

Meadowside Tavistock - 0015/17



Scale 1:1,000



DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

01 September 2017

SITE INSPECTIONS

Report of the Acting Head of Planning

1 Application No: **0015/17** District/Borough: **West Devon Borough**
 Application Type: **Full Planning Permission** Parish: **Whitchurch**
 Grid Ref: **SX515753** Officer: **Jo Burgess**

Proposal: **Change of Use and extension of farm office building to use as a dwelling in association with the removal of a mobile home**

Location: **Meadowside, Collaton Road, Tavistock**

Applicant: **Mr G Mudge**

Recommendation: **That permission be REFUSED**

Reason(s) for Refusal

1. The proposal includes a significant extension to the existing building, therefore does not constitute an acceptable conversion of a non-residential building outside a classified settlement. The proposal is therefore considered to be unsustainable development, harmful to the character and appearance of the building and this part of Dartmoor National Park and contrary to policies COR1, COR2, COR5, DMD1a, DMD1b, DMD3 and DMD9 of the Dartmoor National Park Authority Development Plan and to advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.

Members of the panel convened to the front of the barn and viewed the plans. The officer drew attention to the corrugated iron garage and mobile home to be removed and the location of the new porch and extension and set out the policy position.

With the permission of the Chairman, the attention of the Members was drawn by the agent to policy DMD28, which states that the permanent siting of residential caravans will not be permitted. The agent suggested that in this respect the proposal, by removing the caravan, was in accordance with that policy.

Members noted the limited accommodation proposed at first floor level and at their request the architect has confirmed that the head height within the first floor rooms varies from 1.7m to 2.4m. They also viewed the inside of the barn noting the difference in levels and extent of concrete blockwork and original stonework. To the rear Members noted the location and size of the extension in relation to the mobile home and noted that if it was an extension to a

house, it would be considered subservient in its form.

The Parish Council representative re-iterated that the Council supports the application because it will result in the removal of the structure at the front and the caravan to the rear. They also highlighted the contribution made by the applicant to the local community.

There was no Borough Council representative present.

The officer highlighted to Members that policy DMD9 is very specific in stating that a building to be converted, should be amongst other things capable of conversion without the need for substantial extension, alteration or reconstruction of the existing structure. There is nothing within the policy that allows an exception to be made.

Members asked for confirmation of the proposed floor area. Including the extension and the first floor accommodation, the new dwelling would have a floor area of 137m².

In response to questions the officer confirmed that the caravan is not subject to an agricultural tie and that although the proposed dwelling is shown to include a farm office and the applicant is clearly employed in agriculture, the proposed dwelling has not been applied for as an agricultural workers dwelling, there is no agricultural justification provided and it would not be tied in any way to Meadowside (which is subject to an agricultural tie). It would be an open market dwelling.

Members concluded that although they recognised the planning gains to be achieved from removing the mobile home and the garage on the front of the barn, the extension of the barn and the fact that it would be an open market dwelling in the open countryside made it difficult to support.

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Introduction

Meadowside is an agricultural bungalow located in open countryside east of Tavistock. It is located adjacent to a stone barn described as a farm office. Between the barn and the bungalow is a mobile home.

It is proposed to remove the mobile home and convert and extend the barn partly over the site of the mobile home to create the proposed dwelling.

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

Planning History

0348/16	Siting of a mobile home, use of building for residential purposes and retention of operational development	Certificate of Lawfulness for an existing use	Certificate issued	20 September 2016
0427/15	Replacement agricultural dwelling incorporating change of use of former barn	Full Planning Permission	Withdrawn	06 January 2016
3/54/324/94/03	Extension to existing agricultural barn and lean to building	Full Planning Permission	Refused	10 April 1995
3/54/108/92/04	Change of use of barns to sales of sheep shearing equipment, manufacture of sheep shearing trailers and sale of second hand machine tools	Change of Use	Grant Conditionally	08 February 1993
03/54/1057/90	Two storey extension to provide laundry, study and snooker room on			

	ground floor and two bedrooms and bathroom first floor		
3/54/436/75	Full Planning Permission	Grant Conditionally	27 March 1990
	Extension of period for temporary siting of a caravan for agricultural occupancy		
	Full Planning Permission	Grant Conditionally	01 September 1975
WC/5256/73	Agricultural bungalow		
	Outline Planning Permission	Grant Outline Conditionally	27 June 1973

Consultations

Environment Agency:	Flood Risk Zone 1 - standing advice applies
West Devon Borough Council:	Does not wish to comment
County EEC Directorate:	No highway implications
DNP - Ecology & Wildlife Conservation:	Works to proceed in accordance with the recommendations of the Ecological Survey Report [David F Wills, dated 8 May 2015].

Parish/Town Council Comments

Plasterdown Grouped PC:	Support - it would tidy up the dwelling and cannot be seen. Originally a Section 106 Agreement was requested but following further discussion in May, the Parish Council has now stated that it fully supports the application without a Section 106 agreement
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Relevant Development Plan Policies

- COR1 - Sustainable Development Principles
- COR15 - Providing for limited new housing to meet local needs
- COR2 - Settlement Strategies
- COR5 - Protecting the historic built environment
- COR7 - Providing for the conservation of Dartmoor's varied plant and animal life and geology
- DMD14 - Biodiversity and geological conservation
- DMD1a - Presumption in favour of sustainable development
- DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
- DMD23 - Residential development outside Local Centres and Rural Settlements
- DMD25 - Ancillary residential development
- DMD27 - Replacement dwellings in the countryside
- DMD3 - Sustaining the quality of places in Dartmoor National Park
- DMD8 - Changes to Historic Buildings

Representations

None to date.

Observations

INTRODUCTION

This application follows significant pre application discussions and the earlier submission of a similar application (0427/15) which was withdrawn following a recommendation for refusal. A subsequent Certificate of Lawfulness application was granted in September 2016 for the siting of a residential mobile home (0348/16).

POLICY CONSIDERATIONS

Policy DMD1b states that within the Dartmoor 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. The National Planning Policy Framework (NPPF) attributes great weight to these considerations within National Parks, emphasising the conservation of cultural heritage as an important consideration.

Policy COR2 states that development will be acceptable in principle in the countryside where it would sustain buildings or structures that contribute to the distinctive landscape or special qualities of the Dartmoor National Park, where those assets would otherwise be at risk and where development can be accomplished without adversely affecting the qualities of those buildings or structures.

Policy COR15 states that outside Local Centres and Rural Settlements, housing development will be restricted to that serving the proven needs of agriculture or other essential rural businesses or through the appropriate conversion of rural buildings to meet identified local needs for affordable housing.

Policy DMD9 supports the principle of conversion of appropriate traditional buildings in the countryside into affordable housing for local persons in cases where a business or community use has been shown to be not viable or feasible. This is subject to the building demonstrating a form, structure or history that is traditional to Dartmoor, being capable of conversion without need for substantial alteration/extension or significant changes in the relationship with existing ground levels, conversion works being in-keeping with local building styles and materials and not adversely impacting rural character, retaining significant historic or architectural elements and sustaining the setting of the building. The building should also be sited where there is reasonable access to local services and facilities preferably by a variety of means of transport.

The Design Guide provides specific guidance on alterations to historic buildings and the conversion of traditional farm buildings. It requires conversion schemes to respect the building's original character and function, states that the layout will impose limits on what is achievable, requires schemes to work within the existing envelope of the building and avoid extensions, avoid new wall openings and resist temptation to add domestic detailing which damage character (barge boards, fascias, rainwater goods).

Policy DMD23 supports the principle of dwellings where they are required for an agriculture holding or rural based business or conversion of an existing building to an affordable dwelling if the conversion is compliant with Policy DMD9.

THE PROPOSAL

The barn is currently used in association with the applicants farm and sheep shearing machinery business. The barn currently houses the rayburn and hot water cylinder associated

with the mobile home.

It is proposed to convert the majority of the barn into a dwelling with a 20sqm farm office on the ground floor. It is proposed to remove the mobile home being lived in by the applicant to the rear of the barn and extend over part of the footprint of the mobile home. The size of the extension has been reduced from the 2015 proposal by two metres in depth and 1 metre in width .

PLANNING HISTORY

A caravan was approved in 1975 to provide temporary accommodation during building works associated with the erection of the agriculturally tied bungalow approved in 1973. In 1978 a short term planning permission was granted for the temporary siting of a further caravan. The caravan was not removed in 1980 as required by a planning condition. It continued to be occupied and was replaced with a new mobile home in the early 90s without reference to the Authority.

The caravan was lived in by the parents of the applicant and then when they passed away the applicant and his wife moved into the mobile home in order that his son and young family could move into Meadowside. The applicant, his son and wife are employed full time in agriculture (including within the shearing and shearing equipment business).

In 2016 a Certificate established that the mobile home has been sited on the land and used for residential purpose for a continuous period in excess of ten years. The Certificate specifically states that neither the barn or the mobile home are a Class C3 dwelling. (The mobile home is a caravan and not a building so legally cannot be used as a Class C3 dwelling).

This legal definition is the reason why the application is not described as a replacement dwelling and why policy DMD27 does NOT strictly apply.

The Certificate of Lawfulness allows the caravan to be occupied for residential purposes without an agricultural occupancy restriction.

USE OF THE BARN

The barn was in agricultural use when the agricultural dwelling was approved in 1973. It is presently used for storage and an office in association with the farm and sheep shearing business. The barn also houses a rayburn and water cylinder and pipework links them to the mobile home; however these alterations to the interior of the building do not engage planning control and in the third schedule of the Certificate were specifically excluded. The free standing metal walkway adjacent to the mobile home (linking it to the barn) was also specifically excluded because it was deemed to be a chattel and not development.

CONVERSION OF THE BUILDING

Policy DMD9 supports the principle of conversion of appropriate traditional buildings in the countryside into affordable housing for local persons or an agricultural or rural worker in cases where a business or community use has been shown to be not viable or feasible. Policy DMD9 relates to the conversion of traditional rural buildings where such buildings are no longer needed in their original uses, the only guarantee of protection and proper maintenance may be to enable appropriate new sustainable uses to be carried on. The NPPF refers to the re-use of 'redundant' or 'disused' buildings; the building is currently used in association with the

farm business and it is proposed to continue to use part of the building as a farm office.

POSITIVE ELEMENTS OF THE CONVERSION

The internal character of the barn has already been compromised by the existing use and replacement roof some years ago but it is considered that although the barn has limited historic interest, what character it has, can be enhanced and its appearance much improved by the new use and associated works. The proposal to replace the metal sheet roof with slate on a suitably pitched roof with a ridge raised by 600mm will enhance the character of the building. The removal of the timber framed garage on the front of the barn which is very unsightly and in the public domain, will improve the visual appearance and setting of the barn and will expose the original form of the building. Although three small windows are proposed on the front elevation, the form of these is appropriate to the character of the building.

Although the barn is not a designated or local heritage asset, historic maps show that it was built prior to 1919 so it is considered to be a traditional building. The conversion would expose and use the traditional and original parts of the building and reinstate the slate pitched roof in place of the profiled roof panels that currently exist.

NEGATIVE ASPECTS OF THE CONVERSION

The 2016 Certificate of Lawfulness established that the works to repair and rebuild the barn and the installation of two uPVC double glazed windows in the gables at upper level and one window on the rear were lawful. The proposal seeks to replace one of the lawful uPVC windows in the south west elevation and install new double glazed windows and doors in film coated uPVC throughout.

Policy DMD9 states that the proposed conversion work should be in keeping with local building styles and materials, not adversely affecting the rural character and appearance of the locality or significant public views. The building is visible in the public domain so the details of the conversion are critical. Although samples of the film coated finish have been submitted and notwithstanding the existing uPVC windows, it is not considered appropriate to install uPVC in a traditional building. The Design Guide (P78) discourages the use of uPVC for windows and doors as the materials and processes used are unsustainable. A condition requiring details of timber joinery to be submitted would therefore be considered necessary

A 6.5m deep extension is proposed to the rear of the building with a slate roof. DMD9 specifically states that when converting non residential buildings outside classified settlements, the building should be capable of conversion without the need for substantial extension, alteration or reconstruction of the existing structure. A substantial extension (36sqm) is proposed which equates to approximately half the floor area of the existing mobile home. Although the extension by virtue of the footprint will necessitate the removal of the residential caravan, this is not considered to be a strong enough reason to approve a substantial extension to the barn. The extension is clearly contrary to policy.

The porch shown on the front elevation is an additional extension which being on the roadside elevation, will draw attention to the residential use of the barn and is considered to be inappropriate.

POLICY DMD23

This policy states that residential development in the open countryside will only be granted

under very limited circumstances including where the proposal comprises the conversion of an existing building to an affordable dwelling and the conversion is compliant with policy DMD9.

As set out in the adopted affordable housing SPD, affordable housing has to be of a sale or rental value which is within the reach of a qualifying person.

The dwelling is 137sqm, well in excess of the 85sqm set out in the affordable housing SPD for a three bedroom affordable house. The proposal is therefore a large unjustified open market dwelling in the open countryside which by virtue of its size is unlikely to be affordable within the terms set out in the SPD.

Members are advised that in order to avoid the creation of a new dwelling in the open countryside and following the initial recommendation of the Parish Council, some discussion took place regarding linking the new dwelling to Meadowside by means of an ancillary tie. The applicant was not willing to accept such a restriction and officers have come to a view that in this case, such a tie would not be appropriate under the terms of policy DMD25.

POLICIES DMD24 & DMD27

The caravan is not a dwelling and as such these policies do not apply, however the following is provided for information.

The current mobile home is 80sqm in area and has two bedrooms. The normal 30% increase permissible as householder extensions by DMD24 would allow for an additional 24m² making a total floor area 104m².

The proposed dwelling includes 48sqm of accommodation in the new roof space and 36sqm in the extension and has three bedrooms. The total floor area of the proposed dwelling is 137sqm. This represents a 58% increase in the residential floor area.

The volume of the caravan is 239 cubic metres. The total volume of the proposed building is 475cum including 142cum within the extension, plus 97cum for the farm office. The 50% increase in volume is well in excess of the normal 15% set out in policy DMD27.

ACCESSIBILITY

Turning to other considerations, Policy DMD9 requires that a building to be converted should be sited where there is reasonable access to local services and facilities preferably by a variety of means of transport. This echoes the sustainability principles of the Development Plan. The building is approximately 1km from the B3357 at Moorshop and close to Tavistock.

PROTECTED SPECIES

In terms of protected species, a survey has been submitted and its requirements could be covered by a condition should permission be granted.

SUMMARY

The proposal would result in the removal of a large unsightly mobile home. The mobile home is visible from the lane leading up to the farm and the public right of way running through the farm so its removal would be a visual enhancement to the farmstead.

It is also noted that in terms of DMD1a, the proposal would be much more sustainable in terms of embodied energy and insulation than the existing caravan.

Notwithstanding the above, the extension represents a 'substantial extension and alteration to the building' and is therefore contrary to DMD9.

CONCLUSION

In coming to a recommendation the benefits of removing the mobile home and renovating the barn have to be weighed against the planning history and relevant planning policies.

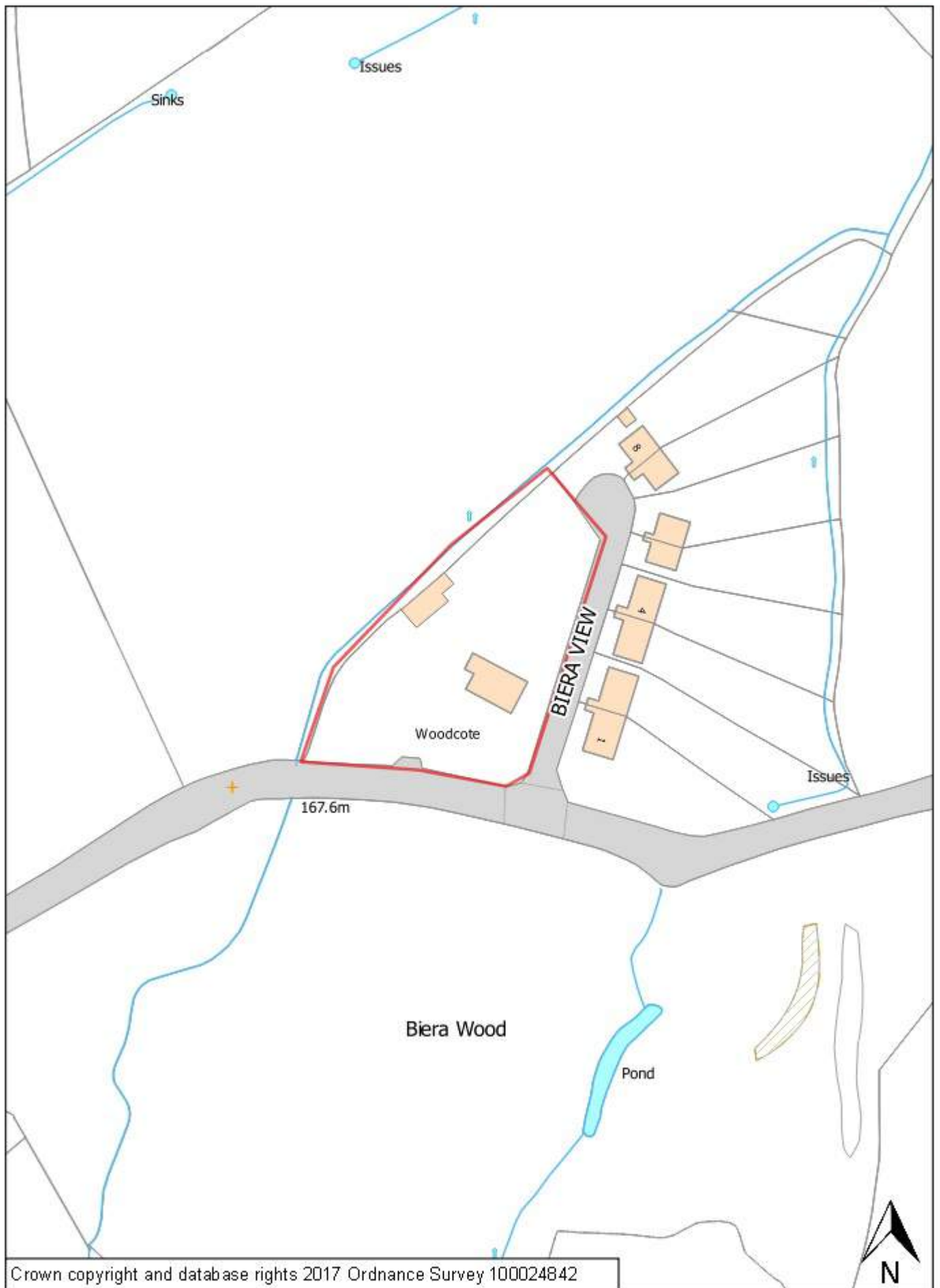
COR1 and DMD1a reflect the presumption in favour of sustainable development and policies COR5 and DMD9 clearly set out that to be environmentally sustainable, proposals to convert existing 'historic' buildings in the open countryside should not require substantial extension, alteration or reconstruction of the existing structure.

The existing mobile home provides very modest accommodation and officers consider that a small increase in residential floor area available to the applicant would not be inappropriate, but should be within the existing building. Given the extension to the building, it is not considered that the benefits outweigh the policy objections in this case. It is therefore recommended that planning permission is refused.

Woodcote, Chagford 0274/17



Scale 1:1,000



2 Application No: **0274/17** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Chagford**
Grid Ref: **SX704876** Officer: **Jo Burgess**

Proposal: **Demolition of dwelling, erection of five dwellings and alteration to access**

Location: **Woodcote, Chagford**

Applicant: **Lawson Homes**

Recommendation: **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed development would result in additional unjustified open market dwellings in a Local Centre where there is a demonstrated need for affordable housing, without significant positive environmental improvement, contrary to policies COR2, COR15 and DMD21 of the Dartmoor National Park Development Plan and the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.
2. The proposed development by virtue of its layout, the size of the dwellings, scale, form and design would be detrimental to the character and appearance of the site and its surroundings contrary to policies COR1, COR4, DMD7 and DMD21 of the Dartmoor National Park Development Plan and the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.
3. The proposed development by virtue of the proximity of dwellings within the development will significantly reduce the levels of daylight and have an overbearing and dominant impact on the amenity of residents contrary to policies COR1, COR4, DMD3 and DMD4 of the Dartmoor National Park Authority 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 Members convened at the site where the applicants had erected posts indicating the corners of the plots 1 and 5.

With respect to the first reason for refusal the officer highlighted to Members that the site is within the settlement boundary for Chagford and that in accordance with policy DMD21, two of the four additional properties on the site should be affordable. It is proposed to erect 5no five bedroom open market dwellings. The officer also quoted a recent appeal decision at Exmoor which supports the view taken by officers that the government policy concerning thresholds for affordable housing should be weighed against local needs particularly for affordable housing. In response to a query from the Borough Council representative, the officer confirmed that the Housing Need survey was carried out in 2013 and that the current recommendation was based on advice from the West Devon Borough Council Housing Officer.

With respect to the second reason for refusal the Members viewed the layout of the proposed development. The officer drew attention to the presentation of plots 1 and 5 to the lane and the applicants indicated their willingness to treat the existing roadside wall to provide additional screening if it was deemed to be required. The Members noted the relationship with the existing dwellings in Biera View.

With respect to design issues and matters raised by the applicants, the Borough Council representative highlighted the collaborative nature of the design process associated with the CG Fry development and the officer reminded Members that the original submission on the CG Fry site was subject to a wholesale revision to address design and privacy issues during the course of the application.

With respect to the third reason for refusal the officer confirmed that the concerns regarding privacy are within the site and that the privacy issues previously identified in relation to the CG Fry site have been overcome to the satisfaction of CG Fry and officers. In response to questions from the Members the officer confirmed that the required separation is set out in the Design Guide and that it relates to window to window distances.

The Parish Council representative re-iterated the Councils' support for the application and highlighted concerns that if too much affordable housing is provided at once it would be occupied by those from outside the Parish. The proposed houses are considered by the Parish Council to provide modest family homes. The plans show a floor area of 185.6m² and five bedrooms in each house.

The Borough Council representative considered that it was inappropriate for any new dwellings to be too large or for the social housing to be provided all at one time. He considered that there was little merit in the existing house and that the scale of development would not be out of keeping in this location. The officer confirmed that delivery of the social housing on the CG Fry site would be phased throughout the delivery of the development.

The Members considered that the principle of development on this scale was acceptable but were divided on the affordable housing issue. The majority considered that notwithstanding any requirement for affordable housing, the site demanded the highest quality of design and in this case this had not been achieved.

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 Grid Ref: **SX704876** Officer: **Jo Burgess**

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Location: **Woodcote, Chagford**

Applicant: **Lawson Homes**

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Introduction

Woodcote is a bungalow on the edge of Chagford with access onto Woodcott Lane. The site is within the settlement boundary set out on the inset map therefore policies DMD45 and DMD21 apply.

The boundary of the site with the road is formed by a stone wall and to the east is a non-native hedge separating the site from Biera View - a cul-de-sac that terminates adjacent to the northern point of the site. To the west and north west is the site allocated in CHG2 which has permission subject to the completion of a Section 106 agreement for 93 dwellings, B1 business units and a new fire station. Houses with rear gardens are shown on the approved plans adjacent to the boundary with a separation distance of 14.5m.

It is proposed that all the dwellings will be open market and are indicated to be approximately 158m² (external floor area), well in excess of the size required for 4 bed affordable dwellings (95m²- DCLG Technical Housing Standards 2015).

Planning History

0662/16	Demolition of dwelling, erection of five dwellings with improved access	Full Planning Permission	Refused	08 February 2017
0218/15	Erection of two dwellings and enlargement of existing access	Full Planning Permission	Withdrawn	04 June 2015
0328/11	Retrospective replacement of existing garage and store room	Full Planning Permission - Householder	Grant Conditionally	16 August 2011
0667/03	Erection of rentable social housing and flats; four one-bed flats and two two-bed houses	Outline Planning Permission	Refused	10 October 2003
0673/02	Erection of affordable housing and flats; four 1-bedroom flats and two 2-bedroom houses	Outline Planning Permission	Withdrawn	02 October 2002
0645/01	Three dwellings for self-build	Outline Planning Permission	Refused	05 December 2001

Consultations

Environment Agency:	Flood Risk Zone 1 - standing advice applies
West Devon Borough Council:	Confirms that the site allocated as CHG1 is unlikely to progress during the timescale of the Development Plan
County EEC Directorate:	The proposed alterations to the access and visibility are adequate to serve the proposed development from a highway safety point of view and a condition requiring the provision of the access, turning area, parking and access drainage is recommended.
DNP - Trees & Landscape:	The proposed development has not identified two trees growing on the site and the proposed layout shows that neither tree will be retained. The apple tree is an attractive specimen and consideration should be given to retaining this tree within the development
Devon County Council (Flood Risk):	Following an objection, the applicant has provided a suitable surface water drainage management plan. On this basis pre-commencement conditions are requested in relation to the design of the proposed surface water drainage management system and details of it's adoption and maintenance.
DNP - Archaeology:	No objections
DNP - Ecology & Wildlife Conservation:	Works to proceed in accordance with the recommendations of the submitted report
South West Water:	There is a public sewer in the vicinity and no development will be permitted within 3 metres of the sewer. Should the sewer encroach on the 3m easement the sewer will need to be diverted.

Parish/Town Council Comments

Chagford PC:	The parish council supports the application because it is
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within the 30mph zone, it will result in family housing for sale and Woodcote has always blocked the view from Biera View.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR15 - Providing for limited new housing to meet local needs
COR2 - Settlement Strategies
COR24 - Protecting water resources from depletion and pollution
COR4 - Design and sustainable development principles
COR7 - Providing for the conservation of Dartmoor's varied plant and animal life and geology
DMD14 - Biodiversity and geological conservation
DMD1a - Presumption in favour of sustainable development
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD21 - Residential development in Local Centres
DMD3 - Sustaining the quality of places in Dartmoor National Park
DMD38 - Access onto the highway
DMD4 - Protecting local amenity
DMD45 - Settlement boundaries
DMD7 - Dartmoor's built environment

Representations

3 letters of objection 1 letter of support

The representative of CG Fry the developers of the adjacent site has written to support the application.

Two residents of Biera View and one other nearby resident have objected to the application on grounds of inadequate access, impact on parking and the adjacent lane, amenity and the layout of the development.

Observations

INTRODUCTION

The application proposes the demolition of an existing chalet bungalow which is located on a 0.2ha plot and the erection of five open market dwellings, together with alterations to the access onto Woodcott Lane.

This application has been advertised as a departure because open market housing is proposed, whereas the settlement strategy set out in policies COR2, COR15 and DMD21 requires two of the four additional units to be affordable.

PLANNING HISTORY

Pre application discussions were held at which time the policy requirement in DMD21 in respect of affordable housing was highlighted and at that time the applicant was considering affordable self build as a custom build which was supported by officers.

In June 2016 following the government issuing the Written Ministerial Statement (WMS), an Interim Statement was adopted by the Authority, adopting a lower threshold of five units or less. The Statement sets out that "proposals which do not offer affordable housing consistent with the adopted policies in the local plan will need to demonstrate how they constitute sustainable development. We believe that the provision of affordable housing on-site remains the most appropriate use of development land in the National Park".

It was in the context of this statement that the 2016 application was submitted.

At the end of 2016 in light of appeal decisions at Yelverton and elsewhere in the country, the Authority came to the view that although the WMS and the Interim Statement issued by the Authority following the High Court decision were material planning considerations, the policies in the Development Plan retained primacy.

In March 2017 clarification was provided in a letter from the Planning Inspectorate to the Authorities affected by inconsistent appeal decisions elsewhere. It stated :-

"The statutory position is that planning applications must be decided in accordance with the development plan unless material considerations indicate otherwise."

It went on to comment that "local policies still have weight as a starting point and the WMS comes into play as a material consideration which post-dates the plan, and which has to be balanced against the plan and the evidence base supporting the LPA's application of the policy".

The Development Plan makes it clear that there is no expectation that the National Park will provide housing to fulfil the constituent district's strategic housing provision and the Authority's housing target is strictly related to needs that arise within the National Park. This approach is consistent with the National Parks and Broads Circular Para 78 which states "The Government recognises that the Parks are not suitable locations for unrestricted housing and does not therefore provide general housing targets for them. The expectation is that new housing will be focused on meeting affordable housing requirements, supporting local employment opportunities and key services".

