

DARTMOOR NATIONAL PARK AUTHORITY

DEVELOPMENT MANAGEMENT COMMITTEE

22 May 2020

APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Report of the Head of Development Management

INDEX

<u>Item No.</u>	<u>Description</u>	<u>Page No</u>
1.	0573/19 – Demolition of existing buildings and erection of two dwellings (one for affordable housing purposes) with detached garage and parking. Rear of 50-51 Crowder Park, South Brent	16
2.	0167/20 – Removal of condition 1 to planning permission granted under Ref. 0203/13 to allow building to be used as an unrestricted dwelling. Higher Weddicott Farm, Chagford	23
3.	0018/20 – Construction of three two-bed houses, six three-bed houses, Conversion of an existing building to provide two two-bed houses and Improvement is existing access. Devonian House Nursing Home, Leg O Mutton Corner, Yelverton	28

0573/19 - Land r/o 50-51 Crowder Park, South Brent



Scale 1:1,250



Crown copyright and database rights 2017 Ordnance Survey 100024842

Item 1

Application No: **0573/19** District/Borough: **South Hams District**
Application Type: **Full Planning Permission** Parish: **South Brent**
Grid Ref: **SX703598** Officer: **Christopher Hart**

Proposal: **Demolition of existing buildings and erection of two dwellings (one for affordable housing purposes) with detached garage and parking**

Location: **Land r/o 50-51 Crowder Park, South Brent**
Applicant: **Mr S Powell**

Recommendation: **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed development, by reason of its size, mass and position on the site, would have a detrimental impact on the amenity of neighbouring residents, contrary to policies COR4 and DMD4 of the Dartmoor National Park Development Plan and the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010, the National Planning Policy Framework 2019 and the Dartmoor National Park Design Guide.
2. The design and layout of the proposed dwellings, the lack of amenity space and potential for overlooking of neighbouring development, would be detrimental to the amenity of the proposed occupants and adjacent residents, contrary to policies COR4 and DMD4 of the Dartmoor National Park Development Plan and the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010, the National Planning Policy Framework 2019 and the Dartmoor National Park Design Guide.

Introduction

The site is within the settlement boundary of South Brent and is predominantly urban in character (residential properties to the east, south and west) with access off Crowder Park. To the immediate west of the site the land is allocated for housing in the Development Plan (policy SBR1). The site is used as a vehicle storage depot and has a range of garaging facing onto a central hardstanding. The site slopes gently from the south west to north east.

The application seeks permission to remove the existing garaging and to construct two new dwellings, one of which is intended to be a small affordable dwelling. The application is presented to the Committee in view of policy considerations and the concerns raised over the impact of the development on neighbouring residents.

The application formed part of the agenda for the committee meeting on 3 April 2020. That meeting was cancelled due to the Covid-19 restrictions.

Planning History

9/45/0272/90/3 Single storey extension to front elevation
Full Planning Permission Granted by SHDC 07 March 1990

9/45/2029/86/1	Erection of a bungalow		
	Outline Planning Permission	Granted by SHDC	03 February 1987
9/45/0357/78/3	Erection of six bungalows, three houses, roadworks, car accommodation and landscaping		
	Full Planning Permission	Granted by SHDC	03 July 1978
9/45/1165/76/1	Housing development		
	Outline Planning Permission	Granted by SHDC	11 March 1977
9/45/0156/76/1	Nine residential units		
	Outline Planning Permission	Refused by SHDC	30 March 1976
0346/18	Erection of 40 dwellings, including 14 affordable dwellings and associated infrastructure		
		Not yet determined	

Consultations

Environment Agency:	Flood Zone 1 - Standing Advice applies
County EEC Directorate:	The existing access is adequate in respect of geometry and visibility to serve the proposed development. There are no objections from a highway safety point of view.
South Hams District Council:	Does not wish to comment
DNP - Ecology & Wildlife:	A bat building survey has been submitted with the application. The survey found no evidence of bats or nesting birds. The report concludes that bats are not present and all 3 buildings are unsuitable for bats and nesting birds.
Devon County Council (Flood Risk):	Due to the size of the development the increased impermeable area is negligible. It is acceptable for surface water drainage to be connected to the mains sewer to satisfy flood risk issues.
South Hams District Council:	The Affordable Housing team at South Hams District Council support this application as it is providing one affordable home in the parish of South Brent. There is a need for more affordable housing in South Brent for first time buyers. It is noted that the affordable dwelling is a one bedroom and is providing off road parking and some outdoor amenity space. This affordable home would need to be secured in perpetuity to ensure that it is affordable for future households in any subsequent resales.
South West Water:	The applicant should demonstrate to the Authority that its prospective surface run-off will discharge as high up the hierarchy of drainage options as is reasonably practicable (with evidence that the Run-off Destination Hierarchy has been addressed, and reasoning as to why any preferred disposal route is not reasonably practicable): 1.Discharge into the ground (infiltration); or where not reasonably practicable, 2.Discharge to a surface waterbody; or where not

reasonably practicable,
3. Discharge to a surface water sewer, highway drain, or another drainage system; or where not reasonably practicable,
4. Discharge to a combined sewer. (Subject to Sewerage Undertaker carrying out capacity evaluation)

Having reviewed the applicant's current information as to proposed surface water disposal for this development, please note that discharge to the public combined sewerage network is not an acceptable proposed method of disposal, in the absence of clear evidence to demonstrate why the preferred methods listed within the Run-off Destination Hierarchy have been discounted by the applicant.

Parish/Town Council Comments

South Brent PC: The Parish Council felt that the open market dwelling was disproportionate in scale and size to the affordable dwelling and therefore wish to object to the development and would recommend refusal. Any comments on the revised plans will be reported at the meeting.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR12 - Meeting the need for local infrastructure, community facilities and public services
COR15 - Providing for limited new housing to meet local needs
COR18 - Providing for sustainable economic growth
COR2 - Settlement Strategies
COR3 - Protection of Dartmoor's special environmental qualities
COR4 - Design and sustainable development principles
COR7 - Providing for the conservation of Dartmoor's varied plant and animal life and geology
DMD14 - Biodiversity and geological conservation
DMD1a - Presumption in favour of sustainable development
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD21 - Residential development in Local Centres
DMD4 - Protecting local amenity
DMD7 - Dartmoor's built environment

Representations

None to date.

