.

Concerns have been expressed about where discharged water from the bioplant will go if the ground becomes saturated and the potential for this to permeate onto neighbouring lower land. The application proposes sustainable drainage system and management through soakaways, this would be subject to satisfactory percolation tests. Any sewerage treatment system would be subject to Environment Agency consent procedures.

Concerns have been expressed about excavated material from site going to landfill. No details have been provided to explain how the proposed excavated material from the site will be dealt with; such matters are often dealt with by planning condition.

CONCLUSION

The site is located outside any identified settlement, in the countryside, where new housing is strictly controlled and only permitted in exceptional circumstances.

The application is assessed against the exceptional architectural design tests for an isolated dwelling in the countryside under para. 55 of the NPPF. This is not a straightforward application and is one that requires careful consideration.

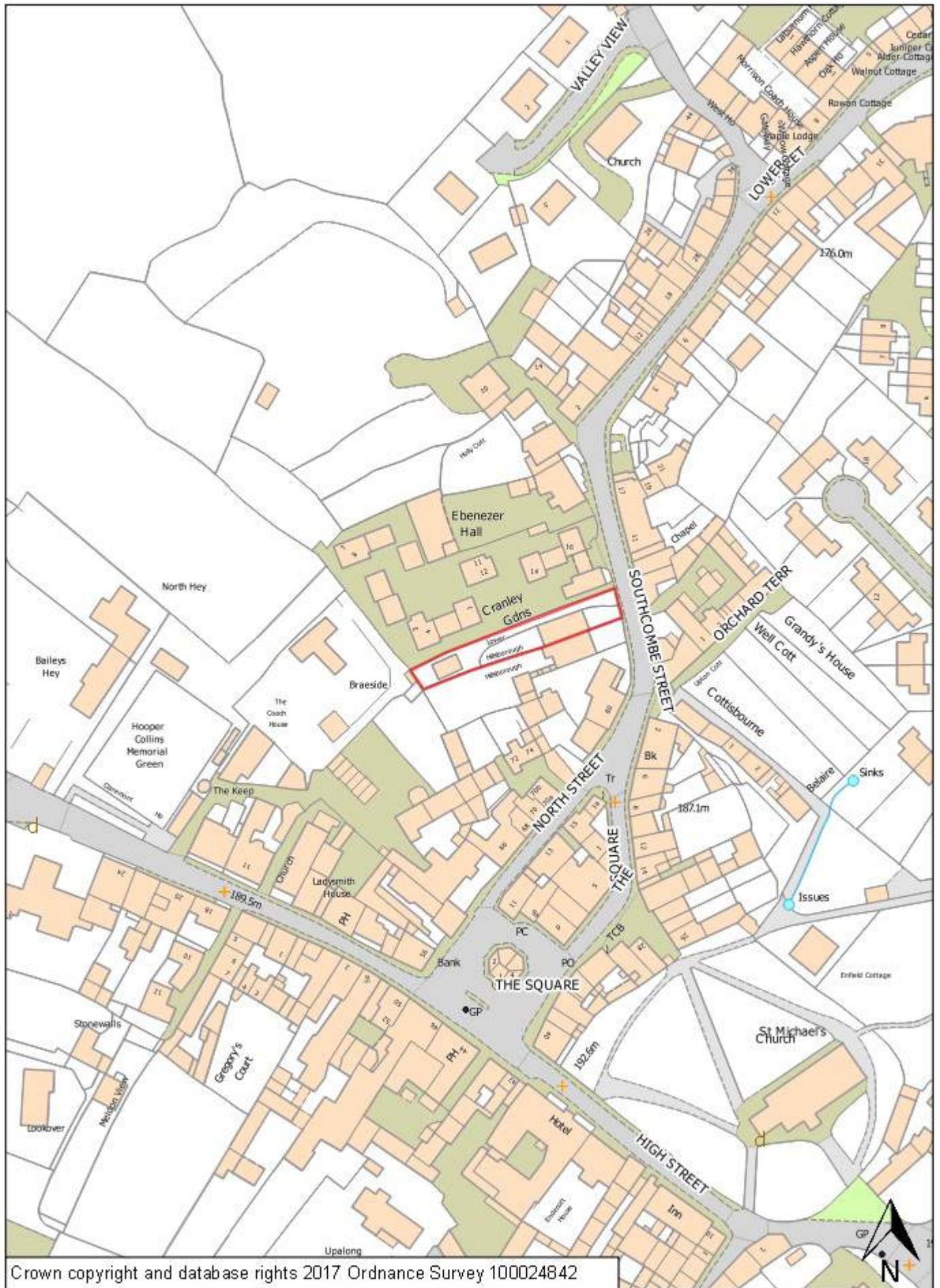
The scheme is unusual in that a modest dwelling is sought on a small infill plot, in contrast to the grand isolated archetypal statement dwellings typically sought under para. 55 in the context of adding to the country house tradition.