CURRENT POSITION

West Devon Borough Council (WDBC) has confirmed that up to date information from the Housing Need Registers confirm a need for 39 dwellings in Chagford. 28 will be provided on the adjacent site leaving a need for 11 unfulfilled. It is important to note the advice from WDBC Housing Officer that it may be some time before affordable homes become available on the CHG1 site at Lamb Park.

Opportunities to satisfy the outstanding need on sites within the Development Boundary that are otherwise acceptable, need therefore to be taken and the requirements of the policies in the Development Plan in this respect retain primacy over the other material planning considerations.

The applicant has submitted an Affordable Housing Statement that presents a number of appeal decisions and argues that the allocation in CHG1 and the contribution towards affordable housing provision from the Blue Cedar development, are relevant local circumstances. It is argued that these circumstances do not mean that an exception to

national policy is justified and that the scheme does not need to provide any affordable housing.

It is worth noting that the purpose of the WMS is not to place a disproportionate affordable housing burden on small sites. The applicant in this case contests the affordable housing requirements in principle, however, and has provided no evidence that the provision of affordable housing would be unviable.

It should be noted that the houses proposed exceed the sizes set out in the Affordable Housing SPD (at 158.8m² external floor area as opposed to the 95m²) and therefore are considered unsuitable to meet the Intermediate Housing Model requirements.

In proposing four additional open market houses on a site within the settlement boundary, and making no provision for affordable housing, the proposed development does not meet the requirements of policies COR2, COR15 and DMD21 in particular and on balance it is considered that given the housing situation in the National Park and the evidence provided by the housing authority, the Development Plan should be given significant and substantial weight. Given this conclusion the development is not considered to be sustainable development in accordance with the Development Plan, the NPPF or the Authority's adopted Interim Statement.

DESIGN AND LAYOUT

The site is within the development boundary of Chagford with the proposed 93 house development to the north west. The proposed houses will be detached and will face other houses on the opposite side of a new road. Beira View to the east is a former Local Authority cul-de-sac of semi detached properties facing the narrow estate road which has a turning area at its northern end.

The proposed development is accessed off Woodcote Lane with the layout partly dictated by highway visibility requirements.

It is proposed to site 5 dwellings off a two pronged cul-de-sac. The rear elevation of plot 5 and the gable elevation of plot 1 will face the road and much further forward than the existing chalet bungalow. It is noted that the gable end of the nearest dwelling to the road in Beira View faces the road. The majority of the wall and part of the hedge are to be retained as a means of enclosure.

The layout has sought to reduce the impact on Beira View but in so doing, the layout and form of the dwellings results in a cramped form of development which does not present an attractive face to the lane or within the development. The wall fronting the lane only provides limited screening of the site and the submitted roadside elevation drawing demonstrates that the presentation to the lane will be bland, bulky and out of keeping with surrounding development. Although hedges are indicated on the block plan, it is not clear how the site will be landscaped. An attractive mature apple tree on the site has not been shown to be retained and the trees officer has advised that this should have been considered in the layout.

Although slate roofs, render and timber cladding are proposed, in terms of design there is little reference to the Dartmoor vernacular and the plans present a bland housing estate with no local distinctiveness. Policy DMD3 requires development to respond to and reinforce locally distinctive patterns of development and landscape. It also requires there to be a clear distinction between public and private spaces and for development to reflect the principles set

out in the Dartmoor Design Guide. Policy DMD7 expands on this. It is felt that the proposed development does not demonstrate that it will conserve or enhance the character of the local built environment and that with less houses and a different approach a more appropriate development could be achieved on this site.

AMENITY

The layout within the site, although it preserves the privacy of the houses in Biera View, results in unsatisfactory relationships between the front elevations of units 4 and 5 and 3 and 4. The design guide sets out a privacy distance of 21m, whereas the distances between these plots are 15m and 9m respectively.

The relationship between plot 2 on the application site and plot 20 on the adjacent site has been addressed to the satisfaction of the adjacent developer. By virtue of the levels and position of windows, the privacy for plot 20 and plot 2 has now been protected in accordance with the Design Guide and policy DMD4 and officers are satisfied that the residential amenity of both properties will be protected.

SURFACE WATER

With respect to surface water, Devon County Council originally advised that there was insufficient information in relation to surface water drainage in order for the application to be determined. A surface water drainage management plan has now been submitted with additional information. Conditions have been requested to satisfy DMD3 and COR8 which require sustainable drainage systems to be incorporated into development .

ECOLOGY

A protected species assessment has been submitted and recommendations made to safeguard breeding birds. These recommendations should be a condition of approval.

CONCLUSION

Although the applicant has addressed the privacy issues in terms of the adjacent site, no changes have been made to the layout and form of the proposed dwellings. As proposed the development is not acceptable for the design, layout and amenity reasons given. The drainage issue has now been resolved.

Fundamentally there is a disagreement between the applicant and the Authority as to whether or not affordable housing should be required in this case. The Authority remains of the view that although the WMS remains a material planning consideration it does not outweigh the policies in the Development Plan in this instance and that two of the four new dwellings should be affordable.

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

01 September 2017

APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Report of the Acting Head of Planning

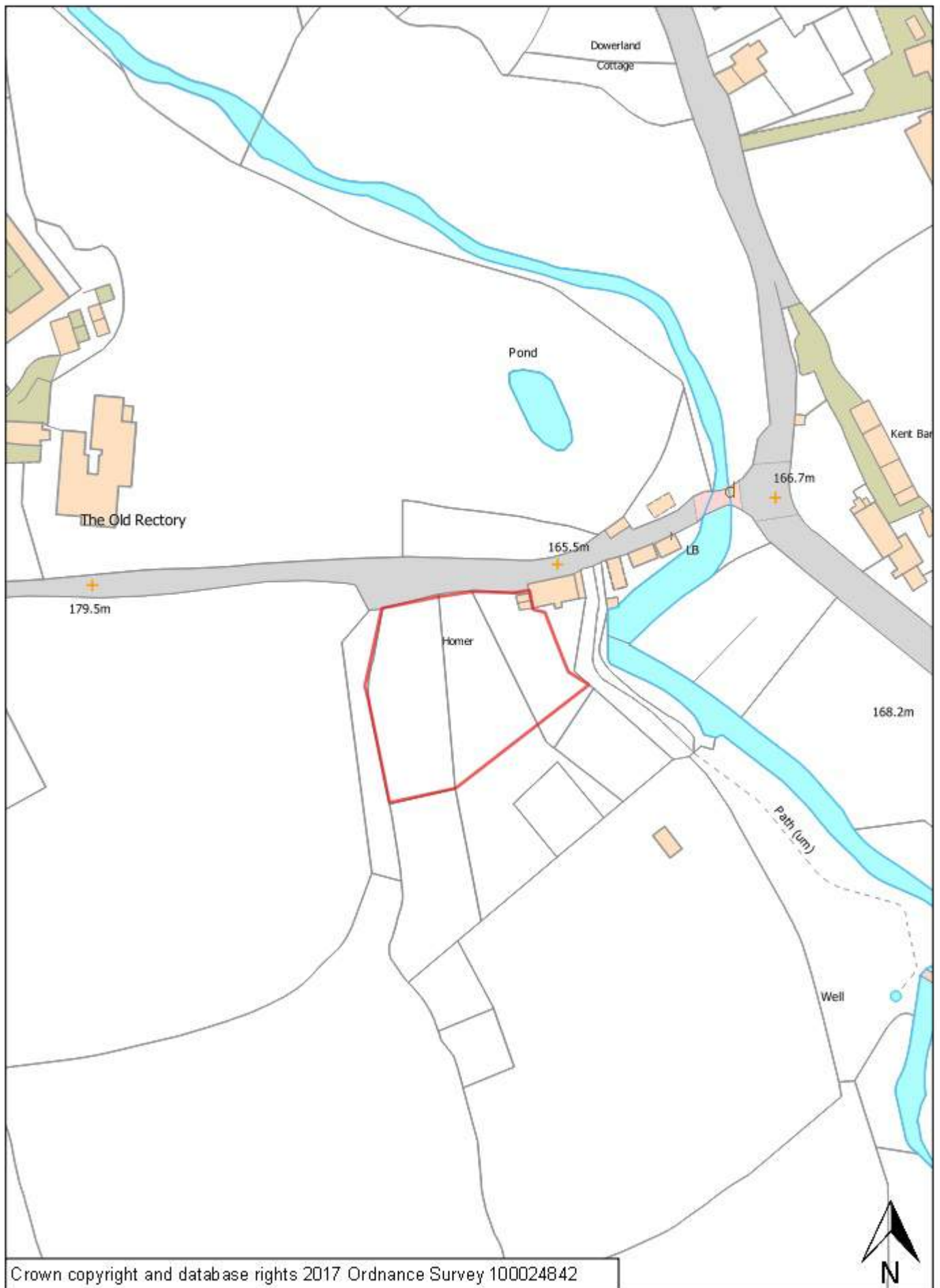
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Homer, Mary Tavy - 0363/17



Scale 1:1,250



1. Application No: **0363/17** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Mary Tavy**
Grid Ref: **SX507788** Officer: **Jo Burgess**

Proposal: **Creation of new access drive and gate to agricultural fields including taking down of existing bank and hedgerow**

Location: **Homer, Mary Tavy**

Applicant: **Mr & Mrs A Cartwright**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed vehicular access by reason of the extent of the loss of an important hedgerow and hedge bank, the engineering works required and dimensions of the access as shown and as required by the highway authority, will have a harmful visual impact on and detract from the character and appearance of this part of the lane and the Mary Tavy Conservation Area. The proposal is therefore contrary to policies COR1, COR2, COR3, DMD3, DMD5, DMD12 and DMD38 of the Dartmoor National Park Authority Development Plan, to the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and to the National Planning Policy Framework 2012.
2. The hedgebank makes a positive contribution to the character and appearance of the Conservation Area. The removal of the hedgebank would cause harm to the significance of the heritage asset (Conservation Area) and although this harm would be less than substantial there are no public benefits from the proposal. The proposal is contrary to policy DMD8 and to the advice in the National Planning Policy Framework 2012.

Introduction

Homer is a two-storey dwelling located within the Rural Settlement of Mary Tavy. It is also within the Conservation Area. Adjacent to the property are fields totalling 16 acres in the ownership of the applicant.

This is a revised application following the refusal of 0653/16 in March 2017. It is proposed to remove an existing earth bank and hedge in order to form a new vehicular access to the immediate west of the dwelling to gain access to the fields to the west of the Cholwell Brook.

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

Planning History

0653/16	Creation of new access drive and gate to agricultural fields including taking down of existing bank and hedgerow		
	Full Planning Permission	Refused	06 March 2017
0306/08	Extension to provide garden room, new staircase and bedroom		
	Full Planning Permission	Grant Conditionally	06 June 2008
0071/08	Extension to provide garden room, new staircase and bedroom		
	Full Planning Permission	Withdrawn	20 March 2008

Consultations

Environment Agency:	Flood Risk Zone 1 - standing advice applies
West Devon Borough Council:	Does not wish to comment
County EEC Directorate:	The proposed access is acceptable in principle from a highway point of view and provided with suitable geometry and visibility. However, the verge back to the fence forms part of the publicly maintained highway so the construction of the access within the limits of the public highway will need to comply with the highway authority requirements and will need to be the subject of an appropriate licence from the highway authority. The electricity pole will also need to be relocated.
DNP - Building Conservation Officer:	Unable to support the application. The hedge bank makes a positive contribution to the character and appearance of the Conservation Area and its removal would not preserve the character and appearance of the Conservation Area. The removal would cause harm to the heritage asset but would be less than substantial. Only where this is outweighed by public benefit would it be appropriate to carry out the development but in this case there is only private benefit from the new vehicular access.
DNP - Trees & Landscape:	Objection with same comments as submitted in respect of previous application
DNP - Ecology & Wildlife Conservation:	<p>An Ecological Scoping and Hedgerow Assessment report has been submitted with the application. The proposals will result in the loss of 18 metres of species-rich hedgerow assessed as 'important' under the Hedgerow Regulations 1997. A small area of grassland will also be lost.</p> <p>The proposals have been amended since the ecological assessment was produced in order to reduce the visual impact. The loss of hedge is now less than stated and more hedge will be reinstated. However the report is still relevant.</p> <p>The hedgerow provides potential habitat for dormouse, nesting birds, foraging and commuting bats and amphibians. The grassland provides potential habitat for reptiles and badger.</p> <p>Mitigation recommendations are made including timing of works, precautionary working methods and habitat management and hedgerow removal prior to works. These recommendations should be a condition of approval.</p>
Devon County Council (Flood Risk):	No objection to the proposals

Parish/Town Council Comments

Mary Tavy PC:	Supports the application. The Parish Council noted that the proposal previously gained the support of the Ecologist and
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Highways Officer. This application has narrowed the drive entrance, has increased the amount of grass and new hedging and the parish council considers that it should satisfy all ecological, environmental, drainage and wildlife concerns. The impact of the resident having a safe entrance to their home has to be weighed against the possible impact on the character of the lane. The Parish Council feels that the entrance would not be detrimental to the character of the lane.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR2 - Settlement Strategies

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

COR3 - Protection of Dartmoor's special environmental qualities

COR4 - Design and sustainable development principles

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

COR8 - Meeting the challenge of climate change

DMD12 - Conservation Areas

DMD14 - Biodiversity and geological conservation

DMD1a - Presumption in favour of sustainable development

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

DMD3 - Sustaining the quality of places in Dartmoor National Park

DMD38 - Access onto the highway

DMD4 - Protecting local amenity

DMD5 - National Park Landscape

DMD7 - Dartmoor's built environment

DMD8 - Changes to Historic Buildings

Representations

3 letters of support

Letters of support have been received from near neighbours commenting on the improvement to safety, the ability of the applicants to access their land and the reduction in the scale of the access to minimize the visual impact.

Observations

INTRODUCTION

Homer is a dwelling with 16 acres of land attached on both sides of the Cholwell Brook. Access to the dwelling is via a 2.2m wide gate adjacent to the house and parking and garaging is located on a small triangle of land on the opposite side of the road.

There are field gates to the land east of Cholwell Brook and a gate is shown off the A386 to the fields to the south west of the dwelling.

The applicant states that access to the fields is proposed to allow convenient access for

bringing animal feed, straw, hay and animals onto the land; however site inspection demonstrates that the access terminates within the extended domestic curtilage immediately to the side and rear of the dwelling.

THE PROPOSAL

It is proposed to create a new access point immediately to the west of Homer. The existing earth bank and small stone retaining wall will be removed across the full width of 16m along with the hedge above. The bank height above the road averages around 1.7m with the hedge an additional 1m. The field level is approximately 1.5m higher than the road and thus the bank and hedge are reduced on the field side.

The access drive has been reduced from 4m to 2.4m in width and slope up from the road at approximately 1 in 11. A new field gate will be set back 6m from the road to allow vehicles and trailers to pull off the road and thus avoid any interference with traffic flow. Vision splays of 20m are provided, sufficient for the 30mph speed limit as set out by Devon County Highways. These areas will be kept free of any planting and obstructions above 600mm.

The apron to the access will be concrete with a galvanised slot drain across the junction to prevent any surface water spillage onto the road. This will drain into the existing system running down the hill in front of the dwelling.

New timber post and rail fencing will be provided with a hedge planted in front and behind it. The mix of species will match the former hedge. The banks are shown to be curved into the site and graded with the fence behind whereas previous a post and rail fence was shown in front of the planting.

The track beyond the gate will be surfaced with stone chippings with a hammerhead to provide a turning area.

POLICY

COR1 requires development to respect or enhance the character, quality or tranquillity of the local landscape. COR3 requires development to conserve or enhance the characteristic landscapes and features that contribute to Dartmoor's special environmental qualities, including field boundaries, lanes, historic landscapes and features.

The site is in the Conservation Area where policy DMD12 is relevant.

Policy DMD38 applies to new accesses onto the public highway and states that new accesses will only be granted where a safe access can be provided in a way which does not detract from the character and appearance of the locality. Particular attention should be given to the need to retain hedge banks, hedges and walls and roadside trees.

HIGHWAY SAFETY

The plans show an access that complies with highways and drainage requirements. It therefore complies with COR21.

IMPACT ON CONSERVATION AREA

Bullers Lane provides the link from the A386 across the Cholwell Brook to the centre of the

village including the church and is within the Conservation Area. The Conservation Area was designated in 2008 and the Conservation Area Appraisal sets out the development of the settlement which was concentrated around the Church. The Conservation Area is a designated heritage asset.

Bullers Lane linked the village to the main road where the Mary Tavy Inn (formerly the Bullers Arms) is located so is of considerable significance. The Old Rectory is half way up the lane and is where in 1850 The Reverend Anthony Buller lived. The boundary of the Conservation Area was drawn to include the lane and the landscape setting of the village including the fields to the south of the lane within the ownership of the applicants.

The lane is an important link between the Mary Tavy Inn and the old village surrounding the church. Stone banks in the Conservation Area make an important contribution to the rural character of enclosures throughout the village. The removal of the hedge bank would not preserve the character and appearance of the Conservation Area contrary to policy DMD12.

Policy DMD8 relates to listed buildings and other heritage assets. The Building Conservation Officer has concluded that the harm is less than substantial. Paragraph 134 of the NPPF requires that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal'. In this case the benefits are private rather than public and it is not therefore considered that it is appropriate to grant permission in this case.

Reference is made in the application to other accesses onto the lane in particular the access to the Old Rectory. This was given permission in 2000 and reflected the advice of the Highways Officer. At that time it was considered by officers that the removal of a small section of hedgerow to provide a safer access through the garden to The Old Rectory was acceptable. In this case the existing gateway was being re-instated to match the existing hedgerow. The creation of what was described as a 'rather grand entrance' was to satisfy the requirements of the highways officer and considered not to be out of place for this type of (Listed) Building. At that time the Conservation Area had not been designated and the Landscape Character Assessment was not in place.

The access proposed is a new access and the circumstances are very different in that it is within the designated Conservation Area as are the fields in the ownership of the applicant to the south. Policy DMD12 together with DMD8 are therefore critical.

IMPACT ON HEDGEROW AND LANDSCAPE CHARACTER

The bank and associated hedgerow to be removed appear on the Mary Tavy Tithe map and as such the hedgerow is classed as important. Its removal and the creation of a very large engineered access splay not only has a detrimental impact on the historic hedgerow but also on the rural character of the lane. It will neither preserve or enhance the character and appearance of the Conservation Area or this part of the Dartmoor landscape.

The field system immediately around Homer is likely to be medieval in origin. The site is a small paddock associated with the dwelling which is now being described as a farmhouse. The surrounding landscape comprises medium sized fields enclosed with Devon hedge banks, the fields being used for grazing. Small narrow winding lanes link the settlements and isolated properties.

The Landscape Character Assessment valued attributes for 1D Inland Undulating Elevated

Land include the strong medieval field pattern and scattered villages, hamlets and farmsteads linked by narrow lanes. Narrow lanes are a defining feature of this landscape and the proposed access, because of the size and scale of the engineering works, will have a detrimental impact on the character of the lane.

DMD5 is very clear that development should conserve and/or enhance the character of Dartmoor's landscape and this development will not do this because it does not respect the valued attributes of the landscape type. It will be very visible and although a new native hedge is proposed along the new internal field boundary, it will not retain the historical character of the landscape.

Reference is made to a new access at The Old Rectory 50m to the west, however this was permitted in 2000, prior to the Landscape Character Assessment and in this case an existing access was closed and there was no net loss of hedgerow.

CONCLUSION

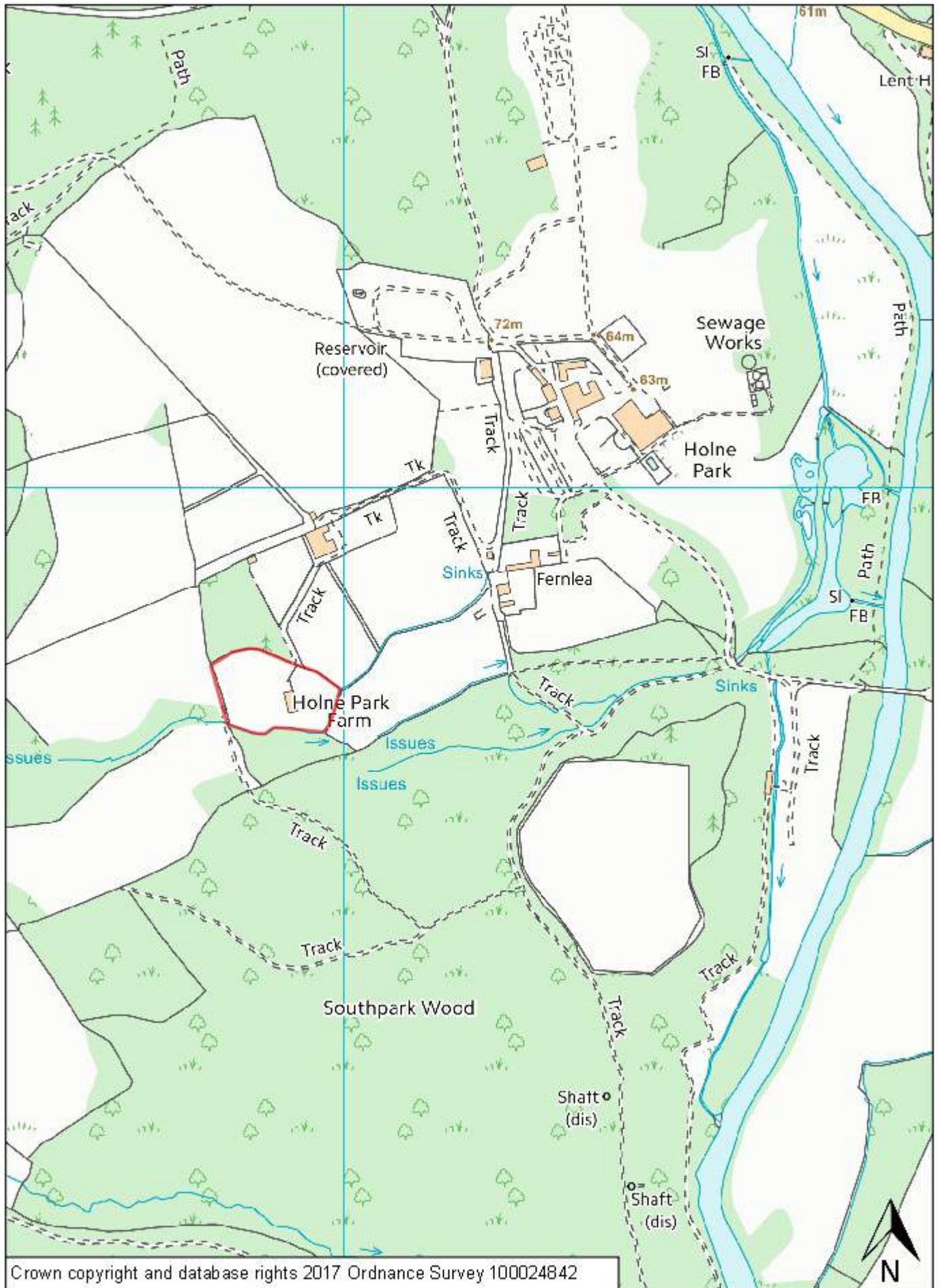
It is acknowledged that the applicant has complied with highway and drainage requirements and attempted to mitigate the visual impact of the new access by means of the amended plans, in particular reducing the width of the access gate and re-creating the hedgerows to the front of the banks alongside the visibility splay leading into the drive. It is also recognised that access to the rear of the dwelling and fields beyond is not straightforward especially when transporting bulk materials or stock.

However, the historic nature of the hedge and hedge bank mean that it contributes to the character and appearance of the lane, the character of the wider landscape and the Conservation Area which is a heritage asset. The harm to the heritage asset is not outweighed by a development which brings any public benefit and it will not conserve or enhance what is special or locally distinctive of this part of Dartmoor's landscape. The proposal is therefore considered to be unsustainable development contrary to the policies set out and the advice in the NPPF.

Holne Park Farm - 0354/17



Scale 1:5,000



2. Application No: **0354/17** District/Borough: **South Hams District**
Application Type: **Full Planning Permission** Parish: **Holne**
Grid Ref: **SX729698** Officer: **Jo Burgess**

Proposal: **Demolition of existing house and garage and replace with house and garage on adjacent site (replaces approval for ref: 0602/15)**

Location: **Holne Park Farm, Ashburton**

Applicant: **Mr M Simpson**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed development would result in the demolition of a building included on the Dartmoor National Park Historic Environment Record, considered to be a non-designated heritage asset and part of the cultural heritage of the National Park . When balanced against the significance of the asset, the Authority is not convinced that demolition is justified. The development is therefore considered to be contrary to policies DMD1b, DMD11 and DMD27 of the Dartmoor National Park Development Plan and the advice contained in the English National Parks and Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.
2. The proposed development would result in the unjustified demolition of a building considered to be a non-designated heritage asset and as such is considered not to be sustainable development contrary to policies COR1 and DMD1a of the Dartmoor National Park Development Plan and the advice contained in the English National Parks and Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.

Introduction

Holne Park Farmhouse is located in open countryside to the south west of the River Dart Country Park within the Holne Park Estate. It is a historic farmstead that is recorded on the Historic Environment Record (HER).

The existing farmhouse is in a poor state and currently un-occupied. During works to extend the house in 2016, it was determined by a Structural Engineer that it would be dangerous and disruptive to underpin or rebuild failed walls.

This application proposes the total demolition of the existing farmhouse and erection of a replacement dwelling on a site 35 metres to the north.

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

Planning History

0602/15	Refurbishment of existing dwelling including slate hanging to failing stonework walls, Demolition of existing single storey extension and replacement with a new two-storey extension and new glazed canopy area	Full Planning Permission - Householder	Grant Conditionally	07 January 2016
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0612/99

Garage and garden equipment store

Full Planning Permission

Grant Conditionally

08 November 1999

Consultations

Teignbridge District Council:	Does not wish to comment
County EEC Directorate:	No highway implications
Environment Agency:	Flood Risk Zone 1 - standing advice applies
DNP - Building Conservation Officer:	The farm was recorded on the DNP Historic Farmstead Survey in 1994 and added to the HER. The building has historic value as a former pair of Victorian farm workers cottages, later used as a single farmhouse. There is also potential evidential value. The heritage significance of the building meet the criteria necessary for it to be treated as a non-designated heritage asset. As such Section 12 of the NPPF and DMD11 are relevant. The structural engineers report does not state that the building must be demolished because it is unsafe and a clear and convincing case to justify total demolition has not been made. In addition none of the criteria to allow demolition outlined in DMD11 are satisfied. I am therefore unable to support a recommendation for approval.
DNP - Trees & Landscape:	No objection subject to a condition requiring the applicants to submit and have approved a suitable landscape scheme
DNP - Ecology & Wildlife Conservation:	Surveys have demonstrated that the house to be demolished is a regular roost including a maternity roost. The proposed new dwelling would include bat roost provisions to mitigate the loss of the roost in the existing house. The development will require a European Protected Species Licence but more detail is required to ensure that the mitigation measures are robust and enforceable. Until the deficiencies are addressed the application cannot be approved because it may be in conflict with the Habitats Regulations and policy DMD14.

Parish/Town Council Comments

Holne PC:	Originally the Parish Council raised no objections to the application. Following further discussions, the Parish Council has expressed it's support for the application. This is because the footprint is the same as that previously approved (with its approved extensions) and because the existing house is now not habitable. The Parish Council notes that the plot is adjacent to the existing, that bats will be accommodated, that no trees will be removed, that a new access drive is already in place and that the new build does not overlook any properties.
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Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR15 - Providing for limited new housing to meet local needs

COR2 - Settlement Strategies

COR4 - Design and sustainable development principles

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

DMD14 - Biodiversity and geological conservation

DMD1a - Presumption in favour of sustainable development

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

DMD23 - Residential development outside Local Centres and Rural Settlements

DMD27 - Replacement dwellings in the countryside

DMD3 - Sustaining the quality of places in Dartmoor National Park

DMD4 - Protecting local amenity

DMD5 - National Park Landscape

DMD7 - Dartmoor's built environment

DMD8 - Changes to Historic Buildings

Representations

None to date.

