DARTMOOR NATIONAL PARK AUTHORITY DEVELOPMENT MANAGEMENT COMMITTEE

09 January 2015

SITE INSPECTIONS

Report of the Director of Planning

1 Application No: **0498/14** District/Borough: **West Devon Borough**

Application Type: Full Planning Permission - Parish: South Tawton

Householder

Grid Ref: SX660946 Officer: Jo Burgess

Proposal: Walls and roof added to existing dwarf wall to extend kitchen

Location: Long Barn, 4 Quarry Farm, South Tawton

Applicant: Mr B More

Recommendation: That permission be REFUSED

Reason(s) for Refusal

The proposed extension to this building, by reason of its form and location, would have an unacceptable impact on the character and appearance of this local heritage asset and the character and appearance of this part of Dartmoor National Park contrary to the Dartmoor National Park Core Strategy Development Plan Document and in particular policies COR1, COR3 and COR4, policies DMD7, DMD8 and DMD24 of the Dartmoor National Park Development Management and Delivery Development Plan Document and to the advice contained in the Dartmoor National Park Design Guide, the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.

Members met at Long Barn and viewed the front and side of the property from various vantage points and the inside of the existing kitchen.

It was noted that the projecting element at the west end of the building had a stone finish matching that of the existing kitchen extension and the courtyard wall.

The Parish Council representative expressed support in light of the size of the existing kitchen in comparison with the rest of the house.

The District Council representative was unable to attend and the planning officer read his comment expressing support for the proposal.

Members considered that because the extension would have a lower ridge than the existing

kitchen it would be subservient to the converted barn but considered that rather than being rendered to match the front of the main barn the extension should be finished in stone to match the courtyard wall and stone extension at the west end. The planning officer confirmed that if Members were minded to grant permission an appropriate condition could be imposed and the applicant confirmed that he would be happy to finish the extension in stone if required to do so.

Officers remain of the view that the proposal is contrary to the advice in the design guide in respect of front extensions and is an inappropriate extension to a barn conversion. In addition although the wall is clearly not historic, Long Barn is part of a historic farmstead and a registered local heritage asset and it is considered that on balance, the scale of the harm to the significance of the Local Heritage Asset is unacceptable.

5. Application No: **0498/14** District/Borough: **West Devon Borough**

Application Type: Full Planning Permission - Parish: South Tawton

Householder

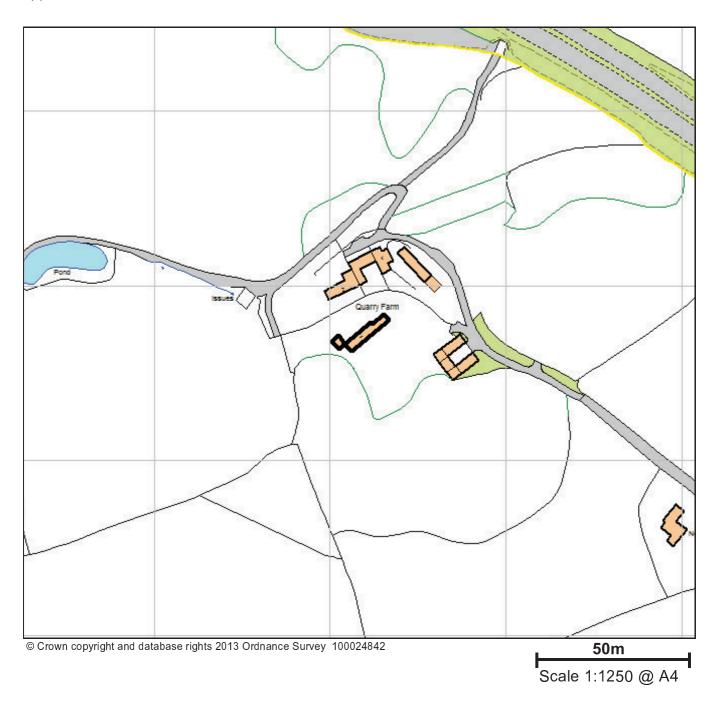
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Introduction

Quarry Farm is a historic farmstead located north of South Tawton and immediately south of the A30. Long Barn is one of the barns converted following the permission given in 2003.

It is proposed to build walls and a roof off an existing dwarf wall in order to extend the kitchen.

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

Planning History

0220/14 Walls and roof added to existing dwarf wall to extend kitchen

Full Planning Permission - Refused 10 June 2014

Householder

O631/02 Amendment to permission ref 3.26/2116/89 (five dwellings) for

conversion of redundant traditional buildings to four dwellings, drainage,

access and car parking

Full Planning Permission Grant Conditionally 08 January 2003

Consultations

West Devon Borough Council: Does not wish to comment County EEC Directorate: No highway implications

South West Water: No objections

Environment Agency: Flood Risk Zone 1 - standing advice applies

Historic Buildings Officer: Whilst the small converted end extension to the barn does

not appear on the 1905 OS map, there is photographic evidence for what appears to be a more recent pighouse with adjoining walled sty in the area of the proposed

extension.

The proposed extension in front of the earlier structure and

the main barn conversion is inappropriate and not

subservient in the context of former farm buildings and the double pile form created by the proposed structure is not

normally found in an historic farmstead context.

In this case, it considered that the proposal will cause harm to the significance of the local heritage asset and is therefore not supported.

Parish/Town Council Comments

South Tawton PC: The Parish Council supports this application.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR2 - Settlement Strategies

COR3 - Protection of Dartmoor's special environmental qualities

COR4 - Design and sustainable development principles

COR5 - Protecting the historic built environment

DMD1a - Presumption in favour of sustainable development

DMD24 - Extensions and alterations to dwellings

DMD7 - Dartmoor's built environment

DMD8 - Changes to Historic Buildings

Representations

None to date.

Observations

INTRODUCTION

Quarry Farm is located in a former quarry and the development is visible from South Tawton village to the west. Long Barn is visible from other properties within the development. The conversion of the building included the conversion of the former pig pens to the north east and retention/rebuilding of the enclosing wall. Permitted development rights were removed when Long Barn was given permission in 2002.

PRE-APPLICATION ADVICE & PLANNING HISTORY

The applicant was advised at the pre application stage that officers objected to the principle of extending the property to enclose the former pig pen enclosure. A planning application for a similar development with a different roof and window configuration was refused by Members in June.

POLICY

Development Plan Policies COR4, DMD7 and DMD24 apply to extensions. However the building forms part of a historic farmstead so is considered to be a Local Heritage asset and policy DMD8 is also applicable.

DESIGN

It is proposed to use the existing wall as the base for a new pitched roof extension to extend the existing kitchen. The new roof will not cut into the existing kitchen roof above the eaves as was proposed in the earlier application.

The wall projects in front of the front elevation of the Long Barn by 2.25m. The Dartmoor Design Guide advises that extensions should not be sited on the front or main elevation of the building and by extending in this way, the extension will not be subservient to the context of the former farm buildings and have an adverse impact on their character and appearance.

The extent of the proposed glazing has also been reduced with two windows now proposed in the front elevation rather than glazing throughout.

IMPACT ON THE HERITAGE ASSET

The wall formed the enclosure to the pig pens and was shown to be retained on the approved plans. Photos indicate that the original wall was removed and rebuilt with a concrete block core so the applicants argue that the impact on the historic structure is minimal. The wall itself is clearly not historic however Long Barn forms part of a historic farmstead which appears on the Historic Environment Record and is considered to be a local heritage asset. The Historic Buildings Officer has advised that although the extension may accord to the former pighouse structure it will not be subservient in the context of the converted farm buildings and cause harm to the significance of the local heritage asset.