It is acknowledged that the scheme has the support of SWDRP on the basis of its architectural merits and that, in the panel's opinion, it meets the strict criteria set out in the NPPF paragraph 55. However, Officers are not of the opinion that all the necessary tests are satisfied for the reasons as set out in the report and therefore, as a whole, the proposal fails to meet the necessarily high bar that would allow normal policies of restraint within a nationally protected landscape to be put aside.

Lower Hillsborough, Chagford - 0068/17



Scale 1:1,500



5. Application No: **0068/17** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission -** Parish: **Chagford**
Householder
Grid Ref: **SX700876** Officer: **Oliver Dorrell**

Proposal: **Replacement of existing garage with new garage/studio**

Location: **Lower Hillsborough, 2
Southcombe Street, Chagford**

Applicant: **Mr T Yonge**

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. 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, replacement windows or roof lights other than those expressly authorised by this permission shall be created, formed or installed in the north elevation of the building hereby approved without the prior written authorisation of the Local Planning Authority.
3. Prior to the commencement of the development hereby approved, samples of all proposed surfacing, external facing and roofing materials shall be submitted to the Local Planning Authority for approval; thereafter unless otherwise agreed by the Local Planning Authority in writing, only approved surfacing, external facing and roofing materials shall be used in the development.
4. The finished floor level of the approved building shall not exceed the floor level of the existing garage.

Introduction

Lower Hillsborough is semi-detached late Victorian house located on Southcombe Street, Chagford. There is a shared access driveway to the side of the property that leads to the rear of the plot and a detached garage.

The site is within the Chagford Conservation Area.

This application is for demolition of the existing garage and replacement with a larger garage/studio building in the same location. The proposed replacement building would be irregularly shaped.

The existing building measures approximately 7.3m x 4.8m with a ridge height of 2.8m. The proposed replacement building would measure approximately 9.4m (on its longest side) x 4.8m with a ridge height of 3.9m.

The application is reported to Committee due to the Parish Council comments.

Planning History

0316/07 Conversion of existing dwelling into three flats

Consultations

Environment Agency: Standing advice - flood zone 1
West Devon Borough Council: Does not wish to comment
County EEC Directorate: No highway implications
DNP - Trees & Landscape: No objection

Parish/Town Council Comments

Chagford PC: Object. Concerned about the height of the garage and the loss of light to the properties on Cranley Gardens.

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

Representations

7 letters of objection 1 letter of support 2 other letters

Objections - Will decrease natural light entering adjacent properties; concerned about noise during and after construction; will diminish quality of life.

Supporting - Current garage not fit for purpose.

Other - Consideration of loss of light required.

Observations**SITE DESCRIPTION**

This is a level site within an established domestic curtilage close to the centre of town. The northern boundary of the site comprises a mixed species hedgerow (mainly sycamore and laurel). Beyond the hedge is the retirement/sheltered housing complex known as Cranley Gardens, which is at a lower level. To the south there is a 2m timber fence.

The present garage is still functioning but is in a poor state of repair. It is constructed of part-timber, part pre-cast concrete panels with a composite sheet roof.

VISUAL IMPACT

The existing garage although fairly discreet does not reflect the local vernacular. It has a shallow roof and a poor mix of external materials. There is no apparent architectural or historic interest in the building and its removal is not considered to adversely impact on the conservation area.

The proposed replacement building would occupy the same position as the existing garage but will extend further back into the site on its northern side. The building would be predominately timber clad above a granite plinth. Above the doors on the principal east elevation would be hit-and-miss boarding with glazing behind. On the angled rear elevation would be multi-folding timber framed doors. The roof would be natural slate with patent glazing panels.

The proposed replacement building would be more visible than the existing garage owing to the increase in the height of the roof and extended northern wall however it would not appear cramped on the site as it would remain set off the boundary on all sides.

The proposed design and external materials for the new building would result in a positive enhancement of the site within the conservation area. It would therefore be supported by policies COR4, DMD7 and DMD12.

NEIGHBOUR IMPACT

The site is immediately adjacent to Cranley Gardens which is a sheltered housing development consisting of 14 flats located at ground and first floor. A number of objections have been received from the residents of these properties, concerned that the increase in the height of the proposed replacement building would result in loss of light and would lead to noise disturbance.

The arrangement of the flats is such that that a number have their primary windows serving bedrooms and living rooms located on the southern side of the buildings. There is presently a gap of approximately 3.5m between the flats and the boundary where there is a hedge approximately 2 - 2.2m high (measured from application site side). The hedge has gaps but it generally acts as a screen for the existing garage up to approximately eaves level. There is also change of levels between the two sites which means that the ground floor flats are significantly lower than the floor level of the existing (and proposed) building.

The applicant has attempted to address the concerns raised by neighbours by lowering the pitch of the roof from the 36 degrees originally proposed to 30 degrees. The proposed replacement building would not extend any closer to the boundary and would have no higher an eaves level than the existing garage however the pitch of the roof would still be steeper and this would result in the roof height being increased by 1.1m to 3.9m. It would also be longer on this side where it would be extended back into the site by approximately 2m.

