

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

06 May 2016

SITE INSPECTIONS

Report of the Head of Planning

1	Application No:	0529/15	District/Borough:	South Hams District
	Application Type:	Full Planning Permission	Parish:	South Brent
	Grid Ref:	SX704601	Officer:	James Aven

Proposal: **Use of land as gypsy and traveller caravan site consisting of six pitches and communal day room and store**

Location: **Orchard Meadow, South Brent**

Applicant: **Mr & Mrs Purdy**

Recommendation: **That permission be GRANTED**

Condition(s)

1. No works on the development hereby approved shall take place until details of the two Secure Storage Units proposed have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out and maintained in accordance with the approved details.
2. The development hereby approved shall be carried out strictly in accordance with the approved drawing numbered 01319/3C Rev.4, unless otherwise agreed in writing by the Local Planning Authority.
3. Notwithstanding the details hereby approved, no part of the development hereby approved shall be brought into its intended use until improvements to the access visibility splay have been provided in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the visibility splay shall be maintained as approved at all times.
4. Prior to the commencement of the development hereby permitted, details of boundary screening to be planted along the north eastern boundary of the land shall be submitted to the Local Planning Authority for approval. The boundary screening shall be completed in accordance with the approved details within twelve months of the commencement of the development, or such longer period as the Local Planning Authority shall specify in writing. The boundary screening shall be maintained for a period of not less than five years from the date of the commencement of the development, such maintenance to include the replacement of any trees or shrubs that die or are removed.

5. No tree or hedge on the land (other than one permitted to be felled or removed as shown on the approved plans) shall be felled, lopped, topped, cut down or grubbed out without the prior written consent of the Local Planning Authority. Any tree or hedge removed without consent, or found to be dying, damaged or diseased, shall be replaced on a like for like basis unless otherwise agreed in writing by the Local Planning Authority.
6. This permission does not authorise use of the land as a caravan site by any persons other than gypsies and travellers, as defined in Annex 1 to DCLG "Planning Policy for Traveller Sites" (August 2015).
7. The residential use hereby permitted shall be restricted to the stationing of no more than twelve caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, at any time, of which no more than six shall be a static caravan.
8. There shall be no more than six pitches on the site and on each of the six pitches hereby approved no more than two caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, shall be stationed at any time, of which only one caravan shall be a residential static caravan.
9. No touring caravan shall be used or occupied other than for purposes ancillary and subservient to the approved static caravan on each of their respective pitches and shall not at any time be used, let, sold or otherwise occupied as a separate unit of accommodation.
10. The Secure Storage Units hereby approved shall only be used for purposes ancillary to the residential use of the land as a caravan site and shall not at any time be occupied, let or sold for any independent use.
11. No commercial or industrial activities shall take place on the land, including the storage or sale of goods or materials of any kind.
12. No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.
13. No external lighting shall be installed on the site until details have been submitted to and approved in writing by the Local Planning Authority.
14. Notwithstanding the details hereby approved, unless otherwise agreed in writing by the Local Planning Authority, the boundary fences around each pitch shall be made of a non-combustible material. Details of the fences shall be submitted to and approved in writing by the Local Planning Authority prior to their erection and thereafter, shall be maintained in accordance with the approved details.
15. 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 building, enclosure, structure, erection, hard surface, swimming or other pool shall be constructed or erected in, on or around the paddock located along the eastern side of the site hereby permitted without the prior written authorisation of the Local Planning Authority.

SITE INSPECTION REPORT

The case officer began by introducing the proposal to the panel and pointing out the proposed position of the individual pitches within the site. The panel also looked at the site entrance

and approach road and the existing screening around the site. The boundary hedge to the west was confirmed as being in the applicant's ownership.

South Hams District Council's Environmental Health Officer advised the panel that it would be difficult to fit what is proposed on the site and meet the requirements of a site licence as the proposed separation distances between some units is less than 6m and some of the caravans are less than 3m from the site boundary. He advised that the caravans may need to be re-arranged or the numbers reduced in order to obtain a licence but this would not be issued without the necessary planning permission being in place. The Environmental Health Officer confirmed that under the licence, the site would be subject to annual monitoring inspections by the District Council.

The applicant's agent responded to suggestions that the proposal amounted to overdevelopment of the site and suggested that the day room could be omitted from the application so that the proposal would not include any operation development. Assurance was given that the existing facilities, and those provided in the caravans, would be sufficient.

On this basis, the applicant agreed to submit an amended site plan, showing a revised layout for the proposed pitches and caravans, to also include a clear indication of the site boundary and drainage facilities.

The Parish Council representative reiterated its concerns with regard the suggested over-development of the site but confirmed that it would be happy to consider an amended site plan.

The District Council representative confirmed that the proposed development would help towards meeting its permanent pitch provision and advised that there are facilities available elsewhere in the region for transit pitches.

Members of the panel were of a mixed view over this proposal. They acknowledged how neat and tidy the current site is and that with a good access and road links, there is no highway objection. It was also noted how well the site was presently screened from views outside the site, with mature trees and hedges.

The conflict with local plan policy was however noted by the panel in terms of the identified need within the National Park, the location of the site outside the settlement boundary and the creation of new dwellings. The panel also noted that they should not be taking personal circumstances into consideration.

Some concern was expressed over the scale of the development although some felt it would be acceptable if the number of units was reduced. The proposal to omit the day room from the scheme was appreciated.

It was confirmed that the proposed touring caravans in each pitch would be used ancillary to the respective mobile home and that there would be no commercial use of the site. However, the panel questioned how far a 'family use' of the touring caravans would extend, and compared this with proposals for new residential units for extended family members elsewhere in the National Park. The panel also questioned how such a use would be monitored.

The panel sought clarification of how the site was currently drained and if and how this would need to change if permission was granted.

It was however acknowledged that granting permission would put the Authority in a good position in terms of assisting with permanent pitch provision in the region and providing for future need within the National Park.

An amended site plan, and details of the existing amenity block, were received in March and were sent out for consultation.

ENVIRONMENTAL HEALTH

The Environmental Health Officer has considered the amended site plan and has advised, as previously, that the site will require a licence and as such the separation distance between the units should be at least 6m and there should be at least a 3m separation from the boundary. The new plans have increased the separation distance between the various units, and he is satisfied that the units that will be licensable should meet the minimum standards.

It is understood from the applicant's agent that it is now common that a static site will have touring vans shown as well, and the touring vans will not fall into the licensing regime. The Environmental Health Officer notes that touring vans 2 and 3 are still shown close together and suggests that ideally pitch 3 should be revisited and the touring van moved to the north west corner of the plot, however, he would suggest this is an advisory rather than a mandatory requirement.

PARISH COUNCIL COMMENTS

South Brent Parish Council no longer objects to this development on the grounds of over development, however, there are several issues which it considers need to be addressed, through conditions. This decision was reached after debating the following issues raised by councillors and parishioners:

- The site is not connected to the village of South Brent by any direct pedestrian or cycle path, it therefore does not meet the requirements of sustainable development or the NPPF recommendation that 'priority should be given to pedestrians and cyclists'. If members are minded to grant this application, to improve pedestrian and cyclist safety, the installation of a 1.5m wide shared cycle/footpath connected to the existing path to the west of the entrance to Palstone Park recreation ground, should be a minimum requirement.
- A planning obligation to make the application acceptable within this community and to further improve walkers and cyclist's safety would be the installation of a shared cycle/footpath from the application site in an easterly direction to the junction of Palstone Lane, thus completing the cyclical route used by walkers and cyclists around the edge of the village.
- Concerns have also been raised regarding the existing septic system which uses the parcel of land marked as a paddock as the drainage field, to which it is proposed to add a second septic tank and utilising the paddock as a drainage field for an additional four static caravans, particularly given the proximity of this paddock to an existing water course in the field below, does this site exceed the small-scale development as the number of people residing on site may exceed 15, and therefore does this meet BS 6297:2008. If granted, South Brent Parish Council request that this parcel of open space, which provides a natural buffer between this site and the adjoining open countryside, be retained, clear of any structures in perpetuity.

Should these conditions not form part of the recommendation to the Development Management Committee, then South Brent Parish Council would object to this application.

OFFICERS COMMENTS

The Parish Council's comments are noted and indeed, it is proposed to protect the paddock to the east of the site by way of condition.

The Council's concerns over the lack of continuous pedestrian or cycle path from the village to the site are acknowledged but the existing pathway that leads to the entrance to Palstone Park recreation ground does continue eastwards, albeit on the opposite side of the B3372 South Brent to Marley Head road.

The Council's suggestion to secure a shared cycle/footpath from the application site in an easterly direction to the junction of Palstone Lane through a legal agreement is not considered appropriate in this instance.

In respect of strategic location, the site would conform to the principles of the Local Plan policies, and would appear to be a strategically suitable location for this type of development. Whilst in principle a scheme on this site may be acceptable, the current evidence does not, at a more strategic level, support a proposal of the scale proposed. The proposal exceeds the National Park pitch requirement of 0.2 per annum up to 2019 identified by the 2015 GTAA but there is likely to be little harm caused by the proposed intensification of use on the site in terms of its impact on the landscape and on the amenity and living conditions of local residents.

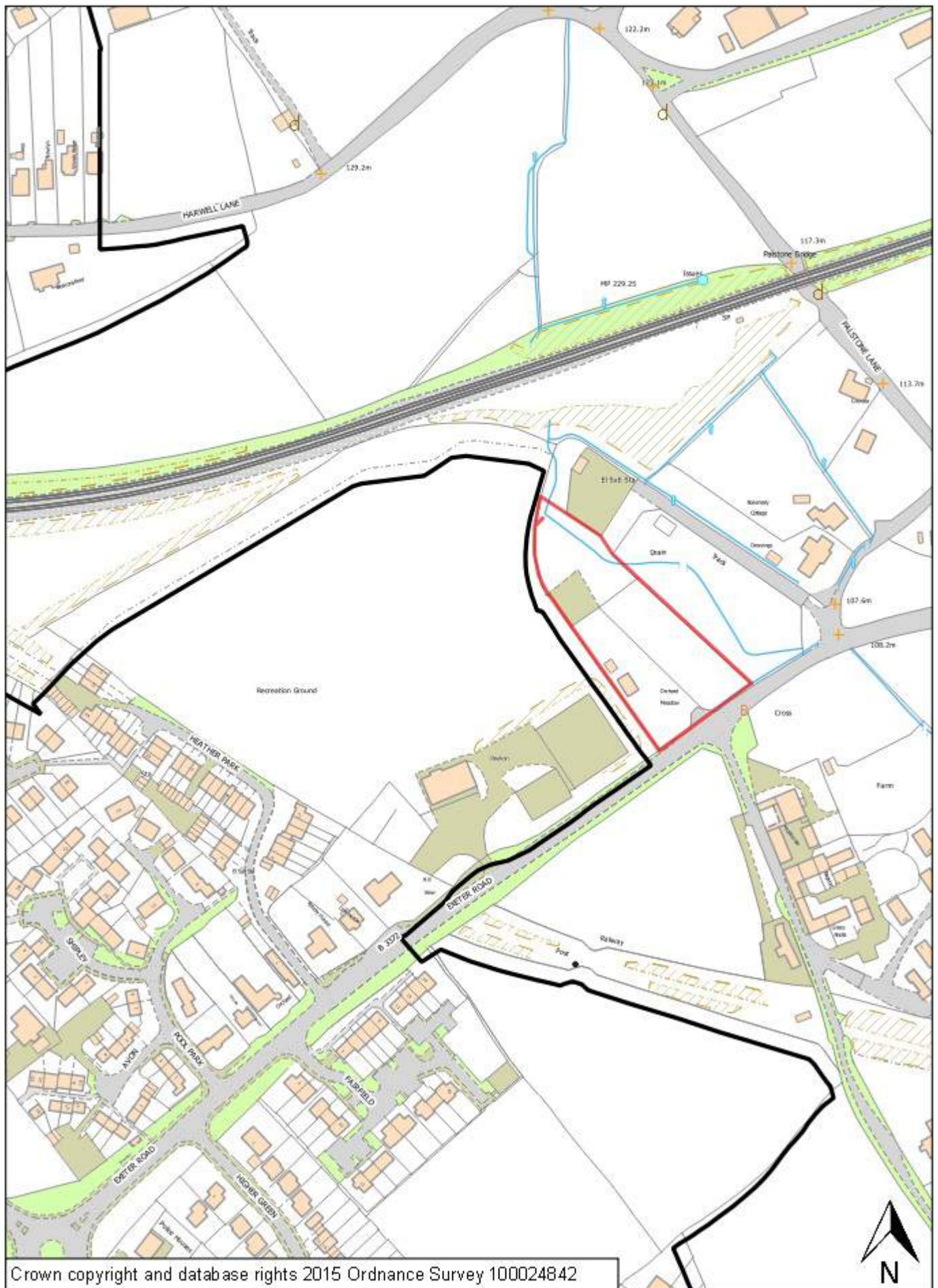
The site is relatively well located in terms of highway access and links to local settlements and the intensification in the use of existing sites is considered to be the preferred method of meeting need.

