

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

06 May 2016

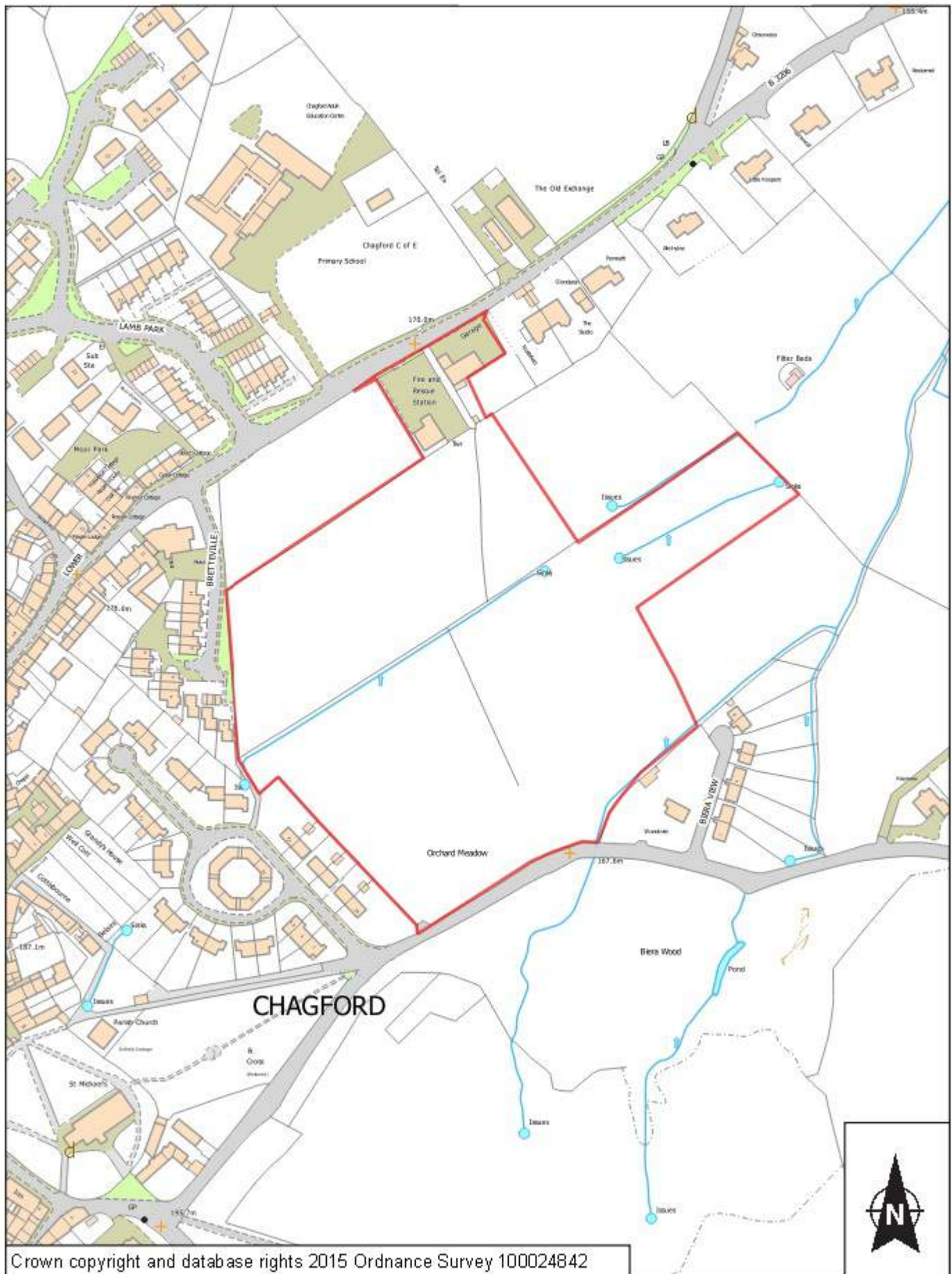
APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

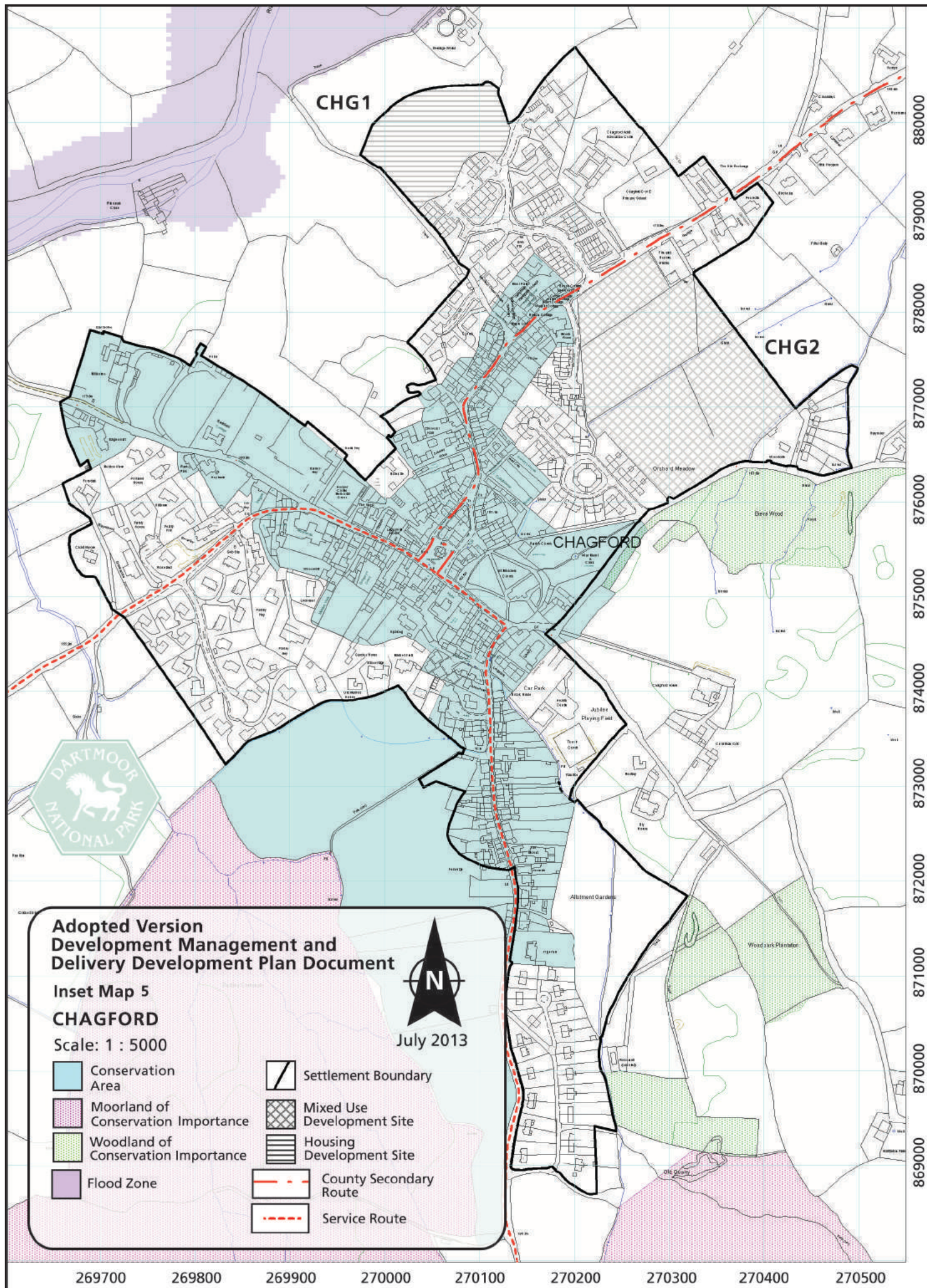
Report of the Head of Planning

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Item No. **Description**

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2. 0071/16 - Erect single storey extension to the side and rear of existing dwelling (Full Planning Permission - Householder), 1 New Cottages, Meavy
3. 0140/16 - Siting of a mobile home for temporary agricultural dwelling (Full Planning Permission), Blackdown Piper, Widecombe-in-the-Moor
4. 0118/16 - Demolition of block of three garages; erection of detached two bedroom bungalow with off street parking and erection of detached double garage (Full Planning Permission), 20 Beverley Gardens, Ashburton
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1. Application No: **0360/15** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Chagford**
Grid Ref: **SX703877** Officer: **Jo Burgess**
- Proposal: **Residential development comprising 93 dwellings, access roads, public car park, public open space, demolition of and rebuilding of fire station, new B1 business units and public toilets**
- Location: **land off Lower Street, Chagford**
- Applicant: **C G Fry & Son Ltd**
- Recommendation **That, subject to a Section 106 Agreement or other form of agreement as appropriate in respect of affordable housing, contribution to education transport, the responsibility for the employment units and public toilets, the car park, the public open space and the provision of the replacement fire station and the minor off site highway works on Lower Street, and contribution to highway costs in respect of street works in connection with the fire station building, contribution to costs in connection with the Controlled Parking Zone; planning permission is GRANTED**

Condition(s)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking and re-enacting that Order with or without modification, no extensions or means of enclosure shall be constructed or erected in or around the curtilage of the dwelling hereby permitted, no solar panels shall be installed and no windows or roof lights other than those expressly authorised by this permission shall be created, formed or installed, without the prior written authorisation of the Local Planning Authority.
3. No development shall take place until working drawings have been submitted of all dwellings including the location of meter boxes, satellite dishes, flues and soil vent pipes on principal elevations. Any additional installations or changes to the agreed palette of colours shall be the subject of prior written approval from the Local Planning Authority.
4. Prior to the commencement of the development hereby approved, samples of all proposed external facing materials, roofing materials, fencing materials (including finished colours/stains) and hard surfacing materials shall be submitted to the Local Planning Authority for approval; thereafter unless otherwise agreed by the Local Planning Authority in writing only the approved materials shall be used in the development.
5. The roof of the dwellings shown to be covered in slate shall be fixed by nailing only, unless otherwise previously agreed by the Local Planning Authority in writing.

6. Notwithstanding the approved details, prior to the commencement of the development hereby permitted, details of the proposed landscaping and planting scheme shall be submitted to the Local Planning Authority for approval. The landscaping and planting shall be carried out in accordance with the approved scheme within twelve months of the commencement of the development, or such longer period as the Local Planning Authority shall specify in writing. The landscaping and planting shall be maintained for a period of five years from the date of the commencement of the development, such maintenance shall include the replacement of any trees or shrubs that die or are removed.
7. Prior to the commencement of any works, demolition or development on the land, all existing trees, shrubs and hedges to be retained shall be protected by fences or suitable barriers erected beyond their dripline. Such fences or barriers shall be maintained until the completion of the development on the land. Within these protected areas there shall be no storage, deposit, tipping or placing of any materials, soil, spoil or other matter, no parking or movement of vehicles or trailers, no erection or siting of buildings or structures, no excavation or raising of ground levels and no disposal of water or other liquid. Furthermore, no fire(s) shall be lit within 20m of any protected area without the prior written authorisation of the Local Planning Authority.
8. Prior to the removal of the granite fence posts from the land a plan detailing the numbers of posts, proposed storage arrangements during construction and their proposed location within the landscaping and walls of the development shall be submitted to and approved in writing by the Local Planning Authority. No granite posts shall be removed permanently from the land other than with the written approval of the Local Planning Authority.
9. The development hereby approved shall not be carried out other than in accordance with a phasing programme which shall previously have been submitted to and approved by the Local Planning Authority in writing. Any variations to the agreed phasing scheme shall be agreed in writing with the Authority.
10. The proposed estate road, off site highway works on Lower Street, cycle ways, footways, footpaths, verges, junctions, street lighting, signage (including signage for the Controlled Parking Zone) sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections indicating, as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority and in accordance with the phasing plan referred to above, unless otherwise agreed in writing with the Authority.

11. No part of the development hereby approved shall be occupied until:
 - a) The access road has been laid out, kerbed, drained and constructed up to base course level for the first 40 metres back from its junction with the public highway
 - b) The ironwork has been set to base course level and the visibility splays required by this permission laid out
 - c) The footway on the public highway frontage in Lower Street required by this permission has been constructed up to base course level
 - d) A site compound and car park have been constructed to the written satisfaction of the Local Planning Authority
12. The occupation of any dwelling in an agreed phase of the development shall not take place until the following works have been carried out to the written satisfaction of the Local Planning Authority:
 - a) The road and cul-de-sac carriageway including the vehicle turning head within that phase shall have been laid out, kerbed, drained and constructed up to and including base course level, the ironwork set to base course level and the sewers, manholes and service crossings completed;
 - b) The road and cul-de-sac footways and footpaths which provide that dwelling with direct pedestrian routes to an existing highway maintainable at public expense have been constructed up to and including base course level;
 - c) The cul-de-sac visibility splays have been laid out to their final level;
 - d) The street lighting (where necessary) for the road and cul-de-sac and footpaths has been erected and is operational;
 - e) The car parking and any other vehicular access facility required for the dwelling by this permission has/have been completed;
 - f) The verge and service margin and vehicle crossing on the road frontage of the dwelling have been completed with the highway boundary properly defined;
 - g) The street nameplates for the road and cul-de-sac have been provided and erected.
13. No work shall commence on the development hereby permitted until the archaeological evaluation detailed in the written scheme of investigation dated September 2014 has been completed and the full report detailing the findings has been submitted to and approved in writing by the Local Planning Authority. The evaluation shall be implemented at the applicant's expense and any additional recommended works shall be carried out in accordance with details 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.

14. Prior to commencement of the development hereby approved a Biodiversity Management Plan must be submitted to and approved in writing by the Local Planning Authority. The biodiversity management plan must :-
 - a) incorporate all the features set out in the recommendations section (Section 7) of the EclA and ecology plan (dated April 2016) and detail how these will be implemented and managed in perpetuity.
 - b) provide details of the bat roosts, as set out in 7.2 of the submitted EclA (April 2016) are to be submitted to the Authority for approval prior to commencement of any works.
 - c) provide details of the bird boxes, as set out in 7.5 of the submitted EclA (April 2016) are to be submitted to the Authority for approval prior to commencement of any works.
 - d) include a detailed lighting plan, incorporating the principle of not exceeding levels of 0.1 lux on the 3 wildlife 'corridors' is to be submitted to the Authority prior to the commencement of any works, as set out in Section 7.1 of the submitted EclA (April 2016)
15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking and re-enacting that Order with or without modification, in the event that the Fire Station becomes redundant for fire station use, planning permission shall be required for any new use. Information regarding marketing for community and/or employment use shall be included in any application for any other use.
16. In the event that the Fire Station is declared redundant by the Fire Authority, the drill tower shall be removed within three months.
17. The business units hereby approved shall be used for Class B1 purposes only and for no other purpose (including any purpose in Class B8) of the Schedule to the Town and Country Planning (Use Classes) Order 1987), or in any provision equivalent to that Class or permitted by Part 3, Class I(b) in the Town and Country Planning (General Permitted Development)(England) Order 2015 or in any statutory instrument revoking and re-enacting that Order with or without modification.
18. Surface water drainage including the attenuation ponds shall be provided in accordance with details and within a timescale, previously submitted to and agreed in writing by the Local Planning Authority as part of the phasing condition set out above.
19. No development shall start until a Method of Construction Statement, to include details of:
 - (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management)
 - (e) provision of boundary hoarding behind any visibility zones
 - (f) hours of working and deliveries
 - (g) working methods taking account of the ecological receptors identified on site, as set out in the submitted EclA (April 2016), including protected species and notable habitats,has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.