Observations

INTRODUCTION

This application follows significant pre application discussions about the design and size of any replacement dwelling. The advice offered was subject to the case being made by the applicant for the demolition of the existing farmhouse in full knowledge that it was on the Historic Environment Record.

POLICY CONSIDERATIONS

Policy DMD1a states that when considering development proposals the Authority will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF)

Policy DMD1b states that within the Dartmoor 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. The NPPF attributes great weight to these considerations within National Parks, emphasising the conservation of cultural heritage as an important consideration.

Policy COR2 states that development will be acceptable in principle in the countryside where it would sustain buildings or structures that contribute to the distinctive landscape or special qualities of the Dartmoor National Park, where those assets would otherwise be at risk and where development can be accomplished without adversely affecting the qualities of those buildings or structures.

Policy COR15 states that outside Local Centres and Rural Settlements, housing development will be restricted to that serving the proven needs of agriculture or other essential rural businesses or through the appropriate conversion of rural buildings to meet identified local needs for affordable housing.

DMD11 states that consent will only be granted for the whole or partial demolition of listed buildings and other heritage assets where (i) it is necessary for safety reasons; or (ii) the total loss of the heritage asset is necessary to achieve substantial public benefits that outweigh the loss of the building or asset having regard to its significance; or (iii) the total loss of the asset has been balanced against the significance of the asset and found to be convincing and justified.

Policy DMD27 (replacement dwellings) states that in order to protect the distinctiveness of places and to conserve energy embodied in existing structures, dwelling houses should be retained. Replacement will be permitted where rebuilding would lead to (a) enhancement of the local environment and the removal of a structure in serious disrepair or which is a threat to public safety; or (b) a major additional improvement in energy efficiency; and the building is not on or would not be a candidate for inclusion in the Dartmoor National Park Historic Environment Record. If these criteria are met permission will be granted but the volume of the replacement dwelling should not exceed that of the existing structure plus an additional 15%.

PLANNING HISTORY

Planning permission was granted in 2015 for the refurbishment and extension of Holne Park Farmhouse which was lived in by the applicant and his family at that time. The proposal included demolition of a single storey section on the north side of the farmhouse and lean-tos on the west elevation. This work has been carried out.

During the demolition work it became evident that the whole structure was in what the architect describes as a 'parlous state'. Work stopped and a structural engineer was commissioned and confirmed concerns regarding wall stability, lack of foundations, beam and lintel failure etc. Although he concluded that movement was on-going and that underpinning could be carried out, he advised that it would be variable, expensive and create health and safety issues and concluded that demolition was stated to be the best value and safest option. This was supported by information regarding the additional costs of refurbishment over new build. The structural engineer did not state that the building must be demolished however.

THE PROPOSAL

It is proposed to demolish the existing farmhouse and build a replacement on a nearby site. The new site is elevated and screened by trees to the north and west. There are buildings to the north and north east so the impact of the dwelling on the wider landscape is minimal.

The internal floor area of the existing dwelling is 327m² or 1160m³. The internal floor area of the proposed dwelling is 394m² or 1321m³. This amounts to an increase of 14% in volume from the existing house.

The existing single storey garage is 58.5m². The proposed garage has storage over and is 68.32m² but this is not considered unreasonable given the needs of the estate.

The design of the house is based on the design achieved by means of the permission for the extensions and is has a slightly smaller floor area: with a two wing arrangement, slate roof, slate hanging to ground floor window height with a lower link clad in vertical timber and stone with a lead clad dormer on the north and south elevations and a simple glazed canopy on the south side. A stone clad chimney is proposed on the rear. The building will be highly energy efficient and all timber will come from the estate.

Officers have concluded that the size and design of the house meets the tests of policies COR4, DMD7 and DMD27 in that it is on a scale that it is sympathetic to its location, given the size of the existing dwelling.

POLICY ISSUES

The 'Assessment of Heritage Status' submitted by the applicant with the earlier application concluded that the farmhouse was poorly built and in terms of current legislation it could not be considered a heritage asset.

The Building Conservation Officer has advised that the farm was recorded on the DNP Historic Farmstead Survey in 1994 and added to the Historic Environment Record (HER). The building has historic value as a former pair of Victorian farm workers cottages, later used as a single farmhouse. There is also potential evidential value.

Having considered all the information submitted, the Building Conservation Officer is of the view that the heritage significance of the building meets the criteria necessary for it to be treated as a non-designated heritage asset. As such Section 12 of the NPPF and DMD11 are relevant.

The NPPF states that heritage assets are an irreplaceable resource and Local Planning Authorities should conserve them in a manner appropriate to their significance. With respect to non-designated heritage assets' paragraph 135 requires ' a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

A structural engineers report and letter setting out the 'estimated extra over cost of rectification of the structural defects' has been submitted and carefully considered by the Building Conservation Officer. The costs of carrying out work to the existing structure is considerable and it is noted that VAT is not payable on a new build. The structural engineer does not state that the building must be demolished because it is unsafe.

The Building Conservation Officer has advised that there is not a clear and convincing case to justify total demolition and that none of the criteria to allow demolition of a non designated heritage asset outlined in DMD11 are satisfied. As the building is on the Dartmoor National Park Historic Environment Record and a case has not been made for demolition in accordance with DMD11, the proposal cannot be considered to be in accordance with that part of DMD27.

ECOLOGY

The existing farmhouse is a roost for several species of bats. The protection and relocation of the bats has been considered by an ecologist appointed by the applicants and a method statement submitted. The timing of the demolition and mitigation works will be critical and the ecologist has recommended that further work will be required in respect of the method statement. If permission was to be granted the outstanding issues will need to be addressed before permission can be issued and the timing issues dealt with through a Section 106 agreement. The applicant is aware of the requirement for a Section 106 agreement in respect of ecology issues.

OTHER MATTERS

The new site is open and visible in the wider landscape. Details of landscaping will need to be agreed to ensure that there is no impact on the character and appearance of the landscape in accordance with policy DMD5.

SUSTAINABILITY

The NPPF and policy DMD1a requires that development is sustainable and improves economic, social and environmental conditions in the area. As set out in the settlement strategy and policies COR2, COR15 and DMD23, new dwellings in the open countryside do not amount to sustainable development. Replacement dwellings are allowed in the open countryside under DMD27 where strict policy tests encompassing the need for sustainable development are achieved.

The unjustified removal of a non-designated heritage asset cannot be considered to meet the environmental test for sustainable development so the proposed development cannot be considered to be sustainable development as required by the NPPF.

Having been advised of the conclusion reached by officers, the applicant has suggested that the farmhouse could be retained and used for other purposes. This is not the proposal before officers and raises policy considerations which would need to be addressed through a new application.

CONCLUSION

Although the design and size and impact on the wider landscape are considered to be acceptable and the ecological matters can be dealt with by condition and through a legal agreement; the fundamental issue is that a replacement dwelling can only be approved where the dwelling it is to replace is removed. If not the development amounts to a new open market dwelling in the countryside, contrary to the Development Plan and advice in the NPPF.

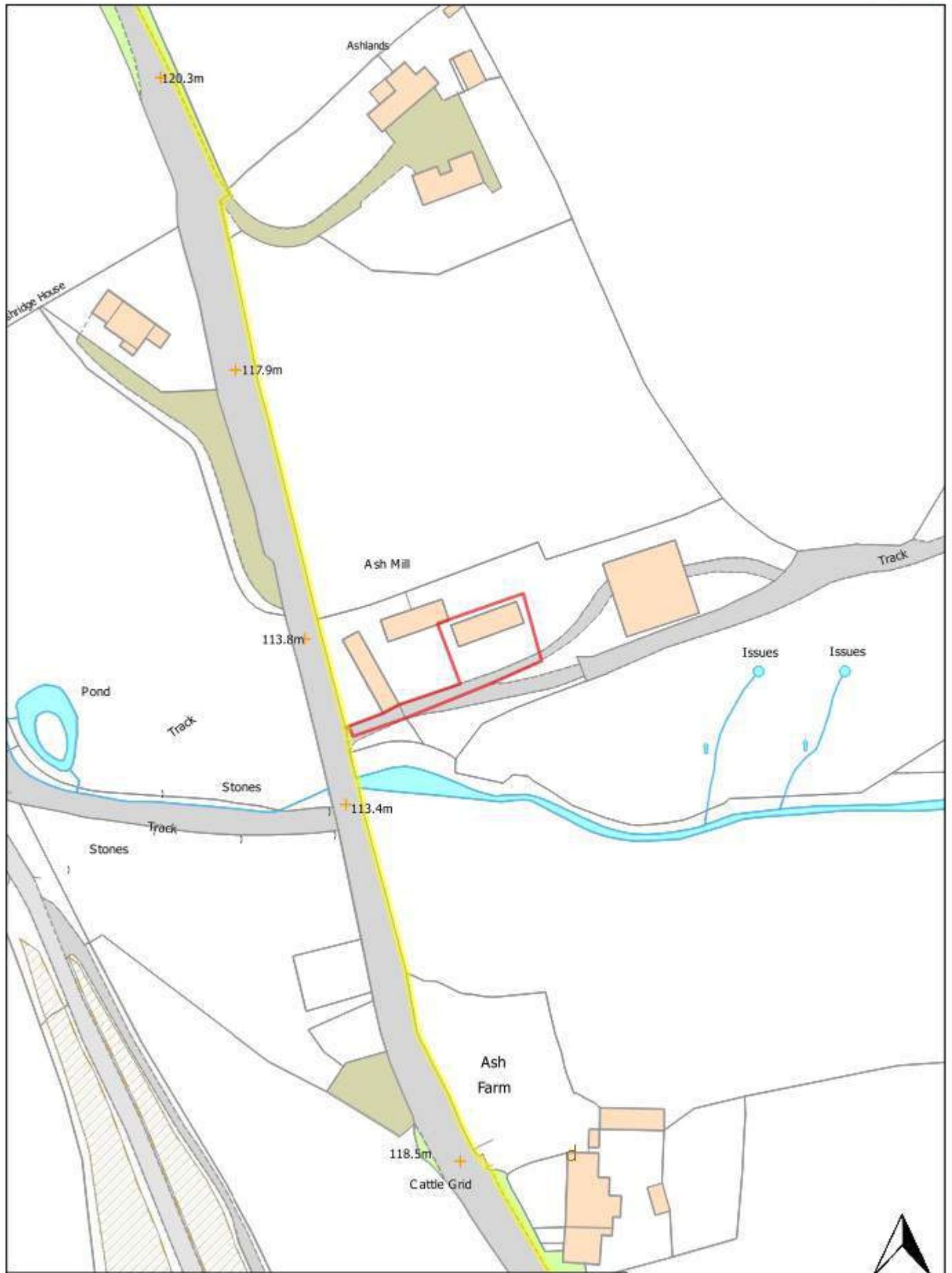
In this case the dwelling to be demolished is considered to be a non-designated heritage asset and appears on the Dartmoor National Park Historic Environment Record. Total demolition is not justified and under these circumstances the proposal is contrary to the Development Plan. The first National Park purpose is to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park and this is reflected in Policy DMD1b.

In terms of Policy DMD1b and the NPPF, the new dwelling will not bring benefits to the public beyond the improvements in energy efficiency achieved through a new construction and on balance the loss and significance of the heritage asset is such that it outweighs those benefits. It is therefore recommended that planning permission is refused.

Ashmill Farm, Grenofen - 0340/17



Scale 1:1,250



3. Application No: **0340/17** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Whitchurch**
Grid Ref: **SX493718** Officer: **Jo Burgess**

Proposal: **Change of use of barn to dwelling**

Location: **Ashmill Farm, Grenofen**

Applicant: **Mr R Phillips**

Recommendation **That, subject to consideration of advice in respect of flooding and surface water issues, permission be REFUSED**

Reason(s) for Refusal

1. The proposed development would result in the creation of an unjustified open-market dwelling in the countryside contrary to policies COR2, COR15, DMD1a, DMD9 and DMD23 of the Dartmoor National Park Development Plan and the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and National Planning Policy Framework 2012.

Introduction

The barn at Ashmill Farm is a restored barn in the open countryside between Tavistock and Grenofen. There are several other historic and modern agricultural buildings in the group. Access to the barns is from Whitchurch Road.

It is proposed to convert the two-storey barn into an open market dwelling.

The application is presented to Committee at the request of a Member.

Planning History

0630/05	Change of use of agricultural building to Class B1/B8 and construction of BioDisc drainage system		
	Full Planning Permission	Withdrawn	07 September 2005
0664/01	Restoration of agricultural building for storage of produce and machinery		
	Prior Notification	No objection (conditionally)	07 November 2001

Consultations

West Devon Borough Council: Does not wish to comment

County EEC Directorate: No highway implications

Environment Agency: Flood Risk Zone 1 - standing advice applies. Access is in Flood Risk Zone 2 so FRA required and Emergency Planning Officer needs to be satisfied that the risk is acceptable

Devon County Council (Flood Risk): As the change of use will change the flood risk vulnerability class from less vulnerable to more vulnerable and the site is within a Critical Drainage Area, a flood risk assessment should be completed and further information should be

DNP - Ecology & Wildlife Conservation: provided regarding surface water drainage of the site
The recommendations of the submitted ecological survey report should be a condition of approval.

Parish/Town Council Comments

Plasterdown Grouped PC: Objects on grounds of highway safety

Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR15 - Providing for limited new housing to meet local needs
COR2 - Settlement Strategies
COR21 - Dealing with development and transport issues in a sustainable way
COR4 - Design and sustainable development principles
COR7 - Providing for the conservation of Dartmoor's varied plant and animal life and geology
COR8 - Meeting the challenge of climate change
COR9 - Protection from and prevention of flooding
DMD14 - Biodiversity and geological conservation
DMD1a - Presumption in favour of sustainable development
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD23 - Residential development outside Local Centres and Rural Settlements
DMD3 - Sustaining the quality of places in Dartmoor National Park
DMD4 - Protecting local amenity
DMD7 - Dartmoor's built environment
DMD9 - The re-use and adoption of historic buildings in the countryside

Representations

4 letters of support

Letters of support have been received from one local resident, one from Tavistock and two from further afield stating that residential use would be a good use for the barn. One of the letters of support raises a question whether traffic speeds should be restricted given the location of the access at the bottom of the hill.

Observations

INTRODUCTION

Buildings at Ashmill Farm appear on 1884 maps, however the buildings do not appear on the Historic Environment Record. The building was heavily restored following the 2001 permission and it is arguable whether in terms of its age it fulfils the criteria set out for being a 'historic building'.

At the time of the visit, the buildings appeared to be in good condition but did not appear to be in active use; with no stock present and the area surrounding the buildings overgrown.

PLANNING HISTORY

The 2001 application was a prior notification application made in association with the ESA scheme at the time. The building was at that time a ruin and the works restored the building in accordance with advice from DNPA officers.

The 2005 application relates to a modern agricultural building to the east of the subject building.

POLICY CONSIDERATIONS

Policy DMD1b states that within the Dartmoor 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. The National Planning Policy Framework (NPPF) attributes great weight to these considerations within National Parks, emphasising the conservation of cultural heritage as an important consideration.

Policy COR2 states that development will be acceptable in principle in the countryside where it would sustain buildings or structures that contribute to the distinctive landscape or special qualities of the Dartmoor National Park, where those assets would otherwise be at risk and where development can be accomplished without adversely affecting the qualities of those buildings or structures.

Policy COR15 states that outside Local Centres and Rural Settlements, housing development will be restricted to that serving the proven needs of agriculture or other essential rural businesses or through the appropriate conversion of rural buildings to meet identified local needs for affordable housing.

Policy DMD9 supports the principle of conversion of appropriate traditional buildings in the countryside into affordable housing for local persons in cases where a business or community use has been shown to be not viable or feasible. This is subject to the building demonstrating a form, structure or history that is traditional to Dartmoor, being capable of conversion without need for substantial alteration/extension or significant changes in the relationship with existing ground levels, conversion works being in-keeping with local building styles and materials and not adversely impacting rural character, retaining significant historic or architectural elements and sustaining the setting of the building. The building should also be sited where there is reasonable access to local services and facilities preferably by a variety of means of transport.

The Design Guide provides specific guidance on alterations to historic buildings and the conversion of traditional farm buildings. It requires conversion schemes to respect the building's original character and function, states that the layout will impose limits on what is achievable, requires schemes to work within the existing envelope of the building and avoid extensions, avoid new wall openings and resist temptation to add domestic detailing which damage character (e.g. barge boards, fascias, rainwater goods).

Policy DMD23 supports the principle of dwellings where they are required for an agriculture holding or rural based business or conversion of an existing building to an affordable dwelling if the conversion is compliant with Policy DMD9.

THE PROPOSAL

Externally the barn is in good condition with stone walls, slate roofs and shuttered openings. Windows and doors are proposed in the existing openings together with a stainless steel flue. It was not possible for an internal site inspection to be carried out, however the plans show

one large space with substantial openings at ground and first floor level. It is proposed to use existing openings whilst significantly subdividing the internal spaces to create living accommodation on the ground floor and three bedrooms on the first floor. The internal floor area amounts to approximately 140sqm. The dwelling is proposed as an open market dwelling.

POLICY DMD9

Policy DMD9 supports the principle of conversion of 'historic' buildings in the countryside into affordable housing for local persons or an agricultural or rural worker in cases where a business or community use has been shown to be not viable or feasible.

Policy DMD9 relates to the conversion of traditional rural buildings where such buildings are no longer needed in their original uses, the only guarantee of protection and proper maintenance may be to enable appropriate new sustainable uses to be carried on. The NPPF refers to the re-use of 'redundant' or 'disused' buildings. The building is stated to be structurally sound and the building does not appear to be in need of a new use in order to sustain it.

The applicants state that any community use would be accommodated in Tavistock (less than 1km to the north) where there are also a plethora of buildings available for business use.

The applicants argue that affordable housing cannot be required by the Authority given the Written Ministerial Statement (WMS). Although the WMS remains a material planning consideration, it does not outweigh the policies in the Development Plan. In this case, no evidence has been provided that the provision of affordable housing would be unviable and the proposed development is therefore contrary to this policy and the Development Plan.

A building of this size could accommodate two small affordable dwellings. The West Devon Housing Officer has confirmed that there is demand for affordable housing in Whitchurch and surrounding parishes which could be met by the conversion of this building.

The applicants have stated that there is reasonable access to local services and facilities by a variety of means of transport, with the nearby cycle route accessible from Whitchurch Road some 16m from the access from the barn to that road.

POLICIES COR2, COR15 and DMD23

These policies set out the settlement hierarchy and state that residential development in the open countryside will only be granted under very limited circumstances including where the proposal comprises the conversion of an existing building to an affordable dwelling and the conversion is compliant with DMD9.

As set out in the adopted affordable housing SPD, affordable housing has to be of a sale or rental value which is within the reach of a qualifying person.

The dwelling is approximately 140sqm, well in excess of the 85sqm set out in the affordable housing SPD for a three bedroom affordable house. The proposal is therefore a large unjustified open market dwelling in the open countryside which by virtue of its size is unlikely to be affordable within the terms set out in the SPD.

ECOLOGY

An ecological survey has been carried out and bats do not appear to be using the barn at

present. Gaps under the hanging slates can be maintained and bat boxes provided in accordance with a mitigation strategy. Subject to an appropriate condition and a condition preventing external lighting, the proposal is in accordance with policies COR7 and DMD14.

HIGHWAYS AND ACCESS

It is proposed to use the existing access. Whitchurch Road is a busy road and visibility to the south is limited by a wall which forms the bridge to the adjacent stream. To the north there is no boundary wall or fence so provided the vegetation is cut back, visibility is good. The Parish Council has raised concerns regarding highway safety, however given the existing use of the buildings, the highways officer has not raised an objection.

FLOODING

Although the site is in flood risk zone 1, the access is in flood zones 2 and 3 and the whole site falls within the Critical Drainage Area related to Pixon Lane in Tavistock. A flood risk assessment is therefore required and the Environment Agency has advised that the Emergency Planner at West Devon Borough Council will need to be satisfied with the access arrangements in the event of a flood.

The necessary information to address this issue remains outstanding at the time of writing this report so a verbal update will be given at the meeting. Policies COR8, COR9 and DMD3 are the relevant Development Plan policies.

It should be noted that a Klargestor package treatment plant is to be provided on land in the ownership of the applicant but outside the application site, with discharge to the adjacent stream. Details of this installation would need to be provided to satisfy the Authority that there would be no pollution or noise issues resulting from the installation.

OTHER MATTERS

The drawing indicates the other buildings on the site will not form part of the curtilage of the new dwelling. No details of boundary or surface treatment are given and the application site includes the access to the modern agricultural building to the rear. In the event that permission were to be granted these details would need to be required by condition and in accordance with DMD9, permitted development rights would need to be removed.

CONCLUSION

The conversion of 'historic' buildings is permitted under specific circumstances in order to sustain the character and appearance of such buildings. Although internally the character of the building will be completely changed, the proposed external alterations will retain the character of the building.

Although this barn is very close to Tavistock, for planning purposes it is in the open countryside where new open market residential development is not permitted for reasons of sustainability.

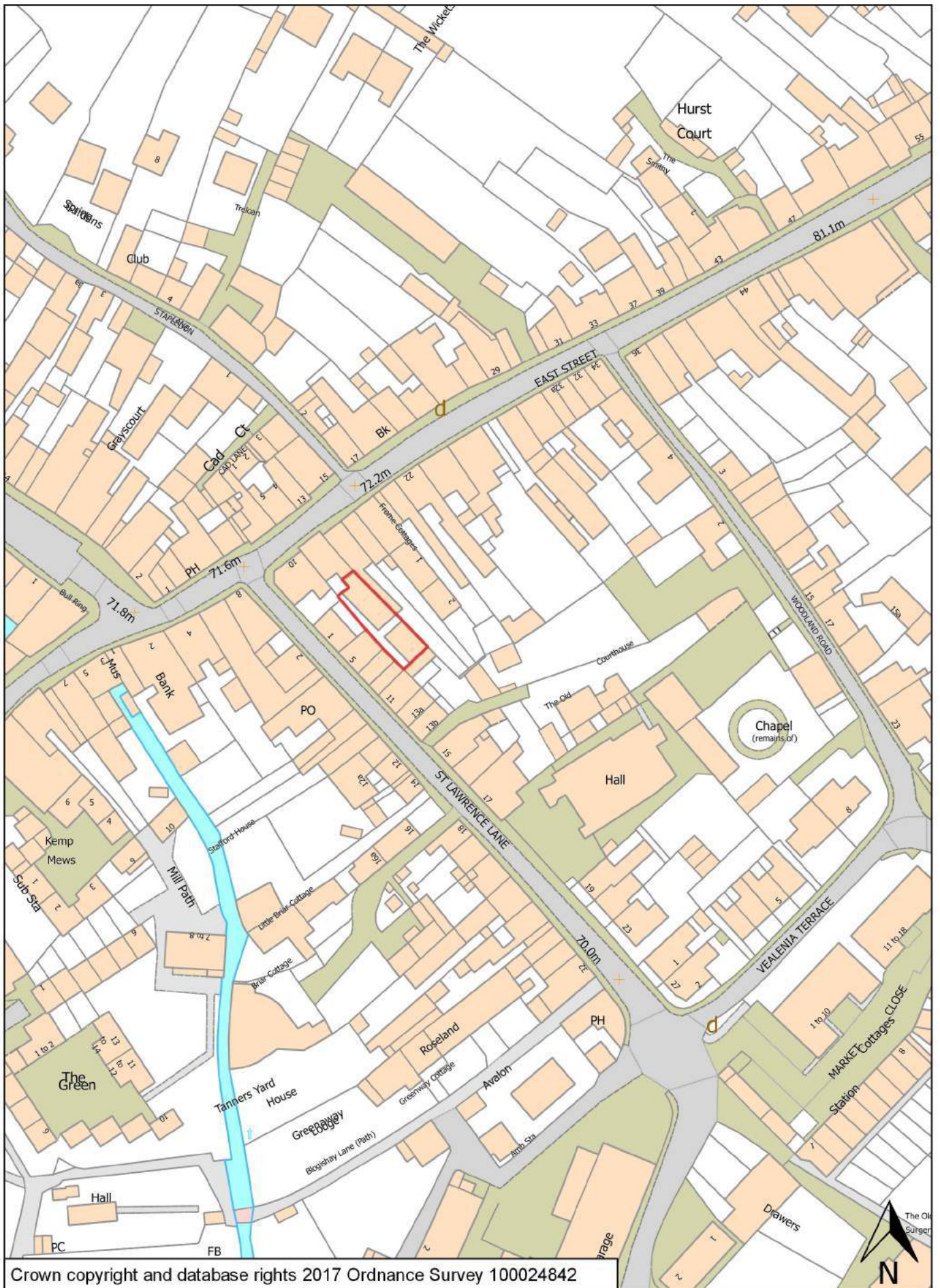
The requirement of the Development Plan is that in this location where an acceptable conversion is proposed the accommodation should be affordable. There is demonstrated need in the parish and the adjacent parishes and this could be met in part by the conversion of this building into two affordable dwellings.

The proposal for one open market dwelling is therefore contrary to the Development Plan and is not sustainable development as required by the National Planning Policy Framework. It is therefore recommended that permission be refused for the reason stated.

12 East Street, Ashburton - 0318/17



Scale 1:1,250



4. Application No: **0318/17** District/Borough: **Teignbridge District**
Application Type: **Listed Building Consent** Parish: **Ashburton**
Grid Ref: **SX756698** Officer: **Claire Boobier**

Proposal: **Change of use to dwelling including repairs and alterations**

Location: **Old Printing Works at 12 East Street, Ashburton**

Applicant: **Mr A Ager**

Recommendation **That permission be GRANTED**

Condition(s)

1. The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings: 23 June 2017, together with drawings/documents: Site Location Plan; Block Plan; D1786/1 Existing Plans and Elevations; D1786/4A Proposed Plans and Elevations; Design and Access Statement; Structural report prepared by PCA Consulting Engineers; Conservation Repair Guidelines prepared by Nils White; Historic Building Survey prepared by Nils White; Heritage Impact Assessment prepared by Nils White all received on 27 April 2017 and drawings/documents: Flood Risk Assessment; George Bemment Associates Assessment for Bats and Nesting Birds dated 22 May 2017 all received on 1 June 2017 and drawings/documents: Viability Appraisal received on 23 June 2017 and drawings/documents: Addendum to Viability Appraisal; East Elevation Existing; East Elevation Proposed all received on 7 August 2017.
3. Prior to the commencement of the development hereby approved, and notwithstanding the plans hereby approved, samples of all proposed external surfacing, external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. Once approved only the approved materials shall be used.
4. Prior to installation, full details of the proposed windows and doors to be used, including details of materials, colour finish, and large scale section drawings of the window and door frames proposed shall be submitted to and approved in writing by the Local Planning Authority. Once approved works shall proceed in accordance with the approved detail.
5. Works shall be carried out in line with the Conservation Repair Guidelines prepared and submitted by Nils White and received on 27 April 2017.

6. No work shall commence on the development hereby permitted until a written scheme providing for an appropriately qualified archaeologist to carry out a full archaeological watching brief during all stages of the development in relation to all ground works associated with the development has been submitted to and approved in writing by the Local Planning Authority. Once approved works shall proceed in accordance with the approved Watching Brief. The scheme, which shall be written and implemented at the applicant's expense, shall provide for the observation, recording and recovery of artefacts and post-excavation analysis. Unless otherwise agreed in writing by the Local Planning Authority, a full report detailing the findings shall be submitted to and approved in writing by the Local Planning Authority before the substantial completion of the development.
7. Prior to the commencement of works on site, a schedule of works to be completed shall be submitted to and approved in writing by the Local Planning Authority. Once agreed works shall proceed in accordance with the approved schedule.

Introduction

This application relates to the former print works which occupied the rear wing of 12 East Street and is believed to have been used in conjunction with the shop and living accommodation fronting East Street.

The shop and accommodation remain in use today and will be unaffected by the change of use of the rear wing of the building.

12 East Street including the rear wing is a Grade II listed building located within the Local Centre of Ashburton and within the Conservation Area.

The plot is very long and narrow, a typical example of the medieval burgage plots found in the town. At the northwest end is the main three-storey house, which is built directly on to East Street with shop premises on the ground floor. This building is itself quite deep and, in order to span its depth, two hipped roofs are built at right angles to the main ridge at the rear forming an M-shaped section.