RECOMMENDATION

Notwithstanding the objections raised and comments above, given the existing permission on the site and the limited impact of the proposed additional development, it is not considered that a refusal can be sustained. It is therefore recommended that, subject to appropriate conditions, permission be granted.

Orchard Meadow - 0529/15

Scale 1:2,500



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Application Type: **Full Planning Permission** Parish: **South Brent**
Grid Ref: **SX704601** Officer: **James Aven**

Proposal: **Use of land as gypsy and traveller caravan site consisting of six pitches and communal day room and store**

Location: **Orchard Meadow, South Brent**

Applicant: **Mr & Mrs Purdy**

Recommendation **That permission be GRANTED**

Condition(s)

1. No works on the development hereby approved shall take place until details of the Day Room and Store have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out and maintained in accordance with the approved details.
2. The development hereby approved shall be carried out strictly in accordance with the approved drawing numbered 01319/3C, unless otherwise agreed in writing by the Local Planning Authority.
3. No part of the development hereby approved shall be brought into its intended use until improvements to the access visibility splay have been provided in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the visibility splay shall be maintained as approved at all times.
4. Prior to the commencement of the development hereby permitted, details of boundary screening to be planted along the north eastern boundary of the land shall be submitted to the Local Planning Authority for approval. The boundary screening shall be completed in accordance with the approved details within twelve months of the commencement of the development, or such longer period as the Local Planning Authority shall specify in writing. The boundary screening shall be maintained for a period of not less than five years from the date of the commencement of the development, such maintenance to include the replacement of any trees or shrubs that die or are removed.
5. No tree or hedge on the land (other than one permitted to be felled or removed as shown on the approved plans) shall be felled, lopped, topped, cut down or grubbed out without the prior written consent of the Local Planning Authority. Any tree or hedge removed without consent, or found to be dying, damaged or diseased, shall be replaced on a like for like basis unless otherwise agreed in writing by the Local Planning Authority.
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7. The residential use hereby permitted shall be restricted to the stationing of no more than twelve caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, at any time, of which no more than six shall be a static caravan.

8. There shall be no more than six pitches on the site and on each of the six pitches hereby approved no more than two caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, shall be stationed at any time, of which only one caravan shall be a residential static caravan.
9. No touring caravan shall be used or occupied other than for purposes ancillary and subservient to the approved static caravan on each of their respective pitches and shall not at any time be used, let, sold or otherwise occupied as a separate unit of accommodation.
10. The Day Room and Store hereby approved shall only be used for purposes ancillary to the residential use as a caravan site hereby approved and shall not at any time be occupied, let or sold for any independent use.
11. No commercial or industrial activities shall take place on the land, including the storage or sale of goods or materials of any kind.
12. No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.
13. No external lighting shall be installed on the site until details have been submitted to and approved in writing by the Local Planning Authority.
14. Notwithstanding the details hereby approved, unless otherwise agreed in writing by the Local Planning Authority, the boundary fences around each pitch shall be made of a non-combustible material. Details of the fences shall be submitted to and approved in writing by the Local Planning Authority prior to their erection and thereafter, shall be maintained in accordance with the approved details.
15. 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 building, enclosure, structure, erection, hard surface, swimming or other pool shall be constructed or erected in, on or around the paddock located along the eastern side of the site hereby permitted without the prior written authorisation of the Local Planning Authority.

Introduction

The application site occupies an area of approximately 0.2ha and is situated approximately 650 metres to the east of South Brent, outside but immediately adjoining the settlement boundary of the village.

The site adjoins the B3372 South Brent to Marley Head road along its southern boundary, a sports ground to the west, an electricity sub-station to the north and agricultural land to the east.

The site is occupied at the present time by the Purdy family, who purchased the site in 1995 and have since resided there on a permanent basis. The family travel for economic purposes and have a recognised Gypsy status. The site is currently considered to be tidy and well maintained.

This application seeks permission to extend the site and increase the number of pitches from two to six, with an additional communal day room and store.

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

Planning History

0019/14	Variation of condition 1 allowed at appeal (planning permission ref 09/45/1203/83) to allow occupation of the site by any gypsy or traveller	Full Planning Permission	Grant Conditionally	14 March 2014
9/45/007/97/03	RENOVATION AND REFURBISHMENT OF EXISTING TOILET AND STORAGE BUILDING INCLUDING NEW DUAL PITCHED ROOF	Full Planning Permission	Grant Conditionally	11 March 1997
09/45/0876/88	TWO NEW BUNGALOWS FOR LIVINGACCOMMODATION.	Outline Planning Permission	Refused	16 June 1988
09/45/1203/83	TWO MOBILE HOMES AND TWO SHEDS	Change of Use	Refused	30 September 1983
			Result: Allowed	
09/45/1851/80	PROPOSED RETENTION OF TWO RESIDENTIAL CARAVANS AND TWO SHEDS.	Full Planning Permission	Refused	09 January 1981

Consultations

South Hams District Council: The applicant will need to be aware that the proposals will fall under the licensing regime of the Mobile Homes Act 2013; there is some concern that the proposed separation distances between some units is less than 6m and on this basis, the District Council would be unable to issue a licence. This concern would be lessened however if the two caravans on each pitch were tied and occupied as one unit. This will not resolve the problem entirely however and the layout may have to be reviewed under the licence application. It would also be preferable if the proposed close boarded timber fences were of a non-flammable material.

In regards to Environmental Health concerns, the site is not known to be contaminated or at significant risk of noise from environmental sources and as such I do not see the need to provide conditions for this application.

Environment Agency:

Flood Risk Zone 1 - Standing advice applies

Gypsy & Traveller Liaison Officer:

Devon has only two local authority Gypsy sites, one at Sowton, Exeter; this site is a long term residential site which holds a long waiting list. A second: Broadclyst is not owned by the County Council and we are not able to offer any new pitches for families due to the terms set by the landowner. Whilst accommodation for the settled community is increasing substantially in the South West there is still very little provision for Gypsy/Traveller families.

There is no local authority emergency or transit sites in Devon and ninety percent of the traditional stopping places have been blocked off in the past 10 years. Due to this, it is becoming more essential for Gypsy/Traveller families to

have an authorised stable base from which they may access health and education services.

The site will be used as a family site with no business operating from it. The site is for use by one family with one extended member of the family hoping to use a pitch due to health reasons. The family travel for economic purpose and I can confirm Gypsy status under planning law. There are children on site who access education. The family have been living in the local community for the past 20 years at this location. They are well integrated; furthermore, the site is clean and tidy with good screening. In my opinion, the site can easily accommodate the pitch number listed with adequate parking.

The Gypsy/Traveller Liaison service supports the Purdy family in this application.

Small private sites continue to be the best option for local housing authorities in relation to finding accommodation for Gypsy/Travellers. Meeting this huge need in Devon is important if the number of unauthorised encampments and developments are to reduce across the country.

The County Council has a range of responsibilities in these matters and, whilst on social and welfare grounds this application is supported, recognising the lack of authorised sites within Devon, this would not override other material factors, such as highways.

County EEC Directorate:

The existing access is acceptable in principle from a highway point of view, but the visibility in the leading traffic direction is restricted by a well-manicured hedge which could usefully be reduced in height to align with the adjoining stone pier as this would optimise the available visibility splay in this direction. Visibility in the other direction is acceptable.

Conditions are therefore recommended to be imposed on any planning permission granted.

Forward Planning & Community:

The key policies in respect of this application are DMD29, and COR2 and COR15. DMD29 allows for permanent gypsy and traveller sites "where there is a demonstrable need for such development in the identified area of the National Park". In respect of strategic location the site would conform with the principles of these policies, and would appear to be a strategically suitable location for this type of development. The site was considered through the SHLAA process and considered achievable.

The Devon Partnership Gypsy and Traveller Accommodation Assessment 2015 identified an annualised pitch requirement of 0.2 pa 2014-2019 for Dartmoor National Park. The applicant has described the evidence

of need in the Design and Access Statement, and I would recommend the county and district council is better placed to scrutinise this justification, subject to clear consideration of need pertaining to the National Park and not the wider market area.

South Hams District Council: The Council's Affordable Housing team advise that the last Gypsy and Traveller Accommodation Needs Assessment was in 2014 when there was an assessed need of 22 – 30 Permanent Pitches and 5 – 8 Transit Pitches in its area up to 2029. 8 pitches have been approved to date. The Devon Partnership Gypsy and Traveller Accommodation Assessment 2015 identified an annualised pitch requirement of 0.2 per annum 2014-2019 for Dartmoor National Park. South Hams District Council seeks to improve the housing options and choice for vulnerable groups including gypsy and travellers, therefore it supports this application.

Parish/Town Council Comments

South Brent PC: The Parish Council recommends refusal of this application due to over-development of the site (although the Council supports regularisation of the site).

Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR15 - Providing for limited new housing to meet local needs
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
DMD28 - Residential caravans
DMD29 - The accommodation needs of gypsies and travellers
DMD3 - Sustaining the quality of places in Dartmoor National Park
DMD5 - National Park Landscape

Representations

5 letters of objection 1 letter of support

The objections received from or on behalf of local residents state that conditions have been regularly breached with the storage and repair of vehicles on the site, and resultant increased risk to traffic. They state that waste is occasionally burnt on site with resultant noxious smoke and that the tranquillity of the area is likely to be disturbed further by the noise of barking dogs on the site. They point out that the proposal includes one static caravan and one touring caravan on each of the six pitches which could, in their opinion, provide accommodation for up to twelve families. They consider the development would amount to overdevelopment of a site outside the settlement boundary and will be detrimental to the character and appearance of the area.

Solicitors representing a group of concerned residents state that SHDC's projected future

need figures and pitch delivery targets should not be an overriding reason to approve this application in the National Park. They point out that the Devon Partnership Gypsy and Traveller Accommodation Assessment 2015 (GTAA) identified only one further pitch needed for the five year period between 2014 - 2019 and that both the 2014 and 2015 Needs Assessments acknowledge little newly arising need on account of consistent turnover in existing pitches. On this basis, they state that the application clearly over caters for existing and projected need in the National Park and believes the application should be refused in the absence of robust and demonstrable evidence of need.