20. The dwellings hereby permitted shall not be occupied until the parking spaces for motor vehicles shown on the approved plans have been made available for use; thereafter the parking spaces shall be permanently retained for that use alone.
21. 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, the garages hereby approved shall be used for the storage of private motor vehicles and incidental domestic storage only and shall not be converted to or used for other purposes including residential accommodation in association with the associated dwellings.
22. The vehicular access doors of the garages hereby approved shall, unless otherwise previously agreed by the Local Planning Authority in writing, be of vertical timber boarded construction which shall be retained thereafter.
23. Prior to the commencement of development, the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved in writing by the Local Planning Authority. That scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority.

a) A preliminary risk assessment/ desk study identifying all previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors and potentially unacceptable risks arising from contamination on the site.

b) A site investigation scheme, based on (a) to provide information for an assessment of the risk to all receptors that may be affected, including those off site.

c) The site investigation results and the detailed risk assessment (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these agreed elements require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

24. 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. The report shall include results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met. It shall also include, where relevant, a plan (a long term monitoring and maintenance plan) for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action and for the reporting of this to the Local Planning Authority.

25. Within six months of the first occupation of any dwelling hereby approved, a public information and interpretation board in respect of archaeology and any other matters of local interest shall be erected in accordance with details of and in a location agreed by the Local Planning Authority. The information board shall be maintained in perpetuity albeit details of the display may be changed from time to time.
26. The street lighting hereby approved shall be provided and maintained strictly in accordance with approved details in perpetuity.
27. Prior to the first occupation of any building within the development hereby approved, the car park shall be surfaced and delineated in accordance with details previously submitted to and approved in writing by the Local Planning Authority; thereafter unless otherwise agreed by the Local Planning Authority in writing, only approved surfacing materials shall be used in the development.
28. A 3-5sqm sample panel of new stonework shall be prepared for inspection by the Local Planning Authority and no stonework shall be carried out until the sample panel has been inspected, and approved in writing by, the Local Planning Authority. Details of coping stones to be used for any roadside or enclosure walling shall also be agreed with the Local Planning Authority.

Introduction

Chagford is a historic Stannery town allocated as a Local Centre in the Dartmoor National Park Development Plan. The site is the larger part of an allocated site located off Lower Street and there is field gate access from Woodcote Lane. The site is undulating - the key features being a large oak tree, a stream which divides the site and metal estate fencing supported by granite posts. The site is prominent on the approach to the town from the north. Residential properties abut the site to the west and south east. The fire station and car repair garage are presently accessed from Lower Street and the adjacent site is being developed by Blue Cedar Homes, being the first phase of this allocated site.(15 elderly person units)

It is proposed to erect 93 dwellings including 28 affordable dwellings, construct a road through the site to Westcott Lane, a public car park with 70 spaces, four employment units, public toilets and relocate the fire station onto the site of the repair garage.

The application is brought before Committee in view of it being a major development.

Planning History

0524/14	Erection of 15 specialist dwellings for the elderly (9 houses and 6 flats) together with garages, gardens and a communal area for residents	Full Planning Permission	Grant Conditionally	04 March 2015
0026/10	Internal refurbishment to existing building and build single storey extension with pitched roof to front	Full Planning Permission	Grant Conditionally	10 March 2010
0132/06	25 Category II sheltered housing units with 1 warden's unit, 40-bed nursing home, 8 affordable housing units, access and carpark spur at Bretteville Field with a 1m highway-widening of Bretteville Close	Outline Planning Permission	Refused	05 May 2006
	Appeal lodged: 06 November	Result:	Withdrawn	06
0689/04	Category II sheltered housing development for the elderly			

0382/04	Outline Planning Permission	Refused	04 October 2004
	Category II sheltered housing development for the elderly		
	Outline Planning Permission	Withdrawn	01 July 2004
0548/03	Category II sheltered housing development for the elderly		
	Outline Planning Permission	Refused	10 October 2003
03/08/2325/90	29 low cost starter homes		
	Outline Planning Permission	Refused	30 November 1990
03/08/2668/88	21 dwellings, garages and parking		
	Outline Planning Permission	Withdrawn	26 February 1990
03/08/2192/87	Erection of new fire station drill yard		
	Other	No objection	09 October 1987
03/08/0694/84	Renewal of outline permission for the erection of a fire station		
	Outline Planning Permission	Grant Outline Conditionally	09 October 1984
03/08/1035/79	Outline application for the erection of a permanent fire station		
	Outline Planning Permission	Grant Outline Conditionally	22 November 1979

Consultations

DNP - Ecology & Wildlife
Conservation:

The biodiversity provisions within the final submission of the EclA and the ecology plan (April 2016) fall short of what was presented to the Authority during the masterplanning process and the initial submission documents in June 2015.

Overall, the greatest impacts of the development relate to loss of semi-natural grassland habitat to hard-standing, and to a substantial increase in the amount of lighting on the eastern fringe of Chagford.

The ecological consultant has put forward numerous biodiversity features to sit within the development. These include 3 wildlife 'corridors' with areas of meadow, species-rich grassland, and scrub, as well as new native hedgerow planting, integrated bat roosts, and external bird boxes. I cannot concur that these biodiversity features can be called corridors, as all of them are broken up by roads, lighting, and general infrastructure and therefore are not continuous features. I remain disappointed that no proposals have come forward to manage the attenuation ponds for wildlife as well as for flooding and water management purposes, that two of the initial five wildlife 'corridors' have been dropped, and that no integral bird boxes have been put forward in the design.

Historic Buildings Officer:

The proposal will cause less than substantial harm to the setting of the Conservation Area, a designated heritage asset

DNP - Trees & Landscape:

No objections subject to Tree Protection condition and

DNP - Archaeology:	<p>some minor changes to the landscaping scheme</p> <p>Further to the Written Scheme of Investigation, a condition requiring the Archaeological Evaluation set out is required. It should be noted that the earthworks survey in Biera Wood has already been progressed and that the age of the tin streaming works is such that there is less likelihood for infilled deeper and potentially unstable mining features such as opencast trenches or shafts.</p>
County EEC Directorate:	Recommend imposition of conditions subject to an appropriate agreement to carry out the works to Lower Street indicated on the submitted drawings
Devon County Council:	No objection to the proposed surface water management for the development.
West Devon Borough Council:	<p>Discussions have been ongoing with the CG Fry, DNPA, WDBC, the Parish Council and the Community Land Trust for some time now with regard to this site. The developers have been willing to work with all parties to ensure this site comes forward whilst providing several community benefits including the car park, employment units and affordable housing. The affordable housing has been an interesting point on the site which was allocated in DNPA's local plan. Unusually on an allocated site a community land trust has been formed and this was accepted by the developers. This has provided the opportunity for the community to contribute to the plans with what they would like to see in the area, whilst meeting the affordable housing needs of local people. A housing provider who has experience in bringing this type of scheme forward has been sought and is willing to work with the parties concerned.</p>

Because the scheme is not policy compliant in terms of affordable housing this has been subject to viability discussions with Levvel (for the developer) and Torbay Development Agency (for DNPA). It has been acknowledged that in order to provide the required financial contributions and community benefits, this site would be unable to deliver the policy requirement of 50% affordable housing. I understand that further discussions are due to take place regarding viability and depending on the outcome of these negotiations this position may change. From the Housing Authorities perspective the minimum that could be provided is detailed below and is acceptable. Should the negotiations evidence that the scheme is capable of providing a higher number of units this should be provided on site.

The scheme, if granted approval, would provide 12 x one bedroom properties, 10 x 2 bedroom properties and 6 x 3 bedroom properties. These properties would all be secured for local people through a s106 agreement which the community have contributed to in its initial drafting

stages.

The tenure split proposed meets with the policy requirements of 80% rented accommodation and 20% shared ownership properties.

A housing needs assessment has been carried out in the area and it is acknowledged that this development would respond to the need which was identified. Therefore this proposal would not receive an objection from the Housing Authority.

Natural England:

Natural England advises that the mitigation proposed in the Ecological Impact Assessment should be made a condition

Dartmoor Preservation Association:

The DPA objects due to the lack of compliance with the affordable housing requirements set out in policies COR15 and DMD21 and the doubt regarding the benefits that will accrue to the community from this development. It is concluded that the development cannot meet any credible definition of the 'significant environmental or community benefit' needed to create the exceptional circumstances necessary to vary COR15 and DMD21. The general public should be able to understand the trade off between private profit and any punitive public benefit.

Devon & Somerset Fire & Rescue Service:

No comment received

Environment Agency:

Flood Zone 1 - no constraints apply

Devon County Council (Street Lighting):

The drawings and specifications are correct

DCC Strategic Planning (Education):

A contribution in respect of secondary school transport of £48,906.00 is required.

West Devon Borough Council:

With regard to contaminated land issues (raised Arsenic levels and Petrol fuel tanks in situ) conditions are recommended.

Parish/Town Council Comments

Chagford PC:

Support the development

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR10 - Providing for renewable energy

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

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

COR24 - Protecting water resources from depletion and pollution
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
COR9 - Protection from and prevention of flooding
DMD12 - Conservation Areas
DMD13 - Archaeology
DMD14 - Biodiversity and geological conservation
DMD17 - Development on contaminated land
DMD18 - Development on unstable land
DMD1a - Presumption in favour of sustainable development
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD2 - Major Development
DMD21 - Residential development in Local Centres
DMD3 - Sustaining the quality of places in Dartmoor National Park
DMD38 - Access onto the highway
DMD39 - Provision of car parks
DMD4 - Protecting local amenity
DMD40 - Parking provision - Residential
DMD41 - Parking provision - Non Residential
DMD5 - National Park Landscape
DMD7 - Dartmoor's built environment
DMDCHG2 - Mixed use development east of Bretteville Close

Representations

8 letters of objection 6 other letters

Objections have been received from the Dartmoor Preservation Association and from residents raising concerns regarding the lack of compliance with policy in respect of affordable housing, the lack of emphasis on essential housing needs for local elderly residents, the lack of understanding about existing and future needs for additional car parking, the unique, attractive character being spoilt by the development, stress on existing infrastructure, loss of green space, size of the employment units and their orientation resulting in a change of outlook from Bretteville Close from semi rural to urban.

Comments are also made regarding impact on Westcott Lane, design details, use of tarmac on pavements, maintenance of landscaping, architectural merits of the scheme, tenure of the affordable housing, capacity of the health centre and adequacy of the sewerage system.

Observations

INTRODUCTION

The site is the larger part of the 3.7ha site east of Bretteville Close allocated in the Development Management and Delivery Development Plan document (DMDPD) policy DMD CHG2 for mixed use development.

This policy came about as a result of 'The Chagford Design Statement' which was prepared in 2009 by a group comprising representatives of the Parish Council, business community and residents of Chagford. The applicants collaborated with Blue Cedar Homes and the community between April 2013 and April 2014 in the work that resulted in the Masterplan approval by DNPA in April 2014. This contained detailed guidance to inform subsequent planning applications. The Blue Cedar scheme for 15 units of 'specialist dwellings for the elderly' was granted permission in 2015 and is under construction.

A statement of community engagement has been submitted with the application summarising the extensive engagement that has taken place with the community, Chagford Parish Council, the Chagford Steering Group and DNPA.

Members will recall the pre-committee site inspection which took place in February including a walkover of the site.

POLICY

THE NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The NPPF sets out a presumption in favour of sustainable development and identifies twelve core planning principles that underpin the plan making and decision-taking functions. In this case it is considered that this development is genuinely plan-led and based on joint working and co-operation, secures high quality design and a good standard of amenity for all existing and future occupants of land and buildings, has taken into account the different roles and characters of different areas, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.

THE DEVELOPMENT PLAN

The key policies are CHG2 and DMD21. This policy requires provision to be made for a public car park including provision of coaches, an area of recreational open space for community use, positively incorporates existing on site drainage into recreational open space and allows for the provision of a road linking Lower Street with Westcott Lane. Planning proposals should accord with a comprehensive Masterplan prepared with the local community.

Chagford is a Local Centre. DMD21 requires that the proportion of affordable housing to meet local need should not be less than 50% of the 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 development or the delivery of significant local infrastructure provision of clear benefit to the local community.

A housing need assessment completed in 2013 identified a need for 39 affordable homes within the next 1 to 5 years, principally for rented homes.

In this case the application proposes 30% affordable housing (28 units) comprising 80% affordable rent and 20% shared ownership. Viability is dealt with later in this report.

It should be noted that the planning application (through a Section 106 agreement) also

proposes a building containing the four employment units to be passed at no cost to a community group (Chagford Community Trust-CCT), a replacement fire station, and passing the 70 space car park, public toilets within the same building as the employment units and linear public open space to the community at no cost (Chagford Parish Council).

A contribution in respect of secondary school transport of £48,906.00 is required.

On site highway works in Lower Street are also proposed – some have been carried out by Blue Cedar already.

An interpretation panel in the proposed car park identifying and explaining the tin streaming history of the site is proposed and by the time of the meeting work by a tin streaming specialist in adjoining Biera Wood will have taken place at the applicants expense with the results provided to the Authority in due course.

The Chagford Steering Group headed by the Head of Planning was set up following the conclusion of the Master planning process. This Group has met at various points to discuss and steer the proposal prior to submission and post submission of the application.

DESIGN AND ARCHITECTURE

The Masterplan includes a site layout and design code arrived at following an Enquiry by Design held in the local community. The application proposal follows the general layout and has paid great attention to design code details included in the Masterplan.

The application as originally submitted was accompanied by a Design and Access Statement setting out a design philosophy to create a 'vernacular' main street winding through the development from Lower Street to Westcott Lane off which there was a more contemporary 'twist' to give variety and interest.

Following detailed consideration of the design of the dwellings officers and the applicant discussed an alternative architectural approach away from the previous approach to the contemporary design in particular. The applicants have undertaken a redesign of the scheme with the aim being to enhance the connection between the scheme and the traditions of Chagford, to help create an environment that will complement Chagford and enhance its surroundings. The layout remains essentially the same.

This amended scheme has now received detailed scrutiny and some minor changes have been made and the necessary plans submitted, to address the concerns raised by officers and the key stakeholders. In essence the design now incorporates a variety of architectural styles and groupings of buildings of similar style. The majority of houses are modest two-storey houses and cottages, often with a formal town like appearance. These are interspersed with houses of a more rural vernacular nature. There are some three-storey houses positioned in prominent locations. Where classical styling is used on the more 'polite' houses, references have been taken from late 18th and 19th century houses for detailing of window and door surrounds and entrance canopies. The Design Statement Addendum gives the reasoning behind the design and a useful visual impression of the scheme and a number of submitted street elevations provide summary visualisations of the development. Officers consider that the scheme conforms with the requirements of policies COR4 and DMD7. The Parish Council fully support the design ethos as now amended.

IMPACT ON RESIDENTIAL AMENITY

Concerns were raised by a resident of Bretteville Close regarding the orientation of the employment units and possible impact on amenity. It is considered that in view of the difference in levels and proposed landscaping along the boundary, that the relationship does not result in a loss of amenity. It is also considered important from a design point of view that the employment building 'closes' the street at this point rather than run parallel with the road. This detail is as shown and approved in the Masterplan.

The relationship between plots 8-11 and properties in Orchard Meadow has been carefully considered and with the benefit of a section drawings (J & K), it has been concluded that the proposed landscaping, difference in levels and separation distances of between 20 and 22m are such that there will be no significant reduction in the levels of daylight or privacy enjoyed by the occupiers of the adjacent properties and that the new dwellings will not be overbearing or dominant.