The space immediately southwest of the back wall of the main house is occupied by a courtyard, overlooked by a narrow, three-storey wing, which links the house to the printing works building. From the courtyard, a narrow alleyway runs between the printing works and the back of cottages on St Lawrence Lane.

The printing works building itself can be divided into three parts:

1. The NW end, three storeys high, but with a very high-ceilinged ground-floor room, which means that the roof and upper floor levels are raised slightly above those of the central part;
2. The central part, also three storeys high, but slightly lower than the NW end;
3. A modern, single-storey, flat-roofed range at the SE end.

Construction of the main house appears to be a combination of stone rubble masonry and timber frame smooth-rendered at the front, while at the rear it is roughcast at ground-floor level and slate hung (with riven edge facing inwards) at the higher levels.

The walls of parts 1 and 2 are constructed of rendered random rubble at the rear and up to first floor level at the front, after which the upper floors are timber framed and clad in weatherboarding. The modern back range is built of rendered blockwork.

The roof structure of part 1 and 2 is clad in local random width slate pegged to laths.

The wing the subject of this application is in a dilapidated state having not been used as a business for a considerable length of time.

The building can be considered at risk and is in need of considerable structural repair, the full extent of which will be revealed when the external cladding starts to be removed.

The building is surrounded by a variety of commercial and residential properties.

Planning History

0314/17	Change of use to dwelling including repairs and alterations
	Full Planning Permission Not yet determined

Consultations

Teignbridge District Council:	Does not wish to comment.
County EEC Directorate:	The details have been inspected and it is considered that there are no highway implications.
Environment Agency:	Flood Risk Zone 3 - Flood Risk Assessment submitted.
DNP - Archaeology:	Given the sites location in the heart of Ashburton's medieval core, earlier remains and archaeological deposits are likely to survive as buried features. Given this consideration we ask that a watching brief condition is placed on the proposal for all groundworks associated with the development.
DNP - Building Conservation Officer:	The submitted scheme would ensure the long-term conservation of this important heritage asset and in doing so would secure the public benefits of preserving a rare and significant element of Ashburton's historic environment.
Teignbridge DC (Contaminated Land):	Unexpected contamination condition recommended for linked planning application if minded to approve.

Parish/Town Council Comments

Ashburton TC:	The application seeks to provide a sensible use for and restore a building of historic interest which, if left for many more years in its unused and unrestored state, may otherwise be lost as a historic asset to Ashburton. Ashburton Town Council supports this application.
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Relevant Development Plan Policies

- COR5 - Protecting the historic built environment
- COR6 - Protecting Dartmoor's Archaeology
- DMD10 - Enabling development
- DMD11 - Demolition of a listed building or local heritage asset
- DMD13 - Archaeology
- DMD8 - Changes to Historic Buildings

Representations

None received for the Listed Building Consent application however comments have been received for the linked planning application.

Observations

POLICY

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that in considering whether to grant listed building consent for any works the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Whilst, section 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework sets out that 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.

Substantial harm or loss of designated heritage assets of the highest significance should be wholly exceptional and where a development proposal leads to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Likewise, policy COR5 of the Dartmoor National Park Authority Core Strategy Development Plan sets out that the qualities and settings of the historic built environment should be conserved and enhanced.

Whilst, DMD8 (Changes to historic buildings and other heritage assets) of the Dartmoor National Park Authority Development Management and Delivery Development Plan Document (Adopted July 2013) sets out that changes of use and alterations of listed buildings will be granted where having assessed the significance of the building or the asset, and whether the proposed development will result in harm to the building or the asset and the scale of such harm, the Authority concludes that any harm identified is outweighed by the public benefits the proposed development will bring.

Policy DMD10 (Enabling development) of the Dartmoor National Park Authority Development Management and Delivery Development Plan Document (Adopted July 2013) is also relevant to this case which sets out that permission will only be granted for enabling development to secure the future conservation of a heritage asset where the public benefits of the proposed development decisively outweigh the disadvantages of departing from the development plan.

Furthermore, policy DMD11 (Whole or partial demolition of listed buildings) is also of relevance as the proposal involves the demolition of a modern flat-roofed extension. This policy sets out that consent will only be granted for the whole or partial demolition of listed buildings in special circumstances, one of which is where the scale of the partial demolition has been assessed against the significance of the building or other asset and is shown to be necessary either to sustain the building or asset in its original use or to conserve the building or asset through a use that is sustainable.

PROPOSED DEVELOPMENT

The proposed development is for the change of use of the rear wing of 12 East Street to an open-market dwelling including repairs and alterations.

As part of these works it is proposed to demolish a modern flat-roof extension to provide an adequate outdoor amenity space to serve the proposed dwelling.

Internally, the historic plan-form is largely retained and the submitted Conservation Repair Guideline document outlines the proposed approach which the Authority's Building Conservation Officer endorses.

PRINCIPLE OF DEVELOPMENT

The location of the site negates its viable use for business purposes. This combined, with the need for a significant amount of intervention in order for the building to be used for any purpose limits the reuse potential of the building. In these circumstances, the conversion to a single dwelling is assessed to represent the most suitable reuse of the building.

It is assessed that any more units here would place a greater strain on the historic fabric of the building and that the building would actually lend itself best to the conversion into a single dwelling, as there would be no need for further openings, and there is potential for a good-sized garden at the rear following the demolition of the modern flat-roofed extension which has no heritage value.

It is considered that in principle, the conversion of the building to a single dwellinghouse to enable the future conservation of the heritage asset to be secured can be supported as it is assessed that the conversion of the building to a single dwellinghouse can be undertaken without materially harming the significance of the heritage asset. The proposal would therefore in principle accord with policy DMD10 of the Development Plan Document.

Furthermore, in principle it is considered that the demolition of the modern flat-roofed extension to create the garden area for the proposed unit would be acceptable under policy DMD11 as the partial demolition of this extension which has no heritage value has been assessed against the significance of the building and its removal would improve the setting of the listed building by removing an unsympathetic modern addition and would enable the building to be conserved through the creation of a sustainable use for the building.

In listed building terms the principle of the conversion of the building to enable the building to be refurbished and to secure the long-term conservation of the building is supported by policy DMD10 and the removal of the unsympathetic modern addition to the building would accord with policy DMD11.

No objection is therefore raised to the principle of the demolition of the existing extension and conversion of the building to a single dwelling house which is considered to be the most suitable use for the building to secure its future.

HERITAGE SIGNIFICANCE AND IMPACT ON LISTED BUILDING

The building is a highly significant grade II listed building. Significant historically, for having had nearly 200 years of use as a printers; evidentially, for displaying such a wealth of plain 18th century features, probably added when the building was no longer used for domestic purposes, and also for its deux corps de bâtiments plan with the separate kitchen block.

The building can be considered at risk and is in need of considerable structural repair, the full extent of which will be revealed when external cladding starts to be removed.

The Authority's Building Conservation Officer attended several pre-application site meetings at the property and advises that the building is a rare survival and is highly significant.

It is currently redundant and in a parlous state and deteriorating rapidly. Its conservation is therefore imperative and a solution that will secure the building's long term future is urgently required.

This building is very sensitive to change and has an exceptional collection of 18th Century/early 19th Century interior fixtures and fittings, only a scheme that retains this significance would be acceptable.

The submitted Conservation Repair Guideline Document outlines the proposed approach, which the Authority's Building Conservation Officer endorses.

It is assessed that the proposal adopts a sensitive conservation-led approach to the repair and refurbishment of the building which it is assessed will enable the change of use and alterations to occur without harm being caused to the building.

The Authority concludes that the submitted scheme can be undertaken without harm being caused to the historic fabric of the building and to the setting of the listed building. The works proposed will ensure the long-term conservation of this important heritage asset and in doing so would secure the public benefits of preserving a rare and significant element of Ashburton's historic environment.

The scheme is therefore assessed to be compliant with policy COR5 of the Core Strategy, DMD8, DMD10 and DMD11 of the Development Management and Delivery Development Plan Document, guidance contained within the NPPF and has been fully assessed in accordance with the Authority's duty under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The scheme is assessed to be able to be supported subject to conditions that works are to be carried out in line with the Conservation Repair Guidelines (Nils White, April 2017), a condition requiring a schedule of works to be submitted and agreed prior to commencement of work and conditions to secure samples of all proposed external materials and for large scale section drawings of replacement windows and doors in the interest of ensuring that the materials and details of finishes will preserve the listed building.

ARCHAEOLOGY

The Historic Building Survey Report presents a good case that the building has origins going back much further than outlined by the surviving documentary history and the building plan suggests that the origins may date back to at least the C16th.

The layout is unusual for Ashburton and is likely to represent an example more typically found in Totnes and Exeter in which the main house was served by a detached kitchen block at the rear.

Given the sites location in the heart of Ashburton's medieval core, earlier remains and archaeological deposits are likely to survive as buried features.

Given the above, the Authority's archaeologist has asked that a watching brief condition be

placed on the proposal to cover all aspects of ground floor surfaces, installation of any ground floor heating systems and drainage/sewage channels to be undertaken by an accredited archaeological contractor.

It is considered given that there is potential for archaeological features at this site, this condition is reasonable and if minded to approve it is recommended that a condition for a watching brief be applied in order to ensure the development will not have an adverse impact on any remains which could be considered of archaeological importance.

CONCLUSION

The submitted scheme involves the demolition of a modern flat-roofed extension of no heritage value and largely retains the historic plan-form of the grade II listed building and the submitted Conservation Repair Guideline document which outlines the proposed approach to be taken to renovate the building is endorsed by the Authority's Conservation Officer.

Inevitably, the extent of the works cannot be fully assessed until work commences and the external cladding is removed however the proposed scheme adopts a sensitive conservation-led approach and it is assessed that the works will enhance the listed building and conditions are recommended to ensure that the schedule of works, materials and finishes are appropriate to preserve the listed building.

The scale of the rear wing and the garden to be created by the modern flat-roof extension being demolished would preclude the development being of a suitable size for long-term use as an affordable home and the viability appraisal and its addendum have demonstrated to the satisfaction of Officers in the consideration of the linked Planning Application (0314/17) that an affordable unit in this building would make it an unviable scheme to deliver.

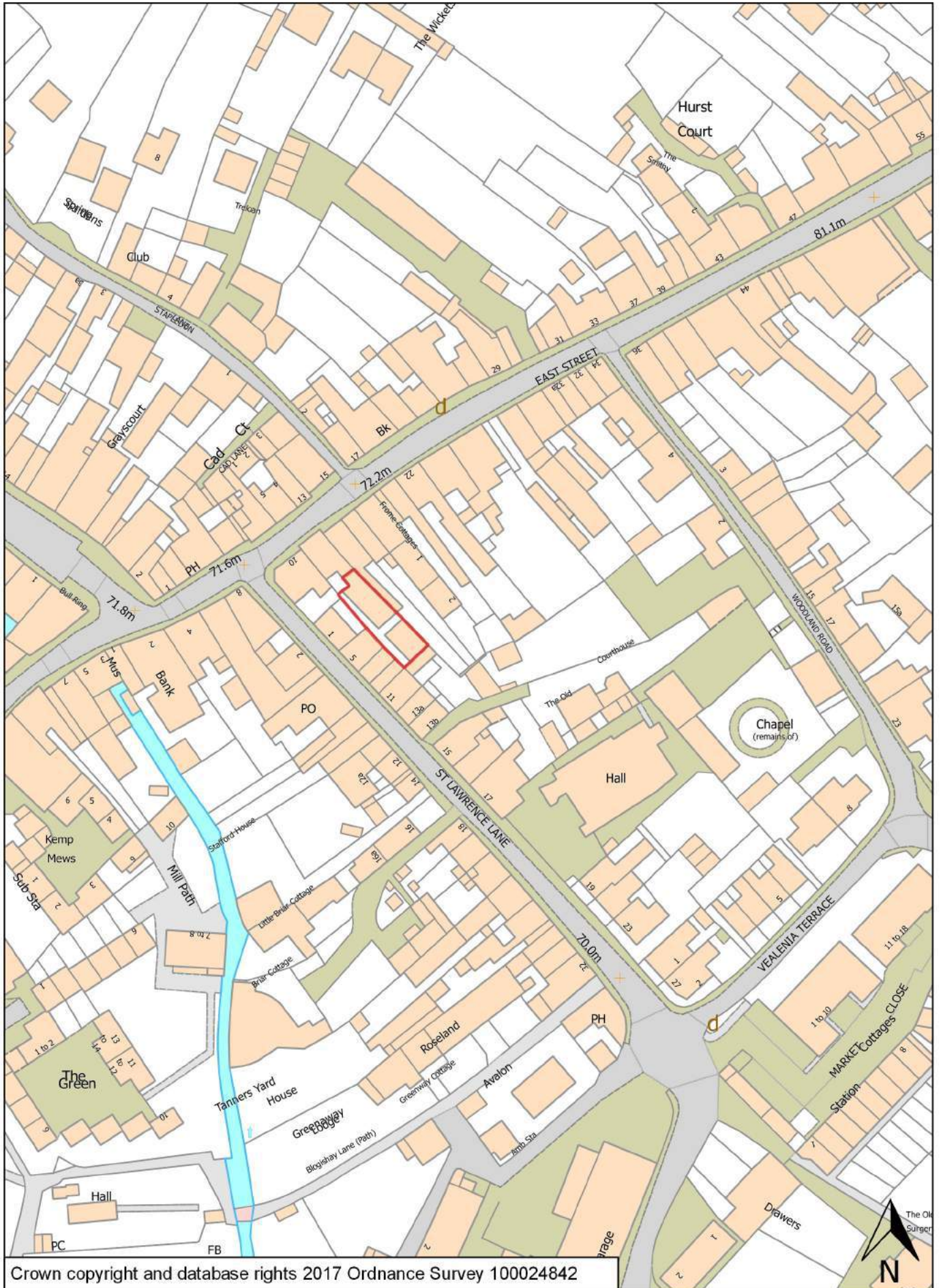
In accordance with policy DMD10 (Enabling Development) it is therefore recommended that a departure be made to policy to allow an open-market dwelling to be created at this site in order to ensure the long-term conservation of this important heritage asset and in doing so secure the public benefits of preserving a rare and significant element of Ashburton's historic environment.

Conditional Approval is recommended.

12 East Street, Ashburton - 0314/17



Scale 1:1,250



5. Application No: **0314/17** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **Ashburton**
Grid Ref: **SX756698** Officer: **Claire Boobier**

Proposal: **Change of use to dwelling including repairs and alterations**

Location: **Old Printing Works at 12 East Street, Ashburton**

Applicant: **Mr A Ager**

Recommendation **That permission be GRANTED**

Condition(s)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings: 23 June 2017, together with drawings/documents: Site Location Plan; Block Plan; D1786/1 Existing Plans and Elevations; D1786/4A Proposed Plans and Elevations; Design and Access Statement; Structural report prepared by PCA Consulting Engineers; Conservation Repair Guidelines prepared by Nils White; Historic Building Survey prepared by Nils White; Heritage Impact Assessment prepared by Nils White all received on 27 April 2017 and drawings/documents: Flood Risk Assessment; George Bemment Associates Assessment for Bats and Nesting Birds dated 22 May 2017 all received on 1 June 2017 and drawings/documents: Viability Appraisal received on 23 June 2017 and drawings/documents: Addendum to Viability Appraisal; East Elevation Existing; East Elevation Proposed all received on 7 August 2017.
3. Works shall proceed strictly in accordance with the recommendations set out in Section 5 of the Assessment for Bat and Nesting Birds prepared by George Bemment Associates dated 22 May 2017.
4. Works shall be carried out in line with the Conservation Repair Guidelines prepared and submitted by Nils White and received on 27 April 2017.
5. Prior to first occupation of the rear wing of the building as a dwellinghouse details of flood gates to be installed at both passage entry points shall be submitted to and approved in writing by the Local Planning Authority. Once approved the gates shall be installed before first occupation and retained thereafter.
6. If during development, contamination not previously identified is found to be present at the site then no further development unless otherwise agreed in writing with the Local Planning Authority shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with. Following completion of the works set out in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority.

Introduction

This application relates to the former print works which occupied the rear wing of 12 East Street and is believed to have been used in conjunction with the shop and living accommodation fronting East Street.

The shop and accommodation remain in use today and will be unaffected by the change of use of the rear wing of the building.

12 East Street including the rear wing is a Grade II listed building located within the Local Centre of Ashburton and within the Conservation Area.

The plot is very long and narrow, a typical example of the medieval burgage plots found in the town. At the northwest end is the main three-storey house, which is built directly on to East Street with shop premises on the ground floor. This building is itself quite deep and, in order to span its depth, two hipped roofs are built at right angles to the main ridge at the rear forming an M-shaped section.

The space immediately southwest of the back wall of the main house is occupied by a courtyard, overlooked by a narrow, three-storey wing, which links the house to the printing works building. From the courtyard, a narrow alleyway runs between the printing works and the back of cottages on St Lawrence Lane.

The printing works building itself can be divided into three parts:

1. The NW end, three storeys high, but with a very high-ceilinged ground-floor room, which means that the roof and upper floor levels are raised slightly above those of the central part;
2. The central part, also three storeys high, but slightly lower than the NW end;
3. A modern, single-storey, flat-roofed range at the SE end.

Construction of the main house appears to be a combination of stone rubble masonry and timber frame smooth-rendered at the front, while at the rear it is roughcast at ground-floor level and slate hung (with riven edge facing inwards) at the higher levels.

The walls of parts 1 and 2 are constructed of rendered random rubble at the rear and up to first floor level at the front, after which the upper floors are timber framed and clad in weatherboarding. The modern back range is built of rendered blockwork.

The roof structure of part 1 and 2 is clad in local random width slate pegged to laths.

The wing the subject of this application is in a dilapidated state having not been used as a business for a considerable length of time.

The building can be considered at risk and is in need of considerable structural repair, the full extent of which will be revealed when the external cladding starts to be removed.

The building is surrounded by a variety of commercial and residential properties.

Planning History

0318/17	Change of use to dwelling including repairs and alterations
	Listed Building Consent Not yet determined

Consultations

Teignbridge District Council:	Does not wish to comment.
County EEC Directorate:	The details have been inspected and it is considered that there are no highway implications.
Environment Agency:	Flood Risk Zone 3 - Flood Risk Assessment submitted.
DNP - Building Conservation Officer:	The submitted scheme would ensure the long-term conservation of this important heritage asset and in doing so would secure the public benefits of preserving a rare and significant element of Ashburton's historic environment.
DNP - Ecology & Wildlife Conservation:	Bat survey submitted satisfactory, the recommendations of the report should be conditioned if minded to approve.
DNP - Archaeology:	Given the sites location in the heart of Ashburton's medieval core, earlier remains and archaeological deposits are likely to survive as buried features. Given this consideration we ask that a watching brief condition is placed on any consent granted for all groundworks associated with the development.
Teignbridge DC (Contaminated Land):	Unexpected Contamination condition recommended to be applied if minded to approve.

Parish/Town Council Comments

Ashburton TC:	The application seeks to provide a sensible use for and restore a building of historic interest which, if left for many more years in its unused and unrestored state, may otherwise be lost as a historic asset to Ashburton. Ashburton Town Council supports this application.
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Relevant Development Plan Policies

COR1 - Sustainable Development Principles
 COR11 - Retaining tranquillity
 COR13 - Providing for high standards of accessibility and design
 COR14 - Meeting the infrastructure requirements of new development
 COR15 - Providing for limited new housing to meet local needs
 COR18 - Providing for sustainable economic growth
 COR2 - Settlement Strategies
 COR21 - Dealing with development and transport issues in a sustainable way
 COR3 - Protection of Dartmoor's special environmental qualities
 COR4 - Design and sustainable development principles
 COR5 - Protecting the historic built environment
 COR6 - Protecting Dartmoor's Archaeology
 COR7 - Providing for the conservation of Dartmoor's varied plant and animal life and geology
 COR9 - Protection from and prevention of flooding
 DMD10 - Enabling development
 DMD11 - Demolition of a listed building or local heritage asset
 DMD12 - Conservation Areas
 DMD13 - Archaeology
 DMD14 - Biodiversity and geological conservation

DMD1a - Presumption in favour of sustainable development
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD21 - Residential development in Local Centres
DMD3 - Sustaining the quality of places in Dartmoor National Park
DMD4 - Protecting local amenity
DMD40 - Parking provision - Residential
DMD7 - Dartmoor's built environment
DMD8 - Changes to Historic Buildings

Representations

2 letters of objection

One from owner of 11 St Lawrence Lane raising current land ownership dispute with applicant with regard to use of rear access to the site and requesting if minded to approve that all visitors, deliveries, materials, tradespeople must be strictly through the East Street access.

One from owner of 16 East Street requesting a plan of east elevation and confirmation that the roof height will not be changed from its present height and seeking assurance that no additional windows are proposed for the east elevation.

This representation also raised concern that the new window on the end elevation would overlook the gardens of 14 and 16 East Street impacting privacy.

The Case Officer has provided a copy of east elevation plan to owners of 16 East Street and confirmed that no additional windows are proposed to the east elevation and that the roof height is not proposed to change from its present form.

Observations

PROPOSED DEVELOPMENT

The proposed development is for the change of use of the rear wing of 12 East Street to an open-market dwelling including repairs and alterations.

As part of these works it is proposed to demolish a modern flat-roof extension to provide an adequate outdoor amenity space to serve the proposed dwelling.

Internally, the historic plan-form is largely retained and the submitted Conservation Repair Guideline document outlines the proposed approach which the Authority's Building Conservation Officer endorses.

PRINCIPLE OF PROPOSED DEVELOPMENT

The location of the site negates its viable use for business purposes. This combined, with the need for a significant amount of intervention in order for the building to be used for any purpose limits the reuse potential of the building. In these circumstances, the conversion to a single dwelling is assessed to represent the most suitable reuse of the building.

Policy DMD21 of the Development Management and Delivery Development Plan Document permits in principle new dwellings within designated Local Centres such as Ashburton where

the dwelling is provided through the conversion or subdivision of an existing non-residential building. There would therefore be in principle policy support for the conversion of this non-residential building to a single dwelling house.

However, policy DMD21 does set out that where the principle of conversion to residential is supported by the policy the proportion of affordable housing to meet local need should not be less than 50% of the total units provided, although this may be varied where a higher proportion of open market housing can be shown to be essential to secure the overall viability of the development.

In this case, as a single dwelling is proposed, this would mean that to accord with policy the dwelling would have to be affordable.

A viability appraisal and an addendum to this appraisal have been submitted with the application which demonstrates that due to the significant amount of intervention required to the building and likely end value, the scheme would be unviable if the unit had to provide an affordable home and that it would also be unviable to provide an off-site contribution to provide affordable housing elsewhere in Ashburton to mitigate against the provision of an open-market dwelling at this site.

With this being the case, consideration has been given by Officers to the potential to convert the building into more than one residential unit to enhance the viability of the scheme. However, it is assessed that any more units here would place a greater strain on the historic fabric of the building and that the building would actually lend itself best to the conversion into a single dwelling, as there would be no need for further openings, and there is potential for a good-sized garden at the rear following the demolition of the modern flat-roofed extension which has no heritage value.

Therefore, on the basis of considering a single dwelling house at this site being the most suitable use to enable the future conservation of the heritage asset, it is recommended that a departure from the Development Plan be made to allow the dwelling to be an open-market house in recognition of the significant intervention required to restore the building, in recognition of the use enabling the long term conservation of this heritage asset, and in recognition of the size of the building and the garden to be created through the demolition of the modern flat-roofed extension resulting in a dwelling which would be unobtainable due to its size and large garden for people in need of affordable housing as its resale value even with an affordable housing discount would be unobtainable to someone requiring affordable housing.

IMPACT ON LISTED BUILDING

Section 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework sets out that 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.

Substantial harm or loss of designated heritage assets of the highest significance should be wholly exceptional and where a development proposal leads to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Likewise, policy COR5 of the Dartmoor National Park Authority Core Strategy Development Plan sets out that the qualities and settings of the historic built environment should be

conserved and enhanced.

Whilst, DMD8 (Changes to historic buildings and other heritage assets) of the Dartmoor National Park Authority Development Management and Delivery Development Plan Document (Adopted July 2013) sets out that changes of use and alterations of listed buildings will be granted where having assessed the significance of the building or the asset; and whether the proposed development will result in harm to the building or the asset and the scale of such harm, the Authority concludes that any harm identified is outweighed by the public benefits the proposed development will bring.

Policy DMD10 (Enabling development) of the Dartmoor National Park Authority Development Management and Delivery Development Plan Document (Adopted July 2013) is also relevant to this case which sets out that permission will only be granted for enabling development to secure the future conservation of a heritage asset where the public benefits of the proposed development decisively outweigh the disadvantages of departing from the development plan.

Furthermore, policy DMD11 (Whole or partial demolition of listed buildings) is also of relevance as the proposal involves the demolition of a modern flat-roofed extension. This policy sets out that consent will only be granted for the whole or partial demolition of listed buildings in special circumstances, one of which is where the scale of the partial demolition has been assessed against the significance of the building or other asset and is shown to be necessary either to sustain the building or asset in its original use or to conserve the building or asset through a use that is sustainable.

The building is a highly significant grade II listed building. Significant historically, for having had nearly 200 years of use as a printers; evidentially, for displaying such a wealth of plain 18th century features, probably added when the building was no longer used for domestic purposes, and also for its deux corps de bâtiments plan with the separate kitchen block.

The building can be considered at risk and is in need of considerable structural repair, the full extent of which will be revealed when external cladding starts to be removed.

The Authority's Building Conservation Officer attended several pre-application site meetings at the property and advises that the building is a rare survival and is highly significant.

It is currently redundant and in a parlous state and deteriorating rapidly. Its conservation is therefore imperative and a solution that will secure the building's long term future is urgently required.

This building is very sensitive to change and has an exceptional collection of 18th Century/early 19th Century interior fixtures and fittings, only a scheme that retains this significance would be acceptable.

It is considered that in principle, the conversion of the building to a single dwellinghouse to enable the future conservation of the heritage asset to be secured can be supported as it is assessed that the conversion of the building to a single dwellinghouse can be undertaken without materially harming the significance of the heritage asset. The proposal would therefore in principle accord with policy DMD10 of the Development Plan Document.

Furthermore, in principle it is considered that the demolition of the modern flat-roofed extension to create the garden area for the proposed unit would be acceptable under policy DMD11 as the partial demolition of this extension which has no heritage value has been

assessed against the significance of the building and its removal would improve the setting of the listed building by removing an unsympathetic modern addition and would enable the building to be conserved through the creation of a sustainable use for the building.

In listed building terms the principle of the conversion of the building to enable the building to be refurbished and to secure the long-term conservation of the building is supported by policy DMD10 and the removal of the unsympathetic modern addition to the building would accord with policy DMD11.

No objection is therefore raised to the principle of the demolition of the existing extension and conversion of the building to a single dwelling house which is considered to be the most suitable use for the building to secure its future.

The submitted Conservation Repair Guideline Document outlines the proposed approach, which the Authority's Building Conservation Officer endorses.

It is assessed that the proposal adopts a sensitive conservation-led approach to the repair and refurbishment of the building which it is assessed will enable the change of use and alterations to occur without harm being caused to the building.

The Authority concludes that the submitted scheme can be undertaken without harm being caused to the historic fabric of the building and to the setting of the listed building. The works proposed will ensure the long-term conservation of this important heritage asset and in doing so would secure the public benefits of preserving a rare and significant element of Ashburton's historic environment.

The scheme is therefore assessed to be compliant with policy COR5 of the Core Strategy, DMD8, DMD10 and DMD11 of the Development Management and Delivery Development Plan Document, guidance contained within the NPPF and has been fully assessed in accordance with the Authority's duty under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The scheme is assessed to be able to be supported. The Building Conservation Officer has recommended that conditions be applied for the works to be carried out in line with the Conservation Repair Guidelines (Nils White, April 2017), a condition requiring a schedule of works to be submitted and agreed prior to commencement of work and conditions to secure samples of all proposed external materials and for large scale section drawings of replacement windows and doors in the interest of ensuring that the materials and details of finishes will preserve the listed building. Whilst, these conditions are considered relevant to ensure an appropriate scheme is delivered which preserves the listed building, these conditions are recommended to be applied to the linked Listed Building Consent application (0318/17) it is therefore not considered necessary to reiterate them on the decision for the planning application as by applying them to the Listed Building Consent application the Authority will be able to retain control over the external materials and finishes and the schedule of works.