The solicitors further consider that the site location and intensification of use are unsustainable, that the proposed development constitutes overdevelopment that will dominate the local settled community and that it will have an adverse impact on the highway and on the character of the landscape and built environment. The solicitors point out that the site's use by travellers identified as being achievable in the SHLAA is not determinative and have suggested an alternative use for affordable housing allocation for which, they state, there is a locally recognised need.

A letter of objection has also been received on behalf of a development company which has recently secured planning permission for 40 dwellings on nearby land. The developers raise similar concerns to those mentioned above and express concern that the proximity of the site and nature of the development will give rise to amenity issues for future residents of the approved housing development.

A letter of support has been received from Plymouth & Devon Racial Equality Council which states that there are no other plans to develop additional pitches in the District and that there are currently no vacancies on existing sites. It states that as the family has grown, it requires additional pitches and having lived in caravans all their lives, they would not want to settle in conventional housing. The Council advises that there are two children on the site that need to remain in the area for education reasons and that there are two members of the family with serious health conditions who need continuity in their health care and treatments.

Observations

BACKGROUND

Planning permission for the continued use of the land for the siting of two mobile homes and two sheds for Mr Leonard Saunders and his family was granted at appeal on 6th August 1984. This permission was conditional and in effect made the permission personal to Mr Saunders and his dependents.

An investigation in 2013 confirmed that the site was no longer being occupied by Mr Saunders or any of his dependents and so the current occupants (the Purdy family) submitted an application to vary the relevant planning condition and regularise the situation.

Planning permission was granted in March 2014 (ref. 0019/14) for the variation of the planning condition to allow occupation of the site by any gypsy or traveller. This permission again restricted the number of pitches to two.

More recently, a couple of additional caravans have been moved onto the land and although being occupied by family members, these are in breach of the current planning permission.

THE PROPOSED DEVELOPMENT

The development proposes six traveller pitches and the siting/construction of a day room and store. This involves the creation of four additional traveller pitches, the relocation of one pitch, the retention of another, provision for the storage of a touring caravan and the parking of two vehicles on each pitch and the siting of a separate, communal day room and store.

The application site already benefits from permission to site two sheds and two mobile homes for residential purposes by any gypsy or traveller (0019/14). The principle of this use has therefore already been considered and found to be acceptable. The issue for consideration therefore relates to an assessment of the impact of the intensification in the use of the site; whether this is acceptable in policy and environmental terms, whether there is sufficient demonstrable need for the additional pitches and whether the application site is a suitable location to provide these.

LANDSCAPE AND VISUAL IMPACT

The proposed development extends the area of land to be occupied to the north, into what is currently amenity land associated with the site. The existing site is reasonably well screened by mature trees and hedging, albeit the existing caravans and paraphernalia on the site can be seen through gaps in the vegetation and site entrance. The proposed caravans, because of their size, colour and form, will have an adverse impact on the character and appearance of the area, however, given the nature of the screening along much of the sites boundary, and the additional planting recommended, this impact should not be significant.

Orchard Meadow is screened along the south eastern boundary by a relatively high hedge and high metal gating. A mature, thick hedge provides the western boundary (between the adjacent recreation area and the application site). However, the northern part of the site is more visible when seen from the east.

LOCATION

In respect of strategic location, the site would conform with the principles of the Local Plan policies, and would appear to be a strategically suitable location for this type of development. The site is just outside the settlement boundary but does not propose any permanent structures and could relatively easily be reversed. The site was considered through the SHLAA process and considered to be achievable.

The site is located within a reasonable walking or cycling distance to the village centre with a pavement and cycle route to the village opposite the site entrance, albeit on the other side of the main road. The Marley Head junction on the A38 is conveniently located providing direct access to key routes in the region.

POLICY IMPLICATIONS

There are several policies and guidance notes available in the Local Plan (Core Strategy and Development Management and Delivery Development Plan Document) and National Planning Policy Framework (NPPF) that are relevant to this proposal. The key policies to consider are DMD29 (accommodation for gypsies and travellers), COR2 (spatial development) and COR15 (housing provision).

Policy DMD29 relates to accommodation for gypsies and travellers. This policy states that

proposals for permanent gypsy and traveller sites will only be permitted where there is a demonstrable need for such development in the National Park, and that any site should conform to the policy framework on sustainable development and residential development set out in the Core Strategy.

The principle of having a gypsy and traveller site in this location was agreed many years ago, and it is understood that it has been occupied consistently since permission was granted in 1984. Given the sites proximity and connection to the town of South Brent and its services, it is considered that the development is broadly compatible with the Core Strategy's aims relating to sustainable development.

The issue of 'demonstrable need' is discussed further in the report.

STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT (SHLAA)

Subsequent to the previous application (0019/14), the land at Orchard Meadow was put forward by the owners to be included in the Strategic Housing Land Availability Assessment (SHLAA) in June of 2014. The SHLAA identifies potential sites for housing, employment and traveller uses and assesses whether these are developable, how much development could be accommodated on them and whether they could be delivered within 5, 10 or 15 year time frames.

The SHLAA however is not a policy making document and it does not decide where new development will take place. Decisions included in the report do not mean planning permission has or will be granted for a site. A site deemed acceptable by the panel is simply technically feasible. All sites will still be required to go through the normal planning permission process and are not guaranteed permission.

The SHLAA panel considered this site at Orchard Meadow in 2014 and identified it as suitable, available and achievable for a potential six traveller pitches. The 2015 Devon Partnership Gypsy and Traveller Accommodation Assessment (GTAA) report however concluded the need for a single additional permanent pitch over the next five years.

DEVON PARTNERSHIP GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT 2015 (GTAA)

The key policies in respect of this application are DMD29, COR2 and COR15. Policy DMD29 states that proposals for permanent or transit sites for gypsies and travellers will only be permitted where there is a demonstrable need for such development in the National Park.

The Devon Partnership Gypsy and Traveller Accommodation Assessment 2015 identified an annualised pitch requirement of 0.2 per annum between 2014-2019 for Dartmoor National Park. The applicant has described the evidence of need in the Design and Access Statement and the County and District Council's have been asked to scrutinise this justification, with due consideration of need pertaining to the National Park rather than the wider market area. Any further comments received will be reported at the meeting.

DEMONSTRABLE NEED

So far as the issue of "demonstrable need" is concerned, South Hams District Council has advised that the last Gypsy and Traveller Accommodation Needs Assessment was in 2014 when there was an assessed need of 22 – 30 Permanent Pitches and 5 – 8 Transit Pitches in

the District. In addition, Devon County Council's Gypsy & Traveller Liaison Officer has indicated a lack of suitable, available alternative sites in the County and a diminishing supply of authorised sites.

With regard need specifically within the National Park, the Devon Partnership Gypsy and Traveller Accommodation Assessment 2015 (GTAA) identified an annualised pitch requirement of only 0.2 per annum between 2014-2019 for Dartmoor National Park.

The applicants have stated a personal need for the development in order to provide additional accommodation for the family. Mr and Mrs Purdy have lived on the site since 1995 and have raised their children there. The applicants state that the family has outgrown the permitted use of the site as Mr and Mrs Purdy have 4 children (3 sons and a daughter) who are all now of age (indeed 2 of whom are married and living on site with their own family). On top of this need from within the immediate family, there is an additional stated need for Mrs Purdy's sister and brother-in-law, so that he can continue to receive essential medical care from local providers that he has been receiving for the last 3 years.

From the foregoing it is clear that there is a demonstrable need for additional permanent pitches within the County and within South Hams but the proposal exceeds the National Park pitch requirement identified in 2015. At present, apart from the applicants stated desire for additional pitches for personal reasons, little evidence has been submitted to confirm whether or not there is a demonstrable need for such development in the National Park.

CONCLUSION

In respect of strategic location, the site would conform with the principles of the Local Plan policies, and would appear to be a strategically suitable location for this type of development. The site is just outside the settlement boundary but does not propose any permanent structures and could be reversed relatively easily. The site was considered through the SHLAA process and considered achievable.

Whilst in principle a scheme on this site may be acceptable, the current evidence does not, at a more strategic level, support a proposal of the scale proposed. The applicant's agent does comment on the question of 'demonstrable need' but only on a regional and personal level and does not address specifically the need for this development to be in the National Park.

The proposal exceeds the National Park pitch requirement of 0.2 per annum up to 2019 identified by the 2015 GTAA but there is likely to be little harm caused by the proposed intensification of use on the site in terms of its impact on the landscape and on the amenity and living conditions of local residents.

The site is relatively well located in terms of highway access and links to local settlements and the intensification in the use of existing sites is considered to be the preferred method of meeting need. Furthermore, there is support from Devon County Council's Gypsy & Traveller Liaison Officer who emphasises the need for additional pitch provision in the County and advises that small private sites continue to be the best option for local housing authorities in relation to finding accommodation for Gypsy/Travellers. Meeting this significant need in Devon is important if the number of unauthorised encampments and developments are to reduce across the county.

There have been a number of objections to this application and the proposal is not supported by the Parish Council. However, notwithstanding the objections raised and the officer's

comments above, given the existing permission on the site and the limited impact of the proposed additional development, it is not considered that a refusal can be sustained. It is therefore recommended that, subject to appropriate conditions, permission be granted.

Members were advised that although different in appearance, the design of the windows will transpose to the inside of the building and so were considered equally important from this aspect.

When asked about the changes to the frame dimensions, the applicant advised that the timber frames were increased in size for safety, security and insurance reasons, allowing the attachment of a more secure window latch.

The Parish Council representative did not wish to comment on the windows.

The Borough Council representative stated that the Council was concerned as replacement windows in listed buildings should reflect those at the time of listing and that the new windows bear no resemblance to those. He stated that the previous style should have been followed.

Members of the panel were generally of a mixed view over the replacement windows. It was considered by some that as the windows were not original, they had little concern over the replacements; others only had concerns over a few of the windows and at least one Member felt that they should all be replaced with a window design(s) more in keeping with the listed building.

APPLICANTS COMMENTS

The Authority received a letter from the applicants the day before the site inspection in which they comment on both the structural works and windows. With regard the latter, they state that the seven replacement windows under consideration have replaced earlier, 20th century windows and as this has been done on a like-for-like basis, they believe that the works did not require listed building consent.

The Authority accepts that the windows are of soft wood construction, with single pane and puttied glass, but these are not like-for-like replacements as Members will have noted from the 'as existing' photographs.

The applicants state that any modifications are minor and introduced to improve the lifespan, resilience and security of the windows. The frames have been made slightly wider to allow handles to be fitted to improve security and avoid distortion and warping.

The applicants have calculated the ratio of timber to glass in one of the proposed replacement windows and compared it with that in another window that the Authority has previously accepted in principle. The difference they state is between 2% and 7% however, they do not appear to have carried out the same exercise between the new windows and those they replaced. It should also be noted that the two windows differ considerably in design.

The applicants acknowledged that the replacement windows are not flush fitting but consider these to be in keeping with the projecting beads of an approved door in the building and three other windows in three different buildings on the property.

The applicants states that the replacement windows have been made by a local joiner based on a design approved by West Devon Borough Council and believe that a design found elsewhere in the area to be fitting. They disagree that they have introduced an unwelcome consistency to the windows as there is still a variety of styles and fastenings.

Reference is made to the listed building consent granted in 2009 for the replacement of seven different windows in the house which, the applicant's state, proposed windows of a different design to those they were approved to replace. This consent however was subject to a

condition requiring full joinery details to be approved by the Authority prior to the works taking place which was never discharged.

Finally, the applicants challenge the Authority's advice that it can only approve or refuse the application as a whole and suggest that this is not the case.