Plot 51 is a flat over a garage and is located only 15m from 24 Orchard Meadow. The relationship is shown on section L. The flat will have no windows on the rear elevation and only high level roof lights above the landing and bathroom on the rear roof slope. There is no impact on privacy. The height of the rear wall of Unit 51 and the location to the north east of 24 Orchard Meadow means that the impact on daylight will be within acceptable limits and although the unit will be dominant when viewed from rear windows and within the garden, the size of the garden, existing shed and proposed landscaping will mean that it is not overbearing to the extent that planning permission could be refused under the terms of DMD4.

Separation distances from existing dwellings elsewhere in the vicinity of the site are more than adequate.

TRANSPORT AND ACCESS

The application has been accompanied by a Transport Assessment in accordance with a previously agreed scoping, the content and conclusions of which are accepted and agreed by the highway authority. The proposals include revisions to Lower Street car parking and the provision of pedestrian crossing points which are acceptable to the highway authority.

The internal layout of the proposed residential development complies with contemporary design guidance and the whole development will ultimately be contained within the Chagford Controlled Parking Zone. The applicant will be expected to contribute to cover the necessary costs of the variation to the Traffic Regulation Order and pay for any additional signs and variations to existing signage.

The proposed development will provide access on foot, by cycle and by local bus services to amenities and facilities required on a daily basis, that is has satisfactory access arrangement and that it can be accommodated without detriment to the existing safety or operation of the local highway network. It is not considered that traffic generation as a result of the development will not be material or severe in the context of the NPPF.

Small scale works to Lower Street to provide pedestrian crossing points and improvements to the footway are shown on the drawings and will be subject of a separate agreement with the Highway Authority.

A lighting strategy with appropriate lamps and standards has been submitted. Policy COR21 and DMD4 in respect of lighting is considered to be complied with. Street lighting has been

designed to minimise impact on the local scene and protected species and relies on a low light level solution.

The highway authority recommend an appropriate legal agreement requiring the developer to carry out at their own expense the amendments to Lower Street, together with any ancillary alterations to drainage, signage (to include any new signage required within the development) and street lighting, together with a contribution of £5,000 to cover the necessary alterations to the Controlled Parking Zone Traffic Regulation Order to cover the roads being provided within the new development.

The highway authority has requested conditions in respect of the submission of details of the proposed estate road, cycle ways, footways, footpaths, verges, junctions, street lighting, signage (including signage for the Controlled Parking Zone) sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture; phasing; no occupation of any part of the development until certain works have been carried out; no occupation of any dwelling until further specified works have been carried out and no development until a Method of Construction Statement in accordance with specified details has been submitted and agreed.

FLOOD RISK AND DRAINAGE STRATEGY

A Flood Risk Assessment (FRA) has been submitted and has resulted in a proposal for two above ground attenuation ponds immediately to the north east of the main development area and on land owned and controlled by the landowner and within the application site. Devon County Council as land drainage authority has concurred with the FRA conclusion that the development can be undertaken in a sustainable manner without increasing the flood risk to existing properties in the downstream catchment. The details of the attenuation ponds will be dealt with by condition.

The most obvious manifestations of this aspect of the development are the ponds themselves and the culvert required where the new road crosses the existing stream that separates the two halves of the site. It is proposed to clad the culvert structure with stone. Policy COR9 is therefore considered to be complied with.

The main stream crossing bridge has a pavement on one side. This has been queried and a request made for pavement both sides. Officers consider along with the Highway Authority that there is no highway safety need for a pavement on both sides. Again the highway layout was debated as part of the Masterplan proposal and the layout and road pattern was agreed at that time.

Regarding foul flows, South West Water (SWWA) has confirmed that the existing public combined sewer that runs through the site has sufficient capacity to allow connectivity from this development and the Blue Cedar development. It will have to be diverted and this is subject to a separate agreement with SWWA.

ECOLOGY

The application is accompanied by an Ecological Impact Assessment and Mitigation Plan that describes the biodiversity mitigation and enhancement proposals and provides drawings accordingly. The Ecologist has identified some issues with the biodiversity features proposed within the development and suggested additional requirements contained within the proposed

condition, together with ecological requirements in respect of construction management

Subject to the imposition of these conditions, the proposal is considered to be in accordance with COR7 and DMD14.

ARCHAEOLOGY

The site contains an extensive series of archaeological earthworks which are surface remains of previous tin working operations, probably of medieval or early post-medieval date. The well preserved character of this heritage asset, combined with its proximity to Chagford which is one of the four stannary towns around the edges of Dartmoor, was a centre of the tin industry for at least four centuries, grants it a regional level of archaeological significance. Necessarily the development will involve levelling the site causing substantial harm to the archaeological remains. This was always recognised at Masterplan stage. None of the remains are worthy of formal protection however extensive site work has taken place to map the tin streaming earthworks on the site and this has been analysed in a built heritage statement and Written Scheme of Investigation. It is highly unlikely that the evaluation will expose any archaeological remains of sufficient significance to halt or delay the development. However if buried archaeological remains are found, further work may be necessary before development can commence. To this end the applicant has commissioned archaeologists to carry out the works set out in the WSI and the Archaeologist is happy for a condition to be imposed accordingly. The applicants have also agreed to fund a mapping study on Biera Wood and interpretation board in the car park at their cost.

Subject to imposition of an appropriate condition the proposal is in accordance with COR6 and DMD13.

GEOTECHNICAL AND CONTAMINATION MATTERS

Appropriate reports have been submitted. In terms of contamination on the site of the former petrol filling station remediation recommendations are made in respect of the underground sites and these can be the subject of a condition.

Having examined the information it is considered that the risk of underground mine workings being discovered during construction is low. It is therefore considered that the requirements of the NPPF and DMD18 in this respect have been met. No mitigation is proposed or required in this case.

BUILT HERITAGE

A built heritage statement has been submitted and concluded that that development would have a negligible impact on the significance of the Chagford Conservation Area and that all Listed Buildings bar the Church of St Michael would not be impacted. The report concludes that the harm to the significance of the church would be very minor. Again consideration of important views into and out of the town were considered at the Masterplan stage.

The Historic Building Officer has advised that the proposal will cause less than substantial harm to the setting of the Conservation Area and the proposed development is therefore considered to be in accordance with COR5, DMD8 and DMD12.

TREES AND HEDGEROWS

Trees have been identified for retention and a Tree Protection Plan has been submitted. A condition should be imposed accordingly.

The changes to the layout to retain the hedgebank along Westcott Lane will preserve its character.

The site will be enclosed with banks planted with a mixture of native hedgerows. Low stone walls will enclose the stream/valley area. The rear gardens will be enclosed by stone walls where they are visible in the wider landscape, rendered walls in parking courtyards and the gardens will be subdivided using close boarded fences. Estate railings to match those on the site are proposed around prominent properties and the green surrounding the protected oak tree.

The site is a transition between a rural landscape and the townscape of Chagford. The Landscape and Visual Impact Statement identifies landscape mitigation and enhancement including the creation of an informal and attractive central corridor reaching out from the town through the development to the wider countryside following the line of the brook. This will not contain any formal play equipment at the request of the parish council who will take on responsibility for management. The proposed soft landscaping includes tree planting that is predominantly native or has native character that reflects the location.

Subject to conditions the proposal is considered to be in accordance with DMD5.

UTILITIES

There is capacity in terms of gas, electricity, water supply and BT telecom supplies. A substation will be provided within the development adjacent to the car park and employment units and the existing 11kV line within the site will be diverted along the new footways.

RENEWABLE ENERGY

The applicants are wedded to the 'fabric first' principle of construction i.e. it is not necessary to rely on 'eco-bling' to achieve low carbon buildings. High levels of insulation and keeping uncontrolled ventilation to a minimum minimizes energy use at source. DMD15 is relevant in this case. The design ethos purposefully has avoided add-ons such as solar panels, to respect the local vernacular of Chagford.

CONSTRUCTION MANAGEMENT

The applicant has indicated that they are content with a condition and are committed to working with the community to minimise the impact of the development, providing a bespoke Construction Environmental Management Plan through a pre commencement discharge of condition application. This will ensure residential amenity is protected in accordance with COR4 and DMD4.

FIRE STATION

Members will note that a new relocated fire station and drill tower is now included in the proposal. At Masterplan stage the fire station was not part of the overall proposals and there was no intention at that point to include the fire station within the site. This was however unfortunate because the finished Masterplan had a gap in the street scene between the Blue Cedar development and the CG Fry development. In addition the former petrol station and car

repair garage was shown being replaced by a pair of houses 'divorced' from the main street scene.

Since the approval of the Masterplan however further discussions have taken place between the Fire Authority, owners of the garage, and developer regarding the provision of a new relocated fire station building on the site of the garage thereby allowing a completion of the street with houses rather than leaving a gap. These discussions have also allowed the access road to be eased eastwards to improve the street scene on Lower Street and providing a proper street of houses fronting the new access road as it leads into the site. These are considerable design improvements over the Masterplan scheme and are welcomed.

This suggestion has been put to the Steering Group and met with full support particularly from the Parish Council which is keen to see a new fire station building. The removal of the employment use provided by the garage will be replaced with four business units in the main development site.

The plans now include a new fire station comprising community meeting facilities in addition to the usual fire authority requirements including two bays for a fire tender and a Landover type vehicle. Staff and visitor parking will also be provided within the site with the main fire tender site access onto the estate road rather than Lower Street so that the need for warning lights and signs on Lower Street can be avoided. The fire station building has however added to the abnormal costs of the scheme and is part of the reason why the usual 50% target for affordable housing was not achievable on this site. It was however the wish of the community expressed through the steering group that the fire station building is replaced and the site frontage improved.

The addition of a new drill tower has added to the cost and has a visual impact but no more so that the current tower with a backdrop of trees. That said it is considered necessary to impose a condition requiring the removal of the drill tower if it becomes redundant in the future.

REPLACEMENT SCHOOL

During the Masterplan process and since the submission of the application various discussions have taken place regarding the provision of a replacement primary school. Government funding is in place to provide a new school. This does not however form part of this proposal and does not in itself influence the design details or layout of highways. Crossing points will be incorporated onto Lower Street to provide safe access for children. The school proposals will also need to take into account visitor and staff parking. Minor alterations to Lower Street which are included in this application will be conditioned or dealt with via an appropriate legal agreement. Again these minor changes have been put to and agreed by the Parish Council for inclusion. Recent contact between the school and your officers indicates a new proposal is likely sometime soon and community engagement has been requested along with the usual request for pre-application engagement.

THE EMPLOYMENT UNITS

The application includes a block of small employment units with a public toilet at ground level. The Chagford Community Trust (CCT) proposes that the employment units should provide premises for young local entrepreneurs to get a foothold in business, encourage business that benefit the town itself, that the units change hands on a regular basis and provide a source of income that can be spent on other community projects. It is looking to the 'business incubator model' which has been successfully applied in Totnes. This aspect of the development is in

accordance with COR18.

AFFORDABLE HOUSING AND VIABILITY ISSUES

The CCT has expressed an interest in working in partnership with a Registered Provider (Housing Association) to bring forward the affordable housing element of this scheme. The applicants are committed to working with the CCT and partner RP (in this case Aster Housing). The proposed mix is 35% one bed units, 50% two bed units and 15% three bed units with approximately 80% rent and 20% shared ownership. The affordable housing would be subject to the usual needs assessment and local qualification criteria and controlled through the Section 106 agreement.

One of the key requirements of Policy CHG2 from the DMD is housing to meet the needs of the elderly and other housing, to include affordable housing to meet identified local needs. The overarching policy set out in DMD21 requires schemes for housing in Local Centres to meet a target of 50% affordable to open market units. Policy CHG2 does however recognise that the aspirations of the community expressed in the original Chagford Design Statement and more recent Masterplan will load abnormal costs onto any developer for this site. The policy does not therefore require a 50% target to be met. It was always anticipated that the extra costs of providing a new public car park and other community benefits would restrict viability. This site is treated differently to the other allocated site at Lamb Park in that the policy CHG1 states that site is allocated for affordable housing.

In line with other applications your officers have sought professional assistance in the viability exercise. This has been provided by expert consultancy through Torbay Development Agency (TDA) which has worked with the Authority on a number of other schemes recently. Their advice is that the build costs of the scheme, profit levels and land values are acceptable and that the overall cost of the 'abnormals' does not allow a 50% target to be reached. TDA have confirmed their professional view that the 30% offer of 28 units represents a good outcome which they point out is far in excess of some other developments in the south west.

Members will recall the Blue Cedar development on the frontage of Lower Street had no affordable housing contained within its site boundary given the specialised nature of the elderly person units being constructed. That said TDA was able to confirm that a £350k commuted sum to be used on the adjoining land to provide 'community benefits' was an acceptable outcome. Half of that money has now been paid to the Authority by Blue Cedar with the remaining half due it is anticipated later this calendar year. That money could seed further affordable housing on the CG Fry site or be put to other abnormal costs such as the provision of a car park, or other community facilities on the site. The potential for additional affordable housing units has also been explored.

The outcome of those discussions with the developer and housing authority of West Devon Borough Council and the Aster Housing Association is that to use the money for additional units would not be fair or reasonable on the landowner who would be expected to absorb a disproportionate drop in land values with all the affordable housing 'loaded' onto their site and reducing site values dramatically. In addition the use of the money to change tenures to all rented has been considered but it felt both by your officers and the CCT and Parish Council that some shared equity units should be offered rather than all rented. The Borough Council have advised that the current mix is acceptable and to try and use the money on this site will complicate matters in relation to future tenants of the new units.

In this respect the Authority has a choice about how they can use the money. Other options

can be explored such as the use of the money to seed other affordable housing in the Parish. This can be done in a number of ways perhaps in partnership with the Borough Council. It is likely that Lamb Park will come forward at some future point and there may be other opportunities. The key issue is that the money needs to be spent by 2025 according to the terms of the Blue Cedar S106 agreement or it has to be returned with interest. The need for affordable housing will no doubt continue in the Parish over and above the 28 units provided on this site and to that end your officers and colleagues in the Borough Council are confident the money can be spent. To allow this course of events to happen however there will need to be a deed of variation agreed with the Blue Cedar developer. This matter can be dealt with following the resolution on this application.

PHASING

It is anticipated that phase 1 will be the provision of the new fire station, main access road into the site, 38 housing units (including 18 affordable units), new car park, business units, and new link road to the rear of the Blue Cedar development (which then allows the construction road onto Bretteville to be reduced to a pedestrian access only), and the drainage works associated with the attenuation ponds on the adjoining land. It is likely that part if not all of the public open space will also be laid out in the first phases or at least early on in phase 2.

Phase 2 will include the remaining housing units including the last 10 affordable units together with the completion of the public open space, link road to Westcott Lane.

The applicants estimate a 3 year build programme overall from first breaking ground.