Observations

PROPOSAL

This application proposes the demolition of all existing garage and storage buildings and the erection of two dwellings (one affordable dwelling provided under the intermediate housing model) with a detached garage and associated parking.

The two properties would be semi-detached. The largest property would be a 4 bedroom, two and a half storey house (open market dwelling). The smaller property would be a single storey 1 bedroom house (affordable dwelling). They are to be positioned tight to the north eastern boundary of the site.

The 4 bedroom house would be 10.7m long by 7.2m wide, and 5.2m high eaves and 8.5m to the ridge. The 1 bedroom property would be 10.7m long by 5.2m wide, and 3m high eaves and 6.3m to the highest point of its ridge. The 4 bedroom house would have an internal habitable floor area of 205sqm. The 1 bedroom house would have an internal habitable floor area of 50sqm. Both properties would be finished with render and stone on the walls, slate roofing, and timber/aluminium windows.

The larger property will have a detached double garage positioned on the south western side of the site. The 1 bedroom house would have a single parking space. The garage would be finished with render walls and a slate roof.

PRE-APPLICATION ADVICE

No pre-application advice was sought in relation to this proposal prior to receipt of the planning application.

PLANNING POLICY

The site lies within the settlement boundary of the village of South Brent, south of the main road that runs through the village. It is a site that has been used as a depot and more recently for the garaging and storage of motor vehicles. Its historic and existing use would be classed as a B1 (light industrial) use; that which is compatible with its location adjacent to a mainly residential part of the village.

Given its existing use, there is a presumption that business/employment sites will be retained within settlements (policy COR18). They are a precious resource and, in the first instance, new uses should seek to protect employment opportunities.

In this case, the site is surrounded by existing established residential development and, on its western side, by land which is allocated for further housing. The current use could be argued to be incompatible with this location where it is in such close proximity to dwellings. At present the use is relatively low key storage which has little impact. Intensification of the authorised use could have a significant impact in this location.

The principle of a change of use to residential use has the potential to address any existing conflict of use but also, as it is a brownfield site, to provide a significant enhancement opportunity. Its reuse for a residential development is, in this instance, an acceptable principle given the characteristics of the site and its location.

Residential development sites within settlements should accord with the basic principles of the Development Plan and, in particular, policies COR2, COR15 and DMD21. These require that

any new residential use should be predicated on the provision of affordable housing. Open market housing will be acceptable where that brings forward affordable housing. Under current policy no less than 50% of the housing should be affordable housing. This does allow for private developments which can include housing that has local occupancy restrictions and reduced sale or rental value under the Authority's intermediate housing model.

As with all development the proposal should comply with the specific Development Plan policies concerning neighbourly development (DMD4), adhere to good design principles (COR4) and seek to protect the amenity of both those that occupy the property and those that adjoin the site. The principles of the Dartmoor Design Guide should also be addressed.

SITE CHARACTERISTICS & DESIGN

This is a relatively compact site constrained by its position adjacent to other properties. The access from Crowder Park is narrow with a shallow gradient. It leads onto an estate road which serves a compact former Local Authority development.

There are fenced boundaries with other residential gardens. A mature hedge divides the site from the allocated development site to the west. The predominant style of dwellings to the south are simple two-storey terraced properties. Immediately to the north is a bungalow development of sheltered housing.

While the principle of redeveloping the site for housing may be acceptable there are concerns about how the proposed development will fit on the site and its impact on neighbouring properties.

The proposed buildings are to be sited tight to the north western boundary where the ground level is already some 2m higher than that in the adjacent garden. At its highest the larger property will be 8.5m to the ridge equating to approximately 10.5m above the adjacent garden level. Given that the existing dwellings are single storey and that the building is already at a significantly higher ground level, the northern aspect will be imposing and dominant when viewed from this direction. The sun path across this boundary will be significantly impacted by the proposed building. The rear walls of the proposed dwellings will be approximately 5m from the bungalow to the north.

There is also a concern that the way the application is presented tests the spirit of housing policy. While it may be argued that it accords with policy in that it provides the necessary one unit of affordable housing, and that it is satisfying an identified local need for that type of housing, it is presented on the back of a large 4 bedroom open market dwelling. There is no viability information to suggest that such a large dwelling is necessary to fund the construction of the affordable unit or that site abnormalities require this approach.

The internal habitable space for the affordable unit is circa 50sqm. The Government produced 'Technical housing standards – nationally described space standard' states that a single storey, 1 bedroom, two person property needs to be, as a minimum, 50sqm, hence the proposed development meets the bare minimum in this case. The larger dwelling would be over 200sqm; a dwelling significantly larger than any that would surround it.

Fitting the two proposed dwellings onto what is a relatively constrained site is a challenge. The applicant has chosen to use the existing ground levels. The layout appears cramped and does not allow for suitable outdoor amenity space that one may expect to see for two

properties; that which would allow for suitable privacy. It is a site that would ordinarily be most appropriate for a single dwelling.

In addition, there are concerns about the extensive glazing at first floor level on the western aspect. At present this would afford views across an undeveloped field however, there are approved plans for new housing on this aspect where there would be potential conflict of overlooking.

There is also a significant power and telephone distributor pole on this boundary. While not in itself a reason for preventing development, this serves a number of other properties in this location. Its removal and the relocation of cabling would be necessary to achieve this development. No details have been presented as to how this will be addressed.

REVISED PLANS

Subsequent to the aborted meeting on 3 April 2020 the applicant has presented revised plans for consideration. This indicates a lowering of the main ridge of the higher element by 800mm and the omission of two windows on the northern aspect. The footprint and floor areas of the respective dwellings remain unaltered. These plans are now those which the applicant wishes to be considered.

SURFACE WATER DRAINAGE

Devon County Council as Lead Local Flood Authority (LLFA) has stated that they are satisfied for surface water to continue to discharge into the existing combined sewer however the applicant has failed to demonstrate, to the satisfaction of South West Water, that alternatives have been properly considered before this connection would be appropriate.

ECOLOGY

Having undertaken the necessary surveys, there would be no impact on protected species during the demolition and clearance of the site.

CONCLUSIONS

It is acknowledged that employment sites within settlements are rare and that, in most instances, it would be appropriate to protect that status. In this case, given its proximity to residential development, it is considered that the principle of redevelopment for housing could be supported as it offers the prospect of removing a potentially incompatible use and the possibility of enhancement.