CONCLUSION

Although the Parish Council has supported the application and the addition is a small extension, the NPPF requires a balanced judgement to be made having regard to the scale of the harm or loss and the significance of the heritage asset. In this case the scale of the harm to the significance of the Local Heritage Asset is considered to be unacceptable.

DARTMOOR NATIONAL PARK AUTHORITY DEVELOPMENT MANAGEMENT COMMITTEE

09 January 2015

APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Report of the Director of Planning

INDEX

<u>Item No.</u> <u>Description</u>

- 1. 0606/14 12 affordable houses with associated access road and parking (Outline Planning Permission), Hammer Park, North Brentor
- 2. 0582/14 Demolition of existing side extension and erection of two-storey side extension (Full Planning Permission Householder), The Mill, Meavy, Yelverton
- 3. 0637/14 Loft conversion including roof extension and rear dormer (Full Planning Permission Householder), The Cedars, Pethybridge, Lustleigh

1. Application No: 0606/14 District/Borough: West Devon Borough

Application Type: Outline Planning Permission Parish: Brentor

Grid Ref: SX483817 Officer: Louise Barattini

Proposal: 12 affordable houses with associated access road and parking

Location: Hammer Park, North Brentor

Applicant: Mr T Cunningham



Scale 1:1250 @ A4

Recommendation That permission be REFUSED

Reason(s) for Refusal

- The application fails to specifically address the defined need for affordable housing, in both number and proposed tenure, as identified in the assessment of local housing need contained in the Community Council of Devon report dated February 2011 and subsequent advice received from the Housing Authority.
 - In the absence of a defined need for 12 units of rented affordable housing, the application would be premature and contrary to policies COR15 and DMD22 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.
- In the absence of a justified need, a thorough assessment of alternative sites and the consideration of any overriding circumstances, the development of this site for affordable housing would result in significant harm to the character and appearance of this part of the Dartmoor National Park.

As a consequence, the proposed development by reason of its location, on land that does not adjoin or is well-related to the built form of the settlement outside of the centre of the village, it would lead to an unsustainable form of development contrary to policies COR1, COR2, COR15, DMD1a, DMD1b, DMD2, DMD3 and DMD22 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

In 2011 a Housing Needs Assessment was carried out, which identified a need in Brentor Parish for 10 affordable homes for local people.

An application for outline consent has been submitted for 12 affordable houses with associated access road and parking on land to the south of Hammer Park. All detailed matters are reserved for future consideration.

The application site relates to part of an agricultural field located between residential properties at North Park and Hammer Park, outside the historic village core and Conservation Area.

The application is presented to Members as this is a major application and in view of the comments received from the Parish Council.

Consultations

West Devon Borough Council: The Contaminated Land Officer raises no objection and

recommends the standard unexpected contaminated land

condition.

County EEC Directorate: The highway authority's consideration is based on the

premise that if the Planning Authority are minded to

allocate a housing site in North Brentor, wherever it is in the

village, some traffic from it will enter and leave the village from the south (up past the village hall) and some from the north (past Hammer Park). Traffic going to and from the A30 (at least A30 Eastbound) and Okehampton would more than likely go out via the northern route and traffic going to Tavistock and Plymouth would go out on the southerly route.

In a rural location such as North Brentor a daily trip generation average of 6 movements (3 in, 3 out) per unit is not unusual with generally 10% of the daily trip generation occurring in the morning peak hour (say 0.6 to 0.8 movements per unit average). I do not think it would be unreasonable to assume a 50 / 50 north / south split, so that would effectively 'halve' the trip generation from the site in either direction. Having said that, even if the trip generation were to be as much as 100% in one direction or another from the 12 units under consideration, I do not believe that the additional numbers involved would give rise to additional traffic numbers that would result in the 'severe impact' referred to in Paragraph 32 of the National Planning Policy Framework, regardless of the constraints that exist in the local road infrastructure.

The proposed 12 units would typically potentially generate between 7 to 10 movements in the morning peak; leading to one additional vehicle movement every 6 to 8 minutes on average. The access to the site can be provided with adequate geometry and visibility onto the existing highway network. A spot survey carried out by the highway authority on a traffic neutral day (Thursday) in the a.m. peak hour revealed a two-way traffic flow of 18 vehicles past the site, approximately one vehicle every 3 minutes 20 seconds. That flow was not considered unusual when compared to observed flows on other occasions that the site was visited.

From a highway point of view it would be preferred if the road were to be a shared surface rather than a road with footways, commensurate with all the other roads in the village and contemporary design criteria in Manual for Streets. There are some other issues with the internal layout that accompanies the application, such as the parking proposed for plots 11 and 12, but it is appreciated that this plan is only for illustrative purposes at this stage.

Conditions are recommended to ensure all highway infrastructure details are submitted, that access infrastructure is in place before the development commences together with appropriate site compound, and that the highway infrastructure including service roads and parking is in place prior to the occupation of the dwellings and maintained to the satisfaction of the Local Planning

Authority thereafter.

South West Water: No objection provided foul drainage only is connected to

the public foul or combined sewer. Use of soakaways

requires percolation tests.

Environment Agency: No objection - flood risk zone 1 standing advice only

> Works should not commence until the following documents have been submitted to the Local Planning Authority for

approval:

* a landscape plan confirming planting schemes and species mix

* a lighting plan confirming light levels across the site

* a long term landscape and ecological management plan

Works are to proceed in strict accordance with the findings and recommendations of the Preliminary Ecological Appraisal, Ecological Impact Assessment and Mitigation

Strategy.

DNP - Trees & Landscape:

DNP - Ecology & Wildlife

Conservation:

The application should be refused because it will have a detrimental impact on the landscape character of the area which is contrary to policy COR1 (h) and COR3. The development is contrary to policy DMD6 because it does not conserve and/or enhance what is special or locally distinctive about the landscape character, specifically the strong pattern of medieval fields and the pastoral character of these fields and it is unsympathetic development that will harm the wider landscape.

Forward Planning & Community:

We have been working proactively in Brentor to consider where and how a need identified in the Housing Needs Assessment could be met in the village. Reservations have been expressed previously around the merits of site currently under consideration. It was on this basis that a process was embarked on to identify whether there were other sites available in North Brentor, which may be preferable to the site at Hammer Park, which does not have a strong relationship with the built form of the village.

This process has involved a call for sites to identify available land in the village, and informal engagement with the parish council and community to gauge their view of the sites submitted. This process dismissed some as unsuitable for development, and then moved towards considering the deliverability of a 'shortlist' of potential sites.

This process was not complete when the application was submitted. On this basis it is not possible to conclude whether there may be other sites which are deliverable, and may be preferable in planning terms, in order to meet the identified need in the parish. It is unfortunate that the applicant did not await the conclusion of this process and as such it is considered that there could be available and

deliverable sites within Brentor which may relate better to the built form of the settlement.

West Devon Borough Council (Housing):

A need for 10 affordable housing units was identified in the Housing Needs Assessment. Further discussion is welcomed on the size of units and whether the properties are for rent or shared ownership.

Currently there are only 5 units of affordable housing available in Brentor; therefore this development would meet the identified need. It is also important to note that vacancy has not occurred in Brentor for at least 10 years.

Affordable housing is a scarce resource and the need has been evidenced and therefore as the enabling officer for the Housing Authority. I have no objections to this application.