CONCLUSION

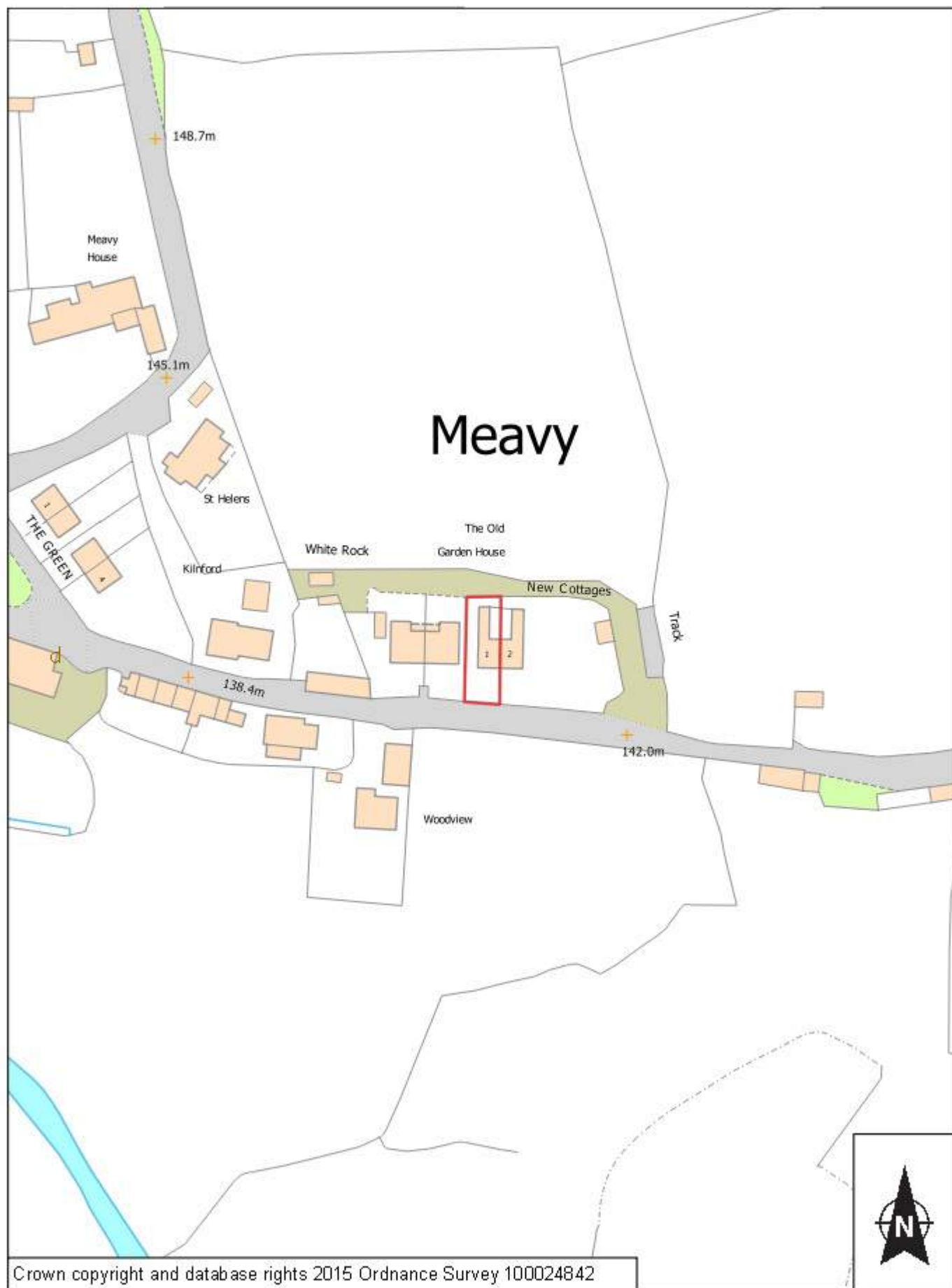
In conclusion Members should recall that this scheme taken with the Blue Cedar scheme will deliver the following community benefits

- 15 specialist units for the elderly
 - 70 space public car park
 - 4 employment/starter business units, and public toilets
 - Public open space and recreation area
 - New access road linking Lower Street with Westcott Lane
 - New multi-purpose fire station building including community meeting facilities
 - 108 new well designed dwellings with a range of house sizes
 - 28 units of affordable housing to be managed by a community land trust for the long term benefit of the community
 - Other wider benefits relating to wildlife and archaeological interpretation
- £350k funding for affordable housing in the parish for the future.

In terms of the policy requirements the scheme meets all that was set out in CHG2 and has the full support of the Parish Council. The CCT involvement is welcomed and builds on the successful model of other CLTs elsewhere in the National Park. The level of community engagement on this proposal has been exemplary with the cost of the Masterplanning borne by the two developers showing a level of commitment which far exceeds the norm. This is best illustrated with the largest housing and mixed use scheme to be developed in the town with a total of 8 letters of objection.

The brave and exciting vision first explored by the Parish Council over 10 years ago through their Design Statement to provide extra housing for the town, a boost to the local economy, a

new car park and road to resolve congestion problems, and local affordable housing, all whilst retaining the special sense of place and local character of the settlement and environs, will come to fruition with this application which presents a well-designed scheme which is to be commended.



2. Application No: **0071/16** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission - Householder** Parish: **Burrator**
Grid Ref: **SX542671** Officer: **Jo Burgess**

Proposal: **Erect single storey extension to the side and rear of existing dwelling**
Location: **1 New Cottages, Meavy**
Applicant: **Mr S Jackson**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed development by virtue of its form and design would be detrimental to the character and appearance of the cottage and the character and appearance of the Meavy Conservation Area contrary to policies COR4, DMD7, DMD12 and DMD24 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.

Introduction

1 New Cottages is one of pair of cottages in the Meavy Conservation Area and visible from lane to the north.

The application follows a proposal for a similar extension that was refused by Members in April last year. The applicant has substituted glazing for a solid wall in the north elevation.

The proposal is presented to committee at the discretion of the Head of Planning.

Planning History

0074/15	Single storey rear extension		
	Full Planning Permission - Householder	Refused	10 April 2015

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
Historic Buildings Officer:	The design, form and appearance of the proposed extension is poorly conceived in relation to the existing late 19th to early 20th century cottage and will cause harm to the significance of the local heritage asset. Likewise the proposal will impact on the Meavy Conservation Area and cause harm to the character and significance of the designated heritage asset. The proposal is not supported.
DNP - Archaeology:	Watching Brief required

Parish/Town Council Comments

Burrator PC:	Neutral view
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Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR2 - Settlement Strategies

COR3 - Protection of Dartmoor's special environmental qualities

COR4 - Design and sustainable development principles

COR5 - Protecting the historic built environment

DMD1a - Presumption in favour of sustainable development

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

DMD24 - Extensions and alterations to dwellings

DMD3 - Sustaining the quality of places in Dartmoor National Park

DMD7 - Dartmoor's built environment

DMD8 - Changes to Historic Buildings

Representations

None to date.

Observations

INTRODUCTION

This is an amended application following refusal by Members of 0074/15.

New Cottages are an attractive pair of late Victorian estate cottages built in stone with brick dressings by the Maristow Estate with distinctive single storey rear tenements. The cottages are set back from the road at a higher level with hedges enclosing the front garden of no 1.

THE PROPOSAL

It is proposed to demolish all but the wall forming the east elevation of the rear tenement and erect a dual pitch single storey extension that projects 2.4m beyond the side of the house. Oak frame windows are proposed.

In the Design and Access Statement accompanying the application, it is contended that approval of the adjacent dwellings has minimised the views to and of the subject site and resulted in it becoming incidental or secondary to the overbearing impact of those new dwellings and reference is made to the statement in the Conservation Appraisal that 'New Cottages has been adversely affected by the erection of the recent housing'.

It is noted that since the publication of the Conservation Appraisal, the adjacent dwelling has been extended and in this context, according to the applicant, the proposed extension would have an almost imperceptible impact on the long view the LPA seeks to protect.

THE SETTING

The pair of cottages have a symmetry at the front and rear. The site faces open agricultural fields to the rear that are included within the boundary of the Conservation Area and is visible from the lane running north from the centre of the village. This important view is recognised in

the Meavy Conservation Area Appraisal.

To the west and within the former garden of number 1 is a pair of modern semi-detached houses. The house adjacent to 1 New Cottages has a single storey dual pitch extension permitted in 2011.

PRE APPLICATION ADVICE

Following refusal of the application the officer met with the agent and the glazing of the front and rear elevations was discussed as a possible means by which the structure could be made more transparent and be perceived from outside the site as not having the bulk and massing of the previous proposal. Following that meeting a floor plan but no elevations were submitted and the applicant was advised that it would be necessary to demonstrate through a Statement of Significance and details of materials, joinery and glazing, that a revised extension would preserve and enhance the character and appearance of the Conservation Area.

PLANNING CONSIDERATIONS

Although the extension is of a form that would normally be considered to be acceptable, in this case the proposed development would destroy the symmetry of the pair when viewed from the rear and to a lesser extent the front of the dwelling. It would extend the footprint beyond the side elevation in a way that would not reinforce the distinctiveness of the traditional floor plan of the existing dwellings or the wider conservation area. Significant original fabric will be lost and the configuration and increased height of the roof will also result in a significant area of the rear wall being obscured and the legibility of the pair being diminished.

The footprint of the extension is the same as that refused however glazing within an oak frame is used in the rear elevation as opposed to stone with rooflights on the west elevation. The extension is the same size, in the same position and the same height as the extension previously refused by Members. The only difference is the use of glazing.

Although the applicant contends that the extension will be read as open and glazed maintaining and preserving the existing character of the built form, having considered the plans and submitted details on site, officers are of the view that the use of glazing would mean that the increase in bulk and massing would not be diminished and as a result the extension would still be detrimental to the character and appearance of the cottage and the wider Conservation Area. The approval of the extension on the more recent property immediately to the west, is not justification for further erosion of the character of this pair of cottages, recognised as being an important element of the Conservation Area.

PLANNING POLICY

Policies COR4, DMD7 and DMD24 state that development proposals should conserve and enhance the character of the local built environment and reinforce the distinctive qualities of places through the consideration of amongst other things scale, height, solid form, design and detailing. It is not felt that in this case this has been achieved.

Policy DMD12 states that the extension of a building within the Conservation Area will only be permitted where the character or appearance of the area is preserved or enhanced. Although not listed, New Cottages are identified as notable buildings in the Conservation Area Appraisal.

Although the dwelling to the west has been extended with planning permission, the dwelling is modern development and the extension does not project beyond the side of the dwelling so has a neutral impact on the character of the Conservation Area. It has therefore been concluded that the development will not preserve or enhance the character and appearance of the Conservation Area and is therefore considered contrary to policy DMD12.

No comments have been received from the neighbours and the fence to the west will ensure that there is no loss of privacy or outlook. The proposed development is therefore considered to be in accordance with policy DMD4

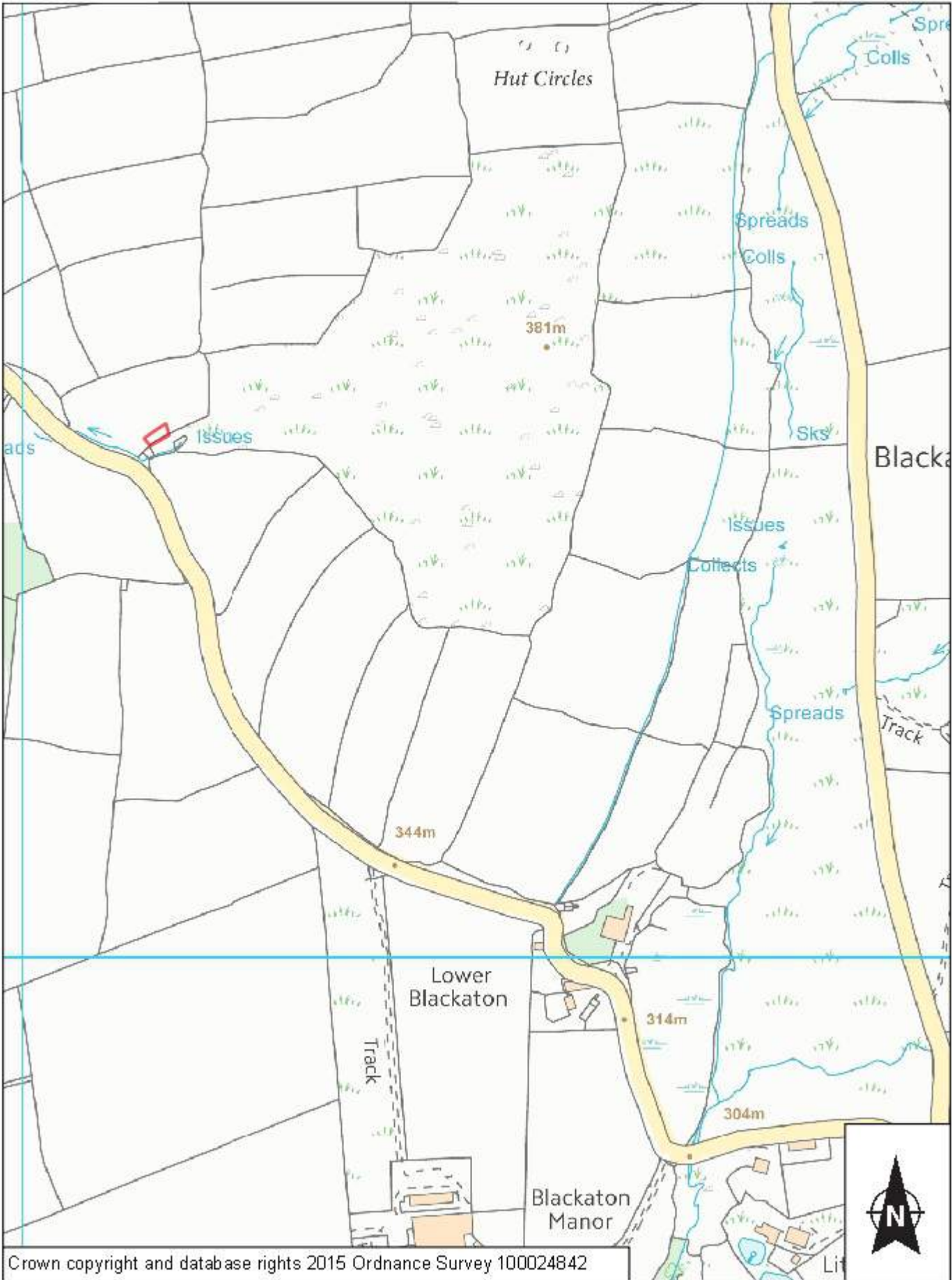
CONCLUSION

Although the proposed extension will only add 18% to the floor area of the cottage, and by the introduction of glazing the applicants have sought to reduce the impact of the extension on the cottages and the Conservation Area, the impact of the extension on the character and appearance of the cottage and the wider conservation area is such that it is considered to be contrary to policies DMD7, DMD24 and DMD12.



Scale 1:4,500

Compiled by Ibarattini on 19/4/2016



3. Application No: **0140/16** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **Widecombe-in-the-Moor**
Grid Ref: **SX691784** Officer: **Louise Barattini**

Proposal: **Siting of a mobile home for temporary agricultural dwelling**

Location: **Blackdown Piper, Widecombe-in-the-Moor**

Applicant: **Castor Blackton Farming Ltd**

Recommendation **That permission be GRANTED**

Condition(s)

1. The development to which this permission relates must be begun not later than the expiration of one year from the date of the grant of permission.
2. The mobile home hereby permitted shall be permanently removed, the use of the land for residential purposes cease and the land restored to its former condition on or before 6 May 2019.
3. The mobile home hereby permitted shall be occupied only by persons solely, or mainly working, or last working in the locality in agricultural or forestry work, as defined by Section 336 of the Town and Country Planning Act 1990, and the dependants of such persons as aforesaid.
4. Prior to the installation of the mobile home hereby approved on the site, details of all proposed decking, external facing and roofing materials shall be submitted to the Local Planning Authority for approval and the development shall be carried out in accordance with the approved details.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking and re-enacting that Order with or without modification, no material alterations to the external appearance of the building(s) shall be carried out and no extension, building, enclosure, structure, erection, hard surface, swimming or other pool shall be constructed or erected in or around the curtilage of the dwelling hereby permitted, and no windows or roof lights other than those expressly authorised by this permission shall be created, formed or installed, without the prior written authorisation of the Local Planning Authority.
6. Unless otherwise agreed in writing by the Local Planning Authority, the north west, north east and south east boundaries of the site shall be enclosed by agricultural post and wire fencing.
7. There shall be no external lighting on the site unless details have been submitted to the Local Planning Authority for approval. Any external lighting shall be installed in strict accordance with the approved details.