As the flats on the southern side of Cranley Gardens are located below the garage and in close proximity to it they are sensitive to any increase in building height particularly those at the lower level. The test under policy DMD4 however is whether the proposed development would significantly reduce levels of daylight and privacy enjoyed by the occupiers of nearby properties. While it is acknowledged that the proposed replacement building would have an impact on light levels it is not considered that the 1.1m increase would be significant. Neither is it considered that the proposed building be overbearing or dominant. The ridge of the proposed new roof would be further away from properties at Cranley Gardens than it is at present and roof would be sloping away.

It is not considered that the proposed building would result in any significant loss of privacy.

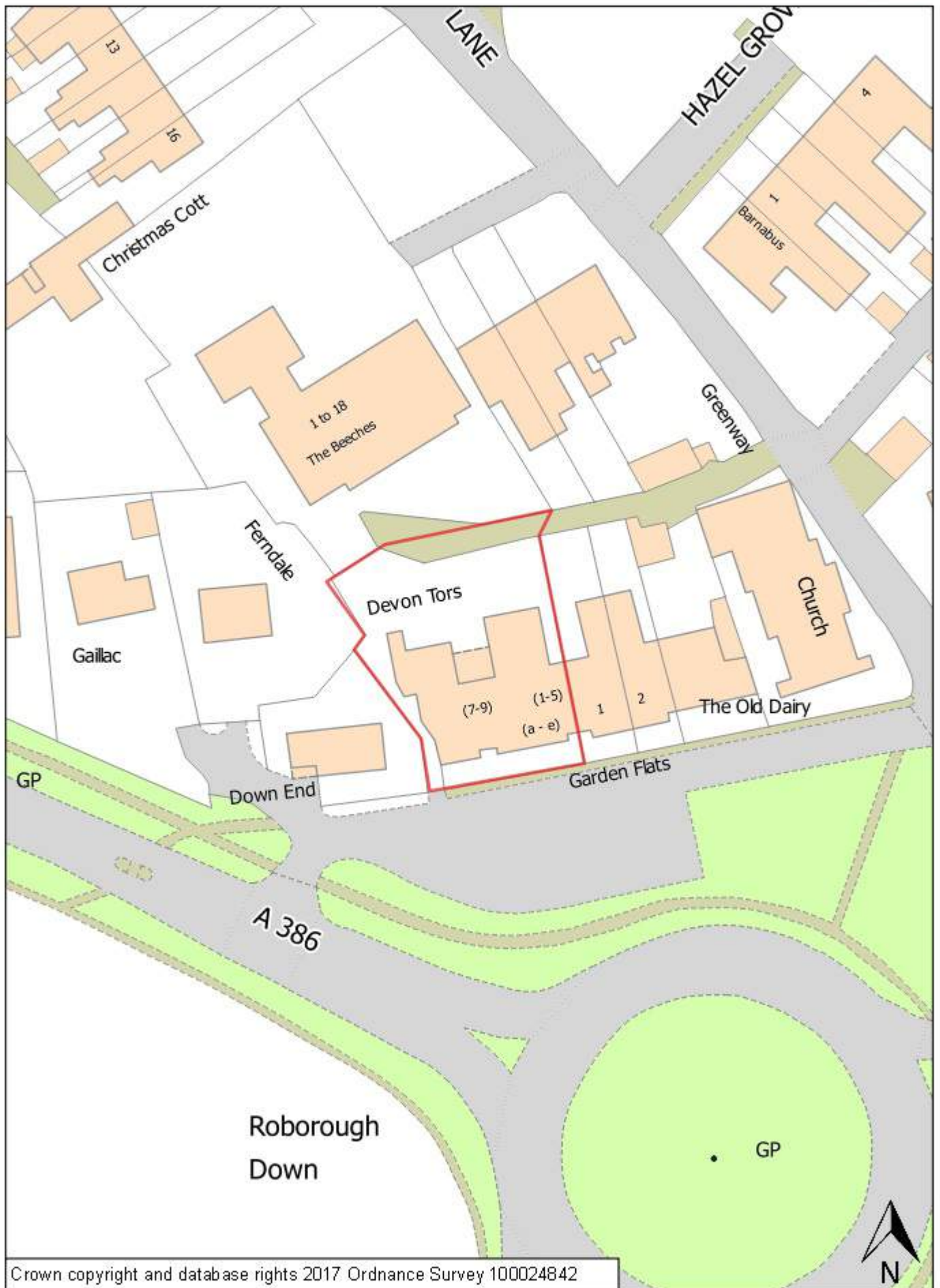
In reaching this recommendation Officers have had regard the specific site conditions in this case, taking into consideration the impact on the existing building and hedge, including the

need to retain the latter for the purposes of privacy for both sides.

Devon Tors Hotel, Yelverton - 0649/16



Scale 1:750



6. Application No: **0649/16** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Buckland Monachorum**
Grid Ref: **SX520679** Officer: **Helen Herriott**

Proposal: **Change of use from bar/restaurant to five flats**

Location: **Devon Tors Hotel, Yelverton**

Applicant: **Mr R Bisiker**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed development would result in unjustified open market dwellings in a Local Centre without any affordable housing and significant positive environmental improvement, contrary to policies COR2, COR15 and DMD21 of the Dartmoor National Park Development Plan and the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.
2. The proposed change of use would result in the loss of an existing and potential employment premises contrary to policies COR1, COR2, COR18 and DMD1b of the Dartmoor National Park Authority Development Plan and to the advice contained in the English National Parks and the Broads UK Government Vision, Circular 2010 and the National Planning Policy Framework 2012.