Unfortunately, for the reasons set out above the proposed scheme is considered to be over ambitious for this constrained site. This is in part, due to the attempt to meet the policy requirement of providing a proportion of affordable housing as one of two proposed dwellings. This would appear to be a poor approach to the development of the site and one that would have a dramatic impact on the neighbouring property to the north. The size, scale and massing of the built form of the semi-detached dwellings, situated at a higher level and right on this boundary, is considered unacceptable. The design of the dwelling its western aspect does not reference the proposed development on this boundary. While the revised plans seek to reduce the impact by lowering the main ridge, roof pitches and omitting the rear windows it does not change the overall impact of the development on the site and its surroundings.

0167/20 - Higher Weddicott Farm, Chagford

Scale 1:2,500



Item 2

Application No: **0167/20** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Chagford**
Grid Ref: **SX700859** Officer: **Jo Rumble**

Proposal: **Removal of condition 1 to planning permission granted under ref. 0203/13 to allow building to be used as an unrestricted dwelling**

Location: **Higher Weddicott Farm, Chagford**

Applicant: **Mr D Rogers**

Recommendation: **That temporary planning permission be GRANTED**

Condition(s)

1. The use hereby permitted shall be for a limited period of 12 months from the date of this permission and thereafter the use hereby permitted shall be discontinued.

Introduction

Higher Weddicott Farm lies outside Chagford on the slopes of Meldon Hill.

The large free standing traditional barn stands opposite the main farmhouse and was converted for holiday use in the early 1990s. It has a private garden with access and parking provided at the rear.

The application seeks permission to remove the holiday occupancy condition to allow the barn to be let as a full-time residence. This application is presented to the committee in view of the conflict with adopted planning policy.

Planning History

0203/13	Removal of condition (b) from 03/08/2342/91 relating to holiday unit		
	Full Planning Permission	Grant Conditionally	13 June 2013
03/08/2342/91	Conversion of redundant farm building to self catering unit for farm diversification project		
	Full Planning Permission	Grant Conditionally	01 November 1991
03/08/2041/91	Conversion of disused barn into additional accommodation		
	Full Planning Permission	Refused	31 May 1991
03/08/2342/88	Strip existing thatch roof, carrying out necessary essential remedial repairs to timber and replace with new asbestos slate roof		
	Listed Building Consent	Refused	07 October 1988

Consultations

Environment Agency: Flood zone 1 - standing advice applies
County EEC Directorate: No objection on highway grounds.
West Devon Borough Council: Does not wish to comment

Parish/Town Council Comments

Chagford PC:

Chagford Parish Council would like to object to the proposed variation of condition 1 to planning permission granted under ref:0203/13 to remove the length of time the barn may be occupied at Higher Weddicott Farm, Chagford.

Reasons

- The barn is part of a Farm Diversification Plan
- It cannot be linked to the farm and would be available on the open market
- It is outside the settlement area

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR14 - Meeting the infrastructure requirements of new development

COR15 - Providing for limited new housing to meet local needs

COR19 - Dealing with proposals for tourism development

COR2 - Settlement Strategies

COR20 - Providing for agricultural diversification

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

DMD1a - Presumption in favour of sustainable development

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

DMD23 - Residential development outside Local Centres and Rural Settlements

DMD3 - Sustaining the quality of places in Dartmoor National Park

DMD44 - Tourist accommodation

DMD5 - National Park Landscape

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

Representations

None to date.

Observations

PLANNING HISTORY

Permission was originally granted for the conversion of the barn to holiday accommodation in 1991. It was the subject of a farm diversification project and a condition requiring the holiday unit created to be ancillary to the operation of the farm was imposed.

Subsequently, an application in 2013 was received requesting the removal of this condition as it was proving a barrier to obtaining mortgage funding. This was approved and a new condition imposed which limited the use of the building to holiday occupation only. The wording of the condition is given below:

'The approved holiday unit shall not be used or occupied other than for the provision of short let holiday accommodation and shall not at any time be used, let, sold or otherwise occupied as a person's sole or main place of residence. No person, couple, family or group shall

occupy or use the accommodation hereby permitted for a single period or cumulative periods exceeding 28 days in any calendar year. An up to date register of the names and addresses of all occupiers should be maintained and made available to the Authority on request.'

APPLICATION

It is this condition that is now the subject of this further application. The applicant has requested that the condition be taken away to remove the restriction on who could occupy the barn and the length of time the barn can be used. It is understood that the current Covid-19 lockdown restrictions on travel have stopped guests booking short break holidays which has had a devastating effect on income now and for the foreseeable future. The applicants go on to state that: 'with the restriction lifted we would be able to let the barn on the open market for between £2K-£2.5K per month....the removal of this restriction will help us survive in an unknown future marketplace'.

The application is to effectively remove the occupancy condition and time limit for occupation. If approved the barn would become unencumbered by any occupancy condition and could therefore be let or sold for full time residential use.

POLICY

Local Plan policies resist the creation of unrestricted dwellings in the open countryside. Holiday accommodation is a restricted form of residential accommodation that can only be occupied for short term holiday purposes.

If the applicant were to apply to convert the barn at today's date, Local Plan policy (DMD 9, DMD23) would support its use as holiday accommodation in the first instance and would only consider affordable housing if viability showed that this was not sustainable. Open market housing would not be supported in any instance in this countryside location. Plan policy recognises the contribution short stay tourist accommodation makes to sustainable tourism and the rural economy as is required by Core Strategy policy COR18.

Policy DMD44 requires holiday accommodation to be subject to a condition to ensure that the accommodation is occupied for holiday purposes only, that it is not occupied as a person's sole or main place of residence and that a register is kept of names and addresses of all occupiers.

CONSULTATIONS

The Parish Council objects to the application considering that it was originally permitted as part of a farm diversification scheme and that as it lies outside the settlement and would be available on the open market, it would be in conflict with Local Plan policy. No other representations have been received to date.

SUMMARY

The devastating impact of Corona virus on the tourist industry is well recognised and unquestioned. The Authority has discussed several options with the applicant including a suggestion that the condition be lifted for a temporary period of 12 months only. This is considered a reasonable and pragmatic response to the obvious current issues and could be justified taking into account holiday seasonality and rental notice periods. If the current

situation does continue into the 2021 season, there would of course be the opportunity for a further application for an extension of time to be made. While this is not strictly in accordance with policy it is a pragmatic and proportionate solution to the current crisis.