8. No ground disturbance works (including the installation of septic tank) shall commence on the development hereby approved until a written scheme, providing for an appropriately qualified archaeologist to carry out a full archaeological watching brief during all specified works (details of which are to be agreed with the Local Planning Authority) has been submitted to and approved in writing by the Local Planning Authority. The scheme 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. No specified works shall commence on the development hereby permitted until the expiration of 28 days following the date that written notice has been received by the Local Planning Authority of the intention to commence the development, unless otherwise agreed in writing by the Local Planning Authority. At all times thereafter, until the completion of the development on the land, access shall be afforded at all reasonable times to any archaeologist accredited by the Local Planning Authority. This access shall include the right to observe and inspect any excavation and to retrieve and record any items of interest and finds.
9. Details of the proposed location of the septic tank within the curtilage of the mobile home hereby approved shall be submitted to the Local Planning Authority for approval prior to its installation. The septic tank shall be installed strictly in accordance with the approved details.

Introduction

Blackdown Piper is a mixed livestock enterprise (cattle & sheep) extending to 109 hectares (269 acres) with grazing rights over a further 1497 hectares (3700 acres) of Common Land.

The holding is situated within a rolling agricultural landscape on the fringe of the moor to the south of Challacombe Down, 3.2km to the northwest of Widecombe-in-the-Moor.

The application proposes the temporary siting of a mobile home to enable a farm worker to live on site to meet the functional needs of the farming enterprise.

The application is presented to Members at the discretion of the Head of Planning and in view of the comments received from the Parish Council.

Planning History

0672/15	Extension to existing barn to provide covered feed area		
	Full Planning Permission	Grant Conditionally	09 February 2016
0351/14	Extension of existing agricultural building to provide covered manure store and feed areas		
	Full Planning Permission	Refused	07 October 2014
	Appeal lodged: 02 April 15	Result: Allowed	
0491/11	Construction of permanent agricultural dwelling and related outbuildings		
	Full Planning Permission	Refused	20 December 2011
	Appeal lodged: 11 June 12	Result: Dismissed	
0499/10	Change of use of the land for the siting of a temporary agricultural worker's dwelling with associated levelling works		

	Full Planning Permission	Refused	25 November 2010
0039/10	Construction of an agricultural building (18.3m x 12.2m) and hardstanding		
	Full Planning Permission	Grant Conditionally	11 March 2010
0371/09	Construction of an agricultural building (18.3m x 12.2m) and hardstanding		
	Full Planning Permission	Withdrawn	06 October 2009

Consultations

Environment Agency:	No objection - flood zone 1 standing advice only
Teignbridge District Council:	Does not wish to comment
County EEC Directorate:	No highway implications
DNP - Archaeology:	The site is situated within a well-preserved fieldscape dating to the medieval period, however, these fields are likely the latest iteration of a changing agricultural landscape potential date back to the iron age. There is potential for the occurrence of buried heritage assets and therefore an archaeological watching brief would be required for any works requiring ground disturbance.
DNP - Trees & Landscape:	The building will not conserve or enhance the character of the local landscape. However, the harm to the landscape is modest and because the building is temporary and the land will be restored to its former state on removal.
	No objection, subject to a condition requiring the site to be fenced to prevent domestication of the field outside of the application site and the land to be restored to its former state after the building has been removed
DNP - Ecology & Wildlife Conservation:	There is potential for increased artificial light levels with the vicinity which may affect foraging and commuter behaviour of the greater horseshoe bat and other light sensitive bat species. A condition would therefore be required to carefully assess and control any proposed external lighting.

Parish/Town Council Comments

Widecombe PC:	<p>The Parish Council objects on the following grounds;</p> <p>(i) the location is inappropriate and would have an unacceptable impact on this historically and visually significant field and therefore the character and appearance of the landscape,</p> <p>(ii) there is no agricultural justification to site the temporary dwelling in this location and would be more appropriately sited on the other side of the hill alongside existing buildings on a brownfield site,</p> <p>(iii) the mobile home is unnecessarily large, and</p> <p>(iv) if a temporary dwelling is accepted in this location it will make the case for a permanent dwelling here.</p>
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Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR15 - Providing for limited new housing to meet local needs
COR2 - Settlement Strategies
COR21 - Dealing with development and transport issues in a sustainable way
COR3 - Protection of Dartmoor's special environmental qualities
COR4 - Design and sustainable development principles
COR6 - Protecting Dartmoor's Archaeology
COR7 - Providing for the conservation of Dartmoor's varied plant and animal life and geology
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD23 - Residential development outside Local Centres and Rural Settlements
DMD34 - Agricultural and forestry
DMD4 - Protecting local amenity
DMD5 - National Park Landscape
DMD7 - Dartmoor's built environment

Representations

14 letters of objection

A number of objectors state that there is no justification for the farm worker accommodation and others state that alternative sites should be considered (namely the group of farm buildings to the south of the holding which is stated to be visually contained in the wider landscape). They explain that the site is visible from public vantage points and that the proposal will further intrude on this important landscape and cause light pollution. They state that the application has not demonstrated no harm to landscape, is premature and will set a harmful precedent for a permanent dwelling.

Observations

BACKGROUND

The farming enterprise at Blackdown Piper has been established for a number of years now and there is a fairly extensive planning history on the land.

In March 2010, planning permission was granted for an agricultural building immediately to the west of the application site to supplement the range of existing farm buildings on the south of the holding (planning ref: 0039/10). This building has been granted extension under recent permissions to provide covered manure store and feed areas in September 2015 (planning ref: 0351/14) and February 2016 (planning ref: 0672/15).

Over recent years the business has demonstrated the need for on-site farm worker accommodation; however, to date, applications to meet this requirement have not been successful.

Planning permission was refused in November 2010 for a mobile home in the adjoining field to the north of the new agricultural building on grounds of landscape impact (planning ref: 0499/10).

A subsequent application for a substantial permanent dwelling on this same parcel of land was refused on the grounds that the scale, design and location of the proposed dwelling would have detrimental impact on landscape character and appearance and that the size of the

dwelling was not commensurate with functional needs of holding (planning ref: 0491/11). This decision was upheld at appeal in October 2012.

A further application was submitted for a farm workers dwelling on land to the south of, and across the road from, the new agricultural building (planning ref: 0334/14). This application was refused on the grounds that insufficient information had been submitted to satisfy the Authority that the financial test was satisfied and that the design and size of the dwelling would have a detrimental impact on the character and visual amenity of this part of the Dartmoor National Park landscape. At appeal, the applicant provided sufficient information to address the financial test and the case was dismissed on its design, scale and resultant landscape impact in February 2015.

There is a pressing need to provide on-site accommodation to meet the functional needs of the holding and the applicant has therefore come forward with a proposal for temporary accommodation in an effort to address the previous planning objections and to provide an immediate solution to meet the business need.

PROPOSAL

The application proposes a small timber mobile home measuring approximately 4.8m x 10m. A timber deck is proposed to provide a level base for the proposed mobile home, avoiding the need for cut and fill works within this sloping field.

The mobile home is proposed to be located in the adjacent field to the east of the established agricultural building, situated in the bottom corner adjacent to the existing access point and hedge banks.

The curtilage proposed is very modest and it is proposed to make use of existing access and parking arrangements in the yard.

JUSTIFICATION

Planning policy DMD23 requires proposals for agricultural workers dwellings to demonstrate that (i) there are no satisfactory existing buildings that could be converted to meet the need or other suitable and available dwellings on the holding or in the locality, (ii) there is a clear functional need for a worker to be readily available at most times, (iii) the need relates to a full-time worker, (iv) the enterprise has been established for at least 3 years and profitable for at least one and is financially sound with a clear prospect of remaining so, and (v) the scale of the building is commensurate with the functional requirement of the holding and is sited so as to cause no harm to landscape character, a site adjacent to existing buildings generally being the most appropriate.

Blackdown Piper Farm is a 109 hectares (269 acres) holding with grazing rights over a further 1497 hectares (3700 acres) of Common Land.

In February 2015, the date of the most recent planning appeal, the farm totalled 674 livestock (cattle & sheep) which equated to 2.37 labour units and it was deemed that the scale and nature of the farm enterprise was such that at least one worker was required to be readily available on site at most times (especially, but not solely, during lambing and calving). Indeed, the functional need for a farm worker's dwelling has been accepted with each application for a farm worker accommodation at Blackdown Piper.

It has also been accepted by Planning Inspectors, agricultural consultants and this Authority that the applicant's dwelling at Cator Court is too far from holding to meet the functional requirement to be readily available at most times of the day and night.

At the date of this application, the livestock count is 712 equating to 2.49 labour hours. There have been no significant changes to the farming activities and the scale and nature of the enterprise is such that there is still a functional need for a farm workers dwelling.

There are also no other suitable and available existing dwellings in the farm area, or existing buildings on the holding, from which the functional need could be met.

In the recent planning appeal, the Inspector concluded that whilst the costs of repairs and maintenance on the farm has skewed the profitability of the business in recent years, these had now been largely undertaken and that in the last few the business had concentrated on building up stock levels and therefore there had been little selling of stock. The Inspector was satisfied that the business was financially sound and had a clear prospect of remaining so to support the permanent dwelling proposed.

The latest financial information submitted is sufficient to demonstrate that the financial tests are clearly satisfied in respect of a proposal for a lesser development of a temporary worker's accommodation (i.e. 3 years). The business has been planned on a sound financial basis and there is a firm intention and ability to develop the enterprise concerned.

IMPACT ON LANDSCAPE CHARACTER & VISUAL AMENITY

Policies COR3 and DMD5 set out the objectives for the conservation and/or enhancement of the character and special qualities of the Dartmoor National Park Landscape. The value of the landscape and scenic beauty of National Parks is made explicit in the National Planning Policy Framework.

Blackdown Piper lies within the Dartmoor National Park Landscape Character classification type 'Moorland Edge Slopes'. The field enclosures on this moorland edge are part of an intact medieval field system which is an important part of this historic and archaeological landscape within this part of the National Park.

The proposed development is located within enclosed farm land. The land around the site is undulating agricultural land comprising of small to medium sized fields enclosed by Devon hedge banks. The fields are likely to be mid to late medieval and this medieval field system is virtually intact. Isolated and linear groups of trees are growing on the hedge banks and the agricultural land characterised by grazing pasture. Open moorland lies beyond the enclosed land, with a transition from small fields enclosed by Devon banks to large field (newtakes) enclosed by walls.

The proposed mobile home would be located in a field to the east of the existing agricultural building. The land rises to the east and the building will be raised at one end to avoid excavation into the slope. The field has recently been sub-divided separating the barn from the grazed land with a new Devon bank which follows the line of the medieval field boundary. The temporary building will have close links to the existing barn and farm yard and would be aligned with the southern boundary of the field. This alignment, together with the small scale of the proposed development, will help to reduce the visual impact when viewed from the wider landscape.

Whilst the proposal will have some impact on landscape character and visual amenity it will be viewed in close association with the existing farm building and associated yard. It is small scale (including curtilage), will involve minimal intervention to the landscape and is for a temporary period enabling the structure to be removed and land returned to its former condition thereafter. It is not considered that the mobile home is unusually large comprising 3 rooms internally plus a bathroom and box room.

There is a proven functional need for farm worker accommodation to support this established agricultural enterprise and this need has become more pressing as time goes on. It is considered that this proposal for this small temporary farm worker accommodation is acceptable, however, officers would make clear at this stage that this site is not considered to be a suitable candidate for a dwelling, as a larger permanent building on this elevated siting is likely to cause harm to the special character and appearance of this part of the Dartmoor National Park landscape.

The site in question has come forward in discussion with officers following the history of refusals for farm worker accommodation on the land. There is a pressing need for accommodation and the application proposes a short term solution in an attempt to meet that need. A number of other sites have been explored through previous applications. The Parish Council and local objectors state that a mobile home would be better accommodated with the cluster of farm buildings to the south of the holding. This land is within a former small quarry and the availability of land within this area and the instability of the quarry face constrain the ability to accommodate a residential unit on this land. This has been explored with the applicant following planning refusal 0491/11).

ARCHAEOLOGY

The site is situated within a well-preserved fieldscape dating to the medieval period; however, these fields are likely the latest iteration of a changing agricultural landscape potential date back to the Iron Age. There is potential for the occurrence of buried heritage assets and therefore an archaeological watching brief would be required for any works requiring ground disturbance in line with policies COR6 and DMD13.

HIGHWAY SAFETY

The proposal would make use of an existing established farm access and parking arrangements and no objection is raised on grounds of highway safety in line with policy COR21.

ECOLOGY

There is potential for increased artificial light levels with the vicinity which may affect foraging and commuter behaviour of the greater horseshoe bat and other light sensitive bat species. A condition would therefore be required to carefully assess and control any proposed external lighting in line with policies COR7 and DMD14. This will also ensure control over light pollution in the landscape.

CONCLUSION

Blackdown Piper is a farm where the Authority has had difficulty reconciling the conservation and beauty of landscape with the needs of the farm business, evidenced by the planning history on the land. The justification for the farm worker accommodation has not gone away

and the need is becoming more pressing, hence the proposal for temporary accommodation in effort to address the previous planning objections and to provide an immediate solution to meet the business need. A proposal for a dwelling on this particular parcel of land has not come forward previously.

The needs of farming businesses must be recognised and officers are keen to try to accommodate for this whilst balancing landscape impact. The scheme in this respect presents a short term solution to help support this established farm with an acceptable impact on landscape character and amenity, taking into account the constrained options for development.

This application does not set a precedent for a permanent dwelling in this location and the report makes clear that officers do not consider that a permanent dwelling could be supported on this application site.

Officers have had due regard to the concerns raised by the Parish Council and local objectors but consider that none of the matters raised are sufficient to substantiate a refusal of planning permission on this occasion, bearing in mind the temporary nature of the proposal, the modest landscape impact, and the reversibility of the works to accommdoate the mobile home.



Scale 1:1,000

Compiled by Ibarattini on 19/4/2016



4. Application No: **0118/16** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **Ashburton**
Grid Ref: **SX761706** Officer: **Louise Barattini**

Proposal: **Demolition of block of three garages; erection of detached two bedroom bungalow with off street parking and erection of detached double garage**

Location: **20 Beverley Gardens, Ashburton**

Applicant: **Mrs J Slater**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed development by reason of its siting, design, scale and proportions, fails to demonstrate a high quality locally distinctive design and would detract from the established character and appearance of the surrounding development and street scene. The proposal is therefore contrary to policies COR1, COR4, DMD1b, DMD3 and DMD7 of the Dartmoor National Park Authority Development Plan, the English National Parks and the Broads UK Government Vision and Circular 2010, the National Planning Policy Framework 2012 and the Dartmoor National Park Authority Design Guide 2011.

Introduction

Beverley Gardens is a post-war cul-de-sac of terraced dwellings within the settlement of Ashburton. The application site relates to a row of 3 garages and parcel of green space between two terraces, flanked by a public footpath along the eastern boundary.

The application proposes the demolition of the garage block and erection of a 2-bedroom bungalow, together with the erection of a replacement detached double garage for the occupiers of 20 Beverley Gardens.

The application is presented to committee at the request of a Member of the Authority Mr Stuart Barker.