IMPACT ON CONSERVATION AREA

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

The building is in a poor state of repair; it is assessed that the proposed works will improve the

appearance of the building and as a result will result in an enhancement to the building and to the character and appearance of the Conservation Area to which the upper floors of the building are partially visible from within the Conservation Area and the building is also visible from St Lawrence Lane.

The proposed works are not assessed to adversely affect the character and appearance of the Conservation Area. No objection is therefore raised on conservation grounds.

ARCHAEOLOGY CONSIDERATIONS

The Historic Building Survey Report presents a good case that the building has origins going back much further than outlined by the surviving documentary history and the building plan suggests that the origins may date back to at least the C16th.

The layout is unusual for Ashburton and is likely to represent an example more typically found in Totnes and Exeter in which the main house was served by a detached kitchen block at the rear.

Given the site's location in the heart of Ashburton's medieval core, earlier remains and archaeological deposits are likely to survive as buried features.

Given the above, the Authority's archaeologist has asked that a watching brief condition be placed on the proposal to cover all aspects of ground floor surfaces, installation of any ground floor heating systems and drainage/sewage channels to be undertaken by an accredited archaeological contractor.

It is considered given that there is potential for archaeological features at this site that this condition is reasonable however, as this condition has been attached to the linked application for Listed Building Consent for the proposal (0318/17) it is not considered necessary to reiterate on this consent as any adverse impact on any remains which could be considered of archaeological importance will be safeguarded by this condition being applied to the Listed Building Consent for the works.

DESIGN CONSIDERATIONS

The proposal is for the repair and refurbishment of the building and the works are to be undertaken in accordance with the submitted Conservation Repair Guidelines. It is considered that the scheme is a conservation-led design approach which will ensure that the alterations are sensitive to the building. No design objections are therefore raised to the proposal and the demolition of the modern flat-roofed extension is considered to be a positive gain as it results in the removal of an unsympathetic addition to the building.

RESIDENTIAL AMENITY CONSIDERATIONS

The envelope of the building with the exception of the removal of the single-storey flat-roofed extension to the rear is unaltered by this proposal and with the exception of a new door and window being inserted into the ground floor rear elevation of the building following the removal of the flat-roofed extension, no additional window/door openings are proposed rather the existing openings are proposed to be utilised.

Concern has been raised from 16 East Street raising concern with regard to overlooking from the new window to the rear and the impact of the proposal on their privacy. Given that the new

window is proposed at ground floor level and that it would allow a direct line of sight into the garden of 16 East Street or its neighbour, whilst the window may offer the perception of overlooking/loss of privacy it is not assessed to result in an unacceptable level of overlooking/loss of privacy to justify a refusal of planning consent.

Furthermore, as the envelope of the building is unaltered by the proposal and no additional windows are being proposed it is not assessed that the proposal will result in an increased overbearing impact, loss of light or overlooking/loss of privacy to neighbours.

Concern has also been raised from 11 St Lawrence Lane with regard to use of land they believe to be in their ownership and to which the applicant believes they have a right of way across to access the site. Whilst this concern is noted, this is a civil matter and land ownership is not a matter on which a planning application can be refused. However, granting of planning consent does not enable work to take place on land not in the applicants ownership or to which they do not have a right of way to cross therefore the applicant/developer is recommended to ensure that they have the necessary rights to cross the land and if not that they gain consent from the appropriate land owner. If this consent is not given, the grant of planning permission does not override land ownership and the applicant/developer would in this circumstance need to consider an alternative means of accessing the site.

Having considered the proposal it is assessed that the proposed works can be undertaken without adverse harm being caused to the residential amenity of neighbours.

FLOOD RISK CONSIDERATIONS

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

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

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

Whilst, the proposal would introduce a more vulnerable use to the site, it is not dissimilar to the existing situation for neighbouring residential units and whilst it is recognised that access to the property would be difficult during times of flooding, residents would be safe in the upper floors of the building and given the steep gradients associated with the River Ashburn and Balland Stream, it is considered that flooding would generally be of short duration.

Given that this is an existing building it is not considered that the proposal would significantly increase flood risk to justify a refusal of this application. However, it is recommended that the applicant register with the Environment Agency's 'early warning system' and a condition is recommended to be applied for details of flood gates to be installed as a precautionary measure at both passage entry points to be provided and agreed by the Local Planning Authority and for these to be installed prior to first occupation of the rear wing of the building as a dwellinghouse as a precautionary measure in the interest of flood control.

With this condition in place no objection is raised on flood risk ground.

ECOLOGY

An assessment for bats and bird prepared by George Bemment Associates has been submitted with this application.

The survey methods, presentation of results and recommendations have been assessed by the Authority's Ecologist and deemed to be satisfactory.

The report updates a previous inspection in September 2015 which found a scatter of bat droppings in the upper storey, consistent with a single prospecting bat. The latest inspection in May 2017 did not find any new evidence of bat activity. The report concludes that bats are not present and that the structure is generally unfavourable for bats, although hanging tile cladding on the outside could provide opportunities for crevice dwelling bats. Evidence of nesting jackdaw and possible swifts was noted.

The report provides recommendations for precautionary working around bats, including requirements for a toolbox talk and ecological watching brief.

It recommends that work should not proceed during the bird nesting season unless birds can be excluded from areas affected.

The report recommends provision of swift nest boxes in the eaves.

There is not requirement for further survey work or the need for a protected species licence.

It is recommended that the recommendations of the report should be a condition of approval. With this condition in place no ecological objections are raised to the proposal.

HIGHWAY AND PARKING CONSIDERATIONS

The proposal makes no alterations to access to the building and therefore does not raise additional highway safety concerns.

Whilst parking provision is not being proposed as part of this application, the building is located within a Town Centre location where occupiers would have access to public transport on East Street and would also have access to services and facilities to meet their day to day living requirements within walking distance given that the property is located in the heart of Ashburton Town Centre.

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

No objection is therefore, on balance, made to the lack of parking provision proposed at this site.

CONCLUSION

The submitted scheme involves the demolition of a modern flat-roofed extension of no heritage value and largely retains the historic plan-form of the grade II listed building. The submitted Conservation Repair Guideline document which outlines the proposed approach to

be taken to renovate the building is endorsed by the Authority's Conservation Officer. Inevitably, the extent of the works cannot be fully assessed until work commences and the external cladding is removed however the proposed scheme adopts a sensitive conservation-led approach and it is assessed that the works will enhance the listed building.

The scale of the rear wing and the garden to be created by the modern flat-roof extension being demolished would preclude the development being of a suitable size for long-term use as an affordable home and the viability appraisal and its addendum have demonstrated to the satisfaction of Officers in the consideration of the linked Planning Application (0314/17) that an affordable unit in this building would make it an unviable scheme to deliver.

In accordance with policy DMD10 (Enabling Development) it is therefore recommended that a departure be made to policy to allow an open-market dwelling to be created at this site in order to ensure the long-term conservation of this important heritage asset and in doing so secure the public benefits of preserving a rare and significant element of Ashburton's historic environment.

Conditional Approval is recommended.

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



Scale 1:2,500



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

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

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

Applicant: **Mr S Hext**

Recommendation **That permission be GRANTED**

Condition(s)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings: the un-numbered location plan and block plan and drawings numbered BS/3A, BS/4, BS/5, BS/6, BS/7 and BS/8A received 30 June 2017.
3. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements in section 8 of the Preliminary Ecological Assessment dated 8 March 2017.
4. No work shall commence on the development hereby permitted until a written scheme providing for an appropriately qualified archaeologist to carry out a full archaeological watching brief during all stages of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme, which shall be written and implemented at the applicant's expense, shall provide for the observation, recording and recovery of artefacts and post-excavation analysis. A full report detailing the findings shall be submitted to and approved in writing by the Local Planning Authority before the substantial completion of the development, unless otherwise agreed in writing by the Local Planning Authority.
5. The development hereby permitted shall not be used or occupied other than for the provision of short let holiday accommodation and shall not at any time be used, let, sold or otherwise occupied as a separate dwelling. No person, couple, family or group shall occupy or use the accommodation hereby permitted for a single period or cumulative periods exceeding 28 days in any calendar year. A register of all occupiers shall be retained by the applicant for inspection by the Local Planning Authority on request.
6. The owner/operator of the holiday let hereby approved shall maintain an up-to-date register of the names and main home addresses of all occupiers and shall make this register available to the Authority for inspection upon request.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking and re-enacting that Order with or without modification, no material alterations to the external appearance of the building(s) shall be carried out and no extension, building, enclosure, structure, erection, hard surface, swimming or other pool shall be constructed or erected in or around the curtilage of the holiday let hereby permitted, and no windows or roof lights other than those expressly authorised by this permission shall be created, formed or installed, without the prior written authorisation of the Local Planning Authority.
8. All new stonework shall be laid and pointed using traditional techniques and materials so as to match the stonework on the existing building.
9. Any new pointing shall be carried out using a lime based mortar mix with raked jointing.
10. The roof of the barn and extension hereby approved shall be covered in natural slate, a sample of which shall be submitted to the Local Planning Authority for approval prior to the commencement of any roofing work. At all times thereafter the roof shall be maintained in the approved natural slate.
11. The roof of the barn and extension hereby approved shall be covered in slate which shall be fixed by nailing only, unless otherwise previously agreed by the Local Planning Authority in writing.
12. All gutters and downpipes on the development hereby approved shall be of metal construction and round or half-round in section and, unless otherwise agreed by the Local Planning Authority in writing, shall be painted black not later than 30 days after the substantial completion of the development.
13. A detailed schedule of all new windows and exterior doors shall be submitted to the Local Planning Authority for approval in writing prior to their installation. At all times thereafter only the approved windows and doors shall be used in the building.
14. Unless otherwise previously agreed in writing by the Local Planning Authority, the frames of all external windows and doors in the building shall be recessed at least 100mm in their openings and all new joinery shall receive an oiled or dark stained finish prior to the first occupation of the holiday unit hereby approved.
15. There shall be no external lighting attached to the exterior or within the curtilage of the building.
16. Full details of the proposed septic tank, its position and the drainage runs for foul and clean water run-off shall be submitted to the Local Planning Authority for approval in writing prior to their installation. Thereafter, the septic tank and drains shall be installed and maintained as approved.
17. All new power and/or telephone cables serving the property shall be placed underground.
18. Full details of any works to upgrade the access driveway, including any new surface materials and drainage culverts shall be submitted to and approved in writing by the Local Planning Authority prior to these works taking place. Any works that are required shall be undertaken prior to the first occupation of the holiday unit.

Introduction

Stone Barn is located approximately 1.6km north of Buckland in the Moor. It is an isolated stone barn with a corrugated metal roof. There are ruins comprising some stone walling to the rear (north west elevation) of the barn.

The application is to convert the barn into a holiday letting unit.

This application is presented to Members at the discretion of the Acting Head of Planning.

Planning History

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

Consultations

Environment Agency:	Flood Risk Zone 1 - standing advice applies
Teignbridge District Council:	Does not wish to comment
County EEC Directorate:	No highway implications
DNP - Ecology & Wildlife Conservation:	Works to proceed in strict accordance with the recommendations in Section 8 of preliminary ecological assessment report (George Bemment Associates, 8/3/17) and that this should be a condition of any planning consent. The planning condition shall be discharged when the consultant ecologist confirms in writing that the recommendations have been implemented.
DNP - Building Conservation Officer:	In building conservation terms, if the barn is redundant for agricultural purposes I could support its adaptive reuse. It is a simple structure and the only standing remnant of the now ruined and isolated farmstead, which has medieval origins and a potentially high archaeological interest. The barn meets the criteria for a non-designated heritage asset (there is a building shown here on the c.1840 Tithe Map) and is, in any event, recorded as a Historic Farmstead. This surviving barn is certainly worth conserving as it makes a positive contribution to Dartmoor's historic environment.

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

If approved, condition external joinery details – the proposed stained finish is not acceptable and either the wood should be left to weather naturally or be painted. Also

details of services and air/waste extraction are required and samples/details of external materials. Any repointing of stone walls should use a lime mortar.

DNP - Archaeology:

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

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

Although not indicated in the supporting documents it is assumed that the proposed development will require groundworks to install services and construct appropriate floors within the building. Given the archaeological sensitivity of the site and according to policies COR1, COR3, COR6 and DMD13, an archaeological watching brief (standard condition XO3) is recommended on groundworks both inside and outside the building that is the subject of the proposed development.

Parish/Town Council Comments

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

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR2 - Settlement Strategies

COR20 - Providing for agricultural diversification

COR4 - Design and sustainable development principles

COR8 - Meeting the challenge of climate change

DMD1a - Presumption in favour of sustainable development

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

DMD35 - Farm diversification

DMD4 - Protecting local amenity

DMD44 - Tourist accommodation

DMD7 - Dartmoor's built environment

DMD8 - Changes to Historic Buildings

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

Representations

7 letters of support

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

Observations

THE PROPOSAL

The application proposes the conversion of an existing barn and reinstatement of a lean-to to create a 2-bedroom holiday let with a new slate roof. The application proposes an enclosed amenity area associated with the property to the north-west elevation.

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

Stone Farm is a historic farmstead appearing on the 19th Century Maps. The building is a modest field barn and appears on the Historic Environment Record. It is positioned in an isolated undeveloped site in this rolling pastoral landscape, divorced from other building groups. The site is located immediate adjacent to a S.3 Woodland of Conservation Importance.

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

PLANNING HISTORY

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

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

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

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

-The proposal would result in an unjustified unit of holiday accommodation in an isolated

building outside any recognised settlement, not part of an acceptable farm diversification scheme.

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

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

PRINCIPLE OF CONVERSION TO HOLIDAY USE/POLICY IMPLICATIONS

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

- (i) the building should be sited where there is reasonable access to local services and facilities preferably by a variety of means of transport;
- (ii) the building should demonstrate a form, structure or history that is traditional within the context of Dartmoor's built heritage;
- (iii) the building should be:
 - structurally sound;
 - appropriately sized for the proposed new use;
 - capable of conversion without the need for substantial extension, alteration or reconstruction of the existing structure;
 - capable of conversion without requiring significant changes in the relationship with existing ground levels;
- (iv) the proposed conversion work should be in keeping with local building styles and materials, not adversely affecting the rural character and appearance of the locality or significant public views;
- (v) existing significant historic or architectural elements or other special features should be incorporated into the design;
- (vi) the overall setting of the building and site should be sustained.

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

Policy DMD44 permits the conversion of buildings to, amongst other circumstances, 'self-catering units ... in close proximity to the main dwelling and where management of the tourism enterprise is undertaken from that dwelling' and where accommodation is provided 'as part of an acceptable farm diversification exercise'.

It goes on to state that new holiday accommodation should be 'subject to conditions to ensure that: the accommodation is occupied for holiday purposes only; and the accommodation is not occupied as a person's sole or main place of residence; and the owners/operators of the accommodation maintain an up-to date register of the names and main home addresses of all

occupiers and that they make this information available to the Authority on request’.

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

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

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

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

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

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

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

IMPACT

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

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

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

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

landscape, contrary to policies COR1, COR3, DMD1b, DMD5 and DMD9.

FARM DIVERSIFICATION

Further evidence has now been presented in respect of the diversification of income to support the farming enterprise.

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

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

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

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

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

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

DESIGN AND HERITAGE POLICY

Policies COR1, COR3, DMD8 and DMD1b establish the requirement for the conservation and enhancement of Dartmoor's cultural heritage.

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

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

interest. The policy requires a balanced judgement having regard to the scale of any harm or loss and the significance of the building or asset.

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

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

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

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

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

The Building Conservation Officer considers that if the barn is redundant for agricultural purposes he could support its adaptive reuse. It is a simple structure and the only standing remnant of the now ruined and isolated farmstead, which has medieval origins and a potentially high archaeological interest. The barn meets the criteria for a non-designated heritage asset (there is a building shown here on the c.1840 Tithe Map) and, in any event, the site is recorded as a Historic Farmstead. This surviving barn is certainly worth conserving as it makes a positive contribution to Dartmoor's historic environment. The immediate development site comprises the barn, lean-to (currently in an unroofed state) and yard. Historically, there was no internal connection between the barn and lean-to, but a new small single door width opening is proposed. Overall, the submitted scheme is sympathetic and relatively low-impact. There are no new external openings and the use of the interior space is not overly intensive. The former yard provides a defined 'curtilage' which should prevent any of the trappings of its domestic use spilling out into the ruined farmstead. It is now considered to be a scheme which would conserve and enhance the special qualities of the building.

WILDLIFE CONSIDERATIONS

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

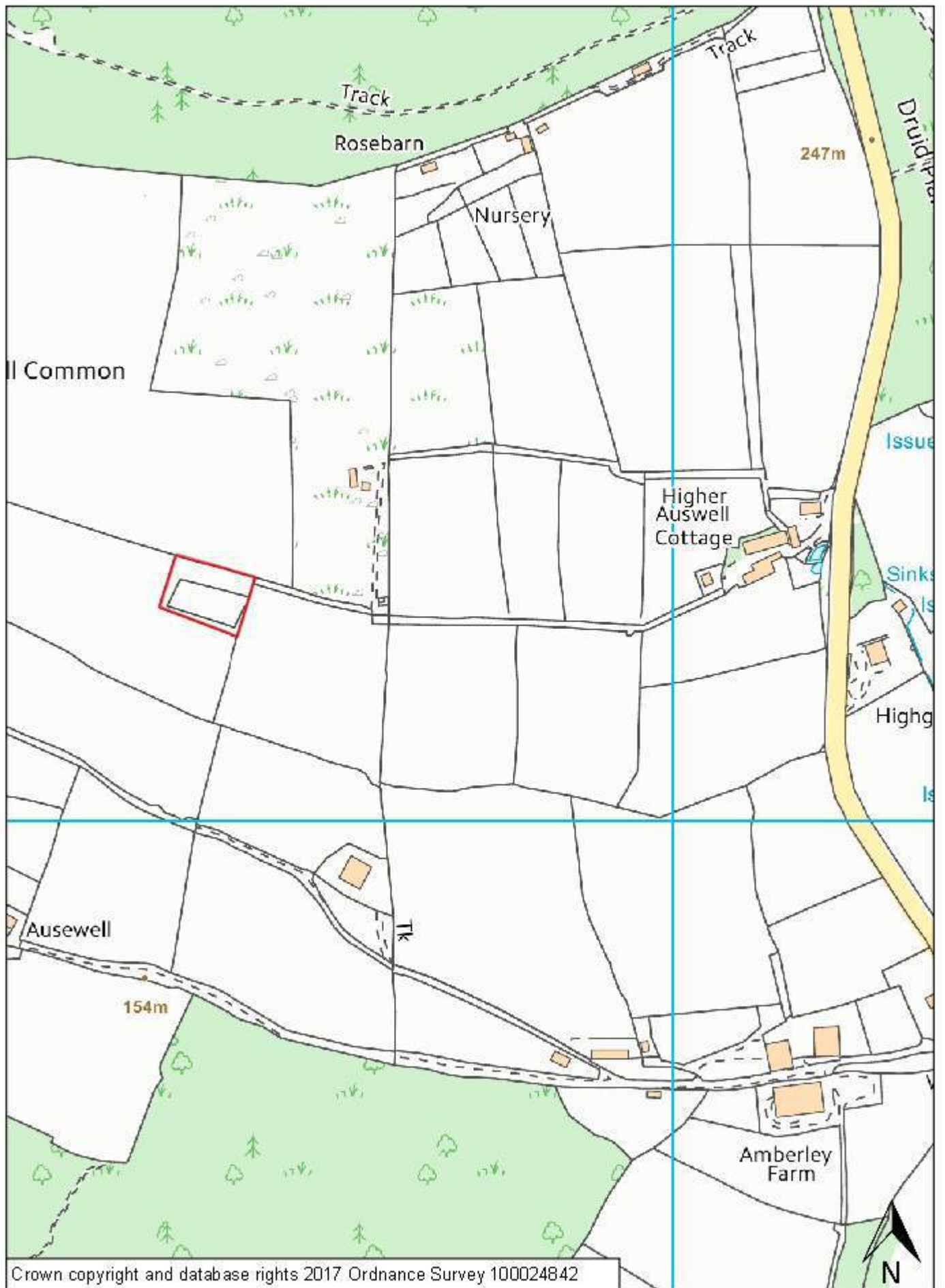
CONCLUSIONS

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

Land at Ausewell Common, Ashburton - 0326/17



Scale 1:4,000



7. Application No: **0326/17** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **Ashburton**
Grid Ref: **SX736711** Officer: **Helen Herriott**

Proposal: **Erection of agricultural building (13.5m x 9m)**

Location: **Land at Ausewell Common,
Ashburton**

Applicant: **Ms V Siddell**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed development would comprise the introduction of a large agricultural building in the open countryside which, by reason of its location, size and design, would have a detrimental visual impact and result in harm to the landscape character and appearance of this part of the National Park. The development would therefore be contrary to policies COR1, COR3 and COR4 of the Dartmoor National Park Authority Core Strategy Development Plan Document, policies DMD1, DMD3, DMD5, DMD7 and DMD34 of the Dartmoor National Park Development Management and Delivery Development Plan Document, to the advice contained in the Dartmoor National Park Design Guide, the English National Parks and the Broads UK Government Vision and Circular 2010 and National Planning Policy Framework 2012.
2. With no demonstrable agricultural need for the proposed development, the proposed building is considered to be contrary to policies COR2 and COR3 of the Dartmoor National Park Authority Core Strategy Development Plan Document, to the Development Management and Delivery Development Plan Document and in particular policies DMD1b, DMD5 and DMD34, to the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and to the National Planning Policy Framework 2012.

Introduction

The application site is located within Ausewell Common approximate 2.5km north east of Ashburton. The site is on an existing (redundant) sand school. The site comprises an unauthorised stable building, currently used for furniture storage and the keeping of chickens.

The proposed building is 122sqm and is 13.5 x 9 x 4.2m in height. The proposed materials are Gorse Green profile roof sheeting and vertical, locally sourced, timber boarding. The ventilation louvres are to be of timber construction. 3m x 4m brown metal double door openings are to be located on three sides of the building.

The access to the site is along a private shared track from Higher Ausewell Cottage, at the end of this track, there is no formal existing access track across the field to the sand school.

This application is presented to Members due to the Parish Council support of the proposal.

Consultations

Environment Agency: Flood Risk Zone 1 - Standing advice applies

Teignbridge District Council: Does not wish to comment
County EEC Directorate: No highways implications
DNP - Archaeology: No comment received
DNP - Trees & Landscape: The proposed building is an isolated structure that will not conserve or enhance the character of the local landscape.

The development will also have an adverse impact on the character of the local landscape. The development will be contrary to policy COR1 in that it does not respect or enhance the character, quality or tranquillity of the local landscape. It is contrary to policy COR3 in that the development does not conserve or enhance the characteristic landscapes and features that contribute to Dartmoor's special environmental qualities. The development is also contrary to DMD5 because it does not conserve/or enhance the character and special qualities of the Dartmoor landscape.

Considering the size of the holding and the lack of agricultural activity on the land, development will be contrary to DMD34 because there is no demonstrable need for a building, it is poorly related to landscape features and other building groups and the building is not of a scale that is well related to its function.

Recommendation

The application should be refused because the development will be contrary to policy COR 1 in that it does not respect or enhance the character, quality or tranquillity of the local landscape. It is contrary to policy COR 3 in that the development does not conserve or enhance the characteristic landscapes and features that contribute to Dartmoor's special environmental qualities. The development is contrary to DMD5 because it does not conserve/or enhance the character and special qualities of the Dartmoor landscape. It is also contrary to DMD34 because there is no demonstrable need for a building, it is poorly related to landscape features and other building groups and the building is not of a scale that is well related to its function.

Parish/Town Council Comments

Ashburton TC: Supports the application.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR2 - Settlement Strategies

COR3 - Protection of Dartmoor's special environmental qualities

COR4 - Design and sustainable development principles

COR6 - Protecting Dartmoor's Archaeology

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

DMD34 - Agricultural and forestry

DMD4 - Protecting local amenity

DMD5 - National Park Landscape

DMD6 - Dartmoor's moorland and woodland

DMD7 - Dartmoor's built environment

Representations

2 letters of objection 1 other letter

Two objections and a general observation have been received, these relate to the suitability of the access for a business premises on this site (increased traffic); the design and scale of the building; the legitimacy of the agricultural holding and noise/odour concerns.

Observations

PROPOSAL

The proposed building is 122sqm and is 13.5 x 9 x 4.2m in height. The proposed materials are Gorse Green profile roof sheeting and vertical, locally sourced, timber boarding. The ventilation louvres are to be of timber construction. 3m x 4m brown metal double door openings are to be located on three sides of the building.

PLANNING HISTORY

An unauthorised stable building, pole barn and caravan on site were investigated by the enforcement team in December 2016. The applicant was invited to submit a planning application or remove the buildings/structures. The pole barn and caravan have been removed from the site however the stable building remains.

AGRICULTURAL HOLDING

The applicant states that the building will be used for the farming of laying chickens and rare breed chickens to be sold over the internet together with the sale of the more common breeds of chicken for eggs and meat.

They also state that the purpose of the building is to house the stock, food and bedding together with a tractor and ground equipment. It is advised that the tractor is required for raking over the sand school and ground/hedge maintenance of the adjoining field.

The existing stock numbers are stated as 49 chickens with the intention to increase the numbers (to 100 or 200) if/when the farm is Certified/Registered.

POLICY CONTEXT

The National Planning Policy Framework states that great weight should be given to

conserving the landscape and scenic beauty, cultural heritage and wildlife of National Parks which have the highest status of protection. The importance of delivering these Park purposes is reiterated in the objectives of local policy DMD1b, which stipulates that these considerations will be given priority over other considerations in the determination of planning applications.

Policies COR1 and COR3 require all new development proposals to respect and enhance the character and quality of local landscapes and to sustain local distinctiveness and Dartmoor's special environmental qualities. Policy COR4 requires development proposals to demonstrate a scale and layout appropriate to the site, conserving and enhancing the quality and distinctiveness of the local landscape and built environment.

The importance of understanding landscape character is fundamental to a consideration of these issues and this is embedded in policy DMD5. This policy explicitly states that development proposals should respect the valued attributes of landscape character types, ensuring that location, layout, scale and design conserves or enhances the special qualities of the local landscape, avoiding unsympathetic development that will harm the wider landscape.

Policy DMD34 requires new agricultural development to demonstrate a need proportionate to the use of the land, a scale and form related to its function, relate well to local landscape features and other building groups and be located and orientated to respect local topography.

The Dartmoor National Park Design Guide explains that new agricultural buildings need to be carefully sited in the landscape. Development should aim to fit into and be sympathetic to, existing farmsteads and the landscape, avoiding visually intrusive new buildings and reference being made to trees and folds in the landscape providing opportunities for sensitive, unobtrusive siting.

LANDSCAPE CHARACTER

The site is within the landscape character type 'Upper Farmed and Wooded Valley Slopes' The land immediately around the site is undulating agricultural land comprising small to medium sized field enclosed by Devon hedge banks. Isolated and linear groups of trees are growing on these hedge banks. Large mixed woodlands area a feature of this landscape. The well-treed character results in an enclosed and unified landscape with constantly changing colours and textures. There is a sparse settlement pattern with small hamlets, villages and isolated farmsteads. Winding lanes bounded by high hedges thread across the landscape. The landscape has strong pastoral character.

The proposed development will have an impact on the local landscape character. The building is poorly related to other structures and will be an isolated structure within this landscape.

Policy DMD5 sets out how Dartmoor's internationally renowned landscape should be protected. It is recognised that landscapes change, but the emphasis is on protecting the character and special qualities of Dartmoor's landscape.

The policy is very clear that development should conserve and/or enhance the character of Dartmoor's landscape. The development does not conserve and/or enhance the character of the landscape and is clearly contrary to policy.

The impact of agricultural development on local landscape character is an important consideration under policy DMD34 which states that development will only be permitted where it relates well to local landscape features and building groups. The building proposed here

contrasts strongly with this requirement.

DESIGN

The design of the building does not accord with the strong local vernacular of stone reflected in farmsteads, stone-faced banks, walls and barns. The use of traditional materials and methods of construction is encouraged within the DNPA Design Guide.