Devon Communities Together: Rural Housing Enabler - The number of homes in this application is above the number that was identified in the housing survey. I do not recommend that the number of affordable households provided exceed the number of households identified as in housing need by the survey. Our experience of development of rural affordable housing across Devon is shown that to do so might lead to problems in allocating these homes to local people. For this reason I would suggest that the development in Brentor is planned in line with the findings of the housing need report:

- * 10 affordable homes in the Parish within the next 3 to 5 vears
- * a need for 6 rented and 4 shared ownership homes
- * a need for 9 homes for singles and couples and one 2bed family home

West Devon Borough Council (Drainage):

The site is in low flood risk area. A basic drainage assessment has been supplied. Percolation tests need testing for soakaway layout plan. Soakaways must conform with minimum standards and if the ground is unsuitable then alternative sustainable drainage systems must be considered. Consideration of the effect of surface water run-off from the site onto adjacent land should be considered during construction and end use.

DCC (Children & Young People's Services):

There is sufficient capacity at Mary Tavy & Brentor Primary School and Tavistock College, however, there would be school transport costs incurred by the Local Authority for both schools and a contribution toward this is requested.

Parish/Town Council Comments

Brentor PC:

The Parish Council supports the application. From the original surveys carried out by DNPA, the need for affordable housing has already been established and Hammer Park was one of the most deliverable for a number of reasons given in previous reports. From a

practical perspective, the landowner of the Hammer Park site already has a developer in situ who could support the requirements of the application.

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

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

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

DMD38 - Access onto the highway

DMD4 - Protecting local amenity

DMD40 - Parking provision - Residential

DMD5 - National Park Landscape

DMD7 - Dartmoor's built environment

Representations

16 letters of objection 13 letters of support

Petition against the proposal, with 16 signatures

The letters of support state that the site is an infill site that is integrated with the village and close to the playing fields, outside the conservation area and would be screened in the landscape and have a lesser impact than alternative housing sites. They identify that the site would help to meet established housing need and meets with policy. They state that the proposal would have suitable highway access, result in minimal loss of trees, no harm to residential amenity and that the linear layout of development is respectful of the existing settlement form.

The letters of objection state that the site is not an infill site that is within, or closely related to, the built-up area of North Brentor and that there are other more favourable sites which are sequentially preferable for affordable housing within, and closer to, the village. They state that the site is away from the historic core and centre of North Brentor. They question the number and type of housing proposed in relation to the affordable housing survey and the sustainability merits of 12 houses in a village with no local services. They identify that the site is serviced by road of poor alignment and width, without pavements or street lighting, remote from the village bus stop on a dangerous stretch of road which will compromise pedestrian and cyclist safety. They note that the site has extensive panoramic views of the high moor and Gibbert Hill. They identify that the proposal will result in the loss of a 13m stretch of important hedgerow. They state that land drainage and sewer capacity is poor and that further ecological surveys are required. One objector questions contamination levels in the land, local education provision, loss of agricultural land, the quality of the reports submitted with the application, surface water flooding, impact on residential amenity, pollution, whether there

are restrictive covenants in place and ownership of the access verge. It is also stated that the proposal fails the major development test in the National Planning Policy Framework.

Observations

POLICY BACKGROUND & AFFORDABLE HOUSING NEED

Brentor is identified as a 'Rural Settlement' in the Development Plan which means it is an appropriate area for "small scale development essentially serving identified needs arising from within the settlement and its parish". In Rural Settlements there is a focus on delivering affordable to meet an identified local need. Policy DMD22 specifies that, exceptionally, where a specific parish need for affordable housing has been identified, then development tailored to meet those needs will be permitted on suitable land within or adjoining the settlement and well related to its existing built form. The Dartmoor Affordable Housing SPD provides additional guidance and stipulates that in considering these rural housing exception schemes, we will consider on a case by case basis the merits of the site, its suitability in respect of the policies of the Local Plan and the availability of other suitable land in the settlement.

In 2011 a Housing Needs Assessment was carried out, which identified a need in Brentor Parish for 10 affordable homes for local people.

A call for sites to assess options for available, suitable and deliverable sites to meet this affordable housing need within Brentor has been co-ordinated by officers of the Authority in consultation with landowners, local community, Parish Council and the local Housing Authority.

A total of 9 sites were put forward by landowners for affordable housing in North Brentor. The initial process identified a shortlist, having dismissed sites which were considered unsuitable for affordable housing, or which are not supported by the community.

The process of assessing potential sites in Brentor, in consultation with the community, and progression to a preferred site has not been concluded. This process was on-going at the time of receipt of this planning application. This process has had to be put on hold until a decision has been taken on this application.

THE PROPOSAL

The application seeks to establish the principle of 12 affordable dwellings on the site through an outline planning application with all detailed matters being reserved for further consideration.

An illustrative plan has been submitted showing a north-south alignment of semi-detached units, with access to the west and new hedge bank enclosure along the perimeters of the site.

The proposal relates to a 0.38 hectare, gently sloping, rectangular parcel of land along the western boundary of an existing larger field.

MEETING HOUSING NEED

A detailed assessment of housing need is presented in the report compiled by the Community Council of Devon in 2011 acting as Rural Housing Enabler. This identified a need for 10 affordable homes for the parish of within a 3 to 5 year period. Specifically, it showed a need

for 6 rented homes and 4 shared ownership dwellings. This seeks to provide 9 one or two bedroom units for singles or couples and 1 two bed family home.

Commenting on the specifics of the application, both the Housing Officer and the Rural Housing Enabler note that the proposed provision of 12 units is beyond the identified need. As an outline application there is no specific information to assess in terms of unit size or tenure at this stage.

RELATIONSHIP TO BUILT FORM OF BRENTOR AND IMPACT ON LANDSCAPE CHARACTER

Policy DMD22 is clear that rural housing as an exceptional development to meet an identified parish need will be permitted on suitable land within or adjoining the settlement and well related to its existing built form.

Settlement boundaries are not identified in the Development Plan for selected rural settlements such as North Brentor. In these rural settlements a case by case assessment is made through the planning application process.

The settlement of North Brentor is characterised by the historic core in the south west, with dispersed outlying clusters of development beyond the green open space in the heart of the village.

The application site, approximately 370 metres from the village centre, is not within the settlement itself and could be considered to stretch the limits of what could reasonably be interpreted as 'adjoining' the settlement. The call for sites process identified that there may be sites which are better related to the village and therefore sequentially preferable to this application site.

This northern part of North Brentor is characterised by a number of outlying clusters of development, characteristic of the countryside fringe where development tapers off, housing is set back from the highway and wider highway verges are observed. The site is particularly exposed from high ground to the east and when viewed from this context appears visually disconnected from the settlement and not well related to the existing built form.

The layout of this rectangular site, flanking the highway between two small clusters of housing, is considered to relate poorly to the distinctive dispersed clustering of development outside the historic core of North Brentor. A development of this scale (12 houses) and layout, which is unsympathetic to the existing built form, will have a significant and harmful impact on the character and setting of this attractive rural Dartmoor Settlement on the fringe of the Moor. This would conflict with policies COR1, COR3, DMD1b and DMD5 which seek to conserve and enhance the natural beauty, distinctive landscape and built environment in order to fulfil National Park purposes. Policies COR4, DMD3 and DMD7 specifically require new development to reinforce sense of place, demonstrating a scale and layout appropriate to the site and surroundings, reinforce locally distinctive patterns of development and respecting the integrity of village plans

The indicative layout plan submitted, with semi-detached units accessed off a formal estate road running parallel with the highway, fails to demonstrate a satisfactory layout that relates to the existing built form. Concern is also expressed about the loss of hedge bank and the relationship of the proposed development with the trees along this hedge bank.