Consultations

Teignbridge District Council:	Contaminated Land Officer - recommend unexpected contamination condition
County EEC Directorate:	There are no objections to the proposed development from a highway safety point of view. The proposal would fail to meet minimum parking provision for the new development, however, this is not a reason to refuse permission on highway grounds. A condition to prevent the development being occupied until the parking and access facilities have been provided is recommended.
Environment Agency:	No objection - flood zone 1 standing advice only

Parish/Town Council Comments

Ashburton TC: No comment received

Ashburton TC: The Town Council supported the application subject to the following 3 conditions being met:
(i) 2 car parking spaces for the bungalow
(ii) construction during weekdays only to prevent disturbance to neighbours
(iii) the property to remain as an affordable rental property

If these 3 conditions are not met then the Town Council take a neutral view.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR14 - Meeting the infrastructure requirements of new development

COR2 - Settlement Strategies

COR4 - Design and sustainable development principles

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

DMD21 - Residential development in Local Centres

DMD40 - Parking provision - Residential

Representations

4 letters of objection 2 letters of support

The letters of objection state that the proposal will crowd this built up area, remove an area of green space, exacerbate existing parking pressures, be overbearing when viewed from neighbouring properties and result in loss of outlook and privacy. They question the use of the garage by the applicant for parking and the affordability of the property in the long term.

The letters of support welcome the provision of a single storey affordable dwelling for the community and state the design fits with the area and will not compromise residential amenity.

Observations

HOUSING POLICY

Policies COR15 and DMD21 guide new housing development to sustainable locations within designated settlements. Policy DMD21 supports the principle of new housing on small infill plots within existing built frontages in Local Centres such as Ashburton, subject to 50% affordable housing being provided. This means that a development of a single dwelling would need to provide an affordable dwelling under the Authority's intermediate affordable housing model.

PROPOSAL

The application proposes an intermediate affordable dwelling and the applicant is willing to enter into a legal agreement to ensure the affordability of the dwelling for local persons in

perpetuity.

The proposed 2-bedroom bungalow (74sqm) is to be sited on the footprint of the existing garage block at the rear of the plot with rendered elevations under a concrete tile roof. The garden would be to the front of the proposed dwelling, accommodating bin storage and car parking space. A new highway access is proposed to the front of the site (incorporating dropped kerb).

The proposed replacement double garage would be situated adjacent to the front garden boundary of No. 20 Beverley Gardens and would be rendered with a flat roof.

DESIGN POLICIES

The Government attaches great importance to the design of the built environment within the National Planning Policy Framework, establishing good design as a key aspect of sustainable development. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Policies COR1, COR3, COR4, DMD1b, DMD3 and DMD7 require new development to provide high quality, locally distinctive design that conserves and enhances the character and appearance of the built environment of the Dartmoor National Park. Specifically, policy DMD7 requires new development to reinforce locally distinctive qualities of place through consideration of open spaces, uses, scale, height, alignment and design.

The Design Guide reinforces these policies and makes clear that full account of the relationship with existing buildings and open spaces and that the shape of the land and layout of other buildings should be used to tie the development to the site. Dartmoor's sense of place should be reinforced by reflecting the local building tradition.

IMPACT ON THE BUILT ENVIRONMENT

The character of the street scene along this section of Beverley Gardens is characterised by semi-detached and terraced dwellings of uniform character within a post-war housing estate.

The proposed detached bungalow would strongly contrast with the pattern and character of existing housing development, accentuated by the forward projection of the proposed building in the street scene and position adjacent to the public footpath. Whilst it is acknowledged that there are bungalows in Balland Park, a housing estate to the rear of the site, the development needs to be assessed in the context of its immediate street scene environment. Furthermore the character of the proposed bungalow has little affinity with the character of those in Balland Park.

The design of the proposed bungalow fails to satisfy the policy tests for a high quality, locally distinctive design. The design does not satisfactorily address the changing levels across the site, which together with the proposed shallow pitched hipped roofline, results in awkward building proportions and an uneasy design. This would be particularly apparent when viewed against the alignment of ground floor windows on the adjacent terrace to the east. The detailing of the elevations to address the public faces of the building could also benefit from further consideration. The pitched, fully hipped roofline is very shallow and at odds with the Dartmoor vernacular and character of buildings within the estate.

The existing flat roofed garage block reads as simple honest garaging, typical for the age and character of the estate. The proposed new unit of accommodation needs to demonstrate compliance with planning policies and stand up as a design in its own right following the demolition of the garage block.

National Planning policy is clear that good design as a key aspect of sustainable development and that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

The proposal fails to satisfy the tests for a locally distinctive, high quality design that conserves and enhance the character and appearance of this surrounding built environment in clear conflict with policies COR1, COR4, DMD1b, DMD3 and DMD7.

The proposed garden area is to front of proposed property in contrast with the layout of gardens in the estate, hence the proposal for bin store to the front garden. Whilst the existing low level, post and rail fence is proposed to be retained this gives no privacy to future occupiers and the Authority would likely be faced with a proposal in the future for high level fencing which would present as quite a harsh feature in this setting.

No objection is raised to the proposed replacement garage, which echoes the character of garages within this post war estate.

NEIGHBOUR IMPACT

Policy DMD4 deals with the protection of residential amenity.

The proposed bungalow would be situated in a tight-knit residential estate between existing dwellings. The location of windows is severely restricted by the layout of the site and the tight relationship with neighbouring dwellings and party boundaries.

The proposed bungalow would be situated approximately 14 metres from the front wall of No. 20 Beverley Gardens. The proposed new garage would obscure direct views into the bedrooms of this proposed bungalow from No. 20, but would result in a less than ideal outlook from these respective bedrooms. The proposed garage wall would be a distance of approximately 3.8m away and measuring 3m high when viewed from inside the proposed bungalow. Indeed, the only positive outlook is from the lounge to the front of the property.

Concerns have been expressed from neighbours to the rear (approximately 17m away) about the impact on their outlook and loss of privacy. A blockwork wall is situated along the rear party boundary of the site and there is presently a lean-to conservatory/store along this edge of the existing garage block. The proposed plans show a high level window on this elevation which would prevent any overlooking in this direction. The small additional massing that would be created by the proposed shallow roofline is not considered to compromise the residential amenities of these neighbouring occupiers in respect of any overbearing impact or loss of light. The planning system cannot protect private views. Similarly, no adverse impact is considered for occupiers of properties to the east, west and south west of the site having regard to the juxtaposition, distance and relationship of buildings.

No adverse impact on residential amenity will result from the proposed replacement garage having regard to the proposed scale, siting and design.

HIGHWAY SAFETY

The proposal seeks to replace the existing 3 garages with a double garage and provide a single off-road parking space for the new bungalow. The Highway Authority raises no objection from a highway safety point of view to the proposed parking provision and access arrangements. They require the proposed parking and turning facilities to be retained for that purpose in perpetuity which addresses a concern raised by neighbouring residents.

The Town Council request that 2 off-road parking spaces are created for the proposed bungalow. The application only makes provision for a single off-road parking space within the curtilage of the proposed bungalow. Policy DMD40 sets a minimum standard of two spaces for detached dwellings and one and a half for flats and terraced dwellings. The proposal does not meet the minimum space requirements and the pressure for parking on the highway within Beverley Gardens is noted. However, on the basis that the Highway Authority raises no objection from a highway safety point of view to minimum parking standards not being met, it would be difficult to substantiate a reason for refusal.

OTHER ISSUES RAISED BY THE CONSULTATION PROCESS

The Town Council request that the property should remain an affordable rental property in perpetuity. Whilst it is not possible to restrict the accommodation to persons renting, and therefore preclude those seeking to be owner-occupiers, the Authority controls the provision of intermediate affordable housing through a legal agreement which ensures the affordability of the accommodation for local persons in housing need in the perpetuity.

Conditions can be imposed to control working hours during construction in tight knit residential areas and as such this request raised by the Town Council could be addressed. The Town Council make it clear in their response that their support is on the basis of achieving 3 conditions. In the absence of that they take a neutral view.

CONCLUSIONS

The design of the proposed development fails to satisfy the policy tests for a high quality, locally distinctive design and would contrast strongly with the pattern and character of existing housing development in Beverley Gardens. The proposal would neither conserve or enhance the character and appearance of the surrounding area in conflict with policy.

The outlook from the proposed dwelling and impact on living conditions of future occupiers is less than ideal but it would be difficult to substantiate a reason for refusal on these grounds. Similarly, it would be difficult to substantiate a reason for refusal on the basis of the proposed single parking space having regard to the clear lack of objection from the Highway Authority on highway safety grounds.

Officers are keen to support the delivery of affordable housing in Ashburton, however, the applicant would need to demonstrate that an alternative design could be achieved to address the objections raised and to justify that the site was capable of accommodating a unit of accommodation. This would need to be explored outside of this application. It is unfortunate that pre-application advice was not sought in this instance.

Former Court Street Garage - 0487/15

Scale 1:1,250



5. Application No: **0487/15** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **Moretonhampstead**
Grid Ref: **SX749860** Officer: **Christopher Hart**

Proposal: **Demolition of existing commercial garage and erection of three dwelling houses**

Location: **Court Street Garage, Court Street, Moretonhampstead**

Applicant: **Mr & Mrs W Gavillet**

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

The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

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

4. Unless otherwise agreed in writing by the Local Planning Authority, no work shall commence on the development hereby permitted until the expiration of 28 days following the date that written notice has been received by the Local Planning Authority of the intention to commence the development. At all times thereafter, until the completion of the development on the land, access shall be afforded at all reasonable times to any archaeologist accredited by the Local Planning Authority. This access shall include the right to observe and inspect any excavation and to retrieve and record any items of interest and finds.
5. Prior to the commencement of any works, demolition or development on the land, all existing trees, shrubs and hedges to be retained shall be protected by fences or suitable barriers erected beyond their dripline. Such fences or barriers shall be maintained until the completion of the development on the land. Within these protected areas there shall be no storage, deposit, tipping or placing of any materials, soil, spoil or other matter, no parking or movement of vehicles or trailers, no erection or siting of buildings or structures, no excavation or raising of ground levels and no disposal of water or other liquid. Furthermore, no fire(s) shall be lit within 20m of any protected area without the prior written authorisation of the Local Planning Authority.
6. All materials, fuel tanks, etc. resulting from the demolition of the existing building and preparation of the site for the development hereby approved shall be permanently removed from the site prior to the commencement of the laying out of the site for the construction of any dwelling.
7. No site clearance work or development or specified operations shall take place on the land until a detailed ecological working method statement has been submitted to and approved in writing by the Local Planning Authority.
8. No part of the development hereby approved shall be brought into its intended use until the improved access and extension of the footway to Court Street, parking facilities, turning area, parking spaces and garages/hardstanding have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing, by the Local Planning Authority and retained for that purpose at all times.
9. Prior to the commencement of development, a schedule of materials and finishes shall be submitted to the Local Planning Authority for approval in writing. This shall include; full details of the roof slate and its method of fixing; the hardwood cladding profile and finish; a sample panel of walling; render finish and colouring; window units and exterior doors and finishes; roof verges, cills and soffits; lighting and exterior surface treatments.

Introduction

The site comprises a former fuel station and motor repair business which ceased trading a number of years ago. It is now used for domestic and business storage.

It lies on the on the north side of the B3212 on the western edge of Moretonhampstead. Henleaze, a large residential property lies to the west with the recent residential development of Sawyer's Walk to the north. To the east lies the former sawmill building now used as a site office and an attached industrial unit. This building runs parallel to the site on the eastern boundary.

The site has a large forecourt to the front which still retains the fuel pumps facing the highway. The buildings are in two bays with gable ends facing the highway. An additional corrugated

metal structure projects from the rear on the western building. They are in a poor state of repair and constructed of a mix of materials on a timber frame.

The application is for full planning permission to redevelop the site for residential use. It proposes three open market dwellings on the site of the former garage buildings - a large detached dwelling facing onto Court Street and two further semi-detached dwellings at the rear.

The application is presented to the Committee in view of the policy issues concerning the provision of affordable housing.

Planning History

0170/15	Demolition of commercial garage and construction of three dwellings		
	Full Planning Permission	Withdrawn	22 May 2015
0516/12	Existing extension to be enlarged and altered to two storeys		
	Full Planning Permission - Householder	Grant Conditionally	22 October 2012
5/CN/12658	Extension to dwelling to form flat		
	Full Planning Permission	Refused	10 December 1974
5/CN/12658/74	Extension to dwelling to form flat		
	Full Planning Permission	Refused	10 December 1974

Consultations

Teignbridge District Council: Having viewed the phase 1 contamination assessment and it is appropriate to focus on the remediation detail for the site. Any planning consent should be subject to the submission, and implementation, of a suitable remediation scheme to deal with expected contamination as identified. A further condition to deal with unexpected contamination should also be considered.

County EEC Directorate: There are no objections in principle from a transportation point of view as it will result in a reduction in traffic generation potential when compared to the existing use.

The plans are acceptable in principle, although the white lining at the bellmouth radius should mirror the kerbline radius on the opposite junction. This matter can be resolved at the time the applicant seeks the appropriate detailed consents from the highway authority for the highway works. Appropriate conditions are recommended below:

'No part of the development hereby approved shall be brought into its intended use until the improved access and extension of the footway to Court Street, parking facilities, turning area, parking spaces, garages/hardstanding have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times'.

Environment Agency:
DNP - Ecology & Wildlife
Conservation:

Flood risk zone 1 - standing advice applies

Two ecological reports were submitted as part of this application. The survey methods, and presentation of results and recommendations were broadly satisfactory.

The initial survey, written up in a report titled Preliminary Ecological Assessment, carried out a walkover survey, noting habitats present and their potential to support protected species, as well as searching for protected species themselves. This report also includes a Conservation Action Statement.

The site is a brownfield site, with dilapidated industrial buildings, ruderal vegetation and amenity grassland present, as well as a small pond. The consultant stated that the site had potential to support reptiles, breeding birds, foraging bats and badgers. No signs of a badgers sett were found, and the buildings were not deemed suitable for roosting bats. A reptile survey was recommended. This was carried out by another consultant, who found no evidence of reptiles, though some amphibians were found. During the reptile surveys it was noted that swallows were using one of the buildings to be demolished for nesting.

The recommendations made in the Conservation Action Statement are on the whole satisfactory, and one of the recommendations, i.e. on carrying out a reptile survey, have already been carried out. However, we require an additional recommendation on how to incorporate swallow nesting provisions within the new development. Also, at present the recommendations aren't integrated into the plans, so it doesn't show where any of the bat tubes or bird boxes are to go.

It is recommended that the Conservation Action Statement is updated so it reflects reptile survey results, and incorporates swallow nesting provision. These should be incorporated into the plans for the development.

DNP - Archaeology:

The tithe map, for Moretonhampstead, dating to the 1840s, shows several buildings on the site of the proposed development which have been demolished by the late 19th century. The function of these structures is unknown and no trace remains visible on the surface today. There is thus a high potential on the site for the presence of buried heritage assets which, if present will require identification and recording.

An archaeological watching brief on all groundworks on the site and appropriate recording of any features uncovered is recommended in accordance with policy DMD13.

DNP - Trees & Landscape:

A Cypress tree is growing within the site and several Beech

trees on adjacent land. The trees appear to be in good health .

The development will have no impact on the Cypress. The closest dwelling will be within the root protection area of the Beech tree however, root disturbance is likely to be minor and will have a minimal impact on the long term health of the tree.

No objection subject to the consideration of method statement showing how the trees will be protected during development.