OFFICERS COMMENTS

Inspectors have a statutory power to make split decisions but there does not appear to be any corresponding statutory power in the relevant legislation for Local Planning Authority's to do the same. However it may be possible, on a case by case basis, to reduce the development by way of conditions.

Notwithstanding this, the applicants suggest that Members are asked to vote separately on each window so that those considered 'acceptable' could be the subject of a new LBC application.

To 'pick and choose' between windows of a similar design however could put the Authority in a difficult position at appeal should it resolve to approve some and refuse the others.

Members are aware that retrospective applications should be considered and dealt with the same as any other planning or listed building consent application. The fact that the works have already been carried out should not influence their decision on an application. Any decision must be based on material planning and design grounds and when considering works to a listed building, the statutory requirement to have special regard to the desirability of preserving the building, its setting and any features of special interest must be taken into account by the Authority when making its decision. Pragmatism in allowing the unauthorised windows to remain should not feature as a material consideration in determining the application for listed building consent.

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. No other planning concern is given a greater sense of importance in the NPPF. The more important the asset, the greater the weight should be. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

CONCLUSION

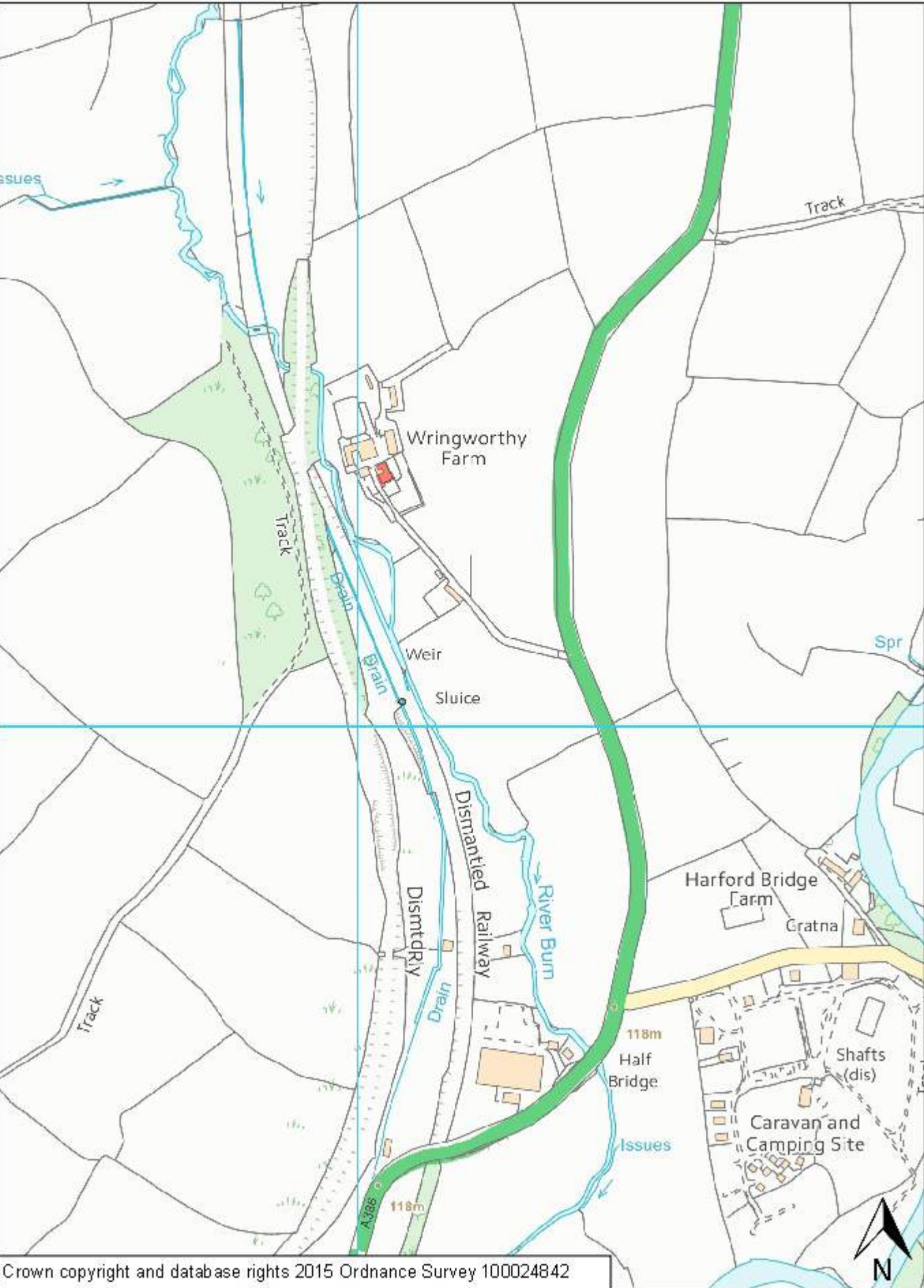
It is clear that the replacement of the windows represents a significant and material alteration requiring Listed Building Consent. It is for the applicant to demonstrate that any alteration to the design of the windows is appropriate in historic and character terms. The Authority and HE are firmly of the opinion that the new windows have harmed the special character and appearance of the Listed Building.

The proposal is considered to have a detrimental impact on the special interest of the grade II* listed building, causing harm to the significance of the designated heritage asset and its setting. It is therefore considered to be unacceptable and officers maintain their recommendation that consent should be refused.

Wringworthy Farm, Mary Tavy - 0018/16



Scale 1:5,000



3. Application No: **0018/16** District/Borough: **West Devon Borough**
 Application Type: **Listed Building Consent** Parish: **Mary Tavy**
 Grid Ref: **SX500772** Officer: **James Aven**

Proposal: **Replacement of seven windows and retrospective and amended design for eighth approved additional window (WF07)**

Location: **Wringworthy Farm, Mary Tavy**

Applicant: **Mrs A Roberts**

Recommendation **That consent be REFUSED**

Reason(s) for Refusal

1. The proposed windows, by reason of their design and detailing, would have a harmful impact on the character, appearance and significance of the grade II* listed building with no over-riding public benefits to outweigh the harm presented. The proposal is therefore contrary to the Dartmoor National Park Core Strategy Development Plan Document and in particular policies COR1 and COR3, policies DMD1b and DMD8 of the Development Management and Delivery Development Plan Document 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

Wringworthy Farmhouse is a Grade II* listed building, first listed in June 1952. The house is located approximately 1.4km west of Peter Tavy, and is accessed directly from the A386, 350m north of Harford Bridge.

The house sits in the context of a group of grade II listed farm buildings, one of which has been converted to holiday accommodation and another is currently being converted to two further holiday units plus a farm office and store. There are also non-listed agricultural/equestrian buildings within the complex.

This report is being presented to the Committee due to the Parish Councils comments.

Planning History

0466/15	Alterations to existing agricultural barns to form holiday cottages and games room for use incidental to the residential use of Wringworthy Farm House
	Full Planning Permission Grant Conditionally 30 November 2015
	Appeal lodged: 14 February 16
0144/14	Alterations to existing agricultural barns to form two holiday cottages and one staff accommodation unit including a new access drive and parking
	Full Planning Permission Grant Conditionally 12 August 2014
0145/14	Alterations to existing agricultural barns to form two holiday cottages and one staff accommodation unit including a new access drive and parking
	Listed Building Consent Grant Conditionally 06 May 2014
0634/13	Conversion of barns to form two holiday lets and one unit of staff

	accommodation, with new access drive and parking		
	Full Planning Permission	Withdrawn	22 January 2014
0635/13	Conversion of barns to form two holiday lets and one unit of staff accommodation, with new access drive and parking		
	Listed Building Consent	Withdrawn	22 January 2014
0236/13	Alterations to house and construction of new single storey entrance lobby/porch		
	Full Planning Permission - Householder	Grant Conditionally	25 July 2013
0237/13	Alterations to house and construction of new single storey entrance lobby/porch		
	Listed Building Consent	Grant Conditionally	25 July 2013
	Appeal lodged: 15 September 15		
0363/09	Replacement of front door and windows		
	Listed Building Consent	Grant Conditionally	28 January 2010
0531/05	Change of use of garage to form bathroom and bedroom with installation of window at first floor level		
	Listed Building Consent	Grant Conditionally	23 August 2005
0530/05	Conversion of garage to bedroom and bathroom and proposed new window at first floor level		
	Full Planning Permission	Grant Conditionally	23 August 2005
0102/16	Structural repairs to ceiling, including strengthening works to beam, insertion of new joists and construction of concrete block supporting wall		
	Listed Building Consent	Not yet determined	
0026/16	Part replastering of walls to dining room and living room with lime plaster		
	Listed Building Consent	Not yet determined	

Consultations

West Devon Borough Council: Does not wish to comment

County EEC Directorate: No objection

Environment Agency: Flood Risk Zone 2 - No FRA submitted with the application but the proposal is for replacement windows in an existing dwellinghouse from which there will be no increased risk of flooding to this or any other land.

Historic England: Historic England (HE) has been consulted on a number of unauthorised works undertaken to Wringworthy Farmhouse, a grade II* listed designated asset. This application related to the removal of late 19th and 20th century windows without consent and the robust design of the replacements proposed, as well as the amendment to the design of a further approved replacement window. HE would have been unlikely to have objected to the principle of replacing these later window examples. However, it raises concerns over the robust nature of their design, the proposed justification for an estate designed fenestration

and the potential confusion within the phasing of the building. Therefore, HE has identified harm would be caused by the proposal to the aesthetic and authentic evolutionary presentation of this grade II* listed vernacular property. Therefore, it would welcome amendments to the design, to mitigate the harm identified.

Significance

Wringworthy Farmhouse is a grade II* listed early 16th century dwelling based around a former open hall. It has undergone later subdivision, with the flooring over of the hall, the truncation of the lower end of the principle range and the addition of a service wing in the late 16th/ early 17th century, with further works undertaken in the 19th century. As a vernacular structure, the building's significance is held in the survival of the evidence of local and traditional construction techniques as well as the harmonious and evolutionary nature of its presentation.

Its grade II* listed status identifies it as being in the top 6% of all listed buildings and is of more than special interest. Therefore, Wringworthy Farmhouse is a fine example of a modest status vernacular dwelling which retains historic, evidential and aesthetic value.

Impact

The proposal is a retrospective application for the replacement 7 windows and amendment to the design of a further window which had been granted consent in a previous application. These have been largely identified as 20th and late 19th century in date and having suffered from a lack of maintenance, this has resulted in some deterioration to the condition of a number of the frames. The scheme has not looked to replace the windows on a like for like basis but to implement a new but consistent style to the replacements.

The window design has a robust detail, due to the presence of a significant profile of the main frame and in some instances mullion details, as well as a strong casement detail with a deep bottom rail. This has created a high timber to glass ratio, resulting in a reduction in the size of the glazing panes.

We note that the replacement windows are based on early Victorian estate fenestration in Tavistock, which is at odds with the assumed more modest evolution of this site. We consider the design of the windows to be inappropriate, jarring with the character of this subservient elevation and resulting in an adverse impact on the presentation of this essentially vernacular property.

Policy

The Planning (Listed Building and Conservation Area) Act 1990 identifies that the local planning authority should have a “special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.” (Section 16 (2)).

The NPPF identifies that significance can be harmed or lost through alteration or destruction of the heritage asset and therefore as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification (Para 132). If a scheme is identified to cause less than substantial harm, then this harm should be weighed against the public benefits of the proposal (Para 134). It also highlights that the Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal... they should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal (Para 129).