While the applicants indicated a willingness to consider a temporary period of 5 years, they are unhappy to agree to a 12 month period only. They consider it too restrictive and do not wish to be put in the position where they need to make a further application and pay a further fee, next year.

CONCLUSION

The barn has been a successful and popular holiday venture and there is nothing to suggest that it would not continue to be so once the current restrictions are lifted. Indeed, such accommodation and its occupants are likely to be key in generating tourist pounds in the local economy, when Dartmoor once again open to tourists.

The suggested variation amounts to the permanent lifting of the holiday occupation condition and the applicants acknowledge this within their application. This clearly conflicts with local plan policy and while there is sympathy to the applicants current circumstances, there is no planning justification for the permanent or 5 year term removal of the holiday occupancy condition. However, in recognition of the particular circumstances of this case and the unique position of the Covid-19 restrictions, it is considered that a twelve month temporary permission could be justified. When that expires there would be an opportunity to review the impact of restrictions through a further application or alternatively, the use of the barn would revert back to the terms of the original planning permission as a holiday unit.

0018/20 - Devonia House, Leg O Mutton, Yelverton



Scale 1:1,250



Crown copyright and database rights 2017 Ordnance Survey 100024842

Item 3

Application No: **0018/20** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Buckland Monachorum**
Grid Ref: **SX518679** Officer: **Phil Twamley**

Proposal: **Construction of three two-bed houses, six three-bed houses, conversion of an existing building to provide two two-bed houses and improvement of existing access**

Location: **Devonia House Nursing Home, Leg O Mutton Corner, Yelverton**
Applicant: **Horizon Capital Management Limited**

Recommendation: **That, subject to the consideration of any further comments from the Lead Local Flood Authority, the Borough Council in respect of open space provision and the completion of a s106 legal agreement in respect of contributions to education transport requirements (£4138) and public open space, permission be GRANTED**

Condition(s)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby approved shall be carried out in accordance with following approved drawings: Block Plan and drawings numbered 02 Rev. B, 03 Rev. E, 08 Rev. C, 09 Rev. C, 11 Rev. B, 12 Rev. G and 13 received 2 April 2020.
3. No development shall take place until a detailed Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details of all permits, contingency plans and mitigation measures that shall be put in place to control the risk of pollution to air, soil and controlled waters, protect biodiversity and avoid, minimise and manage the productions of wastes with particular attention being paid to the constraints and risks of the site. The Plan shall include details of the timings of the work to be agreed with the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and any subsequent amendments shall be agreed in writing with the Local Planning Authority.
4. Prior to the commencement of the development hereby permitted, details of the proposed surface water drainage management plan shall be submitted to the Local Planning Authority for written approval. The surface water drainage management plan should demonstrate how surface water from the development will be disposed of in a manner that does not increase flood risk elsewhere, in accordance with the principles of Sustainable Drainage Systems.

5. 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)

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.
6. 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. A detailed schedule of the materials and finishes to be used on the approved dwellings shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of the construction of the dwellings. This shall include samples of the roof slate, hanging slate, details of render finishes, window/exterior door units, verge/soffit details, positions of meter boxes, boundary fence design, driveway surface materials, roadway surface materials, kerbs and any proposed exterior lighting units.
8. Unless otherwise agreed in writing by the Local Planning Authority, all external doors and windows in the development hereby permitted, shall be of timber construction and shall at all times thereafter be retained as timber framed windows and doors.
9. All gutters and downpipes on the development hereby approved shall be of metal construction and round or half-round in section and, unless otherwise agreed by the Local Planning Authority in writing, shall be painted black not later than 30 days after the substantial completion of the development.
10. No part of the development hereby approved shall be commenced until the access, parking facilities, visibility splays, turning area and access drainage have been provided and maintained in accordance with the application drawings and retained for that purpose at all times.
11. No part of the development hereby approved shall be brought into its intended use until the parking space and garage/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.
12. 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 a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

13. The proposed estate roads, footways, footpaths, verges, junctions, street lighting, 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 the application drawings.
14. There shall be no street lighting within the development unless otherwise agreed in writing with the Local Planning Authority.
15. The occupation of any dwelling shall not take place until the following works have been carried out to the written satisfaction of the Local Planning Authority:
 - (i) The accessway including the vehicle turning head 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;
 - (ii) The accessway visibility splays have been laid out to their final level;
 - (iii) The car parking and any other vehicular access facility required for the dwellings by this permission has/have been completed;
 - (iv) The electric vehicle charge points have been installed, are live and connected for use of residents;
 - (v) The verge and service margin and vehicle crossing on the road frontage of the site have been completed with the highway boundary properly defined.

The carriageway, vehicle turning head, footways and footpaths shall be maintained free of obstruction to the free movement of vehicular traffic and pedestrians.

16. 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.

Introduction

Devonia House is situated within Leg O Mutton Corner, Yelverton, immediately south of the A386 Tavistock Road. The property was used as a nursing home for over 30 years, until its closure in August 2016. When operating the site provided 27 bedrooms, together with associated communal day rooms, kitchen, laundry and other functions for the former use. Externally there are gardens providing amenity space and hardstanding for parking and service vehicle access. The site as whole is approximately 2520 sqm, accessed from the south through a privately-owned car park, with a secondary field gate access from the north side, off the A386. The existing buildings have a gross floor space of about 1000 sqm.

The application seeks permission to redevelop the site for a residential development of 11 new homes; six new build homes and two provided from the conversion of existing buildings. The main care home building will be demolished to make way for the development.

The application is presented to the committee in view of its scale and the policies issues it raises.