Introduction

The Devon Tors Bar an Restaurant is located on the Lower Ground Floor of the building. This application proposes the change of use fo the Bar/Restaurant to five open market flats.

This application was due to be presented to Members at the Planning Committee on 3 March 2017. A viability report and additional marketing information was received by the Authority on 28 February 2017. To allow time for this to be considered, a decision on the application was deferred.

An update following review of this additional information can be found at the end of this report

Planning History

0115/15	Replacement windows on all three sides Full Planning Permission - Householder	Grant Conditionally	05 May 2015
0407/07	Formation of two windows in rear wall of existing flat Full Planning Permission	Grant Unconditionally	05 July 2007
03/32/1440/89	Retrospective p/p for 12 self-contained flats (at present tenanted) Full Planning Permission	Grant Unconditionally	17 August 1989
03/32/1050/85	Erection of a dwelling on site of garden and garage Outline Planning Permission	Grant Outline Conditionally	18 April 1986
03/32/1690/80	Conversion of ground floor first and second floors into 9 self-contained flats		

	Change of Use	Grant Conditionally	06 February 1981
03/32/0283/80	Erection of a pair of semi-detached dwellings with garages		
	Outline Planning Permission	Grant Outline Conditionally	25 November 1980
3/32/827/75	Conversion of second floor hotel accommodation to three self-contained flats and construction of a car park		
	Full Planning Permission	Grant Conditionally	13 February 1976

Consultations

West Devon Borough Council: Does not wish to comment

County EEC Directorate: Please note no parking provision made with the application, noted that existing bar/restaurant has no parking either and it is not public highway in front of the site.

Environment Agency: Flood zone 1 - Standing advice applies

Parish/Town Council Comments

Buckland Monachorum PC: Supports the application

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR18 - Providing for sustainable economic growth

COR2 - Settlement Strategies

COR3 - Protection of Dartmoor's special environmental qualities

DMD19 - Sustainable Communities

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

Representations

1 letter of objection 1 other letter

The general observations received stated that the proposed flats appear cramped and their layout should be reconsidered prior to changing the use. However, if use of the property continues as a bar/restaurant it will add value to the area.

The objection predominantly related to the loss of another local amenity.

Observations

PROPOSAL

The Devon Tors Bar and Restaurant is located on the Lower Ground Floor of the building. The rest of the existing building is currently in residential use in the form of flats. This application proposes the change of use of the Devon Tors Bar and Restaurant to five open market dwellings comprising 4 x 1 bedroom and 1 x 2 bedrooms self-contained flats. The approximate floorspaces of the proposed flats are:

Flat 1: 73sqm
Flat 2: 38sqm
Flat 3: 38sqm
Flat 4: 38sqm
Flat 5: 52sqm (2 bedroom flat)

The application documents state that, the site has been vacant since 1 March 2016. The applicant advises that the business failed as it was no longer viable in the modern market due to the level of refurbishment and renovation required at the premises and the strong competition in the local area.

Stonesmith Property Specialists advise that the application site was initially marketed at £49,950 between August 2015 and September 2015.

They further advise that in March 2016, the property was advertised as a bar and restaurant with a nil premium on flexible terms with rental offers being invited for a new internal repairing lease. It was noted that 6 parties have viewed the premises; however no interest has been shown.

POLICY CONSIDERATIONS

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 70).

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.

Policy DMD19 established the Authority's position on the provision and retention of local services and facilities. It states that "Development involving or comprising the loss of an existing community facility will only be permitted if compensatory provision is made as part of the proposal or the Authority is satisfied that the facility is not capable of being sustained".

COR18 aims to assist in the provision of local employment and business opportunities particularly in Local Centres.

COR15 and DMD21 indicate the circumstances where housing will be permitted in the Local Centres, in all cases, 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.

The provision of affordable housing to meet local needs is a key element of sustainable development in the National Park, and is a fundamental principle of the Development Plan. Any new development needs to demonstrate that it meets the social element of sustainable development including the need for affordable housing.

Planning decisions must be made in accordance with the local Development Plan unless material considerations indicate otherwise. The policies set out in the Written Ministerial

Statement of 28 November 2014, including in respect of Section 106 affordable housing contributions, are material considerations in the determination of a planning application; however, it is still for the decision maker to decide the weight to give to material considerations in each case.

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

No parking provision assessment has been provided with the application to identify why less than a normal minimum number of car parking spaces would be appropriate. It is noted that there is some available off-road parking space at the front of the building.

Technical housing standards – nationally described space standard (March 2015) advises the minimum gross internal floor areas and storage that should be applied to all new residential properties. A one bedroom one person property minimum GIA is 39sqm plus 1sqm built in storage. A one bedroom two person property minimum GIA is 50sqm plus 1.5sqm built in storage and a two bedroom two person property requires a GIA of 61sqm and 2sqm built in storage.