We would also highlight Historic England's Conservation Principles provides a best practice approach to managing change in the historic environment. The consideration of new works and alteration would normally be considered acceptable if the proposal aspires to a quality of design and execution which may be valued now and in the future (Para 138). While consideration should also be given, to whether the proposal would materially harm the values of the place, and, where appropriate, would be reinforced or further revealed. These points are further clarified in para 139 - 144.

Position

This is a retrospective application. Historic England appreciates that the significance held within the fabric of the now replaced windows was limited and would have been unlikely to object to the principle of replacing the examples identified with appropriately detailed fenestration, had a listed building consent been submitted.

Unless it could be shown that Wringworthy was part of the Bedford Estate in the early part of the C19, or that such fenestration was copied locally, we would have suggested that a similar multi-phased property be identified within the neighbouring locality and examples identified within their existing array of windows, if a suitable example could not be identified within Wringworthy itself (Para 132).

We note that the design elements, in themselves, would not equate to an adverse impact, however, it is the

accumulation of the elements within a single window and across the secondary elevations, which results in an unsatisfactory design solution as well as a confusion in the phasing of the building. The combined impact of the proposed works would result in less than substantial harm and therefore the proposal needs to be considered against the public benefit of the scheme (Para 134).

Consequently, we feel that amendments should be undertaken to the design (Para 129). This would result in refinement to the profile of the frame, by better addressing the proportions of the glazing and reducing the depth of the bottom rail and setting the sub-frame to be flush with the casements. We would have suggested that a central mullion might not have been necessary in all instances as these are new windows and this would also have improved the proportion of timber to glazing.

Recommendation

Historic England considers that it is extremely unfortunate that unauthorised works were undertaken and that the replacement of the windows, has resulted in harm to the significance of the designated asset, grade II* listed building, by eroding the authentic vernacular presentation of the building.

We would welcome amendments to the window design to offer greater refinement within its proportions and a more positive visual contribution to these less significant elevations. We would suggest that appropriate examples are sought from similar multi-phased structures locally in order to minimise any impact on the aesthetic presentation of the vernacular property.

Historic Buildings Officer:

Recommends refusal. The recently installed new windows cause harm to the significance of the designated heritage asset, a grade II* listed building.

The present uniform window style of recessed casements set in heavily chamfered frames including mullions has no historical association with the early 16th century farmhouse or the later development phases of the grade II* listed building. Justification for these windows is made through linkage with period buildings in the nearby town of Tavistock and mention of an officer of West Devon Borough Council, however this particular approach is not sound as the farmhouse is part of an historic farmstead located in a rural setting. For example, existing window WF02 was a 19th century 2 over 2 sliding Victorian sash window which was contemporary with a particular development phase of the listed farmhouse. The style and design of the new window interferes with the 'reading', historic value and significance of the designated heritage

asset, and is not appropriate in this location.

The new windows recently installed are incongruous in style and create a bland uniformity which detracts from the special interest and character of the grade II* listed building.

Parish/Town Council Comments

Mary Tavy PC: No objection

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR2 - Settlement Strategies

COR3 - Protection of Dartmoor's special environmental qualities

COR4 - Design and sustainable development principles

COR5 - Protecting the historic built environment

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

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

BACKGROUND

Wringworthy farmhouse is a very high quality example of a multi-phase farmhouse. The house has suffered repeated alterations, part demolitions and extensive decay and as a result considerable repair is required to preserve the building.

Planning and listed building consents were granted in 2013 for a comprehensive scheme of restoration. Works commenced at the end of September 2014 but in February 2015, it was noted that several windows had been replaced, without the benefit of listed building consent.

THE PROPOSAL

The application proposes the replacement of seven windows (WG02, 03, 06, 09, 10 and WF02, 06) and an amended design for an eighth, previously approved additional window (WF07).

The submitted plans indicate three replacement windows and the one amended window on the North East elevation, two replacement windows on the South West elevation and two replacement windows on the North West elevation.

POLICY

The property is a Grade II* listed building. COR1 highlights the need to sustain the local distinctiveness and character. Furthermore the need to conserve or enhance important historic and cultural features should also be considered.

COR4 states that development proposals will be expected to conform to certain design principles. Development is expected to demonstrate a scale and layout appropriate to the site and its surroundings, conserving or enhancing the quality and distinctiveness of the built environment and local landscape character. It should also use external materials appropriate to the local environment.

Under COR5, the character, appearance, integrity and local distinctiveness that contributes to the special qualities and settings of the historic built environment should be conserved and enhanced.

Policy DMD1b states that within the National Park, the conservation and enhancement of the natural beauty, wildlife and cultural heritage will be given priority over other considerations in the determination of development proposals. It goes on to state that development will only be provided for where it would conserve and enhance the cultural heritage of the National Park.

DMD7 states that within the built environment, high standards of design and construction will be promoted to conserve or enhance distinctive historic, cultural and architectural features. Development proposals should conserve and enhance the character of the local built environment including buildings that contribute to the visual, historical or architectural character.

DMD8 states that consent will be granted for the alteration of listed buildings where the Authority concludes that any harm identified is outweighed by the public benefits the proposed development will bring.

The proposed alterations to the listed building are not considered to comply with these policies.

OFFICERS COMMENTS

The main issue is the effect the new windows have had on the character and significance of the grade II* listed building, its setting and on its features of architectural and historic interest.

Traditional windows make a very important contribution to the value and significance of historic buildings and areas including Wringworthy. The scheme approved in 2013 for various changes to the grade II* listed building at Wringworthy was partly based on retention of all existing windows and internal alterations to plan form which justified limited loss of external wall fabric and insertion of 3 new windows. The style of these new windows (also including new windows in existing wall openings WG14, WG15 and WF13) was a response to the character of the building and allowed for the inclusion of double glazing. No alterations to existing windows were approved.

The replacement windows that have already been installed represent a significant alteration to the building.

Most of the replacement joinery is not traditional flush casement types, but rather casements set back and window framing presented externally with deep chamfered mullions and

framings. This is a clear change to the previous designs and the uniformity of this takes no account of the evolution of the building and context of the different designs that previously existed.

It is understood that the three new window units previously approved were allowed as these were new windows in new wall openings and did not harm the significance of the building. The replacement windows however involve alterations to historic features that do affect the character and significance of the building.

The heavy bottom rails of some of the windows are particularly noticeable and the scale and proportions of timber/glazing is, in a number of cases, noticeably unbalanced, giving the impression of bulky and asymmetrical windows.

Taking into account the mix, variety and construction of other windows in the building, any perceived benefits of replacing those proposed are not considered to outweigh the harm that they have caused to the character and appearance of the building.

AGENTS COMMENTS

In mitigation; the applicant's agent claims that apart from two small stone framed window openings that date from the 17th C, all other windows have been repeatedly replaced and there are no surviving examples of historic casements; he states that of the 27 windows at least 24 are 20th C with the remaining three being either late 19th C or 20th C replicas of 19th C joinery. Of the 27 windows there are 16 different patterns and there is, he states, a plethora of different patterns and styles of window manufacture and joinery.

Damp has affected the structural timbers of the building and, the agent states, the lintels above windows were found to be decayed beyond repair, as were he states many of the windows.

The agent argues that there is no requirement to copy slavishly previous 20thC windows, that there are no set dimensions or templates to design replica period windows and the criticisms made by the Authority are no more than an expression of personal taste. Design cues are normally taken from existing windows but, he states, there are no period windows present from which to take a cue in the instance of Wringworthy Farm.

He states that the National Park Authority was responsible for introducing a new style of modern window to the building when it approved the design in 2010. The prominent chamfered mullions, he states, were apparently a feature of local joinery and are therefore representative of the local vernacular traditions.

The agent has expressed the justification for selecting the style of each replacement window, including that some are of similar design or almost identical, that some frames have been thickened to slow down the effects of rot, that additional glazing bars and deeper bottom rails do not affect the character of the house, that one has been modelled on adjacent windows, that the number of panes is a matter of personal taste, that there is no architectural reason why the previous modern window should be replicated, and that a reduction in the array of 20th C window patterns is considered beneficial to the appearance of the house.

The agent states that the windows replaced were beyond repair and were of little merit in any event. He states that there has been a slight rationalisation of the windows; some elements of local joinery tradition in the forms of the chamfered mullions have been introduced. Variety

across the fenestration he states has been maintained and overall, there has been no impact upon the character of the building.

HISTORIC ENGLAND (HE)

HE raises concerns over the robust nature of the proposed window design, the justification for an estate designed fenestration and the potential confusion within the phasing of the building. HE has identified that harm would be caused by the proposal to the aesthetic and authentic evolutionary presentation of this grade II* listed vernacular property. Therefore, it would welcome amendments to the design, to mitigate the harm identified.

CONCLUSION

It is clear that the replacement of the windows represents a significant and material alteration requiring Listed Building Consent. Whilst replacement windows are allowed in Listed Buildings, it is for the applicant to demonstrate that any alteration to the design of the windows is appropriate in historic and character terms. The Authority and HE are firmly of the opinion that the new windows have harmed the special character and appearance of the Listed Building.

The proposal is considered to have a detrimental impact on the special interest of the grade II* listed building, causing harm to the significance of the designated heritage asset and its setting. Planning policy clearly establishes that any harm or loss to the significance of a listed building requires clear and convincing justification.

RECOMMENDATION

The proposed replacement windows, by reason of their design and detailing, have a harmful impact on the character, appearance and significance of the Grade II* listed farmhouse with no over-riding public benefits to outweigh the harm.

The proposal is therefore considered to be unacceptable and it is recommended that consent be refused.

this archway.

Clarification was sought by the panel as to what was included in this application and the case officer reminded Members that the application description included works to the ceiling, strengthening works to beam, insertion of new joists and the construction of the concrete block supporting wall.

The Historic Buildings Officer advised that he and Historic England considered the works to be “over engineered” as the beam and arched doorway could be independently stabilised. Whilst it was acknowledged that any structural solution would be likely to have some visual impact in the room, the construction of the block wall butted up against the arched doorway has resulted in the arch no longer being prominent, as well as being a significant intrusion into the room concealing part of the earlier wall.

The Parish Council representative did not wish to comment on the works.

The Borough Council representative stated that it was disappointing to see the extent of damage caused by the structural works considering the effort that had been put in to the 2013 applications, with no approval from the Authority or Historic England and no reference to the National Planning Policy Framework.

Members of the panel were of mixed opinion over the structural works that have taken place and which are the subject of this application. The majority were very concerned by the fact the works had taken place without the necessary consent and some were of the view that these works should be removed.

It was acknowledged that a number of options may be available with regard supportive works for the beams and ceilings but some Members felt that there was no significant difference between them in terms of their impact on the listed building and that on balance, the works were acceptable.

APPLICANTS COMMENTS

The Authority received a letter from the applicants the day before the site inspection in which they comment on both the structural works and windows. With regard the former, the applicants consider that the aesthetic/conservation aspect of the works cannot be disassociated from the engineering perspective. They state that the possible alternative ‘post’ solution has previously been considered by various parties and dismissed by their own engineer.

The applicants suggest that Members should thoroughly examine and consider the various engineer reports and suggestions that have been made before the application is determined. These reports include an explanation and details of why they proceeded with the construction of the blockwork wall, and why they dismissed other, alternative proposals.

Concern is expressed by the applicants that the visual balance of the room will be harmed by the introduction of a post against three historic doors and that this proposal has not been sufficiently considered by Historic England or the Authority.

Finally, the applicants state that the removal of the wall would present considerable risks to the

house and its occupants but in the event of this being required, the Authority would need to inform of its preferred alternative solution, based on structural calculations, and take full liability for the works.

OFFICERS COMMENTS

The proposal recently put forward by the Authority's consultant engineer does include the erection of a supporting post but this would be under the northern end of Beam 2 and not against the historic doors. Furthermore, the Authority considers that this single timber post would have less of an impact on the character and form of the room than the blockwork rendered wall proposed.