Planning History

0528/18	Redevelopment of Devonia House to provide five two-bed houses, five three-bed houses, conversion of existing building to provide two two-bed houses and widening of the existing site access	Full Planning Permission	Withdrawn	06 November 2018
0572/15	Extension to form two additional bedrooms	Full Planning Permission	Grant Conditionally	14 December 2015
0017/12	Conversion of existing first floor staff accommodation into four bedrooms with link corridor	Full Planning Permission	Grant Conditionally	12 March 2012
0490/11	Conversion of existing first floor staff accommodation into four bedrooms with link corridor	Full Planning Permission	Withdrawn	09 November 2011
0599/06	Extension to provide two additional bedrooms	Full Planning Permission	Grant Conditionally	28 September 2006
3/32/115/93/03	Extension to existing nursing home	Full Planning Permission	Grant Conditionally	29 October 1993
3/32/126/92/03	Extensions to provide bathroom & larger bedroom	Full Planning Permission	Grant Unconditionally	01 December 1992
03/32/1004/81	Proposed extension to existing front porch to form bigger kitchen	Full Planning Permission	Grant Unconditionally	06 August 1981
03/32/0585/81	Proposed erection of garage	Full Planning Permission	Grant Conditionally	03 July 1981
03/32/1618/78	Change of use from guesthouse to nursing home	Change of Use	Grant Conditionally	24 January 1979
03/32/0047/78	Change of use from guest house to tea room	Change of Use	Withdrawn	15 August 1978

Consultations

Environment Agency:	Flood zone 1 - standing advice applies
West Devon Borough Council:	Does not wish to comment
County EEC Directorate:	No objection subject to conditions below;

1. The Highway Authority has no objection to the proposed development, subject to conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980.

2. The permission hereby granted shall not be construed as authority to carry out works on the highway. The

applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

DNP - Building Conservation Officer:

No objection
Devonia House is not listed, not on our Historic Environment Record (HER) nor within a Conservation Area, therefore any changes made at Devonia House will not affect a heritage asset.

Devon County Council:

EDUCATION CONTRIBUTION

It has been identified that the proposed 11 family type dwellings will generate an additional 2.75 primary pupils and 1.65 secondary pupils which would have a direct impact on the local Primary school and Tavistock College.

It has been forecast that the nearest primary and secondary school have currently got capacity for the number of pupils likely to be generated by the proposed development. Therefore, Devon County Council will not seek an education infrastructure contribution.

However, a contribution towards secondary school transport costs is required due to the development being further than 2.25 miles from Tavistock College. The costs required are as follows: -

1.65 secondary pupils
 $\text{£}2.64 \text{ per day} \times 1.65 \text{ pupils} \times 190 \text{ academic days} \times 5 \text{ years}$
 $= \text{£}4,138$

The school transport contribution above has been calculated using the current contract cost of transporting a pupil from the development to the named school. The number of academic days and years is based on the number of term days in a school year and the number of years a pupil is expected to attend school. The contribution will ensure pupils living within the development will have school transport available for every year they are attending the school.

Natural England Consultation Service:

Habitats Regulations Assessment - Recreational Impacts on European Sites

This development falls within the 'zone of influence' for the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA, as set out in the (emerging) Local Plan. It is anticipated that new housing development in this area is 'likely to have a significant effect' when considered either alone or in combination, upon the interest features of European Sites due to the risk of increased recreational pressure caused by that development.

Therefore, we advise that specific measures will be required to prevent such harmful effects from occurring as a result of this development. We recommend that permission should not be granted until such time as the implementation of these measures has been secured.

Natural England's advice is that this proposed development, and the application of measures to avoid or reduce the likely harmful effects from it, may need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment in view of the European Site's conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017(as amended).

This is because Natural England notes that the recent People Over Wind Ruling by the Court of Justice of the European Union concluded that, when interpreting article 6(3) of the Habitats Directive, it is not appropriate when determining whether or not a plan or project is likely to have a significant effect on a site and requires an appropriate assessment, to take account of measures intended to avoid or reduce the harmful effects of the plan or project on that site. The ruling also concluded that such measures can, however, be considered during an appropriate assessment to determine whether a plan or project will have an adverse effect on the integrity of the European site. Your Authority should have regard to this and may wish to seek its own legal advice to fully understand the implications of this ruling in this context.

Natural England advises that it is a matter for your Authority to decide whether an appropriate assessment of this proposal is necessary in light of this ruling. In accordance with the Conservation of Habitats & Species Regulations 2017 (as amended), Natural England must be consulted on any appropriate assessment your Authority may decide to make.

Devon County Council (Flood Risk):

The applicant has not provided sufficient information in relation to the disposal of surface water from the site to enable observations on the proposal. The applicant must submit a surface water drainage management plan which demonstrates how surface water from the development will be disposed of in a manner that does not increase flood risk elsewhere, in accordance with the principles of Sustainable Drainage Systems.

The applicant has commissioned infiltration tests in accordance with BRE Digest 365 Soakaway Design (2016) and has demonstrated that infiltration is a viable means of surface water drainage management on this site. The

applicant, however has not produced any design of a soakaway based surface water drainage system that suits the proposed development layout.

West Devon Borough Council
(Housing):

Did not wish to comment

West Devon Borough Council
(Open Spaces):

Further comments in respect of open space provision will be reported at the meeting.

South West Water:

No objection

Devon & Cornwall Police:

No objection

DNP - Ecology & Wildlife:

An Ecological Impact Assessment report (Colmer Ecology, revised December 2019) has been submitted. The survey methods, presentation of results and recommendations are satisfactory.

The 0.25ha site comprises two main buildings set in ornamental grounds. The 2 storey building on the western boundary (referred to in report and here as 'building 2') will be retained, with the other structures demolished to make way for new dwellings.

The 2018 survey recorded mature trees (subject to separate arb assessment), dense scrub, ornamental shrubs, species-poor grass, stone wall and earth bank. The grounds offer limited bat foraging potential. The trees have negligible bat roost potential. Breeding birds are likely to use shrubs and trees. There was no evidence of other protected species.

The buildings were assessed for the presence of bats and nesting birds. There was a scatter of brown long-eared bat droppings in the loft of building 2, and few droppings under the eaves of building 1. Both buildings had multiple features with potential for use by bats.

In 2018 the consultant carried out two emergence and one dawn re-entry surveys to establish the type of roost and the access points used by the bats. Static detectors were deployed in the lofts. A single common pipistrelle bat was seen to re-enter behind hanging slates on building 1. The consultant makes the assessment that building 2 is an occasional day roost for low numbers of common pipistrelle and brown long-eared bats. Building 1 is a day roost of a single or low number of common pipistrelle bats.

Nesting swifts and jackdaws were present in both buildings, with house sparrows also nesting in building 1.

The proposed demolition of building 1 and any works to the roof of building 2 would result in the destruction of a bat roost and therefore a European Protected Species Licence

(EPSL) will need to be obtained from Natural England prior to the commencement of works. It is stated that the loft of building 2 will be retained, but any work to the roof would need to be included in the EPSL.