ASSESSMENT

LOSS OF BUSINESS USE

DMD19 requires the marketing of local services and facilities for a continuous period of not less than 12 months prior to an application being submitted. It is noted that this facility is not within the main shopping area (although it is close by) or the last such facility in the settlement so the marketing requirements contained in DMD19 do not strictly apply, however the policy does require the Authority to be satisfied that the facility is not capable of being sustained. The loss of employment associated with this change of use is contrary to policies COR1, COR2, COR18 and DMD1b.

The supporting information initially provided by Stonessmith Property Specialists identified that the property had not been marketed continuously for a period of not less than 12 months. However, further information has been submitted by the applicant and additional time has elapsed therefore the 12 month marketing test has now been satisfied; however the loss of the employment use still remains.

Stonessmiths confirmed, by email, that an offer was made on October 2016 for the freehold of the building (including the flats above the bar). An in-principle agreement/acceptance of the offer was agreed at this time. This confirms that there has been interest in the property in its current form as a business unit, although the leasehold has not yet been sold. It is the understanding of the Authority that there has been and continues to be interest in the business use. It is also understood that there is interest from the leaseholders of the flats above the Devon Tors restaurant/bar to purchase the freehold (in its current form).

AFFORDABLE HOUSING

Yelverton is identified as one of the larger settlements within the Park and defined as a Local Centre. Policies COR15 and DMD21 make provision for the development of market housing where it will facilitate the delivery of affordable dwellings for local persons. Policy DMD21

supports the principle of new housing in Local Centres subject to a number of criteria and a minimum of 50% affordable housing being provided (unless there are significant environmental or community benefits).

In such circumstances, the Authority must consider whether the development offers a sustainable form of development, which in all other respects is consistent with the economic, social and environmental policies of the Development Plan. The provision of affordable housing to meet local needs is a key element of sustainable development within the National Park and a fundamental principal of the Plan. The English National Parks and Broads UK Government Vision and Circular 2010 acknowledge that the focus is to provide for local needs rather than for market housing generally.

Land is a limited resource within the National Park and this approach ensures also making best use of available land within this nationally important landscape. The proposal for the development of five market dwellings does not meet the social role of sustainability within the National Park.

Planning decisions must be made in accordance with the local Development Plan unless material considerations indicate otherwise. The policy requires the proportion of affordable housing to be not less than 50% of the units provided. Where five units are proposed, three affordable and two open market should be provided. Housing needs figures were provided by West Devon Borough Council in 26 January 2017. This identified a need for 17 units in the locality. The property is ideally located within the settlement close to shops and other facilities making it suitable for affordable housing.

It is noted that the proposed dwellings fall within the DNPA Intermediate housing model due to their size. Intermediate housing is more affordable and aims to meet a need between affordable rent and market housing where the household is not able to afford market prices. The Authority limits the size of new intermediate dwellings to 80sqm to sustain their affordability. Due to the size of the proposed properties the Authority would be flexible on an appropriate discount rate as necessary.

However, it is noted that four of the five proposed flats fail to meet the requirements of the nationally described space standards (A one bedroom one person property minimum GIA is 39sqm plus 1sqm built in storage. A one bedroom two person property minimum GIA is 50sqm plus 1.5sqm built in storage and a two bedroom two person property requires a GIA of 61sqm and 2sqm built in storage). The space standards aim to improve an occupants' quality of life and ensure that our homes are accessible and able to accommodate changing personal circumstances and growing families. Although these standards are a minimum, exceeding these values is always encouraged. The flats proposed as part of this application are considered to be too small to provide adequate space for occupants.

It is considered that the change of use of the Devon Tors Bar/Restaurant to five residential properties will have no detrimental effect on residential amenity.

CONCLUSION

The Authority has been presented with evidence which suggests that the property not only has had an offer accepted but also was let as a restaurant/bar by four individuals previously to being marketed for sale. This suggests that there is a demand for this type of facility in Yelverton. This application is considered to be premature, as it has not been evidenced that the application site is not viable as a restaurant/bar.

No affordable housing has been proposed as part of this application and no evidence was originally submitted with the application to suggest that the provision of affordable housing in this location would be unviable.

UPDATE

Following receipt of additional marketing information which included specific dates the property was advertised and taking in to account the additional delay to this application, it is considered that the marketing test has now been met.

The applicant has stated that the property was advertised by the previous tenant in August 2015 at a price of £49,950 as a trading business entity; Stone Smiths marketed the business until the end of September 2015. In March 2016 the current owner advertised the property with Stone Smiths in March 2016 and the property is still being marketed. This evidence now suggests that the property has been advertised for a period of at least 12 months, which is compliant with policy DMD19.