The site in question was identified through the call for sites process as one of the 4 sites considered to be an option for delivery of affordable housing. The Authority had not reached the end of this process and therefore there may be other sites which are more suitable. The Affordable Housing SPD states that the Authority will consider on a case by case basis the merits of a site, its suitability in respect of the policies of the Local Plan and the availability of other suitable land in the settlement. The need does not need to be all met on one site, although the impact on viability would need to be considered for smaller schemes.

HIGHWAY SAFETY

A number of objectors have raised concerns regarding the position of the site on a dangerous stretch of road which will compromise pedestrian and cyclist safety.

The detailed comments from the Highway Authority are set out earlier in the report. It is acknowledged that a housing scheme of this scale within the Parish will have an impact but that the additional traffic numbers that would result would not have a 'severe' impact, regardless of the constraints that exist in the local road infrastructure and therefore a reason for refusal on highway grounds could not be sustained.

Whilst the illustrative plan is indicative and access has been specified as a reserved matter for future determination on this outline application, it demonstrates that access to the site could be provided with adequate geometry and visibility onto the existing highway network.

The proposal will therefore not conflict with the highway safety objectives of policy COR21.

RESIDENTIAL AMENITY

The proposed site is considered capable of satisfactory development in relation to neighbouring buildings, subject to detailed layout and design, and would be unlikely to harm residential amenity in line with guidance set out in policy DMD4.

ECOLOGY

The Ecological Reports submitted concluded that the development would have no likely significant ecological impact. Issues have been raised through the consultation by local residents regarding the quality of information submitted and requirements for further protected species survey work. The development proposal and ecological reports have been considered by the Authority's Ecologist who confirms that no likely significant ecological impact will result and that no further survey work is required at this stage. The proposal will therefore not conflict with the objectives of policies COR7 and DMD14.

OTHER ISSUES RAISED THROUGH THE CONSULTATION PROCESS

A query was raised regarding Land Contamination from the former agricultural use of the field. No objection has been raised by the Contaminated Land Officer at the District Council to a development on this site.

Matters relating to land drainage and sewer capacity have been raised. It is proposed to connect foul drainage to the mains sewer and South West Water raise no objection to this. Further percolation tests would be required for the use of soakaways.

A query has been raised regarding the impact on local education facilities. Devon County

Council advise that there is sufficient capacity to absorb additional intake at the local schools, however, they will be making a recommendation of financial contributions toward school transport costs.

The issue of ownership of the access verge has been raised together with any restrictive covenants on the land. The applicants would need to satisfy themselves in respect of any restrictive covenants on development of the land and ownership issues in relation to the highway verge. No information has been presented from a third party claiming ownership of the verge.

The objectors state that the proposal fails the major development test in the National Planning Policy Framework. Major development in this context relates to significant development proposals that extend beyond the local level; this is not to be confused with a major classification for a planning application (i.e. over 10 houses). This is not a relevant consideration on this application for affordable housing in Brentor.

CONCLUSION

The principle of providing affordable housing in the defined rural settlements of the National Park is a stated aim of planning policy. It is acknowledged that where need is clearly defined, this can be accommodated on 'exception sites' that relate well to the built form of settlements where such developments can add to the dynamic and vitality of villages. It is common, where need is identified, to carry out a site selection process to assess the availability and suitability of any sites that may offer the potential to meet needs. This process has been undertaken in the vicinity, providing a number of alternatives. The presentation of this application has preempted the conclusion of that community engagement process. Nevertheless, this alone does not and should not prevent the Authority coming to a decision on the merits of this application and the site in question.

An exceptional permission for affordable housing needs to be clearly supported by a well rehearsed needs assessment. The Authority, with assistance from the partner Housing Authority, is confident that, in this case there is a latent demand for 10 units. The application for 12 units is clearly at odds with that assessment. It is accepted practice that there should be no element of speculative provision.

In addition, it is considered that the chosen site is sufficiently divorced from the centre of the village to be viewed as an isolated development not well related to the built form of the village. It would introduce an unacceptable urbanising feature into a predominantly rural location, harming the character and appearance of this location - a site overlooked from public access land to the east. A residential development of the scale proposed, in its own right, would have a major and detrimental impact in this location.

ADDENDUM

The compilation of this report has coincided with a late request to amend the description and content of the application. The applicant has sought to reduce the number of proposed units from 12 to 10 in an attempt to align the proposal with the stated need. It is considered that this is fundamental change to the character of the application which cannot be considered as an amendment at this late state in the process. Such a change could not be entertained under the current application and in any event would require detailed consideration and reconsultation with all statutory consultees and stakeholders.

The applicant has been advised accordingly. It follows that the application is presented to Members for determination as originally submitted.

SITE INSPECTION

A site inspection was undertaken by a panel of Members on 19 December 2014 to establish the facts of the application. The panel convened on the highway adjacent to the site where the officer introduced the proposal, he referred to the illustrative plan submitted with the application, pointing to the indicative access, proximity to the centre of the village and routes used by vehicles heading towards both Okehampton and Tavistock. The roadside hedgerow, field access and relative positions of neighbouring development were also given consideration.

The officer gave a detailed resume of the responses of consultees, emphasising the views of the Highways officer, Trees and Landscape Officer and Housing Officer. He also summarised the comments from the Parish Council and letters received both for and against the proposal.

The panel members entered the site to gain a better appreciation of its character and to assess the exact site boundaries. The indicative point of access onto the highway was also observed. The open access land to the east was also noted.

The Parish Council representative read out a prepared statement in support of the application. Members were made aware of the difficulties the Parish Council had in reaching a decision. Nevertheless, it remains in support of the proposal.

The Borough Council representative acknowledged that the village was in urgent need of affordable housing, particularly as much of the existing housing stock is beyond the local residents.

In supporting the proposal he stressed that, in his view the site was well related to existing development and would have the least impact on the historical core of the village. His support was a balanced view responding to the current opportunity presented by the application to bring forward much needed housing.

The panel members then took the opportunity to pass along the highway to assess the concerns about access from the village.

Members also requested further information concerning the consultation process relating to alternative sites in the parish and also how the proposal fits with the current call for housing sites (SHLAA) recently undertaken. Both matters will be explained further at the meeting.

2. Application No: **0582/14** District/Borough: **West Devon Borough**

Application Type: Full Planning Permission - Parish: Burrator

Householder

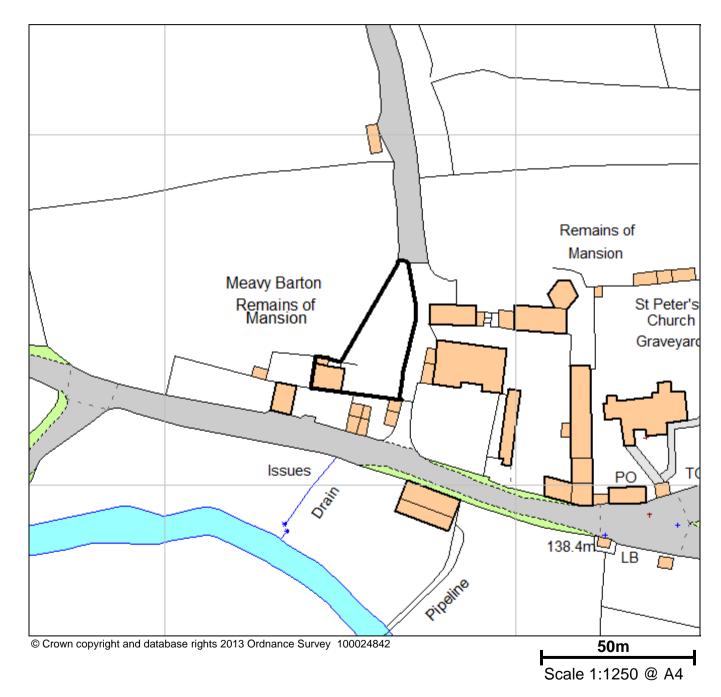
Grid Ref: SX539672 Officer: Jim Blackwell

Proposal: Demolition of existing side extension and erection of two-storey side

extension

Location: The Mill, Meavy, Yelverton

Applicant: Mr M Parle



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.
- Prior to the commencement of the development hereby approved, samples of all proposed surfacing, external facing and roofing materials shall be submitted to the Local Planning Authority for approval; thereafter unless otherwise agreed by the Local Planning Authority in writing, only approved surfacing, external facing and roofing materials shall be used in the development.
- 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.