Parish/Town Council Comments

Moretonhampstead PC: The Parish Council supports the application. Any further comments on the revised plans will be reported at the meeting.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR15 - Providing for limited new housing to meet local needs
COR18 - Providing for sustainable economic growth
COR2 - Settlement Strategies
COR21 - Dealing with development and transport issues in a sustainable way
COR3 - Protection of Dartmoor's special environmental qualities
COR4 - Design and sustainable development principles
COR6 - Protecting Dartmoor's Archaeology
DMD13 - Archaeology
DMD14 - Biodiversity and geological conservation
DMD17 - Development on contaminated land
DMD1a - Presumption in favour of sustainable development
DMD21 - Residential development in Local Centres
DMD38 - Access onto the highway
DMD4 - Protecting local amenity
DMD40 - Parking provision - Residential

Representations

1 letter of objection 4 letters of support

Those in support see this as an opportunity to enhance an important site on the gateway to the town. They consider that there is a shortage of local housing and support a quality development in this location.

The one objector accepts the principle of redeveloping the site but considers that the two rear houses will be very close to existing properties in Sawyers Walk. The development appears overcrowded - two smaller dwellings would be more in keeping.

Observations

THE APPLICATION

The site lies on the western edge of the town within the defined settlement boundary. It faces onto Court Street, the main arterial east – west route through the village. It has a relatively narrow frontage in relation to its depth.

To the west is a mature residential property, Henleaze, in the applicant's ownership. Sawyer's Walk, a relatively modern housing development on the site of the former Gale's sawmill lies to the north (32 dwellings). On its eastern boundary are the industrial buildings which were retained when Sawyer's Walk was developed. An extant planning permission exists for a further industrial/office building on that site.

The site is characterised by the retained former garage workshop set back from the roadside. The concrete apron in front of the building is what remains of the garage forecourt with remnants of the pumps and references to the underground tanks that remain in situ. A domestic garden, currently shared with Henleaze, lies to the rear. The adjacent property, owned by the applicants, has been renovated and forms a separate dwelling with its own parking and a curtilage to the rear.

The application is for permission to remove the remaining garage workshop building, its associated forecourt and the underground fuel tanks in favour of redevelopment for residential purposes. It is proposed to erect a single detached dwelling across the street frontage. Access would be provided to the rear plots by way of a driveway on the western side of this dwelling to the mews style dwellings at the rear. The scheme includes improvements to the road frontage.

A detached four bedroom dwelling is proposed on the frontage to Court Street, with two linked mews houses to the rear. Mews House 1 would be three bed and Mews House 2 is two bed.

The footprint of the existing is 289sqm. The proposed floor space of the proposed dwellings are; Court Street House 232sqm; Mews House 1; 124sqm; and Mews House 2; 112sqm. The proposal has been amended to show two parking spaces for each property.

PLANNING HISTORY

An application made last year for the demolition of the garages and erection of three dwellings (ref: 0170/15) was withdrawn as there was a lack of information regarding protected species.

POLICY IMPLICATIONS

The site lies within the development boundary of Moretonhampstead – a defined Local Centre.

Policies COR15 and DMD21 recognise that there may be opportunities for residential development on sites within settlements where it will facilitate the provision of affordable housing on previously developed land. Both policies advocate that not less than 50% of new housing on such sites should be affordable housing. The application has been advertised as a departure as it presents a development that does not strictly accord with this requirement.

Policy COR18 seeks to sustain existing employment sites within settlements where appropriate. The employment use associated with the former garage use on this site has long since ceased trading.

Detailed policy (COR4 and DMD4) reflects the need to address good design principles and ensure development opportunities accord with the character and style of existing development without compromising neighbouring amenity. The Design Guide provides further examples of how this can be successfully achieved.

DESIGN/CONTEXT

The site is prominent on the western approach to the town centre. It is located opposite the former bus depot (now a heritage motor museum) and adjacent to the small industrial site on the former Gale's sawmill. Since the closure of the garage a number of years ago the frontage has remained largely untouched, retaining the former fuel pumps and forecourt. The workshop building has fallen into disrepair and is currently used for the storage of some domestic items. The building is a single skin, prefabricated style structure. The applicants have been unsuccessful in finding any commercial tenants for the building in its current state.

The character of this part of the town has changed with the residential development at Sawyer's Walk. The predominance is of residential properties. There are a number of larger mature properties on the southern side of the main road.

The principle of redeveloping this site and the enhancement opportunity that presents has been accepted. There are ample employment sites retained elsewhere in the town for the loss of employment land not to be an overriding issue. There is currently no commercial activity on the site.

The site lends itself to a development which principally enhances the street scene. A large detached dwelling on the frontage would be in character with the larger properties which are evident in this location both adjacent and opposite the site. The mews style cottages at the rear of the plot would echo other similar developments further into the town.

The style of the development is conservative and in keeping with the simple character of that which surrounds it. Rendered elevations under slated roofs are typical and mirrored in the design approach. Adequate access and on-site parking can be achieved. The enclosure of the frontage and improvements to the footway are additional enhancements.

VIABILITY ISSUES

The notable omission from the scheme is an element of affordable housing (2 out of 3) as required by policy. To this extent the consideration of the application has been delayed by the need to establish whether on site provision should be made or, alternatively, whether a contribution could be made to suitable provision elsewhere in the town or parish.

A detailed viability report has been commissioned by the applicant in February of this year to assess this potential. It provides a methodical assessment of the financial aspects of the development and concludes that, given the constraints of the site, there is no opportunity to provide either on-site provision or contributions to be used elsewhere. It recognises that there are significant abnormal costs associated with preparing the site for redevelopment (£87,200) related to the removal of fuel tanks, demolition works and associated clean up. The gross development value offset against these costs and the expected costs of construction leave no prospect of requesting contributions based on the assessment of the figures presented. The expected value of the properties on this site reflects current market prices within the town.

ECOLOGY/TREES/CONTAMINATION/ARCHAEOLOGY

Ecological issues are not considered to be overriding provided an appropriate method statement is adhered to for the demolition and preparation of the site for development. This should allow for careful assessment of any protected species that may be apparent.

Similarly, while it is acknowledged that there are trees within and on the periphery of the site, protection of these during the construction phase should ensure their survival and future health.

Given that the site contains a variety of contaminants associated with its former use there is a need to apply appropriate conditions to safeguard the site during the development process and for future users.

Lastly, in line with the request from the Authority's Archaeologist it is considered appropriate to include a condition to allow for examination of the site during works.

SUMMARY

This is a site where the prospect of real enhancements of this site on the entrance to the town is a key driver. There is an acceptance that its use as an employment site is unlikely to provide the returns to fund such works. The loss of a small employment site is tempered by the availability of other larger, more suitable sites elsewhere in the town. It is accepted that the applicants have demonstrated, through their marketing exercise, that there is no appetite for commercial use of the site.

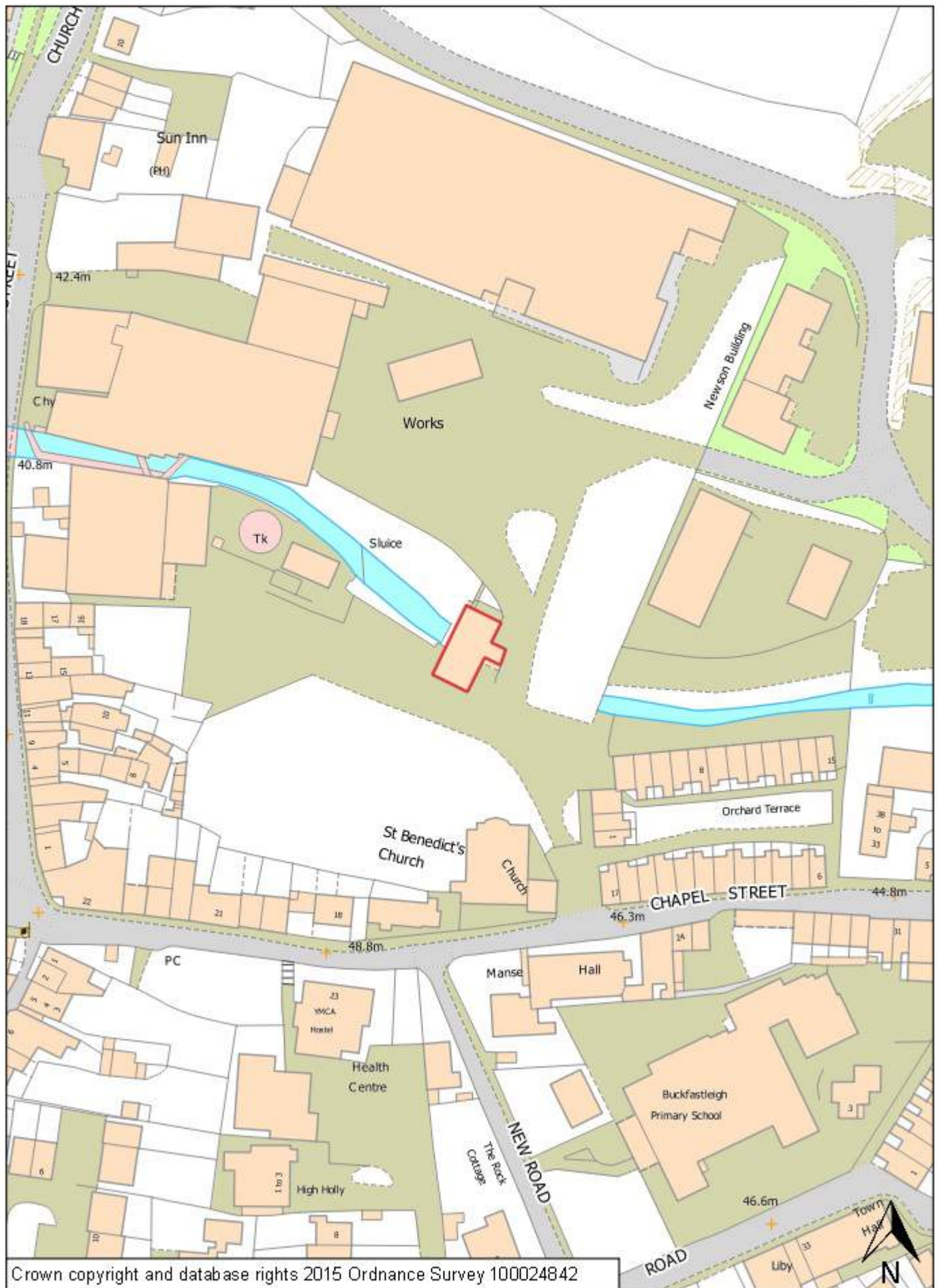
Redeveloping the site for residential purposes offers the prospect of returns that will positively improve the visual appearance through a development that would easily tie in with the predominantly residential development that surrounds it. While it does not present a development which would strictly accord with the policy requirement to provide at least two affordable units, Officers are comfortable that a detailed assessment of the financial aspects of the development has been undertaken and that, at this point in time, there is no prospect of leveraging either on-site provision or monetary contributions for use elsewhere.

The design of the scheme is one which will fit comfortably within the street scene and compliment the range of properties in this particular location.

Devonia site, Buckfastleigh - 0041/16



Scale 1:1,250



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6. Application No: **0041/16** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **Buckfastleigh**
Grid Ref: **SX737661** Officer: **Christopher Hart**

Proposal: **Demolition of first floor offices and erection of replacement offices**

Location: **Devonia Sheepskin and
Tannery Ltd, Mardle Way,
Buckfastleigh**

Applicant: **Devonia Sheepskin and
Tannery Ltd**

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 roof of the building hereby approved shall be covered in a slate grey coloured material. Prior to the commencement of any roofing works on the development hereby approved, a sample of the proposed external roofing material shall be submitted to the Local Planning Authority for approval; thereafter unless otherwise agreed by the Local Planning Authority in writing, only approved external roofing material shall be used in the development.
3. Unless otherwise agreed in writing with the Local Planning Authority, the works hereby approved shall be carried in accordance with the recommendations contained in section 7 of the Ecological Scoping Assessment dated 23 February 2016.
4. There shall no new external lighting attached to the building.

Introduction

Devonia Sheepskin and Tannery Ltd operate from the tannery site in the centre of Buckfastleigh. In the centre of the site is the main administration building housing offices and facilities for visitors to the site. It is a flat roofed, single storey building.

The application is for permission to refurbish this building. It is intended to reclad the exterior and place a shallow pitched roof over the structure.

The application is before the committee in view of the concerns expressed by the Town Council, and the DMD policy implications surrounding Masterplanning of the site.

Consultations

Teignbridge District Council:	Does not wish to comment
County EEC Directorate:	No highway implications
Environment Agency:	No objection to submitted flood risk assessment.
DNP - Archaeology:	There are no significant archaeological implications for the proposed development, although it should be emphasised that the ground floor of the current office building may include fabric belonging to an earlier mill on the site and should not be disturbed.

DNP - Ecology & Wildlife
Conservation:

The building is a flat-roof construction with little to no apparent roof-space. It has timber cladding, and the building is generally in a poor state of repair, with gaps to the roof and the cladding. Furthermore, the building is situated on top of the Mardle, which is an important river for otter and salmon. The building is very close to the Greater Horseshoe Bat roost, part of the South Hams SAC, and these bats are known to use the Mardle for commuting purposes, though no surveys have been carried out on this part of the river that would provide information on the numbers of bats passing through. Greater Horseshoe Bats are very sensitive to artificial light, and will actively avoid any areas that are lighter than 1 lux (full moon).

There is also Britain's biggest colony of Deptford Pink (a plant) growing on the grasslands around Holne Road, and it is likely that some of these flowers grow on the Devon site.

It is noted that the proposal is to leave the foundations of the building intact, and to demolish the upper floor, to be replaced with a different design, which involves significantly more glazing than the current building.

It is recommended that the applicant commissions a qualified ecologist to visit the site, to assess whether the building is used by breeding birds or bats, to assess the application in respect of commuting greater horseshoe bats (lightspill in particular), to ascertain what risks there are to the ecology of the Mardle, including salmon and otter. The ecologist should also ensure that no grasslands suitable for Deptford Pinks will be affected during construction works. The ecologist should then draw up a report of the findings and make recommendations aimed at avoiding or mitigating any impacts.

Due to the proximity of the site to the greater horseshoe bat roost, we will need to undertake a Habitats Regulations Assessment (HRA) Screening when this information has come in, to satisfy ourselves that the application will not result in a detrimental impact to the South Hams SAC.

Parish/Town Council Comments

Buckfastleigh TC:

Devonia is a significant and valued employer in Buckfastleigh, and the role of the tannery in the town has a long history. Though the Town Council supports the Devonia company and would like to assist its continued success, it is not able to support this application for the following reasons:

Strategic issues regarding the Devonia site:
The emerging Neighbourhood Development Order
The Devonia site is already allocated in the adopted

Dartmoor National Park Development Management and Delivery DPD (July 2013). The DPD proposals set out that the need for a comprehensive design brief/masterplan for the entire site to be prepared in association with the local community, relevant stakeholders and the Dartmoor National Park Planning Authority. Given the need for a masterplan, it is both appropriate and relevant that the Neighbourhood Development Plan should look to take the masterplan for the site forward.

As this stage the aim is to take forward the masterplanning work for the Devonian site through the preparation of a Neighbourhood Development Order (NDO).

Professional support from one of the county's leading planning consultancies, AECOM, is providing technical assistance to ensure that the emerging planning policy is robust and evidenced based. Part of this work is the development of the masterplan for the Devonian site.

All local people are being engaged and consulted in determining the vision for their town and the Devonian site. This increases the likelihood of local people supporting the development proposed on the Devonian site through the Neighbourhood Development Order as they are being involved in developing the plans.