As mentioned in the previous site inspection report, Members are aware that retrospective applications should be considered and dealt with the same as any other planning or listed building consent application. The fact that the works have already been carried out should not influence their decision on an application. When considering works to a listed building, the statutory requirement to have special regard to the desirability of preserving the building, its setting and any features of special interest must be taken into account by the Authority when making its decision.

Whilst it may be a pragmatic approach to allow the unauthorised works to remain, Members must put this out of their mind when considering harm to the listed building.

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. No other planning concern is given a greater sense of importance in the NPPF. The more important the asset, the greater the weight should be. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

CONCLUSION

It is accepted that some structural works may have been required due to the effects of damp on structural timbers, but the extent of works and methods employed are not considered to be justified or acceptable.

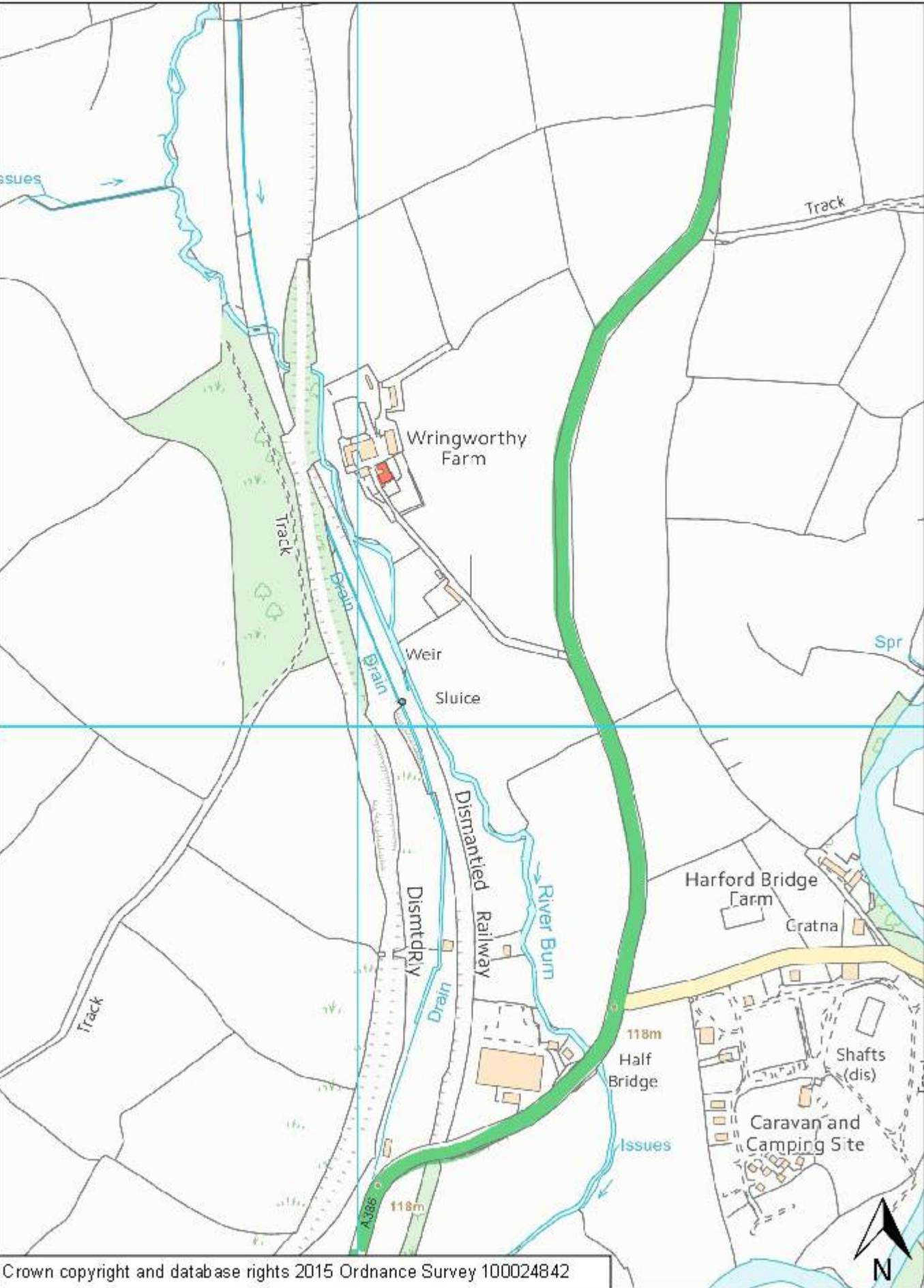
Potentially less harmful solutions are available and have been recommended by the Authority's structural engineer that if implemented, would mitigate harm to the significance of the Grade II* listed building.

The proposed works are considered to have a harmful impact on the character, appearance and significance of the Grade II* listed farmhouse, with no over-riding public benefits to outweigh the harm, and it is therefore recommended that consent be refused.

Wringworthy Farm, Mary Tavy - 0102/16



Scale 1:5,000



5. Application No: **0102/16** District/Borough: **West Devon Borough**
 Application Type: **Listed Building Consent** Parish: **Mary Tavy**
 Grid Ref: **SX500772** Officer: **James Aven**

Proposal: **Structural repairs to ceiling, including strengthening works to beam, insertion of new joists and construction of concrete block supporting wall**

Location: **Wringworthy Farm, Tavistock**

Applicant: **Mrs A Roberts**

Recommendation **That consent be REFUSED**

Reason(s) for Refusal

1. The proposed concrete block supporting wall, by reason of its design and construction, and the raising of the historic joists would have a harmful impact on the character, appearance and significance of the grade II* listed building with no over-riding public benefits to outweigh the harm presented. The proposal is therefore contrary to the Dartmoor National Park Core Strategy Development Plan Document and in particular policies COR1 and COR3, policies DMD1b and DMD8 of the Development Management and Delivery Development Plan Document 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

Wringworthy Farmhouse is a Grade II* listed building, first listed in June 1952. The house is located approximately 1.4km west of Peter Tavy, and is accessed directly from the A386, 350m north of Harford Bridge.

The house sits in the context of a group of grade II listed farm buildings, one of which has been converted to holiday accommodation and another is currently being converted to two further holiday units plus a farm office and store. There are also non-listed agricultural/equestrian buildings within the complex.

This report is being presented to the Committee at the Head of Planning's discretion.

Planning History

0144/14	Alterations to existing agricultural barns to form two holiday cottages and one staff accommodation unit including a new access drive and parking	Full Planning Permission	Grant Conditionally	12 August 2014
0145/14	Alterations to existing agricultural barns to form two holiday cottages and one staff accommodation unit including a new access drive and parking	Listed Building Consent	Grant Conditionally	06 May 2014
0634/13	Conversion of barns to form two holiday lets and one unit of staff accommodation, with new access drive and parking	Full Planning Permission	Withdrawn	22 January 2014
0635/13	Conversion of barns to form two holiday lets and one unit of staff			

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	Listed Building Consent	Withdrawn	22 January 2014
0236/13	Alterations to house and construction of new single storey entrance lobby/porch		
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0237/13	Alterations to house and construction of new single storey entrance lobby/porch		
	Listed Building Consent	Grant Conditionally	25 July 2013
	Appeal lodged: 15 September 15		
0363/09	Replacement of front door and windows		
	Listed Building Consent	Grant Conditionally	28 January 2010
0531/05	Change of use of garage to form bathroom and bedroom with installation of window at first floor level		
	Listed Building Consent	Grant Conditionally	23 August 2005
0530/05	Conversion of garage to bedroom and bathroom and proposed new window at first floor level		
	Full Planning Permission	Grant Conditionally	23 August 2005
0018/16	Replacement of seven windows and retrospective and amended design for eighth approved additional window (WF07)		
	Listed Building Consent	Not yet determined	
0026/16	Part replastering of walls to dining room and living room with lime plaster		
	Listed Building Consent	Not yet determined	

Consultations

West Devon Borough Council: Does not wish to comment

County EEC Directorate: No objection

Environment Agency: Flood Risk Zone 2 - No FRA submitted with the application but the proposal is for internal structural works in an existing dwellinghouse from which there will be no increased risk of flooding to this or any other land.

Historic England: The proposal is a retrospective application for the structural works to two 17th century beams (referred to as beam 2 and 4) in the former medieval hall (now dining room) and their associated joists, which has resulted in loss of fabric and erosion of the evolved plan form of this modest vernacular property. Although there is some acceptance that structural works would have been required, the extent of works has not been sufficiently justified as less harmful alternatives have been identified. Consequently, the works have resulted in unjustified harm and Historic England object to the proposals.

As less harmful solutions have been identified, we would look for these to be implemented to help avoid and partially

mitigate harm to the significance of the grade II* listed vernacular property.

Significance

Wringworthy Farmhouse is a grade II* listed early 16th century dwelling based around a former open hall. It has undergone later subdivision, with the flooring over of the hall, the truncation of the lower end of the principle range and the addition of a service wing in the late 16th/ early 17th century, with further works undertaken in the 19th century. As a vernacular structure, the building's significance is held in the survival of the evidence of local and traditional construction techniques as well as the harmonious and evolutionary nature of its presentation.

Its grade II* listed status identifies it as being in the top 6% of all listed buildings and is of more than special interest. Therefore, Wringworthy Farmhouse is a fine example of a modest status vernacular dwelling which retains historic, evidential and aesthetic value within its fabric and plan form.

The proposal relates to the structural works that were undertaken to beam 2 and 4 located within the dining room (former hall). These are identified as being contemporary in date to the flooring over of the medieval hall in the 17th century (beam 2) as well as the recessed fabric of which beam 4 is the supporting beam for the corbelled wall above, which allowed for greater ease to the now truncated staircase up to the 1st floor. Consequently, the beams hold historic and evidential value in the evolution of the building, a key element within its significance.

Impact

It is understood that the structural works set out in this application are unauthorised, as appropriate consent from the Dartmoor National Park was not obtained prior to commencement. These works have resulted in the irreversible loss of 17th century fabric, following the removal of the end section of beam 2. The loss of character through the raising of the historic joists that sat in beam 2 and the addition of new supports, has removed the deflection and created the potential for an artificially flat appearance to the ceiling, that will be juxtaposed with the remaining ceiling in the rest of the hall that has retained its texture and character of age.

Beam 4 is now supported on a solid concrete block wall that partially fills a historic recess considered to be related to the 17th century phase of works within this section of the house. The agent refers to this phase of development as retaining a "splendid range" of features of

which the affected elements contribute to. The infill alters the appreciation of the floor plan, which is an important element in understanding the evolutionary development of the house as well as eroding the functionality and purpose of the historic beam.

In relation to all these works, as they were undertaken prior to discussion with the authorities, it is very difficult to fully ascertain the extent of works that would have been required. However, the approach sought has been an engineered solution and does not appear to necessarily have the significance of the historic asset at the forefront of the decision making process.

Policy

As the application affects a listed building, the statutory requirement to have special regard to the desirability of preserving the building, its setting and any features of special interest (s16(2), Planning (Listed Building and Conservation Area) Act 1990) must be taken into account by the local planning authority when making its decision.

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. No other planning concern is given a greater sense of importance in the NPPF. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification (para.132, NPPF).

Your authority should therefore also seek to improve proposals so that they avoid or minimise harm to the significance of designated heritage assets (Para 129).

Position

Historic England Structural Engineer has undertaken significant discussion with the applicant's engineers to firstly understand the structural issues that were identified and the justification for the approach taken.