Introduction

The Mill is located on the western edge of Meavy. The property forms the northern side of an informal courtyard created by Mill Stables and Mill Cottage, a grade II listed building.

The site lies within the Meavy Conservation Area.

The application is presented to committee at the request of a Member of the Authority (Dr Mortimer).

Planning History

0028/99 Raise roof to form dormer over rear entrance to annex, replace tin sheets

with slates and raise roof over doorway to workshop, increase boundary

wall height and form a pedestrian access

Full Planning Permission Grant Conditionally 25 February 1999

03/43/1575/91 Change of use of stable building to ancillary accommodation

Full Planning Permission Grant Conditionally 03 February 1992

03/43/1116/88 Proposed change of use of stable to study, hobbies/workroom and

domestic storage and new pedestrian access on to highway

Full Planning Permission Grant Conditionally 15 July 1988

Consultations

West Devon Borough Council: Does not wish to comment County EEC Directorate: No highway implications

South West Water: No objection provided foul drainage only is connected to

the public foul or combined sewer. Should no separate storm system be available, details of the means of disposal

MUST be submitted for prior approval. The use of

soakaways will require satisfactory percolation tests to have

been undertaken.

Environment Agency:

Historic Buildings Officer:

Flood Zone 1 Standing Advice

The scale, style, design and form of the proposed extension will have a major impact on the character and special interest of the conservation area, local heritage assets and the setting of nearby listed buildings. This proposal would also cause substantial harm to the setting of a range of designated heritage assets including Barton Manor and St. Peter's Church both grade I listed buildings, and other grade II listed buildings. Additionally, it would also cause substantial harm to the significance of the Meavy Conservation Area, again a designated heritage asset in its own right.

The amended proposal for the extension is considered cosmetic in respect of alternative use of material types applied mainly to the east elevation. Whilst it is appreciated that the proposal is presented to take account of surroundings, in this case the design solution and particularly the flat roof do not reinforce 'sense of place' either in respect of Dartmoor itself or more specifically the settlement of Meavy and its conservation area. The other previous comments relating to impact on surroundings (setting) of various adjacent and more distant heritage assets still stand.

DNP - Ecology & Wildlife Conservation:

The works should proceed in accordance with the submitted protected species (bats and nesting birds) statement/survey.

The report recommends ivy removal from the south eastern elevation outside bird nesting season, provision of bat and bird boxes and directing any lighting away from trees and shrubs in the area.

DNP - Archaeology:

The extension will necessitate the removal of an area of raised ground within the garden. There is the possibility that buried archaeological material relating to the mill and/or earlier use of the site may survive.

The extension is located adjacent to the former Meavy Corn Mill which ceased operations around the time of the First World War. The Mill was constructed in the C19th but could well be standing on an earlier site.

The location of the site is also very sensitive being in close proximity to Meavy Barton and the core of the medieval village. The site is within the conservation area.

A watching brief condition is requested.

This will allow for the recording and retrieval of any archaeological features and finds that may be exposed

during the construction works.

The watching brief should be undertaken by a professionally accredited archaeological contractor formerly agreed by DNPA.

Parish/Town Council Comments

Burrator PC: Support

Relevant Development Plan Policies

COR3 - Protection of Dartmoor's special environmental qualities

COR4 - Design and sustainable development principles

DMD12 - Conservation Areas

DMD1b - Delivering National Park purposes and protecting Dartmoor National

Park's special qualities

DMD24 - Extensions and alterations to dwellings

DMD7 - Dartmoor's built environment

DMD8 - Changes to Historic Buildings

Representations

2 letters of objection

There have been two objections from local residents concerned with the impact on Meavy, the conservation area, potential archaeology, the adjacent listed buildings, water run-off and the overall design approach.

Observations

INTRODUCTION

The Mill is located on the western edge of Meavy. The property forms the northern side of an informal courtyard created by Mill Stables and Mill Cottage, a grade II listed building. The property has been altered with a number of domestic features such as a lean to side extension, chimneys and uPVC windows. There is a change in level between the Mill Stables and the property to the east. The Mill, the courtyard and two adjacent properties are highly visible from the lane, forming part of the entrance into the village.

The site lies within the Meavy Conservation Area.

PROPOSAL

The application is for the demolition of the existing side extension and erection of a two storey extension. The existing lean to is 15sqm and the proposal would extend this footprint to 25sqm. The existing extension is 2.5m wide and the proposal would reduce this width to 2.3m and utilise a stepped plan to reduce its potential impact.

The extension would comprise a WC, lobby and garden room on the ground floor and master bedroom at first floor.

The design approach is contemporary in form. The front elevation would have horizontal timber louvres referencing the historic structure of the water wheel. Steps leading to a glazed

door would provide access to the extension with a glazed panel to the side. The side (east) elevation would be constructed of vertically clad timber walls. The roof is to be covered with sedum to encourage biodiversity and control rainwater.

POLICY CONSIDERATIONS

The site lies within Meavy Conservation Area. Planning policies COR5 and DMD12 are expressly clear that development proposals within conservation areas will only be permitted where the character or appearance of the conservation area is conserved or enhanced.

Policy DMD1b requires new development to conserve Dartmoor's cultural heritage. The quality, integrity, character and setting of heritage assets is afforded protection under policy DMD7 and policy DMD8 identifies that where a proposal will lead to the substantial harm of a heritage asset, consent will not be granted unless the proposed development will secure substantial public benefits which outweigh that harm.

The need to conserve heritage assets in a manner appropriate to their significance is one of the core planning principles of the National Planning Policy Framework. Account should always be taken of the desirability of sustaining and enhancing the significance of heritage assets, and the desirability of new development making a positive contribution to the historic environment's local distinctiveness. Significance can be harmed or lost through alteration of the heritage asset or development within its setting. Any harm or loss requires clear and convincing justification, together with an assessment of the degree of harm and the public benefits of a scheme.

The Dartmoor National Park Design Guide, policies COR4, DMD3 and DMD7 set out the general objectives for high quality, locally distinctive design that reinforces Dartmoor's sense of place, having particular regard to the scale, height, solid form, alignment, design detailing and materials, open spaces, trees and integrity of town plans including boundary elements.

The site is located within a rich historic environment and there are a range of heritage assets in the immediate environment which are considered in the assessment of the development proposals; several listed buildings lying adjacent the site and the Conservation Area. Consideration needs to be given to these heritage assets, their curtilage and setting.

The existing single storey extension is not of any architectural merit and its demolition is considered an improvement to the appearance of the dwelling.

UPDATE

Following consideration of the scheme, amendments to the extension include:

- (i) Setting the front elevation back by 100mm and reducing the projection of the timber louvres.
- (ii) Revising the roof material on the front from sedum to zinc standing seam.
- (iii) Vertical timber cladding to the side and rear altered to slate hanging and stone.