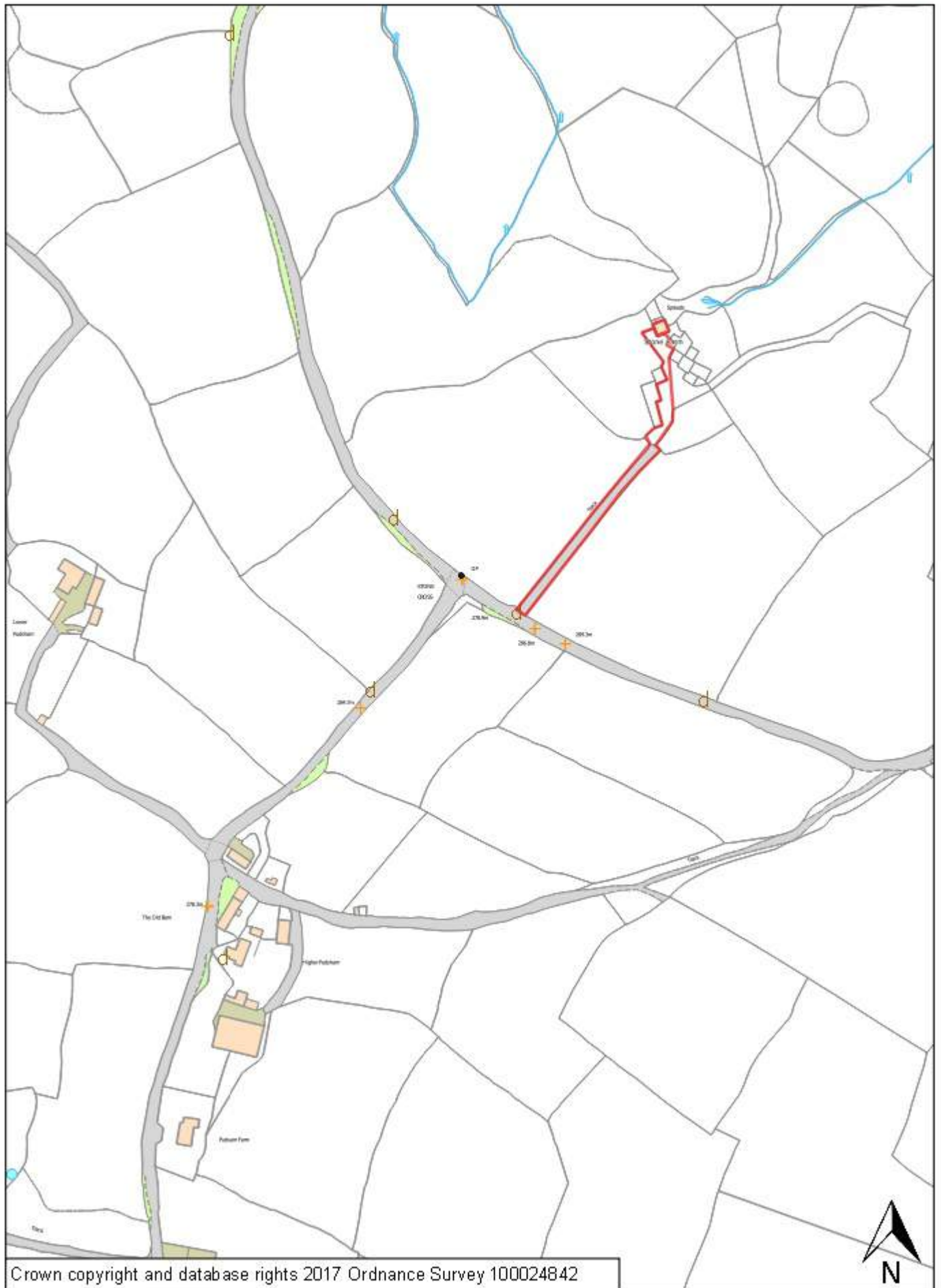
The application continues to offer no affordable housing. The housing viability report submitted by the applicant has been assessed in-house and queries and concerns were raised in relation to a number of the costings particularly as the applicant is expecting to make a loss on the development. The Affordable Housing SPD is clear that when a proposal is a departure from policy requirements, an independent viability appraisal may be necessary to consider the robustness at the applicant's expense. The applicant will not agree for this report to be undertaken, therefore Officers do not have the benefit of an independent assessment of viability issues and as a consequence, do not have confidence in the overall viability of the scheme and a definitive answer as to its ability to provide either on-site affordable housing or a commuted sum to the development of affordable housing elsewhere in the village.

In the absence of this information the proposal remains a development of five open market dwellings which would conflict with policies COR15, DMD21 and the Affordable Housing Supplementary Planning Document.

Stone Barn, Buckland-In-The-Moor - 0130/17



Scale 1:3,000



7. Application No: **0130/17** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **Buckland-in-the-Moor**
Grid Ref: **SX720746** Officer: **Helen Herriott**

Proposal: **Conversion of barn 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, 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, the National Planning Policy Framework 2012.
2. The proposed conversion scheme of this isolated barn, together with the associated domestic driveway and curtilage, would substantially harm the significance of the non-designated heritage asset and there are no substantial public benefits which would outweigh that harm. The proposal is therefore contrary to policies COR1, COR2, COR3 and COR4 and policies DMD1b and DMD8 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.