The proposed building is dominant in this open sand school location and the applicant has done little to reduce the visual and landscape impact of the building. No screening has been proposed to reduce the prominent views of the buildings, however in this location screening is unlikely to be appropriate or adequate to reduce the impact of the isolated barn. In terms of landscape character the proposed building does not relate well to the local landscape.

The Design Guide states that dual pitched roofs are usually preferred for larger agricultural buildings. The proposed material for the roof is goose green metal profile sheeting. A merlin grey or anthracite grey roof would be more appropriate as identified in the DNPA Design Guide. In addition, the large door openings on the building appear unnecessary for the function.

Officers also note that formalisation of an agricultural use on this site is likely to lead to increased traffic and the requirement for a formalised track across the field. No details of a track have been submitted with this application. There is an "existing stone track" identified on the application documents, however this was not observable by Officers on site.

DEMONSTRABLE NEED

DMD34 states that agricultural development will be permitted if there is a demonstrable need that is proportionate to the use of the land, it relates well to the landscape features and other building groups and it demonstrates a scale that is well related to its function.

The proposed building of approximately 121sqm and 4.2m in height is considered to be excessive in size for the chicken stock levels identified. The design of the building does not relate well to the proposed function for the keeping of chickens. A chicken ark or product designed for the keeping of chickens may be more appropriate. Furthermore, the requirement of raking the sand school is not considered to be an agricultural use of the land and maintenance of the hedges is not in itself justification for a building of this scale and design in this location.

The building does not appear to be proportionate to the agricultural use, the scale is not well related to its function and it is poorly related to the landscape features and other buildings.

PARISH COUNCIL COMMENTS

The Parish Council supports the application.

Their comments note that this agricultural building is to replace the existing stable block for the housing of 49 birds with the intention to increase stock levels. They note that the recent bird flu epidemic meant that the applicant had to 'get rid of' her rare breed chickens as the stable block was too small to house the birds. They also state that the applicant proposed to turn the sand school into a free range poultry unit.

It should be noted that the existing stable block is unauthorised and that the bird flu epidemic required chickens to be brought inside; a temporary shelter could have been used for this purpose.

There is no supporting information on the application advising that the sand school will be turned into a free range poultry unit.

CONCLUSION

The building is poorly related to landscape features and other building groups. The proposed building is contrary to policy COR1, COR3 and DMD5 because it does not conserve or enhance the character and special qualities of the Dartmoor landscape.

The introduction of an isolated building in this location would fail to reflect the building pattern associated with this landscape type and would therefore be harmful to landscape character.

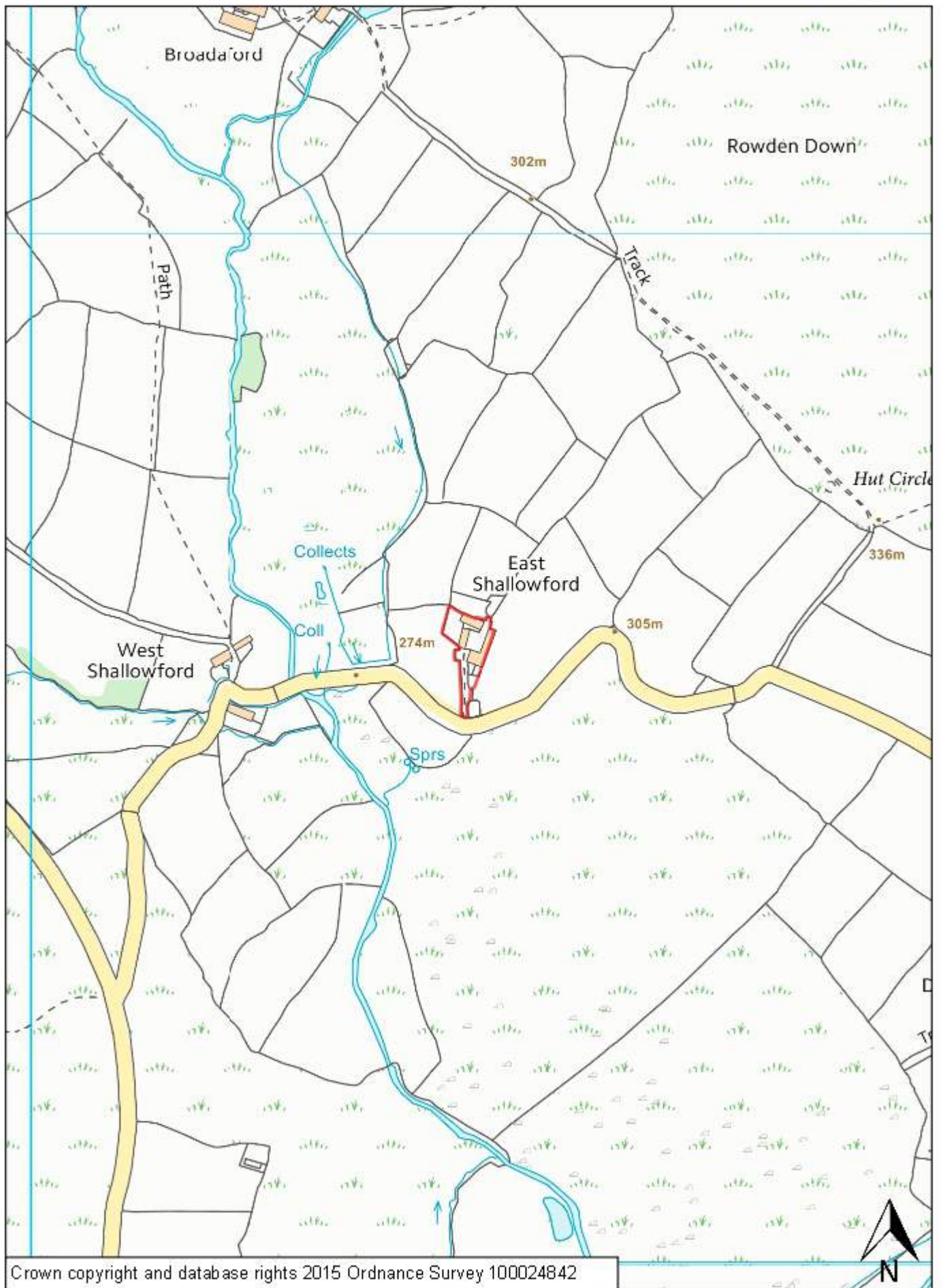
Considering the size of the holding and limited agricultural activity on the site, the development is considered to be contrary to policy DMD34 because there is no demonstrable need for a building. The building is not of a scale that relates well to its function. The proposal therefore fails to meet the requirements of the Local Development Plan.

The application is recommended for refusal.

East Shallowford Farm - 0499/16



Scale 1:5,000



Application No: **0499/16** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **Widcombe-in-the-Moor**
Grid Ref: **SX694755** Officer: **Christopher Hart**

Proposal: **Change of use to form residential educational centre, including the conversion of existing buildings and erection of new, for residential educational purposes and demolition of existing and erection of new farm buildings**

Location: **East Shallowford Farm, Widcombe-in-the-Moor**
Applicant: **East Shallowford Farm Trust**

Recommendation **That permission be GRANTED**

Condition(s)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings: drawings numbered Shallowford/2/P100, P101, P102, P103, P104, P105, P106 and P107 received 15 September 2016.
3. No work shall commence on the development hereby permitted until a written scheme providing for an appropriately qualified archaeologist to carry out a full archaeological watching brief during all stages of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme, which shall be written and implemented at the applicant's expense, shall provide for the observation, recording and recovery of artefacts and post-excavation analysis including the interior floor levels, cobbled floors and assessment of new underground service runs. A full report detailing the findings shall be submitted to and approved in writing by the Local Planning Authority before the substantial completion of the development, unless otherwise agreed in writing by the Local Planning Authority.
4. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements of the ecological survey report dated August 2016.
5. Prior to the commencement of the works hereby approved a detailed lighting plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all lighting on the site shall accord with the approved plan.
6. The property defined within the application site shall only be used for and ancillary to the residential educational use hereby approved and for no other purpose as contained in Class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended).
7. The residential educational use shall be limited to a maximum of 32 bed spaces in total at any one time. A record of all users shall be retained and made available for inspection by the Local Planning Authority at all reasonable times.
8. The roofs of the proposed accommodation, kitchen and office barns together with the proposed boot/drying room, plant room and wood store shall be covered in natural slate, a sample of which shall be submitted to the Local Planning Authority for approval prior to the commencement of any roofing work. At all times thereafter the roof shall be maintained in the approved natural slate. All roof slates shall be fixed by nailing only.
9. Notwithstanding the drawings hereby approved, the roofs of the new animal barn,

outdoor education barn, dining barn and farm boot room shall be covered in a corrugated profile, anthracite coloured cement fibre sheeting unless otherwise agreed in writing by the Local Planning Authority.

10. All gutters and downpipes on the development hereby approved shall be of metal construction and round or half-round in section and, unless otherwise agreed by the Local Planning Authority in writing, shall be painted black not later than 30 days after the substantial completion of the development.
11. All new windows and exterior doors shall be deeply recessed in their openings and receive an oiled or dark stained finish within one month of their installation unless otherwise agreed in writing by the Local Planning Authority.
12. The proposed solar panels shall be installed with black panels and black painted surrounds.
13. Any repointing of the stonework shall be completed using lime based mortars with raked pointing to match the pointing on the existing buildings.
14. Details of all new external extraction fan outlets and flue vents shall be submitted to the Local Planning Authority for approval in writing prior to their installation. Thereafter, only the approved extraction fan outlets and flue vents shall be used in the development.
15. The existing static caravan positioned on the northern side of the dwelling shall be permanently removed from the site within six months of the substantial completion of the works hereby approved.
16. A detailed green travel plan shall be submitted to the Local Planning Authority for approval in writing prior to the residential education use hereby approved being commenced.

Introduction

East Shallowford Farm lies 2.5km south west of the village of Widecombe-in-the-Moor. It is a compact farmstead containing a grade II listed farmhouse and a range of traditional farm buildings in a remote rural location.

The application is for permission to carry out a comprehensive package of works related to the educational use of the site by the Shallowford Trust. This includes the provision of new residential accommodation through the conversion of existing buildings, facilities, an outdoor classroom and reorganisation of animal housing.

The application and following report for Listed Building Consent is presented to the Committee in view of the issues it presents and the level of public interest.

Planning History

0592/15	Conversion and extension to existing barns in association with change of use to form accommodation for holiday/educational use including staff accommodation and office facilities		
	Listed Building Consent	Refused	10 March 2016
0591/15	Change of use, conversion and extension to existing barns to form accommodation for holiday/educational use including staff accommodation and office facilities and the erection of new agricultural barns		
	Full Planning Permission	Refused	08 March 2016
0059/10	Alterations to farmhouse (revised application of some works granted to 0091/09)		

0019/10	Listed Building Consent Timber conservatory	Grant Conditionally	13 April 2010
0017/10	Listed Building Consent Timber conservatory	Grant Conditionally	16 March 2010
0090/09	Full Planning Permission Change of use of attached outbuilding to toilet block and refurbishment	Grant Conditionally	16 March 2010
0091/09	Full Planning Permission Refurbishment and alteration of farmhouse and barn	Grant Conditionally	18 June 2009
5/06/296/94/18	Listed Building Consent Livestock Shed Extension	Grant Conditionally	17 June 2009
5/06/044/94/18	Prior Notification Animal Shed	No objection	02 November 1994
	Prior Notification	No objection	25 February 1994

Consultations

Environment Agency: Flood risk zone 1 - standing advice applies

Teignbridge District Council: No objection

County EEC Directorate: The highways officer is familiar with the roads in the area. It is noted that the roads in the vicinity of the site are narrow and constrained, both with respect to horizontal and vertical alignment.

It should be borne in mind that the applicant has operated a similar facility at this site for a considerable period of time - 40 years according to the supporting documentation with the application. It is also understood from the supporting application that visitors to the site are currently residing off-site and being transported to the site which means the number of traffic movements associated with the overnight accommodation will reduce in the event that accommodation is provided on-site.

When assessing the suitability of the highway network serving the site, the highway authority has to consider the content of National Planning Policy Framework, which states, in paragraph 32, that 'development should only be prevented or refused on transport grounds when the residual cumulative impacts....are severe'. Although the development as proposed may result in a small increase in vehicle movements over the surrounding highway network, there is no evidence that the impact will be 'severe', although it is accepted that is a balanced judgement.

The existing access is to be utilised to serve the site, and this has been considered for its suitability as an access to serve the proposed development having regard to what

has been served by the access for the last 40 years (according to the documentation). 85 percentile vehicle speeds past the access are in the order of 15 m.p.h. westbound (down hill) and 20 m.p.h. eastbound. This would require a major road stopping visibility distance of 17 metres and 25 metres respectively, from a minor road distance of 2.4 metres ideally, but in certain circumstances this may be reduced to 2 metres. It is difficult to establish exactly from where this visibility distance should be measured, due to the characteristics of the carriageway near the access, but the highway authority is satisfied that adequate visibility and geometry is available at the access in its current form. Both visibility and geometry could be improved if it was felt necessary by removing or realigning the wall on the western corner, but it is not felt that a tangible benefit would result in this location from doing so.

Parking standards are generally a matter for the planning authority to determine, with the highway authority only being concerned if the number proposed is inadequate resulting in parking on the highway. The highway authority are satisfied that the applicant would provide sufficient parking to meet their needs, having regard to the space that they have in their ownership. Any 'overspill' parking can be accommodated within the application site or land within their control without parking overspilling onto the adjoining highway.

DNP - Building Conservation Officer:

East Shallowford is a long established farmstead forming a courtyard plan, which is the most common type on Dartmoor. The Tithe Map of c.1840, shows the basic layout as it is today comprising: the farmhouse to the north (1); a long range running down the east side aligned north-south (5-8); a barn to the south aligned east-west (9) (now attached to 5-8 by 10); and a north-south range to the west of the central courtyard which was formerly two separate buildings (12 and 15-16) but are now encased in timber, block work and corrugated iron sheds (13-14). For the sake of consistency, the building numbering system used here matches the submitted Historical and Archaeological Survey (John Pidgeon 2007).

Farmhouse (1)

The farmhouse is listed at Grade II. Although there are no physical changes proposed for this building, its setting is a consideration. The immediate farmhouse setting is defined by the courtyard enclosed by agricultural buildings and the farmhouse is viewed in this context. This close

relationship makes an important contribution to the significance of the farmhouse but this would be essentially unchanged by the proposed scheme, with the exception of the addition of the Outdoor Education Rooms, although this is considered to be appropriate for this location and to offer an improvement over the current C20 sheds occupying this site.

The wider setting of the farmhouse would not be affected by the changes to the south of the site, including the proposed Animal Barn which would be approximately 1.5m lower in height than the East Range (5-8) and is some 45m from the farmhouse and not easily viewed in juxtaposition. This building would be agricultural in character and would not impinge on the historic courtyard arrangement, or the setting of the curtilage listed structures to an extent greater than the current situation.

Wood Store/Plant Room (2-4)

These are to the north of the main east range but outside of the courtyard. Building 2 described as a wood shed is probably late-C19 and has some heritage significance, 3-4 are timber and have limited interest. In any event, they would be essentially unchanged by the scheme.

East range (5-8)

The two-storey main range (6-8) is internally divided into four on the ground floor with a lean-to stone single-storey building (5 – described as goose house) at the north end. The proposed ground floor workshop building (7) is of particular interest as it retains a cobbled floor with granite drain that is of considerable interest. This should be retained and the internal walls left as exposed stone. The interior of the remainder of this building is of less interest and consequently less sensitive to change. The historic divisions would be largely retained.

South barn (Shippen) (9)

Along with the East Range, this is one of the early farm buildings here, although it has also had later alterations. The proposed reuse of the existing building as a kitchen would undoubtedly have a high impact on the character and appearance of this building. In particular, any flues or extraction system have the potential to be visually intrusive and full details of these are required. The link to the new building to be used as a dining room would be more problematic were there not pre-existing buildings providing the link. The impact of this new building is therefore regarded as neutral.

Modern buildings (10-11)

These, and the buildings further to the south, are outside of the historic farmyard core and make no contribution to the heritage significance of the farmstead and due to their recent date are not considered to be curtilage listed.

West range – (shed 12)

There is a question mark over the status of this shed, which is predominantly post-1948, and whether this (or part of it) should be regarded as curtilage listed. At the south end, the south and west wall and part of the dividing wall with building 13, are clearly earlier granite rubble walls – likely to be contemporary with buildings 5-9 (i.e. pre-1948). The Historical and Archaeological Survey (2007) identified this as the remaining half of a linhay, but this identification seems to be based on conjecture. There is nothing in these surviving remnants of wall to suggest this use - the early maps show a square(ish) building with a plan matching the dividing wall, which is not consistent with the plan-form of a linhay. In addition, the area between this and the pighouse (now occupied by building 13) appears to have been open since at least the earlier C19, as evidenced by the Tithe Map. If it were ever a linhay it was reconfigured before 1840.

This north wall (now internal) and west wall of this building would be removed by the proposed scheme. The south wall – which forms the entrance to the courtyard would, however, be retained. There is a negative impact in removing two of the three sections of earlier wall. That said, the visually prominent element to the south, viewed when entering the farmyard, would be retained.

West range – (shed 13)

The south wall of this building, which divides it from 12, is one of the two remnants of the earlier building (see above) that it is proposed to remove. The rest of this shed is of modern blockwork and timber construction. There is no building apparent in this position on the 1947 aerial photograph and this poorly constructed modern shed makes a negative contribution to the heritage significance of the farmstead.

West range – (sheds 14-16)

The historic pighouse (15-16) is currently obscured on its courtyard elevation by the modern shed (14).

The removal of this shed will have a positive impact on the heritage significance of the farmstead complex as it would allow the courtyard elevation of this granite building to once again be exposed to view.

South of the courtyard

The proposed Animal Barn would be just to the south and outside of the courtyard. Its presence would not interfere with the historic farmstead layout. Other proposed additions are on the edge of the courtyard complex, including a dining room linking the main block and proposed kitchen. The linking of separate farm buildings can be an issue, although in this case, these pre-existing buildings are already linked by modern farm buildings. The design of the new link buildings is considered appropriate for their setting.

Impact on Significance

The conversion of historic farm buildings invariably causes a degree of harm to their heritage significance. The harm in this case is less than substantial. Under the NPPF policy this should be weighed against the public benefit of the scheme, which in this case is clearly greater than, say, a residential conversion.

In terms of loss of fabric, the harm is principally identified in the loss of two of the three surviving remnants of wall of building 12. There should be a presumption in favour of retaining these but their loss, could, however, be balanced against the positive benefit of the proposed Outdoor Education Room and removal of the unsightly C20 elements comprising the majority of shed 12 and sheds 13 and 14.

There is also an impact on the heritage significance of the East Range (6-8), South Barn (9) and the pighouse (15-16) arising out of the proposed scheme, again the harm is less than substantial. Although there are some linking structures, which replicate the current situation, importantly, each historic element is dealt with in a manner that retains its character as a discrete building. The internal works are broadly sympathetic to the historic fabric although the proposed Workshop, including its historic floor, must be retained in its current form.

It is acknowledged that there is some harm, although this is less than substantial and outweighed by the public benefit.

Recommendation

If consent is granted, then standard conditions regarding external materials, new slates, air and waste extraction etc. should be included. Also, more specifically, door furniture to historic openings should be traditional and agricultural in character and new windows recessed into their openings.

DNP - Ecology & Wildlife
Conservation:

A protected species survey (bat and breeding bird) report and Lighting Strategy have been submitted with the application.

During 2015 no field signs typical of bat roosting behaviour were found in any of the outbuildings. Two common pipistrelle were recorded emerging from the dormer cheeks of the main farmhouse which is not included within the application.

During the 2016 survey a maximum of three common pipistrelle bats were recorded leaving a roost site on the southern gable wall top of Building 5 - 8. No signs of Barn owl were noted. A possible blackbird, swallow and crevice nests were noted within the barns.

A low impact licence for the site will be required prior to works that might disturb common pipistrelle on the wall top of Building 5- 8. A method statement for the works is included within the survey report and includes details of roost replacement, additional roost provision, timing of works, supervision of works and site lighting.

Because the development requires an EPSL from Natural England the Authority will need to carry out an assessment of the application against the three derogation tests of the Conservation of Habitats and Species Regulations 2010:

1. The development is of overriding public importance
2. There is no satisfactory alternative
3. There will be no significant detrimental population impact (on the bats)

It is considered that the detailed mitigation measures included in the Bat and Breeding Bird Survey report satisfy test 3 of the Habitats Regulations.

In view of the need to re-determine this application the

ecological reports have been re-visited. The Authority's ecologist has confirmed that his initial comments still apply and that the recommendations made above are still relevant at today's date.

DNP - Archaeology:

East Shallowford is a historically important farmstead first mentioned in 1288.

There is a high possibility that buried archaeological features and information relating to the medieval farm and its consequent development survive in the area of the proposed works.

A watching brief condition should be placed on the proposal to cover all areas of ground works with particular relation to:

- Record areas of surviving cobbled flooring in the threshing barn (main barn)
- Observe any reduction of the existing floors levels within the threshing barn (main barn), shippen, pig house and goose house.
- Observe the installation of new underground services.

The recording watching brief is to be undertaken by an accredited archaeological contractor following a detailed WSI approved by DNPA archaeologists as stated in standard condition X03.

Parish/Town Council Comments

Widecombe PC:

The PC has noted that the application has now been scaled back and it continues to have no objections.

In its response to the previous applications the PC expressed concerns about the potential impact of the development on the environment and the increased traffic along a narrow road. It is also noted that there had been no Environmental Impact Assessment or Traffic Assessment carried out. Further potential noise and light pollution was also a concern.

Whilst to some extent some of these concerns appear to have been addressed in the new application, the PC would very much like the DNPA to ensure these matters have been fully considered prior to giving its recommendation.

Relevant Guidance and Development Plan Policies

National Planning Policy Framework 2012

English National Parks and The Broads UK Government Vision and Circular 2010

Eight Point Plan for England's National Parks (2016)

Dartmoor National Park Authority Core Strategy Development Plan Document (June 2008);

COR1 - Sustainable Development Principles

COR2 – Settlement strategies

COR3 - Protection of Dartmoor's special environmental qualities

COR4 - Design and sustainable development principles

COR5 - Protecting the historic built environment

COR6 - Protecting Dartmoor's Archaeology

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

COR8 – Meeting the challenge of climate change

COR10 – Meeting the need for local infrastructure, community facilities and public services

COR11 - Retaining tranquillity

COR13 - Providing for high standards of accessibility and design

COR14 – Meeting the infrastructure requirements of new development

COR16 – Meeting the needs of vulnerable groups and those with special needs

COR17 - Promoting increased health and well-being

COR18 - Providing for sustainable economic growth

COR19 – Dealing with proposals for tourism development

COR20 - Providing for agricultural diversification

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

COR24 - Protecting water resources from depletion and pollution

Dartmoor National Park Authority Development Management and Delivery Development Plan Document (July 2013);

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

DMD5 – Dartmoor's moorland and woodland

DMD4 - Protecting local amenity

DMD7 - Dartmoor's built environment

DMD8 - Changes to Historic Buildings

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

DMD10 – Enabling development

DMD11 - Demolition of a listed building or local heritage asset

DMD13 - Archaeology

DMD14 - Biodiversity and geological conservation

DMD15 – Renewable energy

DMD31 – Provision of new recreational and leisure facilities

DMD34 - Agricultural and forestry

DMD35 - Farm diversification

DMD38 - Access onto the highway

DMD41 - Parking provision - Non Residential

DMD43 – New visitor attractions and development of existing enterprises

DMD44 - Tourist accommodation

Representations

20 letters of objection 10 letters of support 1 other letter

Those raising objections have provided extensive commentary on why they consider the proposal conflicts with many of the policies within the Development Plan. A summary of their points of concern are as follows;

- Major change from a modest charity to a full blown commercial enterprise
- Higher levels of intrusive usage in a sensitive location
- Highly disruptive to tranquillity of location/surroundings through impact of large numbers of schoolchildren for potentially 52 weeks of year
- Potential light pollution (need for detailed lighting plan to safeguard dark skies)
- Noise pollution
- Additional traffic on poor access roads including cars, minibuses and delivery vehicles
- Inadequate on-site parking
- No detailed environmental impact assessment carried out
- Detrimental impact on protected species inc. butterflies and bat population
- Unacceptable harm to heritage assets including demolition, unsympathetic conversion and introduction of new buildings damaging to setting of listed building and wider historic farmstead/landscape
- Not a farm diversification exercise – farming outsourced. Use will take over from traditional farming practises on site.
- No significant public benefit to outweigh harm (benefit limited to those who visit)
- Travel plan unlikely to be adhered to
- Unviable long term business plan
- Unsustainable tourist facility in the countryside of the National Park
- Question need for animal housing as farming takes place elsewhere
- Flooding on local roads
- Water management and surface run off on site

Those in support refer to the following;

- Worthy project now at an appropriate scale for site
- It will enhance the present buildings with a modest increase in numbers visiting the site above what has traditionally taken place
- It will allow the underprivileged to experience life on a Dartmoor farm
- It will offer a life changing experience for youngsters

The National Farmers Union has written in support of the application acknowledging that this will add value to an existing farming enterprise and assist with the wider social role of educating people about farming on Dartmoor.

The Dartmoor Preservation Association has acknowledged the changes made to the application and does not wish to object to the applications on condition that the use is restricted to charitable and educational purposes only.

Observations

The report is set out in the following sections;

1. Legal Position
2. Introduction
3. Background
4. Policy Implications
5. The Proposal
6. Farm Management
7. Frequency of visits / Travel Plan
8. Representations
9. Impact
 - i. General
 - ii. Tranquillity
 - iii. Historic Farmstead / Heritage Assets
 - iv. Landscape
10. Conclusion

LEGAL POSITION

This application, and the associated application for listed building consent (ref 0500/16), were determined by the Development Management Committee when planning permission and listed building consent were granted for the works as set out. The formal decision notices were issued in November 2016.

Subsequently, the Authority received notice of a legal challenge to the decisions requesting a judicial review of the procedures leading up to the determination of the applications.

Specifically, the planning permission and listed building consent were challenged on three grounds;

- Failure to apply Policy COR2 in the correct manner
- Inconsistent approach to the application of Policy COR2
- Failure to give proper consideration to the impact of the proposed works on the listed buildings and historic character of the farmstead, with particular reference to the "linhay" building

The Authority consented to judgment with the result that, in both cases, the decisions were quashed in May 2017. As a result the applications now need to be re-determined by the Authority.

It should be noted that the applications and their associated plans and supporting evidence have not changed in the interim. They are as submitted in 2016.

The following report includes commentary on the scheme as before, including the responses from consultees and interested parties as presented following the initial consultations. Where necessary, the report has been updated to take into account further advice from the Building Conservation Officer together with an extended policy section to specifically address the issues raised in the legal challenge.

INTRODUCTION

In response to the refusal of planning permission (ref 0591/15) in March 2016, the Shallowford Trust and its Architects have been working closely with the Authority to look at ways to overcome the concerns that led to the refusal of that application and the associated application for Listed Building Consent.

The scheme currently before committee is now substantially different from that found to be unacceptable in 2016. Negotiations have resulted in a reduction in the scale of the facilities and bed space for groups of children visiting the farm together with the associated farm buildings.

The extent of new buildings and facilities have also been reduced. In particular, the previously proposed large farm buildings to the north and dedicated new access from the east are now omitted from the scheme. The details of the scheme now presented are summarised later in this report.

BACKGROUND

East Shallowford Farm sits in a secluded rural location at the head of the West Webburn Valley, 2.5km south west of Widecombe-in-the-Moor village. The farmhouse, is a grade II listed building. It is surrounded by a range of traditional farm buildings and represents a good example of a relatively unspoilt historic farmstead.

There has been a close relationship between East Shallowford Farm and the Providence House Youth and Community Centre in Battersea, London for 40 years. The farm was purchased in the mid-seventies as a “Lung for the City”. The Shallowford Trust at East Shallowford Farm provides farming and countryside experiences for inner city children and young adults in a unique setting.

Following the death of the founder and chief benefactor, the trustees are now seeking to develop the site to ensure it continues to provide the same valuable experience that thousands of children and adults have enjoyed to date. The vision is to extend the opportunity for those to participate in the Dartmoor farm experience. In order to meet current day regulations concerning the safety of children, that inevitably means a change to the relatively informal atmosphere cultured by the founder. There is now a need to provide adequate segregated accommodation for children and adult carers, appropriate dining and catering facilities as well as health & safety implications concerning the handling of livestock – all modern day necessities of providing a safe environment for visitors to the farm. To maximise the experience for visiting groups, the plans include learning facilities, safe handling farm stock pens, catering and appropriate wet weather facilities.