IMPACT ON THE CONSERVATION AREA

The amendments clearly respond to the comments made relating to the robustness of material and solid appearance. It is recognised as being a very sensitive site and the choice of materials is key given the surroundings. There is now a clear hierarchy of materials from stone, to render, slate and timberwork.

The application has been submitted with a robust level of detail to demonstrate the impact on the adjacent buildings, views and spaces.

The rationale behind the concept of the design is an interesting departure from traditional forms. The simple two storey form now appears subservient to the existing dwelling and appropriate use of materials compliments the surroundings.

IMPACT ON NEIGHBOUR AMENITY

It is considered that due to the size, scale, location the development will not have a significant adverse impact in an unacceptable loss of amenity or cause undue overshadowing to the adjoining property.

REPRESENTATIONS

Pre-application advice was not sought however, extensive negotiation has taken place during the course of the application in order to respond to the comments from the Historic Building Officer. He remains of the view that the scale, style, design and form of the extension would have a major impact on the impact on the conservation area and adjacent heritage assets.

The proposals have undergone careful consideration by Officers during the application process. The potential impact on the existing site and adjacent heritage assets are critical considerations, however the proposed extension appears subservient to the main dwelling and is stepped on plan reducing its impact. The materials are robust and reflect those found in the surrounding area. The scale and massing of the extension sits comfortably given the width of the existing property. The proportions also reflect the vertical rhythm of the building.

The extension will necessitate the removal of an area of raised ground within the garden. There is the possibility that buried archaeological material relating to the mill and/or earlier use of the site may survive. The extension is located adjacent to the former Meavy Corn Mill which ceased operations around the time of the First World War. The Mill was constructed in the C19th but could well be standing on an earlier site. The location of the site is also very sensitive being in close proximity to Meavy Barton and the core of the medieval village. The DNP Archaeologist has therefore proposed a condition requiring a watching brief.

There have been two objections from local residents concerned with the impact on Meavy, the conservation area, potential archaeology, the adjacent listed buildings, water run-off and the overall design approach.

The Parish Council support the application.

A bat and bird assessment report has been submitted. It has been demonstrated that the scheme will have a minimal impact on protected species.

CONCLUSION

The scale and design of the proposal are considered to be sympathetic to the proportions of the dwelling and meet with design objectives set out in Local Plan policy. It will conserve the character and appearance of the Meavy Conservation Area and the setting of nearby listed buildings.

The application is therefore recommended for approval.				

3. Application No: 0637/14 District/Borough: Teignbridge District

Application Type: Full Planning Permission - Parish: Lustleigh

Householder

Grid Ref: SX779810 Officer: Oliver Dorrell

Proposal: Loft conversion including roof extension and rear dormer

Location: The Cedars, Pethybridge,

Lustleigh

Applicant: Mrs J Wilmot



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 materials to be used in the finishing of the external walls and roof of the development hereby approved shall, unless otherwise previously agreed by the Local Planning Authority in writing, match those used on the existing building.
- 3. The first floor dormer window in the north-west elevation of the development hereby permitted shall be glazed in obscure glass and thereafter obscure glass shall be retained at all times.
- 4. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements of the ecological survey report dated 3 June 2014.

Introduction

The Cedars is a detached single storey property located at Pethybridge, Lustleigh. The house is set back within a large garden and occupies an elevated position above the road.

The house is formed of a painted render shell under an artificial slate roof. The windows are timber.

The property has been extended previously to the side and rear. This application is to extend the roof to create two additional bedrooms and a bathroom. A new dormer window is also proposed in the north-west (rear) elevation.

This is a re-submission of 0196/14 which was refused by reason of scale and massing.

Planning History

0196/14 Extension including raising height of part of roof

Full Planning Permission - Refused 29 May 2014

Householder

0606/03 Extension to form en-suite bedroom, study and kitchen

Full Planning Permission Grant Conditionally 30 September

2003

5/1/1470/03/3D Alterations and extensions

Full Planning Permission Grant Conditionally 17 January 1975

Consultations

Teignbridge District Council: Does not wish to comment County EEC Directorate: No highway implications

South West Water: No objections

Environment Agency: Standing advice - flood zone 1

DNP - Ecology & Wildlife No objection, subject to the inclusion of mitigation

Conservation: measures outlined in the bat and bird survey report

Parish/Town Council Comments

Lustleigh PC:

Object. Reasons: 1) Inappropriate development in an area where the other houses are small 2) Will be a very prominent development. 3) Unhappy at another 'affordable' house being turned into an 'unaffordable' property. 4)Does not meet the intent of DMD 24 or DMD 7. 5)Will encroach upon the privacy of neighbouring properties. 6) Widespread objection amongst neighbouring properties.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR2 - Settlement Strategies

COR4 - Design and sustainable development principles

COR5 - Protecting the historic built environment

DMD1b - Delivering National Park purposes and protecting Dartmoor National

Park's special qualities

DMD24 - Extensions and alterations to dwellings

DMD4 - Protecting local amenity

DMD7 - Dartmoor's built environment

Representations

3 letters of objection

The property is currently on the market; there is no justification to extend it further; expansion will reduce affordability for local people.

Observations

SITE CHARACTER

The Cedars occupies an elevated position on the western side of Pethybridge. To the north and above the site are the properties forming part of a small development of local authority houses. To the east is a cluster of traditional thatched cottages, of which three are grade II listed.

To the west is an agricultural field and road up to Hammerslake from which the application site is clearly visible above a low hedge.

DESIGN

The property has been extended previously to the side but more recently to the rear in the form of a top hipped roof projection off the northern elevation. The design of this extension has resulted in the roof of part of the rear section being raised above the main house. This is not a traditional form of extension and detracts from the appearance of the house.

These proposals are to bring the main roof section up to the height of the extension and extend across as far as the gabled canopy on the principal elevation. New rooflights are proposed in the front elevation as well as alterations to the gable to include four glazed panels. To the rear a dormer would provide secondary window to the master bedroom.

This is a lesser scheme than 0196/14 in which it was proposed was to bring the whole of the roof up to the same level. The revised proposals consolidate an existing extension with new extensions to the roof. By stepping the roof down it helps to break up what would otherwise be a long continuous roofline and reduce the scale and massing to an acceptable level. Overall the proposals are considered to acceptable impact on the appearance of the dwelling.

Where the property would be seen from public viewpoints it would be against backdrop of rising ground and the two storey properties at Pethybridge. It is not considered that raising the roof in the manner proposed would adversely affect the character in the area. There are a number of listed buildings in the form of thatched cottages in close proximity to the east of the site however owing to the topography of the land and their distance from the application site it is not considered that the proposals would have a significant impact on their setting.

IMPACT ON NEIGHBOURS

Where the dwelling is to be extended it is 25m from the nearest property. At such a distance it will not have any overbearing or dominant impact.

To the front the proposed first floor windows are offset and set well back from the properties to the south and east. To the rear the proposed dormer overlooks a parking area and beyond the rear garden of No 9 Pethybridge. No primary windows exist in the end elevation of the neighbouring property however the dormer will undoubtedly be overlooking of the garden. It is recommended that this opening be obscure glazed to preserve amenity for the occupiers. As the dormer window is a secondary window it will not significantly impact on the internal living conditions.

IMPACT ON PROTECTED SPECIES

A protected species appraisal was submitted with the application. Historical evidence of long eared bats has been found in the loft area and it is considered that the loft has likely been used as a non-breeding summer day roost in the past. Mitigation is recommended in the form of two bat access points in the ridge to the north-east of the proposed master bedroom. Amended drawings have been requested to show the mitigation in place. Subject to the receipt of these details the Authority's Ecologist does not raise any objections to the proposed development.