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 is to convert the barn into a holiday letting unit. The application is presented to the Committee in view of the comments from the Parish Meeting.

Planning History

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 Zone 1 - Standing Advice applies
Teignbridge District Council:	Does not wish to comment
County EEC Directorate:	No highways implications
DNP - Ecology & Wildlife	A preliminary ecological assessment report has been

Conservation:

submitted with the application. The report found no evidence of bats in the barn, but noted features which could provide roosts for small numbers of bats. No evidence of nesting birds was found although there are potential features which could be used for nesting.

The report provides recommendations to avoid any adverse effect on protected species and to maintain the ecological functionality of the building for bats after development. These include good practice ways of working, cavity roost provision for bats in the fabric of the building and bird nest boxes.

It is considered that with this mitigation there is no requirement for further survey or the need for any protected species licence.

Works should 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.

DNP - Building Conservation
Officer:

The barn would appear to meet 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 part of a Historic Farmstead.

This status should be a consideration in determining this application but unfortunately the impact of the proposal is difficult to properly assess based on the information provided by the applicant.

In addition, the lack of plans showing the existing building, make it difficult to gauge whether the proposed design is appropriate for this building. As it stands, the number and increased size of the new openings are of enough concern not to recommend approval.

Given the high degree of intervention proposed, an in line with Section 128 of the NPPF, it is not disproportionate to request that the applicant provides a historic building assessment from a historic built environment specialist to support their proposal. Without this, it is not possible to properly quantify any harm to the heritage asset and to weigh this against the public benefits of the scheme.

Parish/Town Council Comments

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

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

Representations

6 letters of support

Supporting comments predominantly relate to the redundant building being brought back into use and the merits of farm diversification.

Observations

THE PROPOSAL

The application proposes the conversion and extension to a barn into a 2-bedroom holiday let with a new slate roof. The red line plan shows no curtilage associated with the property, however the floorplan notes a garden area. There are no alterations proposed to the existing access. One parking space is proposed, no surfacing is proposed for the parking area.

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 250 acres with 250 cattle and 90 sheep.

PLANNING HISTORY

An application was received for the conversion of the same barn to an agricultural dwelling in 2007 (Ref: 0928/07). The application was refused on three grounds:

1. The agricultural need claimed did not override the policy objection;
2. The works necessary to convert barn to residential accommodation would be detrimental to character and appearance of barn and area;
3. Limited visibility from and of vehicles using access; access road of narrow width and poor alignments, unsuitable to accommodate increase in traffic likely to be generated;

The application subject of this report proposes the same alterations to the barn as 0928/07 however now proposes a holiday letting use.

PRINCIPLE OF CONVERSION INTO HOLIDAY USE & LANDSCAPE IMPACT

Policy DMD9 establishes the principle of converting traditional rural buildings outside settlements into short stay holiday accommodation. It permits such conversions provided that the building is structurally sound and capable of conversion without the need for substantial

alteration and with no harm to the character of the building, its setting and the rural character and appearance of the area. The policy is explicit that such buildings should also be sited where there is reasonable access to local services and facilities preferably by a variety of means of transport.

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.

Pudsham farm comprises 250 acres. The barn being considered under this application is understood to be the only building on this parcel of land. This application proposes a unit of holiday unit, divorced from the farmhouse and farmstead.

The building's divorced relationship with settlements mean that there is no reasonable access to local services and facilities on foot or by other sustainable means of transport, contrary to policy DMD9 and the strategic objectives of policy COR1.

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 not within close proximity of the dwellinghouse where the management of the tourism enterprise would be undertaken from. It is an isolated building, approximately 538m away from Pudsham Farm, separated by land, dwellings and roads in separate ownership.

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 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.

A letter has been received from Francis Clark LLP advising 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.

Despite requests at validation stage, no formal statement has been submitted to the Authority to assist Officers in understanding the relationship of the holiday accommodation to the farming activities at Pudsham Farm. No robust justification for diversification has been submitted with this application.

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

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 which sets out National Park Purposes and establishes that the conservation and enhancement of cultural heritage of the National Park will be given priority over other considerations in the determination of development proposals.

Policy DMD8 of the Local Plan 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.

Policy DMD9 states that proposals for the conversion of non-residential buildings should (i) be historic buildings that demonstrate a form, structure or history that traditional to Dartmoor, (ii) be capable of conversion without need for substantial alteration or significant changes in the relationship with existing ground levels, (iii) demonstrate conversion works that are in-keeping with local building styles and materials and not adversely impact rural character, (iv) retains significant historic or architectural elements and (vi) sustains the setting of the building.

The Design Guide sets out that successful conversions should respect and reflect the original function of the building and maintain the agricultural character and historic elements on the outside and inside. It specifically identifies that it may not be possible to convert some types of farm buildings such as shippens and linhays and that making new windows in walls is not usually acceptable.

Stone Farm is an 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 siting in this rolling pastoral landscape, divorced from other building groups. The site is located immediate adjacent to a Woodland of Conservation Importance, part of the proposed garden (shown on the floorplan) is located within this designation.