Traditionally the three bedrooms in the farmhouse and a static caravan were used to accommodate visiting guests. In 2010 facilities were upgraded, however, these rooms are no longer suitable for many of the mixed groups who now visit the farm. The caravan is no longer habitable. The farmhouse remains an integral part of the farmstead. It is used, in part, by the site manager and as additional bedroom space for leaders and trustees when they visit the farm. Youth groups are currently accommodated at the nearby Bellever Youth Hostel.

As most groups from Providence House visit over weekends and bank holidays, there is a potential to host other groups, for week long (5 day) visits. The accommodation will be designed to be flexible to accommodate the varying needs of the guests.

There is currently no similar farm-based facility on Dartmoor. The intention is to continue to develop East Shallowford Farm as a small mixed upland farm suitable for visits by children and adults, demonstrating what is best about a traditional Devon livestock holding.

POLICY IMPLICATIONS

In view of the history of the site and its use for educational purposes for the past 40 years it is considered that the farmhouse has acquired a lawful use as a residential education centre. The primary use of the associated barns remains an agricultural use with ancillary use associated with the use of the dwelling house for educational use.

The work of the trust meets many of the overarching objectives of the National Park – giving the next generation an opportunity to engage with a working Dartmoor farm and experience an environment, in the majority of cases, far removed from their usual surroundings. Its aims are in line with Government ambitions to make Parks relevant and accessible to all and promote many of the qualities which are important to the social and well-being of visitors. It specifically meets the objectives of the 8-Point Plan for England's National Parks (DEFRA March 2016) in providing opportunities for the next generation to access and connect with the natural environment.

In respect of the National Planning Policy Framework (2012) it meets the requirement to support a prosperous rural economy; it promotes healthy communities whilst meeting the objectives of conserving and enhancing both the natural and historic environment.

The Development Plan for Dartmoor comprises the two adopted plan documents of the Core Strategy (2008) and the Development Management and Delivery Development Plan Document (2013). The Development Plan, its aims, supporting text and policies as a whole, has been applied to the consideration of this application.

The following policies contained within the Development Plan are relevant to aspects of the application (this is not an exhaustive list but refers to those policies which have particular relevance to the issues raised by the application);

COR1 – The development will be undertaken in a sustainable manner, in particular meeting the requirements of c) the promotion of health, safety, economic and social well-being; d) supporting the socio-economic vitality of the National Park; g) the provision of high quality design and construction; h) respect for and enhancement of the character, quality and tranquillity of local landscapes and the wider countryside.

COR2 (iii) – This policy concerns the principle of development outside of designated Local Centres and Rural Settlements. It concerns the spatial distribution of development as a whole. Development does not need to accord with all parts of the policy to be in accord with the policy or the Development Plan as a whole.

The proposal is development that meets the requirements of a) an enterprise with an essential need to locate in the open countryside; c) it sustains buildings or structures that contribute to the distinctive landscape or special qualities of the Dartmoor National Park, where those assets would otherwise be at risk and development can be accomplished without adversely affecting the qualities of those buildings or structures.

It should be noted that part of policy COR2 (iii) a) concerns farm diversification, but the scheme is not a farm diversification proposal. The proposal, if approved and implemented, will replace the agricultural use of the farmstead to an educational use. The proposed use will become the primary use of the land and buildings identified within the application site (red line). The surrounding land will remain in agricultural use.

Officers judge that the proposal is in accord with Policy COR2. The various criteria in (iii) a)-f) are separated by “or” and it is not only farm diversification schemes which will be acceptable in principle. Members should note the reasons for refusal of the prior scheme in March 2016, including the conclusion in that case that the proposal was not a farm diversification scheme contrary to Policy COR2, such that a grant of planning permission in this case would represent a departure from the previous refusal. It is though fair to observe that the analysis of Policy COR2 was not previously as detailed as it is in this report, members are not bound by the previous refusal and as explained the proposal satisfies other criteria in Policy COR2 even though it is not farm diversification.

COR3 – The development will conserve and enhance the characteristic landscapes and features that contribute to Dartmoor’s special environmental qualities, inter alia, vernacular and other historic buildings and traditional man-made features.

COR4 – It is development which conforms to a) a scale and layout appropriate to the site and its surroundings, conserving and enhancing the quality and distinctiveness of the built environment and local landscape character; b) uses external materials appropriate to the local environment; c) makes the best sustainable use of the site, including the re-use and refurbishment of existing buildings. There are no conflicts with d)-e).

COR7 – The proposed works are consistent with the importance of protecting, maintaining or enhancing biodiversity and geodiversity interests.

COR8(ii) – The proposed solar panels will generate on-site renewable energy.

COR10 – It incorporates small scale renewable energy provision with no overriding environmental and amenity considerations.

COR11 – It sustains Dartmoor as a place that continues to offer a sense of tranquillity.

COR13 – The proposed development meets the highest standards of accessibility appropriate to the location and physical attributes of the buildings.

COR14 – Adequate infrastructure is in place to serve the proposed development.

COR16 – Social inclusion is positively addressed taking into account the needs of and effect on minority, vulnerable groups and those with special needs.

COR17 – It enhances facilities and resources needed for safe, satisfying and healthy lifestyles.

COR18 (c) It provides support to a rural based enterprise with strong links to the cultural heritage of Dartmoor.

COR18 (e) It is a small scale recreational enterprise based on the intrinsic qualities of the

Dartmoor National Park.

COR18 (d) & COR20 - It should be noted that COR18 (d) and COR20 offer support to farm diversification initiatives, however this is not a farm diversification initiative and the new use, as a whole, will supplant the agricultural use of the application site. Agricultural activities within the application site (red line) will become ancillary to the main use as a residential education centre.

COR21 – The development and its anticipated impacts do not conflict with the standard, capacity and function of local roads and will not have a direct impact on highway safety.

COR24 – There is no anticipated harm to the quality and yields of water resources.

DMD1a – It is sustainable development that improves the economic, social and environmental well-being of the area.

DMD1b – It is development that meets the requirements of a) conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park, b) promotes the understanding and enjoyment of the special qualities of the National Park and which c) fosters the social or economic well-being of communities where the development is considered to be compatible with National Park purposes.

DMD4 – The development will not have a significant adverse effect on neighbouring residential amenity by either, inter alia, daylight/privacy impact, being overbearing or dominant, levels of noise, vibration, lighting, etc. that would adversely affect human health and well-being; highway safety or detract from the special qualities of the area.

DMD5 – It is development that, inter alia, respects the tranquillity and sense of remoteness of Dartmoor.

DMD7 – It is development is of a high design standard and construction that will preserve and enhance the character of the local built environment using materials and finishes to reinforce the distinctive qualities of the place.

DMD8 –The level of harm to the listed building and other heritage assets has been appropriately assessed, as has their significance. The level of harm, which is less than substantial, has been assessed against the public benefits of the scheme as a whole. Appropriate conditions have been considered as a method of mitigating any harm that has been identified.

DMD9 – The buildings to be converted have been assessed as ‘traditional’ in accordance with the guidance set out in the preface to policy DMD9. The business use is compatible with the aims of this policy. The buildings are capable of conversion in accordance with parts (i), (ii), (iii), (iv), (v) and (vi) of this policy.

DMD10 – The development is not considered to be unacceptable in planning terms. But in any event, the public benefits of the development as a whole clearly outweigh any disadvantages (or perceived disadvantages) of any departure from the development plan or national policies.

DMD11 – Where partial demolition of a heritage asset has been identified, the significance

of the asset has been properly assessed and its loss proportionate and justified against the wider public benefits of the scheme as a whole.

DMD13 – Archaeological interests will be protected by the investigation and recording of any artefacts.

DMD14 – Biodiversity interests have been properly assessed in considering the development proposals. Appropriate mitigation measures to safeguard protected species are contained in the proposed conditions.

DMD15 – The proposals include provision for small scale renewables in accordance with the criteria set out in parts (i), (ii), (iii), (iv) and (v) of this policy.

DMD31 – The extent of new recreational facilities are in accordance with this policy, specifically part (ii), being a small scale enterprise based on the intrinsic qualities of the National Park.

DMD34 – The elements of new agricultural buildings are proportionate to the needs of the farm and associated land, relate well to local landscape features and other building groups respects local topography, demonstrate a scale and form appropriate to their function and relate well to existing structures, associated land and are unlikely to cause unacceptable harm to biodiversity, geodiversity, archaeological and cultural heritage assets, natural drainage or soil stability. Existing redundant structures are being removed as part of the scheme.

DMD35 – The development is not presented as, or considered to be, a diversification of existing farming operations. The application site, including the buildings, will result in a change of use. Agricultural activities will be carried out as ancillary to the proposed use as an educational centre.

DMD38 – The suitability of the existing access has been assessed. Potential access improvements have been weighed against the need to retain hedgebanks, hedges, walls and roadside trees in this sensitive location so as not to detract from the character and appearance of the locality.

DMD41 – The amount of onsite parking provision has been assessed as being adequate for the proposed development given the type of use and location of the facilities.

DMD43 – The element of provision for visitors will provide opportunities consistent with part (i), (ii), (iii) and (iv) of the policy providing opportunities for visitors to increase their awareness, understanding and enjoyment of the special qualities of the National Park; in a way that on balance, will not generate an increased level of activity, including noise, that would significantly detract from the experience of visitors and the quality of life of residents; that has a satisfactory access from the public highway and is accessible by modes of transport; makes use of existing buildings.

The application has been screened against the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and found not to be EIA development.

THE PROPOSAL

This application, and the works proposed in the Listed Building application which are detailed in the associated report, are substantially reduced from that which was presented to the Development Management Committee in respect of the previous scheme Members considered in March last year.

The application now proposes the following;

Main barn – to be converted to provide accessible accommodation for 22 bed spaces (5 en-suite dormitory style bedrooms) on the first floor and including a ground floor boot/drying room, lounge area, laundry/linen store, workshop and toilets. The existing corrugated sheet roof will be replaced by natural slate. Existing openings will be re-used to provide necessary windows, doorways and ventilation.

Kitchen/Dining room – this will involve a new building attached to the southern end of the main barn incorporating the existing small animal house (referred to by others as a shippen) and the removal and replacement of a modern poor quality lean-to. It will provide a dedicated kitchen facility, small servery and dining area for guests. It is designed in a style to complement the agriculture feel of the site – a simple timber clad building with a pitched roof of corrugated fibre cement panels which contrasts with but complements the stone faced buildings that it links to. The small animal house will be retained with a new slated roof and replacement timber joinery in existing openings facing the courtyard.

Farm boot room/Animal pens – these buildings replace modern additions facing into the existing livestock handling area on the south side of the farmstead. They are designed as an extension of the dining room addition and as a lean-to on the rear of the small animal house. Constructed of timber clad elevations under profiled cement fibre sheeting these structures compliment the style of the dining room addition. The boot room and associated toilets provide facilities accessible to yard. The animal pens will be open fronted on the southern aspect facing the yard.

Animal Barn – a 13m x 13m portal frame barn to be constructed on the south side of the farmstead in place of a range of modern agricultural structures alongside the access driveway to the property. This will be constructed of a rendered blockwork plinth with timber cladding on its upper half. A pitched profiled cement fibre sheeted roof will be applied with an array of 12 solar panels on each of the west and east roof slopes. Large doors on the north and south elevations will allow access for farm machinery.

Office/Outdoor classroom – located on the west side of the courtyard. The existing pig houses are already utilised as a farm office. This will be retained. The attached modern additions to this building will be removed in favour of a newly constructed building to be used as a classroom area. This will comprise a 10.5m x 5.5m timber clad building with double doors on each of the west and east elevations. The eastern elevation facing the courtyard will have full length glazing panels either side of the central door. A profiled cement fibre sheet roof will be applied to this building.

Parking area/bin storage – on the south side of the courtyard. A dedicated parking area for two vehicles (large enough to accommodate minibuses if required together with a modest enclosed bin storage building. The parking in this location will complement the availability

of parking spaces in the existing courtyard.

Main dwelling – to be retained without alteration) principally providing accommodation for the property manager with additional capacity to provide 3 bedrooms (10 dormitory style bed spaces) to allow for effective segregation of adults and children when required.

FARM MANAGEMENT

The intention is that East Shallowford remains as a working example of a traditional Dartmoor farmstead. This is part of what the Trust wishes visitors to experience and understand during their visit with the emphasis on a 'hands on' experience with animals and farming methods. Given the nature of the farm this will be relatively small scale; however there is an established relationship with the owner of the adjacent Broadaford Farm. This extends to management of some of the land and livestock, providing appropriate assistance, machinery and labour and a reciprocal arrangement whereby visitors can visit that larger establishment. This provides effective stewardship of the Trust's holding with the emphasis on maintaining a working farm environment.

The matter of farm diversification has been carefully considered. The applicant has not presented this as one of the arguments in support of the application. It is acknowledged that while farming activities will continue on a small scale and remain a focus of the visits to the site, the new use applied for will supplant the current agricultural use and become the primary use of the land and buildings within the application site (red line). The focus of the Trust continues to be on providing an educational experience based on farming rather than a diversification of the existing farming enterprise.

FREQUENCY OF VISITS / TRAVEL PLAN

East Shallowford has hosted groups from Providence House since 1976. These have amounted to upwards of 20 visits per year with varying group sizes staying over a weekend or for four day breaks. Many of the visits were back to back with groups arriving by 1 or 2 minibuses. This level of use is expected to continue and where the focus of the Trust's work remains. There is no intention of opening up the accommodation to commercial or 'on-spec' requests. Developing links with local school groups is seen as part of their remit allowing for day visits to take place.

A green travel plan will be adopted and emphasised to all visitors. Suitable accommodation on site will reduce the daily movements between Bellever and the site.

REPRESENTATIONS

The concerns raised by objectors are similar to those raised when the previous application was considered earlier in 2016. They are primarily questioning whether this is the right location for such a use and a reaction to the request to formalise this through the current applications. While some acknowledge the historic, less formal use of the site they are concerned about the intensity of use presented by the latest proposal.

It is noted that, if approved, this could add to the level of use currently taking place albeit this is presently perhaps less intensive than in previous years now that visitors are housed at Bellever during their stays. However, there is a distinction between that proposed in the

previous application and now in that the scale of building works has been significantly reduced. Numbers of bed spaces have also proportionately reduced (from 40 without the house to 32 including the house) with the ability to control the whole site activities now that the farmhouse is included in the application site area.

While the points raised are all valid planning considerations these must be taken in context and weighed up in proportion to the anticipated level of use in this location paying heed to the activity that has successfully taken place for 40 years with little objection. Viability of the enterprise is currently underpinned by the legacies and donations that the Trust receives. Maintained accommodation of a certain standard will allow the Trust to confidently charge visitors an appropriate fee to assist the running of the facilities. The business model is presented as a self-sustaining plan rather than one which seeks commercial gain. In reality it is anticipated that the Trust will continue to rely on benefactors to achieve its aims.

Ecological matters have been assessed. The mitigation put forward is considered to adequately address these issues. The application is not of a scale where a formal Environmental Statement under the Environmental Impact Assessment regulations would be required.

Water management is dealt with in two ways. A new package treatment plant will deal with foul flows. Run-off will be dealt with by appropriate on-site soakaway provision (SUDS).

IMPACT

(i) General

The assessment of the planning merits of the case needs to address the issue of this particular use in this location together with the impact on the physical attributes of the site and its surroundings. The impact includes an assessment of its effect on the character of the place and neighbouring residents.

The starting point for assessing the impact of use must be that this is not an entirely new operation. Using the farmstead for educational visits, including overnight stays, has taken place for 40 years based on the simple accommodation of the farmhouse and generosity of landowner and founder of the charity. It may be argued that, at times, the level of activity would have been intense and similar to that envisaged in the present application. Present day activity may be curtailed to some degree by the split operation between the site activities and accommodation offsite at Bellever.

It is acknowledged that this location, a relatively remote and sparsely populated rural valley, may be more susceptible than some to the disturbance that may be caused by increased activity whether that is by traffic, people, noise or visual intrusion. That was the main thrust of why the previous scheme was found to be unacceptable. The level of 'harm' in all respects, in that case, was felt to outweigh the benefits. The current scheme is not anticipated to cause an unacceptable level of harm.

The principle of using the site for educational visits is established albeit, until now, without the need for or the obtaining of a formal planning permission. It is the conversion and addition of purpose built new structures which require the formal permission at this time

which is an opportunity to regularise the use. The changes to the buildings will undoubtedly change the character of what some perceive as a simple working farm. That change will have an impact in that once converted, the agricultural use, although low key, cannot return to those buildings without formal approval. Nevertheless the additional animal barn and improved small animal handling facilities are positive to the management of the working farmstead. The arrangement with the neighbouring Broadaford Farm strengthens the continuation of appropriate farming practises on the holding.

(ii) Tranquillity

The impact on tranquillity is finely balanced. Children letting off steam and the potential visual intrusion of increased activity around the holding, including traffic accessing the site, will not be constant. The nearest residential properties are West Shallowford 240m to the west and Broadaford Farm 620m to the north of the farmstead.

In respect of noise, it is acknowledged that the level and intensity of use will be different to that of a working farm however, a material consideration in this respect is that the use, albeit on a less formal basis, but at levels, at times, consistent with that now proposed, has been occurring for over 40 years. It is accepted that latterly, as groups are accommodated elsewhere there may have been less disturbance outside of daylight hours. In contrast to the previous application, the latest proposals concentrate activity within and around the farmstead contained within existing buildings or those proposed on the south side of the courtyard to replace existing structures.

Activities of animal husbandry will naturally be centred on the livestock buildings and pens. The educational activity, sleeping and catering arrangements are provided within the converted or proposed new buildings. It should be noted that activities on associated farm land outside of the application site (red line) are not the subject of these deliberations. Groups may continue to use the land in a way that is ancillary to the agricultural status of that land, including any permitted rights that are conferred. While the Trust choose to operate the current farm in a very low key way, there are no controls to stop a more intensive livestock operation or indeed to limit the operation of potentially noisy agricultural machinery under the present permitted use for the holding. In respect of matters to be considered by this application, activity will be seen in close proximity to the farmstead buildings and is not considered to be in conflict with policies COR11 and DMD4.

Light pollution is a genuine concern and should be controlled by the imposition of a detailed lighting plan to ensure this is no more than is necessary for a typical working farm with allowances for the public safety of visiting guests, safeguarding visitors, identified species and the wider landscape character of this location.

(iii) Historic Farmstead / Heritage Assets

The impact on the physical attributes of the site will be related to the works – initial construction and lasting impact on the historic farmstead. The conversion of the existing buildings has been presented in a sympathetic manner respecting the form and character of those buildings. The elements of new build are carefully integrated into the overall character of the farmstead and discreetly located so as not to detract from either the setting of the listed farmhouse or farmstead as a whole. The new works will be obvious from distant views into the site but not disruptive to the overall quality of the setting.

The specific impact on the heritage assets has been revisited by the Building Conservation Officer in his updated comments contained above. All aspects of the proposed alterations and removal of historic and modern fabric have been carefully assessed. His comments in respect of particular concerns over the loss of historic fabric in building 12 in the west range should be noted. It is acknowledged that this building could be considered to be curtilage listed and his advice is based on that premise. He concludes that the loss of two small elements of the fabric would have a negative effect but that the southernmost prominent element will be retained. He opines that the level of harm, which is less than substantial, can be weighed against the public benefits of the scheme. There is no direct and substantial harm to the listed farmhouse, its setting, any of the curtilage listed buildings or, by inference, the historic character of the farmstead as a whole.

In accordance with paragraph 134 of the NPPF, the proposals have been assessed as causing less than substantial harm to the significance of the designated heritage assets. The identified harm is considered to be outweighed by the public benefits of the proposal. Members should of course be mindful of section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the duty it includes to have special regard to the desirability of preserving listed buildings and their settings. Even though the harm is judged to be less than substantial, the desirability of preserving listed buildings and their settings carries considerable importance and weight. However, officers still judge that planning permission is justified.

(iv) Landscape

East Shallowford is located on the Moorland Edge slopes (Landscape character type 2D). It sits within the West Webburn river valley in the context of a landscape shaped by farming which retains its medieval field pattern. The farmstead is compact with buildings clustered around the main farmhouse. That pattern is typical of surroundings farmsteads in this location. In the wider landscape the farmstead is visible from the higher ground at Corndon Down to the west and glimpsed from the public highway that runs to the south. The farmstead is inward looking centred on a courtyard of traditional buildings with a variety of modern additions. Further modern buildings occupy the land between the farmyard and the lane.

The alterations and new buildings proposed in this application are significantly different to that found to be unacceptable under the previous application. The scale of the proposals have been significantly reduced, most notably the omission of the proposed new cattle handling building on the northern aspect of the farmhouse. Works are now principally contained within the farmstead and as a result, the impact on the wider landscape has been dramatically reduced. The clustering of development respects the traditional form of the farmstead. The new buildings are, in scale, form and design appropriate and complementary to the traditional buildings. Roofscapes and adjustments to the topography to accommodate the new structures are to be undertaken in a sympathetic manner which will allow the structures to be viewed as a cohesive group. The new farm buildings conform to the requirements set out in policy DMD34. It is now a development that respects the valued attributes of the landscape character and that makes good use re-use of traditional, vernacular buildings in accordance with policies COR3 and DMD5.

CONCLUSION

In formulating a recommendation on this application the proposal must be assessed against the Development Plan as a whole, and section 38(6) of the Planning and Compulsory

Purchase Act 2004 must be applied. Development proposals will rarely conform to each and every aspect of the Plan and its specific policies. To be in accord with the Development Plan requires adherence to the aims and objectives and the thrust of the Plan. Officers are satisfied that the proposal is in accordance with the Development Plan.

This is an unusual proposal in that there is no specific policy that promotes the establishment of residential educational centres in the countryside of the National Park. It must be tested against those policies which are relevant as outlined in the preceding text.

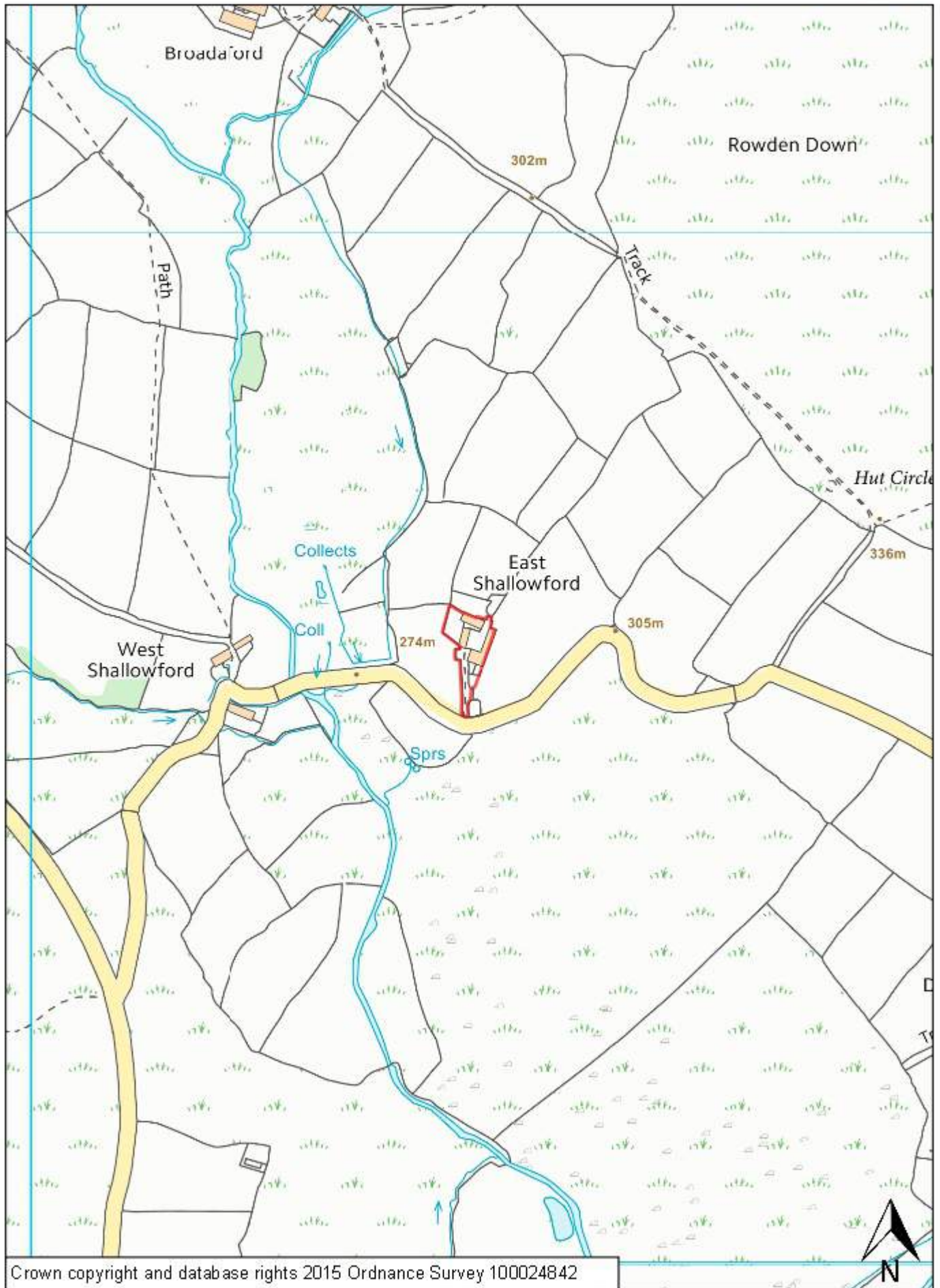
Where there is conflict this must be carefully balanced and assessed against those policies which provide support for the principles of promoting the enjoyment of the National Park, its socio economic well-being and respect for the defining landscape character, its traditional buildings and those residents which live within the Park. Maintaining a living/working landscape is as essential as preserving and enhancing the special qualities of the place. Members will be fully conversant with the principle that where there is conflict, conservation and enhancement should be overriding (the Sandford principle). Allowing all to understand how farming has shaped the landscape and continues to contribute to its upkeep is an important element of maintaining a diverse rural economy and culture.

In coming to a view that this application can be recommended for approval officers have carefully balanced the impact against the wider public benefit and concluded that, at the reduced scale now presented, the proposal can be supported and that any perceived harm and policy conflict is outweighed by the wider public benefit. The proposal is supported by material considerations, including policies in the NPPF and Government ambitions for National Parks. Were it to be the case, hypothetically, that the proposal is not in accordance with the Development Plan, officers consider that these material considerations indicate that planning permission should be granted anyway.

East Shallowford Farm - 0500/16



Scale 1:5,000



Application No: **0500/16** District/Borough: **Teignbridge District**
Application Type: **Listed Building Consent** Parish: **Widcombe-in-the-Moor**
Grid Ref: **SX694755** Officer: **Christopher Hart**

Proposal: **Works related to a change of use to form residential educational centre, including the conversion of existing buildings and erection of new, for residential educational purposes and demolition of existing and erection of new farm buildings**

Location: **East Shallowford Farm, Widcombe-in-the-Moor**

Applicant: **East Shallowford Trust**

Recommendation **That consent be GRANTED**

Condition(s)

1. The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings: drawings numbered Shallowford/2/P100, P101, P102, P103, P104, P105, P106 and P107 received 15 September 2016.
3. No work shall commence on the development hereby permitted until a written scheme providing for an appropriately qualified archaeologist to carry out a full archaeological watching brief during all stages of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme, which shall be written and implemented at the applicant's expense, shall provide for the observation, recording and recovery of artefacts and post-excavation analysis including the interior floor levels, cobbled floors and assessment of new underground service runs. A full report detailing the findings shall be submitted to and approved in writing by the Local Planning Authority before the substantial completion of the development, unless otherwise agreed in writing by the Local Planning Authority.
4. Prior to the commencement of the works hereby approved a detailed lighting plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all lighting on the site shall accord with the approved plan.
5. The roofs of the proposed accommodation, kitchen and office barns together with the proposed boot/drying room, plant room and wood store shall be covered in natural slate, a sample of which shall be submitted to the Local Planning Authority for approval prior to the commencement of any roofing work. At all times thereafter the roof shall be maintained in the approved natural slate. All roof slates shall be fixed by nailing only.
6. All gutters and downpipes on the development hereby approved shall be of metal construction and round or half-round in section and, unless otherwise agreed by the Local Planning Authority in writing, shall be painted black not later than 30 days after the substantial completion of the development.
7. All new windows and exterior doors shall be deeply recessed in their openings and receive an oiled or dark stained finish within one month of their installation unless otherwise agreed in writing by the Local Planning Authority.
8. The proposed solar panels shall be installed with black panels and black painted surrounds.
9. Notwithstanding the drawings hereby approved, the roofs of the new animal barn,

outdoor education barn, dining barn and farm boot room shall be covered in a corrugated profile, anthracite coloured cement fibre sheeting unless otherwise agreed in writing by the Local Planning Authority.