The outcome from these discussions is that from the evidence provided there was a consensus that that there had been some deflection and issues with the condition of the ends of beam 2. As the works have been undertaken, it is now very difficult to assess what the extent of movement had been and consequently, the works undertaken cannot be appropriately justified, as we do not have the evidence basis by which to consider alternative options against. If we had been given this opportunity, less harmful approaches

might have been identified or at least appropriate consideration given to assess whether this radical approach was acceptable.

With the current situation, we have reluctantly come to the decision that to reverse the works to beam 2 could result in further harm being caused. However, appropriate partial mitigation has been identified in regards to the reinstatement of the historic joists to their original position allowing the joists to retain functionality in terms of being utilised for the ceiling laths, which had been lost following the insertion of the new elements. This will also contribute to the visual texture and character held within the room, that had been lost following the straightening out of the ceiling. The timber fillet that will angle the roof, do not address our concerns.

Questions were raised over the necessity of the level of support offered by the concrete block wall under beam 4 and whether this level of intervention, which has a significant impact on the evolved plan form of the heritage asset, could be justified. Historic England appreciates the cautious approach taken by the applicant with regards the structural issues but considers that alternative scheme could be utilised that reduce the overall impact of the works on the grade II* listed asset. This has been further corroborated by Paul Carpenter, an external engineer commissioned by the Local Planning Authority to assess the proposals. We do not consider that “great weight” has been given to the asset’s conservation and within the NPPF, no other planning concern is given a greater sense of importance (Para 132). Consequently, the requirement to have special regard for the desirability of preserving the building, its setting and any features of special interest set out within the legislation has not been fulfilled.

We support Paul Carpenter’s suggestion of a single post under the intersection of beam 2 and 4 and the packing of the joint between the two beams. We would like to clarify that this is a similar approach suggested by HE engineer, rather than the “post and beam” solution referred to within the statement of significance. The applicants have raised concern about the creation of an alcove and that this would be detrimental to the character of the room, although the reasoning for these concerns is not clear within the documents provided. We consider the single post to be a modest intervention that would retain a clear functional purpose as a support to the truss, in a traditional fashion that reflects the vernacular character of the house.

We also note the reference to the use of lime plaster and would refer back to our previous advice (ref L495758).

Consequently, the current scheme results in harm to the evolved plan form of the property with particular reference to a key phase of its development during the 17th century. We are not convinced that clear and convincing justification has been provided for the adverse impact proposed to the grade II* listed asset and the duty to have special regard has not been fulfilled in the proposed works (s16(2) 1990 Act). At present the scheme results in unjustified harm and we object to the current proposals.

However, we have identified alternative solutions that partially mitigate our concerns, although we remain disappointed by the approach taken and the resulting harm through the loss of fabric and adverse impact on the evolved plan form of the structure.

Recommendation

Historic England is extremely disappointed that the works have been undertaken without listed building consent. We object to the proposal as they currently stand, due to their harmful impact on the historic fabric and the evolved plan form of the multi-phased house, which has not been appropriately justified. We have through detailed discussion identified positive steps that could be taken to mitigate the harm, and we are frustrated that the applicant has not addressed these within the current application.

Historic Buildings Officer:

Recommends refusal. The alteration works have caused harm to the significance of the grade II* listed building, a designated heritage asset.

The structural works shown on the application drawings have already been carried out and are alterations to the grade II* listed building, a designated heritage asset. Site inspections made prior to these works being undertaken both at pre-application stage for applications 0236/13 and 0237/13 and during early stages of undertaking these approved works did not suggest the original first floor structure over the former hall was 'live' or in distress.

The structural interventions subsequently made which is the subject of this application for listed building consent have impacted on historic fabric, character and significance of the interior of the farmhouse and ground floor former hall. Whilst it is accepted that repairs to historic timbers and woodwork were required to sustain the integrity of floor beams, floor joists and floor boards the highly invasive solutions adopted have caused serious harm to special historic interest of the listed building, and significance of the designated heritage asset. The application for listed building consent is not supported.

Loss of historic floor and ceiling fabric over the former hall and floor boards to first floor bed chambers above has impacted the special qualities and meaning of these interiors, and the outcome of the alterations already undertaken has caused loss to the previously surviving heritage values resulting in an unjustifiable level of harm. Revised proposals to reduce the impact of for example the blockwork wall are required to mitigate harm to significance.

Parish/Town Council Comments

Mary Tavy PC: Any comments from the Parish Council will be reported at the meeting.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR2 - Settlement Strategies
COR3 - Protection of Dartmoor's special environmental qualities
COR4 - Design and sustainable development principles
COR5 - Protecting the historic built environment
COR7 - Providing for the conservation of Dartmoor's varied plant and animal life and geology
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

BACKGROUND

Wringworthy farmhouse is a very high quality example of a multi-phase farmhouse. The house has suffered repeated alterations, part demolitions and extensive decay and as a result considerable repair is required to preserve the building.

Planning and listed building consents were granted in 2013 for a comprehensive scheme of restoration. Works commenced at the end of September 2014 and in November 2014, the applicants notified the Authority that they had identified some structural problems that necessitated some unforeseen essential repairs to ensure the structural integrity of the building that were not part of the original listed building consent.

A subsequent visit in February 2015 noted these works that are now the subject of this application.

THE PROPOSAL

This application seeks to regularise structural works to the ceiling, joists and 17th century beams in the dining room (former medieval hall) of this Grade II* listed house.

"G" section steel elements have been placed alongside the tie beam (Beam 2) and connected to it. The historic joists have been kept in place, cut through on one end by 200mm to remove damaged ends, and connected to a ledger within the hollow of the pre-formed steel. New joists have been attached to the same ledger to carry the floor above and part of the ceiling below. These new joists have been positioned in such a way to create a slight inclination from the east wall to Beam 2 and from the south wall to the North wall, in order that the ceiling should 'tilt' and thus re-instate the sag in the ceiling

A blockwork wall has been constructed beneath Beam 4 within the recess of the north wall for a distance of around 1.2 metres.

The ceiling (where missing) is to be reinstated in lath and plaster and lime plastered where necessary.

The few previous joist holes (notches) still visible once the ceiling is in place are proposed to be filled with pieces of oak.

POLICY

The property is a Grade II* listed building. COR1 highlights the need to sustain the local distinctiveness and character. Furthermore the need to conserve or enhance important historic and cultural features should also be considered.

COR4 states that development proposals will be expected to conform to certain design principles. Development is expected to demonstrate a scale and layout appropriate to the site and its surroundings, conserving or enhancing the quality and distinctiveness of the built environment and local landscape character. It should also use external materials appropriate to the local environment.

Under COR5, the character, appearance, integrity and local distinctiveness that contributes to the special qualities and settings of the historic built environment should be conserved and enhanced.

Policy DMD1b states that within the National Park, the conservation and enhancement of the natural beauty, wildlife and cultural heritage will be given priority over other considerations in the determination of development proposals. It goes on to state that development will only be provided for where it would conserve and enhance the cultural heritage of the National Park.

DMD7 states that within the built environment, high standards of design and construction will be promoted to conserve or enhance distinctive historic, cultural and architectural features. Development proposals should conserve and enhance the character of the local built environment including buildings that contribute to the visual, historical or architectural character.

DMD8 states that consent will be granted for the alteration of listed buildings where the Authority concludes that any harm identified is outweighed by the public benefits the proposed development will bring.

The proposed works are not considered to comply with these policies.

HISTORIC ENGLAND (HE) COMMENTS

HE objects to the proposal due to the harmful impact it has on the historic fabric and evolved plan form of the multi-phased house, which it feels has not been convincingly justified. HE states that positive steps have been identified that could mitigate the harm and that it is frustrated that the applicants have not addressed these within this application.

HE considers the works to have resulted in the irreversible loss of 17th century fabric following the removal of part of the floor beam and the loss of character through the raising of the historic joists and addition of supports which have created an artificially flat ceiling.

HE points out that the proposed concrete block wall that supports the floor beam partially infills a historic recess and alters the floor plan which is an important element in understanding the evolutionary development of the house.

HE considers the approach sought to be an engineered solution that does not appear to have the significance of the historic asset at the forefront of the decision making process. HE considers that an alternative scheme could be utilised that reduces the overall impact of the works and supports the Authority's consultants suggestion of utilising a single oak post under the intersection of beams 2 and 4 which, it feels would be a modest intervention.

AGENTS COMMENTS

The applicants state that this application was submitted to address the Authority's concerns that repairs undertaken to the two beams in the dining room represent the best and least intrusive way of repairing structural defects in the building.

A chronic damp problem had affected the structural timbers of the building and the tie beams which support the floors and tie the walls together were found to be decayed at both ends with joists in similar conditions. The applicant's structural engineer advised them in 2014 that the floor beam in the dining room (B4) presented a risk of failure with potentially serious consequences for both the building fabric and occupants. Work commenced in January 2015 to construct a concrete block wall along the northern side of the dining room to support the beams.

In mitigation, the applicants state that the works undertaken have stabilised the structure and preserved the historic fabric, particularly the historic tie beam (Beam 2) and the plank and muntin screen above.

The "C" section steels attached to Beam 2 will, they state, be concealed within the ceiling and therefore invisible once ceiling repairs and plaster are completed.

The historic joists have been cut through and no longer perform their function of supporting the floors and ceiling. An ideal repair would have involved the retention of the joists in position and performing their historic function. In order to achieve this, they state that the historic tie beam (Beam 2) would have had to be removed and repaired by the attachment of two new ends; the failing joist ends would have had to be cut back and new ends attached or, as is more common, new joists inserted. The "ideal repair" they state was not possible due to the presence of the historic wall and plank and muntin screen above the tie beam. All the joists have been cut back whereas perhaps, if it had been possible to repair the beam, some of them

could have been retained full length.

The blockwork wall occupies part of a recess which dates back to the 17th C and was probably made to ease the approach to the stairs beside the fire. The applicants point out that the fabric and the structure of the recess are untouched as the blockwork wall is free standing. The wall buttresses the protruding stone arched doorway and provides support to Beam 4, it has enabled the remaining historic timber of Beam 4 to be retained and in engineering terms, the applicants state it is the simplest solution as it transfers the weight of the walls and roof above to the floor.

The applicants consider a block work wall to be preferred to a "post and beam" solution as such a solution would introduce a new alcove into the dining room which they consider would be detrimental to the character of the room. The applicants suggest that if necessary, it would be possible that the block wall could be chamfered to match an opposing wall.

The possibility of extending the block wall and re-concealing the discovered remnant stairs has also been considered by the applicants. The benefit of such an arrangement they state is that a plain wall will reflect the room as originally designed in that the thickness of the original wall will be reinstated. The extension of the wall would mean that the historic recess would no longer be visible although it would be retained unaltered behind the block wall. A historic door frame visible in the recess and the stairs would also be covered up.

The bow in the ceiling they state was created by the tie beam (Beam 2) sagging over time. The ceiling is untouched in one half of the dining room and is proposed to be angled slightly in the other half. When originally created, the applicants state that the room would not have had a bowed ceiling and this has occurred through structural movement. Whilst it is accepted that such features can give character, given the high status of the room in question the applicants consider it is better that the ceiling be reinstated in a near even plane.

The applicants state that difficult decisions have had to be taken as to how to resolve a series of interlinked complex structural failings and decisions have been taken in consultation with an experienced structural engineer. They believe their engineers solutions represent the best possible structural and aesthetic outcome for the building given the constraints.

OFFICERS COMMENTS

The main issue is the effect the works have had on the character and significance of the grade II* listed building, and on its features of architectural and historic interest.

The Authority commissioned a firm of structural engineers to assist in its consideration of the works that have been carried out in the dining room and in its determination of this application.