POLICY CONSIDERATIONS

The proposed extensions do not conflict with policies COR1 and COR4 in that they will preserve the character and appearance of the area. They also accord with policies DMD24 and with advice in the Design Guide concerning extensions to dwellings.

The proposals will adequately protect amenity for the occupiers of nearby properties, in accordance with policy DMD4.

In terms of assessing the proposal against policy DMD24(c) area calculations show the existing floorspace is 167sqm and the proposed floorspace is 233sqm. This equates to an increase in habitable floorspace of 38% on the existing living accommodation. Having regard for the acceptability of the proposal from the perspectives of design and amenity it is considered that the development is within an acceptable threshold for extension.



DARTMOOR NATIONAL PARK AUTHORITY DEVELOPMENT MANAGEMENT COMMITTEE

09 January 2015

MONITORING AND ENFORCEMENT

Report of the Director of Planning

INDEX

<u>Item No.</u> <u>Description</u>

1. ENF/0132/13 - Conversion of first floor of 'hay barn' into separate unit of accommodation, Rideout Farm, Lake Lane, Dousland

1 Enforcement Code: ENF/0132/13 District/Borough: West Devon Borough

Grid Ref: SX530681 Parish: Buckland Monachoru

Officer: Andy West

Description: Conversion of first floor of 'hay barn' into separate unit of

accommodation

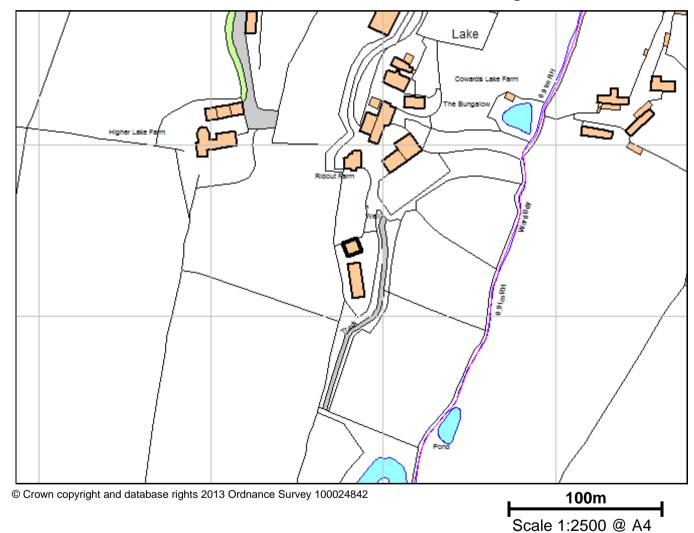
Location: Rideout Farm, Lake Lane, Dousland

Land owner: Mr R Spry

Recommendation That, subject to the consideration of any comments from the Parish

Council, the appropriate legal action be authorised to secure the

cessation of the residential use of the building.



Relevant Development Plan Policies

COR1 & DMD1a - Sustainable Development

COR2 - Development in the countryside

COR15 - Providing for limited new housing to meet local needs in the countryside

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

DMD3 - Sustaining the quality of places

DMD5 - Protecting the character of the landscape

DMD7 - The quality and distinctiveness of the built environment

DMD23 - Residential development outside Local and Rural Settlements

Representations & Parish/Town Council Comments

Any comments from the Parish Council will be reported at the meeting.

Observations

INTRODUCTION

Rideout Farm is located approximately 800 metres to the south-west of the village of Dousland.

The store building that this report relates to is located to the south of the main dwellinghouse at Rideout, in the same location as a previous, unauthorised indoor pool/games building, which was removed in compliance with an Enforcement Notice.

Planning permission (0443/10) was granted in 2010 for a storage building to be used in connection with the nearby stables, however, the building that has been constructed is substantially different in its size and physical appearance to that which was previously approved.

HISTORY

In late April 2013, Rideout Farm was visited by two officers of the Authority. During this visit it was noted that the storage building that was approved in 2010 was being used for residential accommodation. The landowner was informed that this use represented a breach of planning control and was requested to cease the unauthorised residential use.

The site was re-visited in late 2013, whereupon it was noted that the building still had all of the fixtures and fittings within it to enable it to be used as a separate dwelling. It was noted however, that the building was not being resided in permanently, but was instead used by Mr Spry's children as their personal space. At the time of this meeting, Mr Spry indicated that he would like to use the building as ancillary accommodation to his main dwelling.

Officers advised Mr Spry that the Authority had concerns about the use of the building as ancillary accommodation inasmuch as it was not located in close proximity to the main house and benefitted from fixtures and fittings which would enable it to be used as an independent unit of accommodation. The landowner was encouraged to remove all of the items that would enable its use as an independent dwelling.

The site was visited again in February 2014. During this visit it was noted that the domestic fixtures and fittings remained within the building, and that some of the floor space was being used for the storage of tack. It also became apparent that the building had been extended forward (to the south), providing some 24.20 square metres of additional accommodation.

In June 2014, an application (0346/14) was received which sought retrospective permission for the extension to the existing store building. The plans that accompanied this application showed that the first floor of the building was to be used for storage and as a tack room. No domestic fixtures and fittings were shown on the plans.

During the course of determining the application, it became apparent that the original store building (erected in 2010/11) did not accord with the approved drawings and so this application was withdrawn and a further application was submitted on 22nd October 2014 seeking retrospective permission for the retention of the entire (originally constructed building and extension) store building. Again the plans that accompanied this application show that the first floor of the building

is to be used for storage and as a tack room with no domestic fixtures or fittings shown.

During a visit to the site on 20th November 2014 in connection with the determination of this application, the case officer noted evidence that suggested a full time occupation of the building as a dwelling. This use was confirmed in a subsequent telephone conversation by Mr Spry who advised that he had rented out his dwelling and moved his family into the store room. He also advised that it was his intention to reside in the store until works were completed to convert a nearby barn into living accommodation (in accordance with a previously approved permission), at which point the store building would revert to it's originally intended use.

CURRENT APPLICATION (0625/14)

The current unauthorised use of the building does not preclude the Authority from making a determination on the aforementioned application for the retention of the store building.

The Case Officer has been in correspondence with the landowner and acknowledged that the Authority would be generally supportive of the retention of the store building provided that appropriately designed doors can be fitted to the building to give it more of an agricultural/rural appearance and that the internal partitions from the first floor areas are removed to reduce the likelihood of the building to be used for residential purposes.

Were the application to be granted, then the use of the building would be strictly controlled to ensure that the building could be used for no other purposes other than equine or agriculture.

POLICY

The use of the store building for residential purposes amounts to the creation of an unauthorised dwelling in the open countryside and represents a serious breach of planning control.

Any application that was submitted with a view to retaining the residential unit would be unlikely to be supported, as the proposal would not be compliant with the Authority's current housing policies.

It should also be noted that if the use of the store as a separate dwelling were to continue this would then mean that there were potentially four open market dwellings on the Rideout Farm site.

THE HUMAN RIGHTS ACT 1998

The store building is currently occupied by the landowner Mr Spry and his family.

To the best of the Authority's knowledge there are no health or Social Services issues associated with this case.

The courts will view any decision to take enforcement action as engaging the rights of the aforementioned individuals under Article 8 ECHR (right to respect for private and family life and home) and Protocol 1 Article 1 (peaceful enjoyment of possessions). The service of an Enforcement Notice requiring the unauthorised residential use to cease would represent a serious interference with these rights. However, it is permissible to do so "insofar as is in accordance with the law and necessary in democratic society for the protection of rights and freedoms of others".

The courts have held that provided that a balanced and proportionate approach is taken, having regard to all relevant considerations and not giving irrational weight to any particular manner, the

UK planning system (including the enforcement process) is not incompatible with the Human Rights Act.