10. Any repointing of the stonework shall be completed using lime based mortars with raked pointing to match the pointing on the existing buildings.
11. Prior to the commencement of the work hereby approved a full schedule of all internal works, including new floors, internal walls, ceilings and partitions, shall be submitted to the Local Planning Authority for approval in writing. Thereafter, the works shall be undertaken in accordance with the details of the agreed schedule unless otherwise agreed in writing.

Introduction

East Shallowford Farm lies 2.5km south west of the village of Widecombe-in-the-Moor. It is a compact farmstead containing a grade II listed farmhouse and a range of traditional farm buildings in a remote rural location. The application is for consent to carry out a comprehensive package of works related to the educational use of the site by the Shallowford Trust. This includes the adaption and conversion of curtilage listed farm buildings, the removal of modern additions to create new residential accommodation, facilities, an outdoor classroom and reorganisation of animal housing. The application is presented to the Committee in view of the issues it presents in connection with the request for planning permission for the associated use and the level of public interest.

Planning History

0592/15	Conversion and extension to existing barns in association with change of use to form accommodation for holiday/educational use including staff accommodation and office facilities	Listed Building Consent	Refused	10 March 2016
0591/15	Change of use, conversion and extension to existing barns to form accommodation for holiday/educational use including staff accommodation and office facilities and the erection of new agricultural barns	Full Planning Permission	Refused	08 March 2016
0059/10	Alterations to farmhouse (revised application of some works granted to 0091/09)	Listed Building Consent	Grant Conditionally	13 April 2010
0019/10	Timber conservatory	Listed Building Consent	Grant Conditionally	16 March 2010
0017/10	Timber conservatory	Full Planning Permission	Grant Conditionally	16 March 2010
0090/09	Change of use of attached outbuilding to toilet block and refurbishment	Full Planning Permission	Grant Conditionally	18 June 2009
0091/09	Refurbishment and alteration of farmhouse and barn	Listed Building Consent	Grant Conditionally	17 June 2009
5/06/296/94/18	Livestock Shed Extension			
5/06/044/94/18	Animal Shed	Prior Notification	No objection	25 February 1994

Consultations

Environment Agency: Flood risk zone 1 - standing advice applies
Teignbridge District Council: No objection
County EEC Directorate: No highway implications relating to request for listed building consent.

DNP - Building Conservation Officer;

East Shallowford is a long established farmstead forming a courtyard plan, which is the most common type on Dartmoor. The Tithe Map of c.1840, shows the basic layout as it is today comprising: the farmhouse to the north (1); a long range running down the east side aligned north-south (5-8); a barn to the south aligned east-west (9) (now attached to 5-8 by 10); and a north-south range to the west of the central courtyard which was formerly two separate buildings (12 and 15-16) but are now encased in timber, block work and corrugated iron sheds (13-14). For the sake of consistency, the building numbering system used here matches the submitted Historical and Archaeological Survey (John Pidgeon 2007).

Farmhouse (1)

The farmhouse is listed at Grade II. Although there are no physical changes proposed for this building, its setting is a consideration. The immediate farmhouse setting is defined by the courtyard enclosed by agricultural buildings and the farmhouse is viewed in this context. This close relationship makes an important contribution to the significance of the farmhouse but this would be essentially unchanged by the proposed scheme, with the exception of the addition of the Outdoor Education Rooms, although this is considered to be appropriate for this location and to offer an improvement over the current C20 sheds occupying this site.

The wider setting of the farmhouse would not be affected by the changes to the south of the site, including the proposed Animal Barn which would be approximately 1.5m lower in height than the East Range (5-8) and is some 45m from the farmhouse and not easily viewed in juxtaposition. This building would be agricultural in character and would not impinge on the historic courtyard arrangement, or the setting of the curtilage listed structures to an extent greater than the current situation.

Wood Store/Plant Room (2-4)

These are to the north of the main east range but outside of the courtyard. Building 2 described as a wood shed is probably late-C19 and has some

heritage significance, 3-4 are timber and have limited interest. In any event, they would be essentially unchanged by the scheme.

East range (5-8)

The two-storey main range (6-8) is internally divided into four on the ground floor with a lean-to stone single-storey building (5 – described as goose house) at the north end. The proposed ground floor workshop building (7) is of particular interest as it retains a cobbled floor with granite drain that is of considerable interest. This should be retained and the internal walls left as exposed stone. The interior of the remainder of this building is of less interest and consequently less sensitive to change. The historic divisions would be largely retained.

South barn (Shippen) (9)

Along with the East Range, this is one of the early farm buildings here, although it has also had later alterations. The proposed reuse as a kitchen would undoubtedly have a high impact on the character and appearance of this building. In particular, any flues or extraction system have the potential to be visually intrusive and full details of these are required. The link to the new building to be used as a dining room would be more problematic were there not pre-existing buildings providing the link. The impact of this new building is therefore regarded as neutral.

Modern buildings (10-11)

These, and the buildings further to the south, are outside of the historic farmyard core and make no contribution to the heritage significance of the farmstead and due to their recent date are not considered to be curtilage listed.

West range – (shed 12)

There is a question mark over the status of this shed, which is predominantly post-1948, and whether this should be regarded as curtilage listed. At the south end, the south and west wall and part of the dividing wall with building 13, are clearly earlier granite rubble walls – likely to be contemporary with buildings 5-9. The Historical and Archaeological Survey (2007) identified this as the remaining half of a lincay, but this identification seems to be based on conjecture. There is nothing in these surviving remnants of wall to suggest this use - the early maps show a square(ish) building with a plan matching the dividing wall, which is not

consistent with the plan-form of a linhay. In addition, the area between this and the pighouse (now occupied by building 13) appears to have been open since at least the earlier C19, as evidenced by the Tithe Map. If it were ever a linhay it was reconfigured before 1840.

This north wall (now internal) and west wall of this building would be removed by the proposed scheme. The south wall – which forms the entrance to the courtyard would, however, be retained. There is a negative impact in removing two of the three sections of earlier wall. That said, the visually prominent element to the south, viewed when entering the farmyard, would be retained.

West range – (shed 13)

The south wall of this building, which divides it from 12, is one of the two remnants of the earlier building (see above) that it is proposed to remove. The rest of this shed is of modern blockwork and timber construction. There is no building apparent in this position on the 1947 aerial photograph and this poorly constructed modern shed makes a negative contribution to the heritage significance of the farmstead.

West range – (sheds 14-16)

The historic pighouse (15-16) is currently obscured on its courtyard elevation by the modern shed (14). The removal of this shed will have a positive impact on the heritage significance of the farmstead complex as it would allow the courtyard elevation of this granite building to once again be exposed to view.

South of the courtyard

The proposed Animal Barn would be just to the south and outside of the courtyard. Its presence would not interfere with the historic farmstead layout. Other proposed additions are on the edge of the courtyard complex, including a dining room linking the main block and proposed kitchen. The linking of separate farm buildings can be an issue, although in this case, these pre-existing buildings are already linked by modern farm buildings. The design of the new link buildings is considered appropriate for their setting.

Impact on Significance

The conversion of historic farm buildings invariably causes a degree of harm to their heritage

significance. Under the NPPF guidance this can be weighed against the public benefit of the scheme, which in this case is clearly greater than, say, a residential conversion.

In terms of loss of fabric, the harm is principally identified in the loss of two of the three surviving remnants of wall of building 12. There should be a presumption in favour of retaining these but their loss, could, however, be balanced against the positive benefit of the proposed Outdoor Education Room and removal of the unsightly C20 elements comprising the majority of shed 12 and sheds 13 and 14.

There is also an impact on the heritage significance of the East Range (6-8), South Barn (9) and the pighouse (15-16) arising out of the proposed scheme. Although there are some linking structures, which replicate the current situation, importantly, each historic element is dealt with in a manner that retains its character as a discrete building. The internal works are broadly sympathetic to the historic fabric although the proposed Workshop, including its historic floor, must be retained in its current form.

No harm to the setting of the farmhouse or its curtilage listed buildings is identified.

Recommendation

If consent is granted, then standard conditions regarding external materials, new slates, air and waste extraction etc. should be included. Also, more specifically, door furniture to historic openings should be traditional and agricultural in character and new windows recessed into their openings.

DNP - Archaeology:

East Shallowford is a historically important farmstead first mentioned in 1288.

There is a high possibility that buried archaeological features and information relating to the medieval farm and its consequent development survive in the area of the proposed works.

Consultee recommendation:

We therefore ask that a watching brief condition is placed on the proposal to cover all areas of ground works with particular relation to:

- Record areas of surviving cobbled flooring in the threshing barn (main barn)
- Observe any reduction of the existing floors levels within the threshing barn (main barn), shippen, pig house and goose house.
- Observe the installation of new underground services. The recording watching brief is to be undertaken by an accredited archaeological contractor following a detailed WSI approved by DNPA archaeologists as stated in standard condition X03.

Parish/Town Council Comments

Widecombe PC:

The PC has noted that the application has now been scaled back and it continues to have no objections.

In its response to the previous applications the PC expressed concerns about the potential impact of the development on the environment and the increased traffic along a narrow road. It is also noted that there had been no environmental impact assessment or traffic assessment carried out. Further potential noise and light pollution was also a concern.

Whilst to some extent some of these concerns appear to have been addressed in the new application, the PC would very much like the DNPA to ensure these matters have been fully considered prior to giving its recommendation.

Relevant Guidance and Development Plan Policies

National Planning Policy Framework 2012

English National Parks and The Broads UK Government Vision and Circular 2010

Dartmoor National Park Authority Core Strategy Development Plan Document (June 2008);

COR1 - Sustainable Development Principles

COR2 – Settlement strategies

COR3 - Protection of Dartmoor's special environmental qualities

COR4 - Design and sustainable development principles

COR5 - Protecting the historic built environment

COR6 - Protecting Dartmoor's Archaeology

COR13 - Providing for high standards of accessibility and design

COR18 - Providing for sustainable economic growth

Dartmoor National Park Authority Development Management and Delivery Development Plan Document (July 2013);

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

DMD3 - Sustaining the quality of places in Dartmoor National Park
DMD7 - Dartmoor's built environment
DMD8 - Changes to Historic Buildings
DMD9 - The re-use and adoption of historic buildings in the countryside
DMD10 – Enabling development
DMD11 - Demolition of a listed building or local heritage asset
DMD13 - Archaeology

Representations

15 letters of objection 2 letters of support 1 other letter

Those raising objections have provided extensive commentary on why they consider the proposal conflicts with many of the policies within the Development Plan. A summary of the points raised in respect of issues relating to the application for Listed Building Consent are as follows;

- Unacceptable harm to heritage assets including demolition, unsympathetic conversion and introduction of new buildings damaging to setting of listed building and wider historic farmstead/landscape
- No significant public benefit to outweigh harm (benefit limited to those who visit)

Comments in support of granting the Listed Building Consent in support include the following;

- Worthy project now at an appropriate scale for site
- It will enhance the present buildings with a modest increase in numbers visiting the site above what has traditionally taken place

The Dartmoor Preservation Association has acknowledged the changes made to the application and does not wish to object to the applications on condition that the use is restricted to charitable and educational purposes only.

Observations

LEGAL POSITION

This application, and the associated report relating to the application for planning permission (ref 0499/16), were determined by the Development Management Committee in 2016 when planning permission and listed building consent were granted for the works as set out. The formal decision notices were issued in March 2016.

Subsequently, the Authority received notice of a legal challenge to the decisions requesting a judicial review of the procedures leading up to the determination of the applications.

Specifically, the listed building consent was challenged on the grounds that;

- The Authority failed to give proper consideration to the impact of the proposed works on the listed buildings and historic character of the farmstead

Following legal advice the Authority consented to the judgement with the result that in both cases, the decisions were quashed in April 2017. As a result the applications now need to be re-determined by the Authority.

It should be noted that the applications and their associated plans and supporting evidence have not changed in the interim. They are as submitted in 2016.

The following report includes commentary on the scheme as before, including the responses from consultees and interested parties as presented following the initial consultations. Where necessary, the report has been updated to take into account further advice from the Building Conservation Officer together with an extended policy section to specifically address the issues raised in the legal challenge.

INTRODUCTION

Following the consideration of the application ref 0592/15, in March 2016, The Shallowford Trust and its Architects have been working closely with the Authority to look at ways to overcome the concerns that led to the refusal of the application for listed building consent. This has resulted in a substantial reduction in the scale of the proposals now presented.

The extent of new build accommodation and facilities have been reduced lessening the impact on the curtilage listed buildings and their setting.

BACKGROUND

East Shallowford Farm sits in a secluded rural location at the head of the West Webburn Valley some 2.5km south west of Widecombe-in-the-Moor. The main farmhouse is a grade II listed building. It is surrounded by a range of traditional, curtilage listed, farm buildings and represents a good example of a relatively unspoilt historic farmstead.

There has been a close relationship between East Shallowford Farm and the Providence House Youth and Community Centre in Battersea, London for 40 years. The farm was purchased in the mid-seventies as a "Lung for the City". The Shallowford Trust at East Shallowford Farm provides farming and countryside experiences for inner city children and young adults in a unique setting.

Following the death of the founder and chief benefactor, the trustees are seeking to develop the site to ensure it continues to provide the same valuable experiences that thousands of children and adults have had to date. The vision is to extend the opportunity for those to participate in the Dartmoor farm experience. To meet current day regulations concerning the safety of children that inevitably means a change to the relatively informal atmosphere cultured by the founder. There is a need to provide adequate segregated accommodation for children and adult carers, appropriate dining and catering facilities as well as health & safety implications concerning the handling of livestock – all modern day necessities of providing a safe environment for residential visitors to the farm. To maximise the experience for visiting groups, the plans include excellent learning facilities, safe handling farm stock pens, catering and efficient wet weather facilities.

Traditionally the three bedrooms in the farmhouse and a static caravan were used for accommodation. In 2010 the facilities were upgraded, however, these rooms are no

longer suitable for many of the guests visiting the farm and the caravan is not habitable.

These works necessitate a programme of improvements and adaptation of the traditional buildings surrounding the courtyard. There are no further works necessary to the listed farmhouse.

POLICY IMPLICATIONS

The National Planning Policy Framework (2012) provides guidance on the significance of assessing heritage assets.

Paragraph 132 states that *'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. 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'*.

Paragraph 134 states; *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use'*.

Paragraph 135 states; *'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'*.

The Development Plan for Dartmoor comprises the two adopted plan documents of the Core Strategy (2008) and the Development Management and Delivery Development Plan Document (2013). The Development Plan, its aims, supporting text and policies as a whole, has been applied to the consideration of this application.

The following policies contained within the Development Plan are relevant to aspects of the application (this is not an exhaustive list but refers to those policies which have relevance to the issues raised by the application);

COR2 (iii) –This policy concerns the principle of development outside of designated Local Centres and Rural Settlements. It concerns the spatial distribution of development as a whole. Development does not need to accord with all parts of the policy to be compliant with the Development Plan.

The proposal is development that meets the requirements of c) it sustains buildings or structures that contribute to the distinctive landscape or special qualities of the Dartmoor National Park, where those assets would otherwise be at risk and development can be accomplished without adversely affecting the qualities of those buildings or structures.

COR3 – The development will conserve and enhance the characteristic landscapes and features that contribute to Dartmoor's special environmental qualities, inter alia, vernacular and other historic buildings and traditional man-made features.

COR4 – It is development which conforms to a) a scale and layout appropriate to the site

and its surroundings, conserving and enhancing the quality and distinctiveness of the built environment and local landscape character; b) uses external materials appropriate to the local environment; c) makes the best sustainable use of the site, including the re-use and refurbishment of existing buildings.

COR18 (c) It provides support to a rural based enterprise with strong links to the cultural heritage of Dartmoor.

DMD1b – It is development that seeks to meet the requirements of a) conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park, b) promotes the understanding and enjoyment of the special qualities of the National Park.

DMD7 – It is development is of a high design standard and construction that will preserve and enhance the character of the local built environment using materials and finishes to reinforce the distinctive qualities of the place.

DMD8 –The level of harm to the listed building and other heritage assets has been appropriately assessed. The level of harm has been assessed against the public benefits of the scheme as a whole. Appropriate conditions have been considered as a method of mitigating any harm that has been identified.

DMD9 – The buildings to be converted have been assessed as ‘traditional’ in accordance with the guidance set out in the preface to policy DMD9. The business use is compatible with the aims of this policy. The buildings are capable of conversion in accordance with parts (i), (ii), (iii), (iv), (v) and (vi) of this policy.

DMD10 – The public benefits of the development as a whole outweigh any perceived disadvantages of departing from the development plan.

DMD11 – Where partial demolition of a heritage asset has been identified, the significance of the asset has been properly assessed and its loss proportionate and justified against the wider public benefits of the scheme as a whole.

DMD34 – The elements of new agricultural buildings demonstrate a scale and form appropriate to their function and relate well to existing structures, associated land and are unlikely to cause unacceptable harm tocultural heritage.

Helpful guidance on the importance of historic farmsteads and their significance is contained in recent draft guidance published by Historic England. This has been used to inform the proposals and interpret the impact of the works on the heritage assets.

THE WORKS

The application proposes the following;

Main barn – to be converted to provide accessible accommodation for 22 bed spaces (5 en-suite dormitory style bedrooms) on the first floor and including a ground floor boot/drying room, lounge area, laundry/linen store, workshop and toilets. The existing corrugated sheet roof will be replaced by natural slate. Existing openings will be re-used to provide necessary windows, doorways and ventilation. This will involve the introduction of new joinery, floors and partitions to create the bedroom spaces. The ground floor is

already divided. Kitchen/Dining room – this will involve a new building attached to the southern end of the main barn incorporating the existing small animal house (referred to by others as a shippen) and the removal and replacement of a modern poor quality lean-to. It will provide a dedicated kitchen facility, small servery and dining area for guests. It is designed in a style to compliment the agriculture feel of the site – a simple timber clad building with a pitched roof of corrugated fibre cement panels which contrasts but compliments the stone faced buildings that it links to. The small animal house will be retained with a new slated roof and replacement timber joinery in existing openings facing the courtyard.

Farm boot room/Animal pens – these buildings replace modern additions facing into the existing livestock handling area on the south side of the farmstead. They are designed as an extension of the dining room addition and as a lean-to on the rear of the small animal house. Constructed of timber clad elevations under profiled cement fibre sheeting these structures compliment the style of the dining room addition. The boot room and associated toilets provide facilities accessible to yard. The animal pens will be open fronted on the southern aspect facing the yard.

Office/Outdoor classroom – located on the west side of the courtyard. The existing pig houses are already utilised as a farm office. This will be retained. The attached modern additions to this building will be removed in favour of a newly constructed building to be used as a classroom area. This will comprise a 10.5m x 5.5m timber clad building with double doors on each of the west and east elevations. The eastern elevation facing the courtyard will have full length glazing panels either side of the central door. A profiled cement fibre sheet roof will be applied to this building.

Main dwelling – to be retained as a single dwelling (its current status) principally providing accommodation for the property manager with additional capacity to provide 3 bedrooms (10 dormitory style bed spaces) when required to allow for effective segregation of adults and children when required. No works are proposed to this building.

REPRESENTATIONS

The concerns raised by objectors are similar to those raised when the previous application was considered earlier in the year. Amongst other matters (many of which are only relevant to the consideration of the request for planning permission) they are primarily concerned about the impact of the necessary works on the character of the historic farmstead and its setting.

IMPACT ON HISTORIC FABRIC AND SETTING

The assessment of the planning merits of the case is outlined in the associated report. This application deals with the impact of the physical works for which Listed Building Consent would be required as opposed to the principle of the development itself. Specialist advice has been sought from the Authority's Building Conservation Officer (BCO) and Archaeologist. Their views are outlined earlier in this report.

In view of the concerns raised by the legal challenge the BCO has revisited the site and, once again, carefully assessed the significance of the various elements of the buildings that make up the courtyard around the listed farmhouse. He has considered the impact of the works on the basis that the traditional buildings are curtilage listed structures and

applied the necessary guidance assuming that level of protection.

It is accepted that the works will have an impact on the farmstead however this is considered to result in less than substantial harm in its scale and, subject to careful monitoring as suggested by the condition, will have a limited impact on the buildings themselves. While the character of the farmstead may change with the anticipated change of use, the visual aspect of the new works and buildings sit comfortably with the scale and form of the existing and will not detract from the overall importance of the heritage assets.

In particular, the aspect of the works relating to the partial demolition of building 12, forming part of the west range, has been addressed further. The authenticity of what remains of the historic fabric of an earlier structure on this site is hard to determine from the remaining fabric. There is conjecture rather than certainty about the exact origins and form of that building. Historic records do not give a clear indication of its form and use. In so far as what is left of the historic fabric of this structure, it is largely obscured by the modern building that is currently built around it. The southern wall, the most visually accessible part, is to be retained in the new building.

The assessment of harm both individually and overall is less than substantial and one where the benefits of the scheme can be seen to outweigh the perceived harm.

CONCLUSION

The impact on the physical attributes of the site will be related to the works – initial construction and lasting impact on the historic farmstead. The conversion of the existing buildings has been presented in a sympathetic manner respecting the form and character of those buildings. The elements of new build are carefully integrated into the overall character of the farmstead and discreetly located so as not to detract from either the setting of the listed farmhouse or farmstead as a whole. The new works will be obvious from distant views into the site but not disruptive to the overall quality of the setting. Where harm has been identified that is offset and outweighed by the public benefits the scheme in accordance with the provisions of the NPPF.

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

01 September 2017

APPEALS

Report of the Acting Head of Planning

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

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

1 Application No: C/16/3162612 District/Borough: Teignbridge District
Appeal Type: Enforcement Notice Parish: Christow
Proposal: Operational development - erection of a tunnel shaped, pre-fabricated building and siting of a portacabin
Location: **Land at Hyner Vale, Lower Ashton, Christow**
Appellant: **Teign Valley Cars**
Decision: **PART DISMISSED PART ALLOWED**

2 Application No: C/16/3165395 District/Borough: Teignbridge District
Appeal Type: Enforcement Notice Parish: Lustleigh
Proposal: Unauthorised engineering operation
Location: **East Wrey Barton, Moretonhampstead**
Appellant: **Mr P Hunt**
Decision: **ALLOWED AND NOTICE QUASHED**
APPLICATION FOR AWARD OF COSTS REFUSED

3 Application No: C/16/3165396 District/Borough: Teignbridge District
Appeal Type: Enforcement Notice Parish: Lustleigh
Proposal: Unauthorised engineering operation
Location: **East Wrey Barton, Moretonhampstead**
Appellant: **Mrs S Hunt**
Decision: **ALLOWED AND NOTICE QUASHED**
APPLICATION FOR AWARD OF COSTS REFUSED

4 Application No: F/16/3156412 District/Borough: Teignbridge District
Appeal Type: Enforcement Notice Parish: Moretonhampstead
Proposal: Unauthorised alterations to a listed building
Location: **Pepperdon Farm, Mortenhampstead, TQ13 8SF**

Appellant: **Mr GM Keep**
Decision: **DISMISSED AND NOTICE UPHELD**

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

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

7 Application No: W/17/3168468 District/Borough: Teignbridge District
Appeal Type: Refusal of Full Planning Permission Parish: Ashburton
Proposal: Use of land for siting and residential use of a mobile home for a rural worker for three years
Location: **Cuddyford Meadows, Rew Lane, Ashburton**
Appellant: **Ms R Sykes**
Decision: **ALLOWED**
PARTIAL AWARD OF COSTS AGAINST AUTHORITY

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

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

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

11 Application No: W/17/3171466 District/Borough: South Hams District
Appeal Type: Refusal of Full Planning Permission Parish: South Brent
Proposal: Demolition of sheds and erection of three market dwellings
Location: **Beacon Nursery, Stockbridge Lane, South Brent**
Appellant: **Mr & Mrs P H & P A Mitchell**
Decision: **DISMISSED**

12 Application No: X/17/3166422 District/Borough: Teignbridge District
Appeal Type: Refusal to issue a Certificate of Lawfulness Parish: Bovey Tracey
Proposal: Use of building, its curtilage and associated access as workshops (B2) and storage/distribution (B8) with access at all hours of the day
Location: **The Apple Sheds, Bovey Tracey**
Appellant: **Mr K Allerfeldt**
Decision: **DISMISSED**

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

1 Application No: C/17/3176953 District/Borough: Teignbridge District
Appeal Type: Enforcement Notice Parish: Moretonhampstead
Proposal: Unauthorised building works and subdivision of property
Location: **The Roost, Broomcroft, Docombe, Moretonhampstead**
Appellant: **Mr P Webster & Mrs A Webster**

2 Application No: C/17/3176954 District/Borough: Teignbridge District
Appeal Type: Enforcement Notice Parish: Moretonhampstead
Proposal: Unauthorised building works and subdivision of property
Location: **The Roost, Broomcroft, Docombe, Moretonhampstead**
Appellant: **Mr P Webster & Mrs A Webster**

3 Application No: C/17/3177921 District/Borough: South Hams District
Appeal Type: Enforcement Notice Parish: Holne
Proposal: Unauthorised residential use of barn
Location: **Barn at Michelcombe Farm, Holne**
Appellant: **Mr J French & Ms P Stewart**

4 Application No: C/17/3177922 District/Borough: South Hams District
Appeal Type: Enforcement Notice Parish: Holne
Proposal: Unauthorised residential use of barn
Location: **Barn at Michelcombe Farm, Holne**
Appellant: **Mr J French & Ms P Stewart**

5 Application No: C/17/3177923 District/Borough: South Hams District
Appeal Type: Enforcement Notice Parish: Holne
Proposal: Unauthorised residential use of barn
Location: **Barn at Michelcombe Farm, Holne**
Appellant: **Mr J French**

6 Application No: C/17/3177924 District/Borough: South Hams District
Appeal Type: Enforcement Notice Parish: Holne
Proposal: Unauthorised residential use of barn
Location: **Barn at Michelcombe Farm, Holne**
Appellant: **Mr J French & Ms P Stewart**

7 Application No: W/17/3175054 District/Borough: Teignbridge District
Appeal Type: Refusal of Full Planning Permission Parish: Bovey Tracey
Proposal: Alterations and change of use of former threshing barn and lincay from storage and leisure use ancillary to the dwelling house to two tourism units
Location: **Bullaton Farm, Bovey Tracey**
Appellant: **Mrs C Seward**

8 Application No: Y/17/3175055 District/Borough: Teignbridge District
Appeal Type: Refusal of Listed Building Consent Parish: Bovey Tracey
Proposal: Alterations and change of use of former threshing barn and linhay from storage and leisure use ancillary to the dwelling house to two tourism units
Location: **Bullaton Farm, Bovey Tracey**
Appellant: **Mrs C Seward**

9 Application No: Y/17/3177128 District/Borough: Teignbridge District
Appeal Type: Refusal of Listed Building Consent Parish: Dunsford
Proposal: Alterations to thatched roof
Location: **Dymonds, Dunsford**
Appellant: **Mrs A Drake**

CHRISTOPHER HART

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

01 September 2017

ENFORCEMENT ACTION TAKEN UNDER DELEGATED POWERS

Report of the Acting Head of Planning

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

(For further information please contact James Aven)

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

1 Enforcement Code:	ENF/0033/16	District/Borough:	West Devon Borough
Grid Ref :	SX701871	Parish :	Chagford
Breach :	Unauthorised building works		
Location :	Kestor Glen, 10 Meldon Road, Chagford		
Action taken / Notice served	No further action taken		

CHRISTOPHER HART