Works shall not proceed until a European Protected Species Licence (EPSL) for the development has been obtained from Natural England. Works to proceed in strict accordance with the recommendations in Section 5 and Figures 15, 16, 17, 18 and 19 of the Ecological Impact Assessment report (Colmer Ecology, December 2019), subject to any variation required by Natural England under any license issued.

It is recommended that a further planning condition is included requiring a landscaping scheme to be agreed to ensure that landscape within the site is managed to protect and enhance the ecological value of the site including the new buildings and retained trees and hedge. This needs to specify the duration of post construction swift monitoring (see section 5.5 of EclA).

Parish/Town Council Comments

Buckland Monachorum PC: SUPPORT the application.

The information provided indicates that there are no affordable homes being provided within the development. The Parish Council considered an application previously, for the site, that had an affordable home element and would like to see a proportion of affordable homes with this development.

Concerns were raised with regard to the access onto the A386, this has previously been an issue raised by highways. The access is opposite a bus stop and the proximity of the bus stop is a particular concern. The Parish Council would like to know these concerns will be mitigated?

The Parish Council would like to be assured that the development will be of a high eco/sustainability standard.

The Parish Council would like to request that electric vehicle charging points are installed (one per dwelling).

Due consideration should be given for a S106 contribution to the Parish Council for local amenities.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

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

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

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

DMD14 - Biodiversity and geological conservation

DMD19 - Sustainable Communities

DMD1a - Presumption in favour of sustainable development

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

DMD2 - Major Development

DMD21 - Residential development in Local Centres

DMD3 - Sustaining the quality of places in Dartmoor National Park

DMD38 - Access onto the highway

DMD4 - Protecting local amenity

DMD40 - Parking provision - Residential

DMD42 - Public Rights of Way

DMD5 - National Park Landscape

DMD7 - Dartmoor's built environment

DMD7 - Dartmoor's built environment

DMD8 - Changes to Historic Buildings

Representations

32 letters of objection 5 letters of support 7 other letters

OBJECTORS:

The proposed access onto the A386 will further hinder access into and out of the unnamed road in close proximity to Grange Road.

The existing access in the location of the proposed is no more than a field gate that would of been intended for ancillary access at most when installed.

It would be considerably safer for the access to be where the existing one is. Not onto the very busy main road.

General concerns over access via the A386.

The row of three proposed houses closest to the A386 are much further forward than the line of the existing building and will impact too much on our property and be too overbearing from our lounge windows, balcony and rear garden. If these could be re-sited to stay within the line of the existing building there would be no impact at all.

We would ask that the plans could take into account reducing the detriment to us as one of the closest neighbours to the site. There seems enough space on the site for a plan to be beneficial to the developers and also considerate to the neighbouring properties and surroundings.

Objection due to pressure on parking.

The American house, as Devonian was known, should be preserved and developed into flats for local residents over 55 thereby maintaining the character of the area and providing a much needed facility.

General concern over the loss of Devonian House and the site's heritage value.

Over development of the site / of Yelverton.

Concerns that the development will exacerbate flooding.

Services are already under strain.

Concerns over light pollution.

SUPPORTERS:

Support for the proposal as it provides much needed smaller (2 Bedroom) housing in Yelverton.

Support as it is re-using an existing brown field site of the unused nursing home which closed several years ago, to meet the National Park's housing needs.

Sensible use of land with minimal impact on the Yelverton community.

Good proximity to the town.

This would be a good use of an unused building, due to its proximity to the village. Other sites are listed in the Dartmoor Local Plan for Yelverton, but this development is the most suitable option as buildings already exist and it would not take up any Greenbelt land.

Support subject to contributions to the local play area.

Open space contribution welcomed.

Current buildings have been unused for some time and could become an eyesore.

New residents will provide support for local businesses.

Observations

THE PROPOSAL

The submission is a full application for the development of 11 dwelling houses, comprised of three two-bed houses, six three-bed houses and the conversion of the existing narrow building to the south west of the site to provide two, two-bed houses. The development includes the demolition of the existing Devonia House Care Home, including the building originally called 'American House' thought to be built in the mid-19th Century (present on mapping from 1864), and the conversion of the former coach house buildings to the south west of the site, most recently used as storage and previously used as stables and carriage block.

The sole vehicle access will be from the north of the site from the A386. Access to the south will be restricted to cycles and pedestrians, with walkways safely away from the A386 providing access to the east and the centre of Yelverton and west to the local shopping precinct.

DESIGN

The 11 dwellings are to be laid out on a primarily west/east axis as small terraces. The layout is complimented by landscaping that borders the A386 to the north and hedgerows creating public/private separation from the carpark to the south.

Dwellings face out from the site with gardens situated to the rear of the properties. Landscaping to the north of the site, adjacent to the vehicular entrance, will provide natural screening from the A386 and properties to the north.

Following negotiations between the applicant and DNPA, the site has good pedestrian permeability with foot path links leading from the south west and south east of the site. The dwellings are two-storey and of a traditional form set in small terraces. They have pitched slate roofs and a variety of elevation treatments including render and feature slate faced gables considered to compliment the character of the local area and adjacent properties.

PRINCIPLE – Major development

Paragraph 172 of the National Planning Policy Framework (NPPF 2019) states that planning permission should be refused for major developments in National Parks except in exceptional circumstances and where it can be demonstrated they are in the public interest. This is reiterated in policy DMD2 of the Local Plan.

The determination of whether a proposal amounts to 'major development' is a matter of planning judgement. It is not consistent with the definition of a 'major planning application', but rather whether the development could be construed as major development in the ordinary meaning of the word having regard to the character of the development in its local context. That would normally be interpreted as applications such as fracking, power line infrastructure, quarrying etc.

Having regard to the character, nature and scale of the proposed development which is on previously developed land within the settlement boundaries of the Local Centre of Yelverton, and taking the local circumstances and context into account, it is not considered to be 'major development' under paragraph 172 of the NPPF.

PRINCIPLE - The loss of community services

The proposal includes the loss of a former 27-bed nursing home known as Devonian House. The business use ceased in August 2016.

Policy COR18 states that 'The presumption will be that existing employment sites and premises will be retained for economic uses and proposals for the redevelopment of existing employment sites and premises for non-employment uses will be carefully assessed to ensure that the needs of business and industry in the National Park would not be harmed by such change of use'.