The 6.3 acre Devonian site is at the very heart of the town and any development here will be crucial to the future of the community and its long-term plans.

Both the Town Council and AECOM have attempted to engage the site owner in discussion about the future of the site on a number of occasions and received no response.

As such the Town Council considers that it cannot currently support a planning application on the site in the absence of a masterplan for the site having been produced and that could conflict with both the emerging Neighbourhood Plan and Neighbourhood Development Order.

Comments specific to the current application:

The position location conflicts with the emerging vision for the site.

The provisional results of our Neighbourhood Planning exercise would suggest the relocation of the office from its current position on the site - a simple rebuild at the same location - would negatively impact the potential for future development on the site. The community consultations and the masterplanning work in progress favour the re-location of the offices to open up the River Mardle as a feature on

the site. This is considered to offer significant opportunities to stimulate economic and social plans for the site through creating a more attractive focal point for the site, which could create a social/community focal point in the town and attract business and development on the site.

The replacement structure building is on a flood plain. Buckfastleigh below the Devonian site is flooding increasingly regularly and we are in ongoing consultations with the Environment Agency about how we can develop the parish in future to alleviate flood risk. Any redevelopment on the Devonian site offers a potential for, and therefore needs to incorporate, appropriate flood alleviation measures. The current siting of the office building (and therefore any replacement in the same location) severely restricts options and is very likely to conflict with alleviation proposals that will be included in the upcoming Neighbourhood Plan and any Neighbourhood Development Orders.

The proposed replacement building is out of keeping with the buildings adjacent to the site and the older buildings within the site.

The proposed building is sited within Buckfastleigh Conservation Area and therefore should be required to align with the Buckfastleigh Character Appraisal for the area - we do not feel that the design achieves the stated criteria. It is planned to be constructed largely using large metal-framed (blue) glass windows with a roof of grey sheeting. As such we feel that it will conflict with proposed future developments on the site, conflict with adjacent historic and listed buildings in the Conservation Area and conflict with the emerging plans for development in the Parish as and therefore have a detrimental effect on the future use of the site and on the character of the town.

It does not fit within the guidelines outlined in the DNP Adopted Local Plan.

This states that any development on the site should: "...establish heritage significance, conserve and enhance the site's mill heritage and the conservation area of Buckfastleigh". The Town Council considers that the scheme conflicts with all of these objectives.

The TC feel that the proposed application is looking very much to the short term and is not taking into account the future of this site which is, at some point, going to become critical to the future of the town.

For the reasons outlined above, the Town Council strongly opposes the current planning application.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR17 - Promoting increased health and well-being
COR4 - Design and sustainable development principles
COR5 - Protecting the historic built environment
COR6 - Protecting Dartmoor's Archaeology
COR9 - Protection from and prevention of flooding
DMD1a - Presumption in favour of sustainable development
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD41 - Parking provision - Non Residential

Representations

None to date.

Observations

THE APPLICATION

Devonia Sheepskin and Tannery Ltd is a well-established business occupying the large industrial site within the heart of Buckfastleigh. The tannery operates from buildings on the south western portion of the site. The main office and administration building lies in the centre of the site, bridging the River Mardle which divides the site east to west. The site lies outside the Buckfastleigh Conservation Area. The Conservation Area boundary runs along the southern edge of the applicants land holding, and to the north of the proposed building.

The large warehouse buildings on the northern portion of the site are used for a variety of storage uses, some of which are rented to local businesses while others are vacant pending re-use.

The building which is subject to this application is a flat roofed structure elevated above the river. It is constructed of a concrete/stone plinth with a timber frame and cladding. The single storey suite of offices presently has a felted flat roof.

Devonia is a thriving business with several high profile clients. The current owner has identified a need to raise the profile of the business and address the inadequacies of the present office accommodation and meeting room facilities for entertaining clients. The present building is dilapidated, with rotten window frames, cladding and a failing roof structure.

The preferred approach is to rebuild onto the existing stone plinth, refurbishing the timber framed structure under a new pitched, profile metal roof. Existing large glazing units will be replicated in the new design. The resulting building seeks to improve the appearance and provide facilities commensurate with modern business requirements.

POLICY ISSUES

It is recognised that the building lies in the centre of the site identified in the Development Management and Delivery Development Plan Document (DMD) (policy BCK3). The plan acknowledges the potential for redevelopment for mixed uses to benefit both the economic vitality and environment of the town. It states that development within this allocated site

should accord with a comprehensive design brief/masterplan for the entire site prepared in association with the local community, and relevant stakeholders.

Policy COR18 recognises the need to support development that provides for the controlled expansion and development of existing businesses within Local Centres.

REPRESENTATIONS

The strong views presented by the Town Council are acknowledged. The Authority shares the view that this site is fundamental to the prosperity of the town and that there are significant opportunities to enhance the environment of a site which is close to the historic core of the town and residential properties to the west.

The desire to comprehensively masterplan the future for the whole of the site remains a long term aim however, the Authority has also to be mindful of the existing business that operates from the site and the employment that it provides. The current owner has stabilised the business following his takeover and, for the tannery itself, sees it as a valuable asset to his similar business interests elsewhere in the country. While he has indicated that he is not ready to consider a comprehensive plan for redeveloping the site as a whole, he has made significant investment in refurbishing the warehouse buildings on the northern side of the site to attract a variety of new users. The intention to refurbish the office building is a recognition that this building is in a dire state, potentially unsafe in parts and a poor advert for his business. It is recognised that there is an immediate need to address this issue.

A long term plan, either led by a Neighbourhood Plan approach or design brief remains the objective. The owner has indicated his willingness to engage in these discussions however, his immediate business needs are his current priority. There is no timescale for these discussions.

The design approach is a simple building replicating the style and size of that which exists. The use of a metal profile sheet roof is considered acceptable in this location, reflecting the surrounding industrial units.

The impact on the setting of the Conservation Area has also been considered in coming to this recommendation.

ECOLOGICAL ISSUES

The building straddles the River Mardle which is identified as an important flight corridor for the Bat population which resides in Buckfastleigh Caves, a site of international importance. Subject to appropriate working practices, the proposed works should not compromise this important species.

SUMMARY

Officers recognise the concerns of the Town Council in that approving this application may be seen to compromise the wider aspirations of a comprehensive redevelopment of the site as a whole. However, there is also a need to react to the more immediate needs of the business that currently operates from the site.

There is a clear distinction between the two operational parts of the site at present with the Devonian tannery largely occupying the southern portion. The office building is well related to

this function.

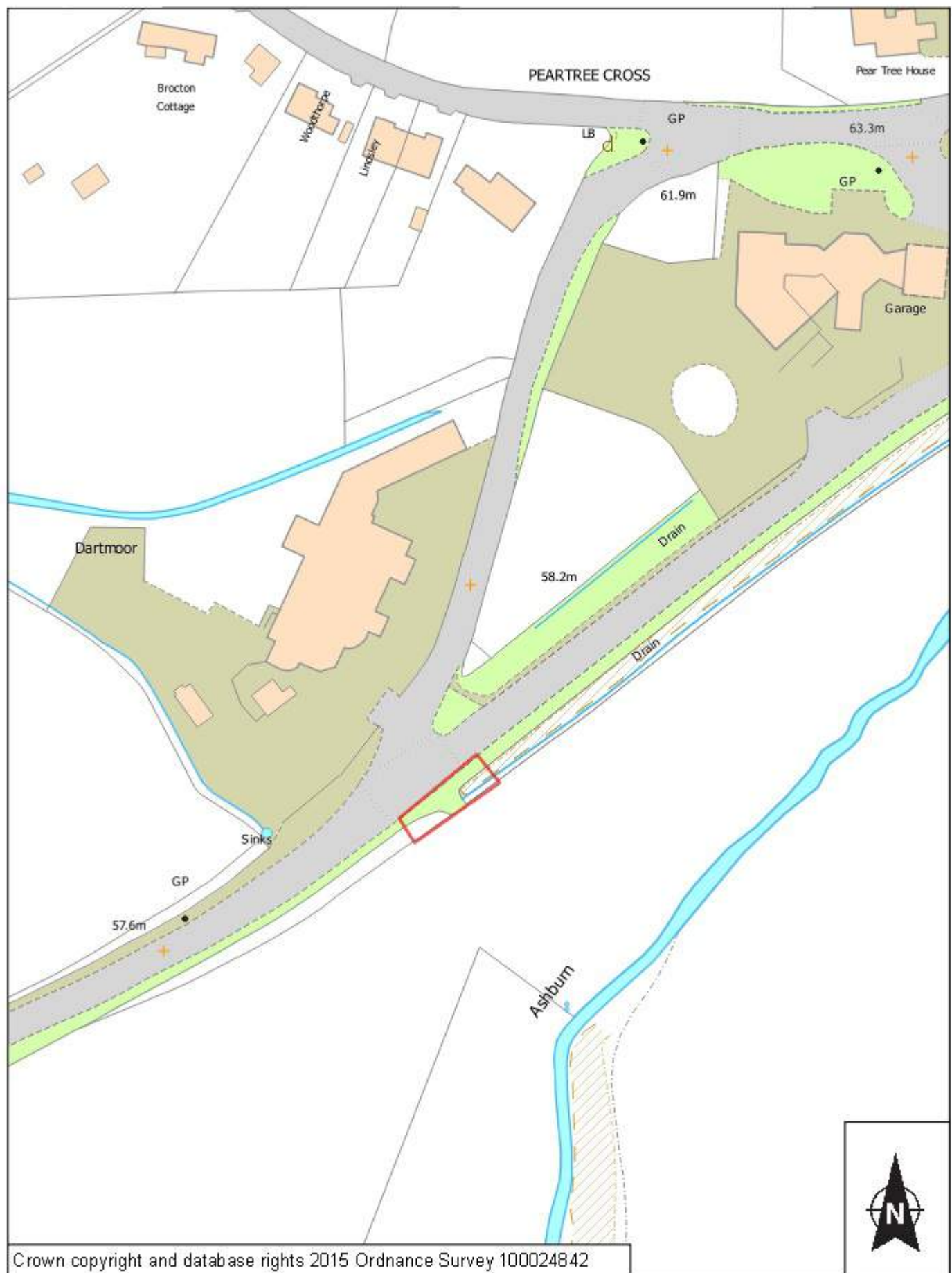
While it is acknowledged that investment in this particular building may mean that its removal may be compromised, approving this application does not preclude the continuation of discussions towards a masterplan for the whole site at a point when the landowner is willing to enter into negotiations.

CONCLUSION

Recognising the immediate needs of the business it is concluded that the application can be recommended for approval subject to the necessary working method statement for the protection of bats during works.

Field Opposite Dartmoor Lodge,

Compiled by agandy on 21/4/2016



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7. Application No: **0144/16** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **Ashburton**
Grid Ref: **SX749691** Officer: **Alex Gandy**

Proposal: **Formation of new field access**

Location: **field opposite Dartmoor Lodge,
Peartree Cross, Ashburton**

Applicant: **Mr C Morgan**

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. Unless otherwise agreed in writing by the Local Planning Authority, within 30 days of the date upon which the new access hereby permitted is capable of use, the existing vehicular access to the north east of the application site shall be stopped up and maintained as a pedestrian access only in accordance with the Ecological Impact Assessment report dated November 2015.
3. Prior to the commencement of the development hereby approved, details of how the existing vehicle access to the north west of the application site will be reduced to a pedestrian access shall be submitted to the Local Planning Authority for approval.
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 Impact Assessment, dated November 2015.

Introduction

The application site comprises a small portion of land associated with a pastoral field of approximately 9.5 acres in size located west of Ashburton. The field is bounded by the C156 to the north and benefits from two existing vehicle accesses to the east and west of the application site. A verge, approximately 3 m in width, lies between the hedgerow and the highway. This report is presented to Committee given the contrary view of the Town Council.

Planning History

05/31/0658/81	Change of use from agricultural land to site caravans, dormobiles and tents during the period 15th March to 15th October in each year
Change of Use	Refused 05 June 1981

Consultations

Teignbridge District Council:	No objection
County EEC Directorate:	No objection.
Environment Agency:	Flood Zone 1, standing advice applies.
DNP - Ecology & Wildlife Conservation:	No objection, subject to mitigation measures to safeguard protected species that may be present including nesting birds and reptiles.

Parish/Town Council Comments

Ashburton TC:

The Town Council were not able to support the application in its current form as they are very concerned that the location of the entrance is in an unsuitable place, there are already problems with vehicles at this junction and there have been many near misses involving vehicles exiting from this junction.

The Town Council believe that the location of the proposed entrance is not sited in the best place and therefore are unable to support the application.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR2 - Settlement Strategies

COR3 - Protection of Dartmoor's special environmental qualities

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

DMD38 - Access onto the highway

DMD5 - National Park Landscape

Representations

1 letter of objection

The objection is on the grounds of highway safety. The objector states the existing junction has had a number of near misses and feels the proposed new access will worsen this situation.

Observations

THE PROPOSAL

The application proposes the creation of a new 5m wide vehicle access to facilitate access to the field by agricultural vehicles. The access will comprise two 2.5m wide standard timber five bar field gates supported by wooden hanging and falling posts. A stone and hardcore ramp will connect the new access to the highway and overcome the 1m change in level into the field.

The field's two existing vehicle accesses have poor visibility and present highway safety concerns. As part of the proposal the existing vehicle access to the north east will be reduced to a pedestrian access and a mixed native hedgerow will be replanted.

The application has been the subject of pre-application discussions and the location has been agreed in consultation with the Highway Authority. It is considered that the proposed location is acceptable in highway terms as its geometry is adequate and visibility to the surrounding road network is good. The Highway Authority have confirmed they have no objection to the proposal.

POLICY

Policy DMD38 sets out that permission for new access onto a public highway will be permitted where safe access can be provided in a way which does not detract from the character and

appearance of the locality. In landscape terms, the access will not have a significant impact. The drop in levels into the field will minimise its visibility from the highway.

ECOLOGY

An Ecological Impact Statement has been submitted to support the removal of the small portion of hedgerow. The Authority's Ecologist has confirmed its conclusions are valid and that the hedgerow is of low ecological value. The report recommends allowing the hedgerow to grow up to a height which could still be managed, but which would provide a more attractive habitat for a range of wildlife, including dormice, nesting birds and commuting bats. A condition is recommended ensuring works proceed in strict accordance with the recommendations of the Ecological Impact Statement.

CONCLUSION

It is recommended that planning permission be granted, subject to a condition requiring that details of the replacement pedestrian access be submitted prior to commencement.

The application is reported to the Development Management Committee due to an objection from the Town Council on highway safety grounds.

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

06 May 2016

APPEALS

Report of the Head of Planning

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

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

1 Application No:	C/16/3146596	District/Borough:	South Hams District
Appeal Type:	Enforcement Notice	Parish:	Dean Prior
Proposal:	Timber & tented buildings, Yurt, caravans and non-forestry vehicles and trailers		
Location:	The Hillyfield, Harbourneford		
Appellant:	Mr D King-Smith		

2 Application No:	C/16/3146597	District/Borough:	South Hams District
Appeal Type:	Enforcement Notice	Parish:	Dean Prior
Proposal:	Timber & tented buildings, Yurt, caravans and non-forestry vehicles and trailers		
Location:	The Hillyfield, Harbourneford		
Appellant:	Mr D King-Smith		

3 Application No:	Y/16/3144913	District/Borough:	Teignbridge District
Appeal Type:	Refusal of Listed Building Consent	Parish:	Ilington
Proposal:	Alteration of south gable wall to include window		
Location:	Swete Sigford, Bickington		
Appellant:	Mr G Clarke		

STEPHEN BELLI