The consultants concentrated on the structural intervention works associated with the north wall of the dining room and the support arrangements for the main oak floor beam (B2) and the oak wall beam (B4) that helps support the north wall at first floor level.

The consultants noted that both beams have suffered localised timber decay, although the extent of which was difficult to determine fully following the recent works.

The significant intervention works that have taken place include trimming floor joists to allow steel channel strengthening to the floor beam (B2) and the construction of a 215mm thick dense concrete block wall against part of the northern wall to give enhanced bearing for the

floor beam (B2) and additional support to the wall beam (B4).

The consultants have advised that from a conservation engineering perspective and in considering the optimum 'philosophy of repair' of the beams above, they would not have carried out these intervention works and that they consider that the solution implemented is over engineered.

The consultants and Authority accept that the steel strengthening works and joist trimming that has been carried out to the floor beam (B2), although unfortunate, should remain as it is likely that remedial works could result in the loss of further historic fabric.

In order to remove the significant intervention of the concrete block wall, the consultants advise that the floor beam would need to be supported off a post, e.g. 200mm square oak post, set in the line of the block wall. This, they state, would lessen the intervention on the floor plan of the dining room and be a more sympathetic solution in this Grade II* listed building.

A balanced solution is required which minimises any harmful impact to the historic form, appearance and significance of the dining room and the room above.

The Authority considers that the floor joists should be realigned with the former socket holes in the historic beam, so as to cover the former joist holes. A lathe and plaster ceiling must be created in the dining room to follow the line of the former ceiling, evidence of which survives on the beam.

It is accepted that Beams 2 and 4 need to be supported effectively and additional support is desirable for the stone arch door surround. It is equally important that an acceptable conservation solution is identified. The Authority believes that the suggestions made by its structural engineers merit detailed consideration as a viable alternative solution and remains firmly of the view that the introduction of a substantial block wall is unacceptable, particularly as there appear to be alternative methods of providing the required support available.

CONCLUSION

The proposal is considered to have a detrimental impact on the special interest of the Grade II* listed building, causing harm to the significance of the designated heritage asset. Planning policy clearly establishes that any harm or loss to the significance of a listed building requires clear and convincing justification.

It is accepted that some structural works may have been required due to the effects of damp on structural timbers, but the extent of works and methods employed are not considered to be justified or acceptable.

Potentially less harmful solutions are available and have been recommended by the Authority's structural engineer that if implemented, would mitigate harm to the significance of the Grade II* listed building.

The proposed works are considered to have a harmful impact on the character, appearance and significance of the Grade II* listed farmhouse, with no over-riding public benefits to outweigh the harm, and it is therefore recommended that consent be refused.

4	Application No:	0671/15	District/Borough:	West Devon Borough
	Application Type:	Full Planning Permission	Parish:	South Tawton
	Grid Ref:	SX674921	Officer:	Jo Burgess
	Proposal:	Erection of an agricultural building to house new dairy unit milking parlour, together with hardstanding, collection yard and new access track and landscaping		
	Location:	Gooseford Farm, Whiddon Down		
	Applicant:	Mr J Courtier		
	Recommendation:	That permission be REFUSED		

Reason(s) for Refusal

1. The proposed agricultural building, hardstanding, collection yard and access track by virtue of their size, scale, form and isolated location in the landscape, would have a detrimental impact on the character and special qualities of this part of the Dartmoor landscape, and this impact would not be offset by the proposed mitigation. The proposal is contrary to policies COR1, COR3, DMD1b, DMD5 and DMD34 of the 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. In the absence of comprehensive details of the proposed enterprise, it is not considered the applicant has proved a demonstrable need for the development that is proportionate to the use of the land. The proposal is contrary to policies COR2 and DMD34 of the 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.

The panel convened at Gooseford Farm where the applicant introduced the existing farmstead, its infrastructure and the farming operations which take place there. The panel then walked to the application site where the outline of the proposed dairy parlour building, hardstanding and track had been set out with stakes and string. The Planning Officer gave a brief summary of the application under consideration and the reasons for refusal.

The applicant's agent explained the proposals form the first application in a series of applications which will establish a new dairy enterprise. The applicant described the proposed 'New Zealand' system of dairy farming, highlighting it minimises inputs, maximises outdoor grazing and, as such, locating the parlour building centrally within the pasture is critical to its viability. In answer to Members' questions it was established that milk leaving the site would be transported by a tanker entering from the site's northern access, the scheme would require outside lighting, details of which have not been submitted, and the proposed hard surface will mostly rely on percolation for drainage of surface water.

The applicant's landscape architect described the measures proposed to mitigate the scheme's landscape impact, including cutting the hardstanding into the ground, reinstating the

medieval field pattern and planting areas of native tree and shrub woodland.

The Authority's Trees and Landscape Officer responded by confirming reinstatement of the medieval field pattern would be beneficial. He went on to say, however, the development is not in keeping with the area's typical development pattern, which is characterised by nucleated settlements and clustered farm buildings located in the folds of hills. It was his opinion the proposal would have a harmful impact on the character of the landscape as viewed from multiple locations in the surrounding countryside and at a distance from the moorland to the south.

The applicant's landscape architect explained the applicant had gone to significant lengths to develop a landscape scheme they believed mitigated the visual and landscape impact. He highlighted a rebuttal of Officer's views is available for Members to view in the submitted Landscape Visual Impact Assessment.

The Parish Council stated they supported the benefits the proposal would bring to the local agricultural economy.

The panel commended the applicant on considering the venture in the current economic climate and were supportive of the enterprise in principle. However, all Members were concerned that the standalone parlour building and hardstanding would have a material impact on the landscape. All but one of the Members felt this harm would not be outweighed by the scheme's benefits. Some Members also noted that even with comprehensive details of the scheme, it was unlikely a development of the scale proposed would be acceptable on this site. Officers stated that an offer to meet with the applicant and discuss possible alternative sites was of course still available.



1. Application No: **0671/15** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **South Tawton**
Grid Ref: **SX674921** Officer: **Jo Burgess**

Proposal: **Erection of an agricultural building to house new dairy unit milking parlour, together with hardstanding, collection yard and new access track and landscaping**

Location: **Gooseford Farm, Whiddon Down**

Applicant: **Mr J Courtier**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed agricultural building, hardstanding, collection yard and access track by virtue of their size, scale, form and isolated location in the landscape, would have a detrimental impact on the character and special qualities of this part of the Dartmoor landscape, and this impact would not be offset by the proposed mitigation. The proposal is contrary to policies COR1, COR3, DMD1b, DMD5 and DMD34 of the 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. In the absence of comprehensive details of the proposed enterprise, it is not considered that the applicant has proved a demonstrable need for the building that is proportionate to the use of the land. The proposal is contrary to policies COR2 and DMD34 of the the Dartmoor National Park Development Plan and the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.

Introduction

Gooseford Farm is located in a small hamlet near Whiddon Down. The proposed building is to be located 300m north of Gooseford Cross on an elevated, isolated site in open countryside.

It is proposed to erect an agricultural building to house a new dairy unit milking parlour, in a new yard excavated into the slope and 150m long and up to 200m width. A new access track and landscaping are also proposed.

The original submission indicated a bund surrounding the yard. The amended plans indicate extensive landscaping, two buildings for winter housing and a silage storage, but these buildings DO NOT form part of this application.

The application is brought before the committee in view of the comments of the Parish Council.

Planning History

0084/15	Agricultural livestock building (24m x 19m)		
	Prior Approval	Prior Approval	13 July 2015
		Refused	

Consultations

West Devon Borough Council:	Does not wish to comment
County EEC Directorate:	No objections but a condition in respect of on site turning is recommended
Environment Agency:	Flood Risk Zone 1 - standing advice applies
DNP - Trees & Landscape:	The development does not relate well to local landscape features and other building groups and is poorly located and orientated with respect to local topography and will be an intrusive feature in the landscape
DNP - Trees & Landscape:	No comment received

Parish/Town Council Comments

South Tawton PC:	No comment received
South Tawton PC:	The Parish Council supports this application.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR18 - Providing for sustainable economic growth
COR2 - Settlement Strategies
COR4 - Design and sustainable development principles
DMD1a - Presumption in favour of sustainable development
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD3 - Sustaining the quality of places in Dartmoor National Park
DMD34 - Agricultural and forestry
DMD5 - National Park Landscape
DMD7 - Dartmoor's built environment

Representations

None to date.

Observations

INTRODUCTION

The proposal is for the erection of an agricultural building to house a new dairy unit milking parlour. The applicant presently farms a 210 acre holding as a beef and corn unit. Overall the business farms 450 acres and has 250 beef cattle. The applicant is proposing to introduce a 300 cow dairy unit to be run by his son - based purely on a grass grazing system. For this to be capable of efficient operation the parlour needs to be as central to the grazing area as possible, hence the choice of site. This is the first phase of the proposal. Further applications for cattle sheds will follow.

THE SITE

The application followed the submission of a prior notification for an agricultural building to the north of the site. The details were not approved and discussions took place with the applicant. Concerns were raised that the site was too isolated and would cause significant harm to the

character of the landscape.

POLICY

The Authority recognises the importance of the farming industry in maintaining the landscape and to the economy of the National Park. Policy DMD34 sets out criteria against which agricultural development has to be considered and this includes the need for development to relate well to local landscape and other building groups.

Policy DMD5 gives further advice regarding the need to conserve and enhance the character and special qualities of the Dartmoor landscape.

LANDSCAPE IMPACT

Following a meeting to discuss concerns regarding the application a revised Landscape and Visual Impact Assessment was submitted together with landscaping drawings showing the site enclosed with a Devon bank seeking to recreate part of the medieval field pattern with small areas of tree planting.

The site falls within Landscape Character Type (LCT) 2D Moorland Edge slopes which is a mix of pastoral and arable cultivation. Some of the medieval field boundaries have been removed but the historic field system is the defining feature of this landscape.

The submitted Landscape Assessment states that the land has characteristics that reflect the adjacent LCT 1D Inland Elevated Undulating Land. The Trees and Landscape Officer is of the opinion that the settlement pattern around Gooseford Farm fits much better into the 2D description.

It is considered that a large isolated building dug into the ground by up to 3.5m, with an extensive hardstanding around the building and an access track that cuts along the field beside the retained hedge, neither protects the remaining medieval field patterns or protects the sparsely settled character of this part of the Dartmoor landscape. Although the proposed mitigation recognises that medieval field pattern, and will help reduce the visual impact of the development to some degree, it is considered that the impact of the proposed development on the character of the landscape outweighs the landscape benefits that could be achieved.

The application is for one building only. Officers are mindful of the intention to build additional cattle sheds and other infrastructure. For example no details of the permanent sections of cattle tracks to the pastures are included with this application. The applicant has been advised that the Authority cannot consider this application in isolation and rather than a piecemeal approach has invited the submission of a comprehensive scheme for the whole complex.

DMD34 requires that there is a demonstrable need that is proportionate to the use of the land and without a comprehensive scheme officers consider that this requirement cannot be met.

The applicant has rejected this and suggested that the landscape mitigation scheme can be controlled through a condition or legal agreement and has asked for the application to be determined. The application is on the agenda because the Parish Council has supported the application.

CONCLUSION

When a new farm enterprise is proposed albeit on land farmed by the applicants' family for several generations, the case for the associated development has to be demonstrated together with evidence that it will conserve and /or enhance the character and special qualities of the Dartmoor landscape.

This application is the first stage in the establishment of a farming enterprise that will be on a large, extensive and arguably industrial scale in this isolated location unrelated to other building groups. Officers do not consider it is appropriate to deal with it in isolation and that, as proposed, it is unacceptable.