Policy COR12 seeks to sustain and improve the range and quality of community services and facilities and policy DMD19 states that when such facilities are lost the Authority needs to be satisfied that the facility is not capable of being sustained.

A feasibility study was provided with detail on the marketing of the vacant care home. In November 2016 Devonian House was marketed by healthcare specialists Christie & Co to facilitate the continuation of the established use. The property was:

- promoted to the agent's entire database
- featured on the agent's website
- promoted through the commercial pages of the internet service, Rightmove; and
- advertised in the local press and national trade media

Two offers were received in the period November 2016 - June 2017 but these did not lead to a sale. Reasons offered including stalling by the original interested party and a subsequent below market value offer that was not considered. The seller was also open to offers for alternative business uses but no such proposals were put forward. The applicant has provided further evidence (Annex C of the feasibility study) of under-occupation of local care homes.

The current care home is not therefore capable of being sustained. The needs of business and industry in the National Park are not considered to be adversely affected by the development as proposed.

PRINCIPLE – Residential Development

Yelverton is one of the Local Centres identified in the Development Plan as a sustainable location for managed growth which would include opportunities for residential development focused on the delivery of affordable housing where they bring forward positive benefits to the local community. Policies COR15 and DMD21 emphasise the priority of housing to meet identified local need, setting a benchmark of not less than 50% of affordable dwellings but recognising that this must be tempered by the economic viability and specific constraints of individual sites. The NPPF endorses this pragmatic approach. The site lies on the western side of the village centre within the defined settlement boundary where the above policies would apply.

AFFORDABLE HOUSING

National policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be

replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.

Where there is an overall increase in floorspace in the proposed development, the local planning authority should calculate the amount of affordable housing contributions required from the development as set out in their Local Plan. A 'credit' should then be applied which is the equivalent of the gross floorspace of any relevant vacant buildings being brought back into use or demolished as part of the scheme and deducted from the overall affordable housing contribution calculation. This will apply in calculating either the number of affordable housing units to be provided within the development or where an equivalent financial contribution is being provided.

The policy is intended to incentivise brownfield development, including the reuse or redevelopment of empty and redundant buildings. In considering how the vacant building credit should apply to a particular development, local planning authorities should have regard to the intention of national policy.

In doing so, it may be appropriate for authorities to consider:

- whether the building has been made vacant for the sole purposes of re-development
- whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development

The building was in use until August 2016; it is in a tired but not dilapidated order; there has been no intervening use; the previous business failed and was not made vacant for the sole purposes of re-development. The building is not covered by an extant or recently expired planning permission for similar development. The building has not been abandoned. The application of vacant building credit is considered appropriate.

The applicant has provided a vacant building credit statement:

Existing vacant buildings to be demolished or converted = 1,0000 sq.m.

Proposed development floorspace = 980 sq.m.

Total difference in floorspace = -20 sq.m.

The usual requirement for 50% provision of affordable housing to meet local need, as established under Policy DMD21 of the Local Plan, can only be applied where an overall increase in floor space is proposed. Affordable housing provision or contributions cannot be requested in this instance as the vacant building credit covers 100% of the proposed development.

CAR PARKING

Policy DMD40 establishes the requirement for detached and semi-detached dwellings to provide a minimum of two spaces per dwelling. The proposal includes 22 spaces for 11 dwellings.

The proposal also includes the provision of one electric vehicle charging point per dwelling providing a clear incentive for electric vehicle ownership amongst future residents.

HERITAGE CONSERVATION & LAYOUT CONSIDERATIONS

Policies COR1, COR3, COR5, DMD1b, DMD7, DMD8 and DMD12 are concerned with the conservation and enhancement of Dartmoor's built environment and cultural heritage, including conservation areas, listed buildings and non-designated heritage assets. The site is not situated within a Conservation Area, does not contain any Listed Buildings or local assets included on the Heritage Asset Record for Dartmoor.

A number of public representations were received that opposed the current plans based on the loss of Devonia House, the central building that acted as the care home and was formerly known as the American House Hotel. Members of the family indicated that their 2 great grandfathers had built the house as an exact replica of the house they had lived in in New Jersey USA. The representations suggest that Devonia House holds great heritage value that would be lost.

Dartmoor National Park's Building Conservation Officer was consulted but did not raise any concern over the demolition of the building.

The applicant has provided a comprehensive heritage statement with an assessment of both Devonia House and the adjacent Long House.

The heritage statement found that the undesignated Devonia House is assessed as of negligible significance locally. It found the building to be of generally unremarkable design, with large-scale 20th century remodelling and extension clearly apparent. The heritage statement found the undesignated Long House to also be of negligible significance locally and of generally unremarkable design. The statement did however note that the architectural elements on the east-facing elevation serve to inform as to its former use in a likely light industrial, storage and/or retail context.

The buildings clearly provide some local interest to both families with a historical link to the site and to a number of local residents. However, the built form on site is not considered to be of significant heritage value. This viewpoint is supported by both the provided Heritage Statement and the consultation response of DNPA's Building Conservation Officer. The potential effects of the proposal are not therefore considered to present any significant adverse impact on Dartmoor's built environment and cultural heritage.

FLOOD RISK/DRAINAGE

Local Plan policies COR9 and DMD3 establish the need for developments to avoid adverse impact on the risk of flooding in both the immediate vicinity and the wider area.

The applicant has commissioned infiltration tests in accordance with BRE Digest 365 Soakaway Design (2016) and has demonstrated that infiltration is a viable means of surface water drainage management on this site. The applicant, however has not produced any design of a soakaway based surface water drainage system that suits the proposed development layout.

Devon County Council's (DCC) Flood and Coastal Risk Management Team have objected to this planning application as they do not believe that it satisfactorily conforms to Policy DMD3 of Dartmoor National Park's Development Management and Delivery Plan (Adopted July 2013) which requires developments to dispose of surface water in accordance with sustainable methods that minimise the risk of flooding of property and land or the pollution of

watercourses.

The applicant has been advised that they will therefore be required to submit additional information in order to demonstrate that all aspects of the proposed surface water drainage management system have been considered prior to commencement. The applicant has been informed and is happy to provide the required information for approval as part of a pre-commencement condition.