It is noted that the same scheme is the same as that submitted under application 0928/07 which was refused due to the impact of the proposed alterations on the simple barn building. This was brought to the attention of the Agent at the validation stage.

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, would 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.

No existing drawings or heritage statement have been submitted with the application. It is the Conservation Officer's view that inadequate information has been provided to make an informed decision in relation to the impact on the heritage asset.

The proposed extension, alterations to the exterior of the building including additional openings and relationship with the landscape would harm the character and appearance of this traditional building contrary to policies COR1, COR3, COR4, DMD8 and DMD9.

WILDLIFE CONSIDERATIONS

A protected species survey has been submitted with the application and no evidence of bats or nesting birds were 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 barn, fails to meet the policy requirements for farm diversification. Its conversion into holiday accommodation, would have a harmful impact on the setting of the barn and character and appearance of this isolated location.

The application is contrary to policy and therefore recommended for refusal.

CHRISTOPHER HART

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

26 May 2017

APPEALS

Report of the Acting Head of Planning

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

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

1 Application No: C/16/3155002 District/Borough: Teignbridge District
Appeal Type: Enforcement Notice Parish: Ilsington
Proposal: Erection of shepherds hut /timber structures on agricultural land (Notice 1)
Location: **Land at Bracken Ridge, Smokey Cross, Haytor**
Appellant: **Mrs H Walker**
Decision: **DISMISSED AND NOTICE UPHELD**

2 Application No: C/16/3158396 District/Borough: Teignbridge District
Appeal Type: Enforcement Notice Parish: Ilsington
Proposal: Erection of shepherds hut /timber structures on agricultural land (Notice 2)
Location: **Land at Bracken Ridge, Smokey Cross, Haytor**
Appellant: **Mrs H Walker**
Decision: **DISMISSED AND NOTICE UPHELD**

3 Application No: W/16/3165177 District/Borough: Teignbridge District
Appeal Type: Refusal of Full Planning Permission Parish: Ashburton
Proposal: Erection of dwelling
Location: **Land adjacent to 25 Stonepark Crescent, Ashburton**
Appellant: **Effaux Investments Ltd.**
Decision: **DISMISSED**

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

1 Application No: C/16/3165395 District/Borough: Teignbridge District
Appeal Type: Enforcement Notice Parish: Lustleigh
Proposal: Unauthorised engineering operation
Location: **East Wrey Barton, Moretonhampstead**

Appellant: **Mr P Hunt**

2 Application No: C/16/3165396 District/Borough: Teignbridge District
Appeal Type: Enforcement Notice Parish: Lustleigh
Proposal: Unauthorised engineering operation
Location: **East Wrey Barton, Moretonhampstead**
Appellant: **Mrs S Hunt**

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

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

5 Application No: W/16/3165366 District/Borough: West Devon Borough
Appeal Type: Refusal of Full Planning Permission Parish: Buckland Monachorum
Proposal: Erection of two dwellings
Location: **30 Grange Road, Yelverton**
Appellant: **Mr & Mrs Russell**

6 Application No: W/16/3169964 District/Borough: West Devon Borough
Appeal Type: Refusal of Full Planning Permission Parish: Chagford
Proposal: Change of use for part of agricultural building to office and workshop for the treatment and processing of wool and running of associated educational courses (Sui Generis)
Location: **Greenbank, Chagford**
Appellant: **Mr P Goudge**

7 Application No: W/17/3168967 District/Borough: South Hams District
Appeal Type: Refusal of Prior Approval Parish: South Brent
Proposal: Change of use from office to dwelling
Location: **Mill House, Manor Mills, South Brent**
Appellant: **Pack First Removals**

8 Application No: W/17/3168971 District/Borough: South Hams District
Appeal Type: Refusal of Prior Approval Parish: South Brent
Proposal: Change of use from office to dwelling
Location: **River View Mill, Manor Mills, South Brent**
Appellant: **Pack First Removals**

9 Application No: W/17/3169229 District/Borough: South Hams District
Appeal Type: Refusal of Full Planning Permission Parish: South Brent
Proposal: Change of use of agricultural land to equestrian and creation of stable block
Location: **land at Higher Beara Farm, South Brent**
Appellant: **Miss J Harper**

10 Application No: W/17/3170757 District/Borough: West Devon Borough
Appeal Type: Condition(s) Imposed Parish: Sticklepath
Proposal: Construction of extension and associated works
Location: **Foxlands, Willey Lane, Sticklepath**
Appellant: **Mr & Mrs Mallett**

CHRISTOPHER HART

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

26 May 2017

ENFORCEMENT ACTION TAKEN UNDER DELEGATED POWERS

Report of the Acting Head of Planning

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/0062/17	District/Borough:	West Devon Borough
Grid Ref :	SX525679	Parish :	Buckland Monachorum
Breach :	Unauthorised building works		
Location :	The Sheilings (Rathkeale), Kirkella Road, Yelverton		
Action taken / Notice served	No further action taken		

CHRISTOPHER HART