ACCESS & HIGHWAY SAFETY

Policy COR21 sets out the requirement for new development in relation to highway safety. DCC Highways observed that 'the site has an existing, redundant access from the A386 which is a County Primary Route and subject to a 40 m.p.h. speed limit. In the vicinity of the site there is central hatching and bus stop adjacent to an existing private access serving about eight units opposite the proposed access point.

The proposed access is designed in accordance with contemporary design guidance for visibility and geometry and the infrequent conflicts that may arise from its proposed use with the existing features on the site are not considered to be a significant highway safety issue, and for that reason conditions are recommended to be imposed on any permission granted.'

With regard to construction traffic, a pre-commencement condition will require the applicant to provide a Method of Construction Statement to provide detail on access, parking, storage and a programme of works to be approved in writing by the Local Planning Authority.

The site has good pedestrian and cyclist permeability with pathways running from the south west and south east of the site linking all properties and the parking area. The site is adjacent to an established pedestrian route with links to the local play space, centre of the town and the local shopping precinct to the west.

ECOLOGY

Policies COR7 and DMD14 deal with biodiversity and protected species. An Ecological Impact Assessment report (Colmer Ecology, revised December 2019) has been submitted.

The assessment mapped all habitat types. No rare or nationally scarce botanical species were identified. The site was found to comprise a small area of limited ecological value. Evidence of breeding birds and potential breeding bird habitat was noted. A bat roost characterisation survey was conducted between June and August 2018, with a single common pipistrelle observed re-entering Devonian House. A static bat detector placed within the loft of the adjacent flat recorded some activity from common pipistrelle and brown long-eared bats over the summer period, although no bats were recorded within the loft of Devonian House.

Due to the numbers of bats, the amount of evidence recorded, distribution of access points and loft use, the Site was considered to be an occasional day, non-breeding roost for single/low numbers of common pipistrelles and brown long-eared bats (species confirmed by DNA analysis of droppings). The development works will result in the loss/alteration of the roosts, as well as the potential to kill/injure bats during some of the works, and therefore, a European protected species licence was considered necessary.

Mitigation and compensation measures for the loss/alteration of the bat roosts were proposed, which if followed would ensure the maintenance of the favourable conservation status and ecological functionality of these bat roosts.

DNPA's Ecologist was consulted and found the survey methods, presentation of results and recommendations to be satisfactory. Conditions will be imposed to ensure the mitigation and compensation measures are followed.

Natural England has highlighted that this development falls within the 'Zone of Influence' (Zol) for the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA, as set out in the Plymouth and South West Devon Local Plan. It has suggested that new housing development in this area is 'likely to have a significant effect', when considered either alone or in combination, upon the interest features of European Sites due to the risk of increased recreational pressure caused by that development.

Natural England has advised that specific measures will be required to prevent such harmful effects from occurring as a result of this development and have recommended that permission should not be granted until such time as the implementation of these measures has been secured.

It is a matter for the Local Planning Authority, as 'Competent Authority', to decide whether an Appropriate Assessment of this proposal is necessary. Officers have completed a Habitats Regulations Assessment and have concluded that a complete Appropriate Assessment is not necessary, on the basis that the evidence supporting the Zol establishes the potential for an effect within this area. It is therefore concluded that development in this area may have a 'likely significant effect', when considered either alone or in combination, upon the interest features of European Sites due to the risk of increased recreational pressure caused by that development. It would therefore be necessary to provide for appropriate mitigation. Mitigation is provided for through the newly established Strategic Mitigation Strategy for the SPA/SAC. This Strategy is accounted for and currently delivered wholly through contributions provided through development within the Zol outside of the National Park. It is identified through the Duty to Co-operate process for the Local Plan, that additional contributions from residential development in the National Park, which is negligible in the scale of growth within the Zol as a whole, are not required to be sought.

TREES/LANDSCAPE

An Arboricultural Impact Assessment (AIA) has been produced by Urban Green (October, 2015). There are no Tree Preservation Orders (TPO) on site.

The assessment notes that one of the two trees on site will need to be removed to facilitate the proposed development. This tree is considered to be of low value.

A condition will be included to ensure that prior to the commencement of the development, details of the proposed landscaping and planting scheme shall be submitted to the Local Planning Authority for written approval. This scheme will be expected to mitigate the loss of any trees, and adhere to the recommendations outlined in the AIA.

NEIGHBOUR AMENITY

Policy DMD4 deals with the protection of residential amenity having regard to factors such as loss of light, privacy, overbearing/dominance, noise, light, fumes etc. and broader objectives of

highway safety and the special qualities of an area.

There are considered to be no direct adverse effects from the layout and orientation of the proposed buildings on the site. The residential scale proposed is likely to enhance the local amenity, providing improved separation to the residential building to the west, currently dominated by the extended block form of Devon House fronting the A386.

The principal issues of concern relate to the impact of construction traffic and ongoing vehicle access. The redevelopment of the site will result in short term disruption which is to be managed by the construction method statement. The longer term impact is considered to be minimal, with the parking area being located to the north east of the site, adjacent to the A386. No additional measures are considered necessary.

PLANNING OBLIGATIONS

•Education

Devon County Council has requested a contribution of £4138 towards secondary school transport costs. This is required due to the development being further than 2.25 miles from Tavistock College.

•Public Open Space

Buckland Monachorum Parish Council previously requested contributions to local amenities and comment that the nearby playpark needs some investment. West Devon Borough Council has been approached to confirm the level of open space contribution required. The applicant has provided an estimate of £23,985, accounting for 2.36 occupants per dwelling. That request needs to be fully justified by a local need for facilities. Clarification on this matter will be provided at the meeting.

Obligations will be secured by a Section 106 legal agreement.

CONCLUSION

The redevelopment of this site provides an opportunity to enhance this important site on the western fringe of Yelverton. The site will provide 11 modest scale two and three bedroom family homes designed to complement the local area character and wider Dartmoor vernacular.

Whilst the development does not provide all of the expected additional community benefits of affordable housing, this has been thoroughly analysed in the consideration of the evidence presented. The redevelopment of brown field sites reduces the pressure on alternative green field locations and is supported through the application of Vacant Building Credit. The site is well related to the Local Centre of Yelverton and provides a sustainable opportunity for new housing provision. This sustainability is enhanced by the onsite provision of electric vehicle charging points.

Overall, the scheme is considered to be a positive opportunity to facilitate the development of high quality, modest scale homes, with the potential to conserve and enhance the character and appearance of the area.