Tackling breaches of planning control and upholding Local Plan policies is clearly in accordance with the law, protects the National Park from inappropriate development and enshrines the rights and freedoms of everyone to enjoy the natural beauty and special qualities of the National Park.

There are not believed to be any overriding welfare considerations at this time. Members are therefore advised that enforcement action would appear to be:

- (i) In accordance with law s.178(1) T&CPA 1990
- (ii) pursuance of legitimate aim the upholding of planning law and in particular the Development Plan policies restricting development in the open countryside of the National Park (iii) Proportionate to the harm
- and therefore not incompatible with the Human Rights Act.

CONCLUSION

The unauthorised residential use of the building is clearly contrary to policy and harmful to the special qualities of the National Park. The development is considered to be contrary to the advice contained within the National Planning Policy Framework and the National Park's own Local Plan policies.

Given the fact that no planning permission has been applied for or granted for the residential use of the building, and that the advice of officers regarding possible uses of the building has not been acted on, it is now considered appropriate to secure the cessation of the use of the building as a dwellinghouse.

A suitable time period would be attached to any Enforcement Notice to allow the occupants to have sufficient time to source alternative accommodation.

DARTMOOR NATIONAL PARK AUTHORITY DEVELOPMENT MANAGEMENT COMMITTEE

9 January 2015

CONSULTATIONS BY NEIGHBOURING LOCAL AUTHORITIES

Report of the Director of Planning

Recommendation: That the Committee notes the response(s) made under

delegated powers

1 Grid Ref: **SX493 759** District/Borough: **West Devon**

Officer: Jo Burgess Parish: Tavistock

Proposal Proposed new hockey pavilion and hockey pitch

Location Kelly College Preparatory School, Tavistock

Response: NO OBJECTION

The new hockey pavilion is a contemporary building which takes advantage of the slope of the land. It will be seen in the context of the main school building and it is considered that the building will not have a significant impact on the National Park and there would be no objection to it.

The new hockey pitch includes the provision of floodlights. Officers have requested that the impact of the floodlights should be carefully considered in terms of the impact on protected species and attention has been drawn to one of the special qualities of the National Park Management Plan being tranquillity. As dark night skies are an important element of tranquillity, it has been requested that any lighting should be carefully controlled in terms of hours of operation and to ensure no upward light spillage.

Provided these comments are taken into account it is considered that the proposed development will not have a prejudicial effect on National Park interests.

STEPHEN BELLI

DARTMOOR NATIONAL PARK AUTHORITY DEVELOPMENT MANAGEMENT COMMITTEE

09 January 2015

APPEALS

Report of the Director of Planning

Recommendation: That the report be noted.

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

1 Application No: A/14/2219071 District/Borough: Teignbridge District

Appeal Type: Refusal of Full Planning Parish: Ilsington

Permission

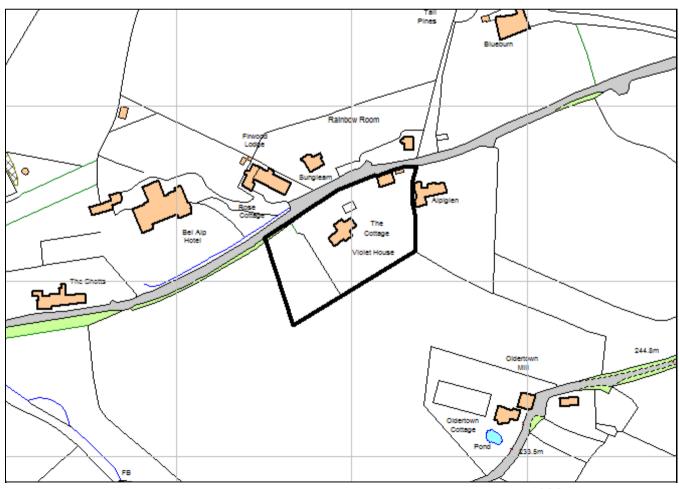
Proposal: Variation of condition (c) attached to 9/2760/09/2D (remove existing

dwelling) to allow building to be used as ancillary accommodation

Location: Violet House, Haytor

Appellant: Mr M Clark

Decision: **DISMISSED**



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100m Scale 1:2500 @ A4 The appeal was made in respect of a building within the grounds of a replacement dwelling at Haytor. The building was the former dwellinghouse. When planning permission was granted for the new dwelling on the site a condition was attached requiring removal of the original dwelling.

The appeal was for a variation of the condition to allow for retention of the building and its use as ancillary accommodation.

The Inspector considered that the building was too great a distance from the main house (25m) to function properly as an ancillary unit. She also observed that there were other sizeable outbuildings closer to the house which already provided ancillary accommodation.

She noted that the that the current building was unattractive and made no positive contribution to the surroundings and while acknowledging that the removal of some of the unsympathetic modern extensions might re-instate a more traditional structure she stated there was inadequate information provided to demonstrate this would reveal a building of sufficient quality to overcome the objection in principle.

She concluded that the building lacked cohesion with the main house and was harmful to the character and appearance of the National Park, determining that the condition should remain.

2 Application No: C/14/2211926 District/Borough: West Devon Borough

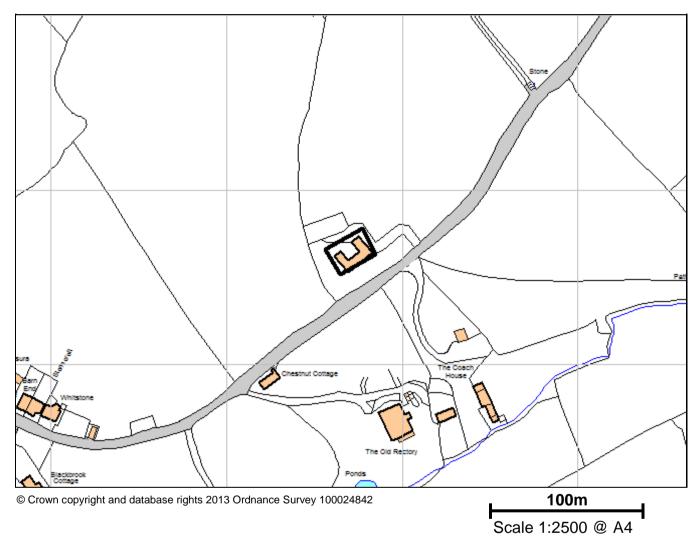
Appeal Type: Enforcement Notice Parish: Burrator

Proposal: Unauthorised pole barns

Location: Stone Park, Walkhampton Church Lane, Yelverton

Appellant: Ms J Glanville

Decision: ALLOWED



The appeal was made in respect of the unauthorised erection of two timber pole-barn type buildings.

The enforcement notice required removal of the development from the land including all debris and materials and to restore the land to its former condition. The period for compliance with the notice was 60 days.

The Inspector identified the main issue as the effect of the buildings on the character and appearance of the National Park.

He noted that the two pole barns are closely related to the existing stable block and that public views of the building complex are limited as it is nestled into the landscape and largely screened from view by hedges and other field enclosures. He went on to say that the buildings are reasonably required for the authorised equestrian use of the site and cause no

harm to the natural beauty of the Dartmoor landscape and do not conflict with the relevant development plan policies designed to protect and enhance the area.

He therefore allowed the appeal and granted planning permission but did include a condition relating to the submission of a landscaping scheme along the northern and eastern boundaries of the stable yard.

3 Application No: D/14/2222942 District/Borough: Teignbridge District

Appeal Type: Refusal of Full Planning Parish: Ilsington

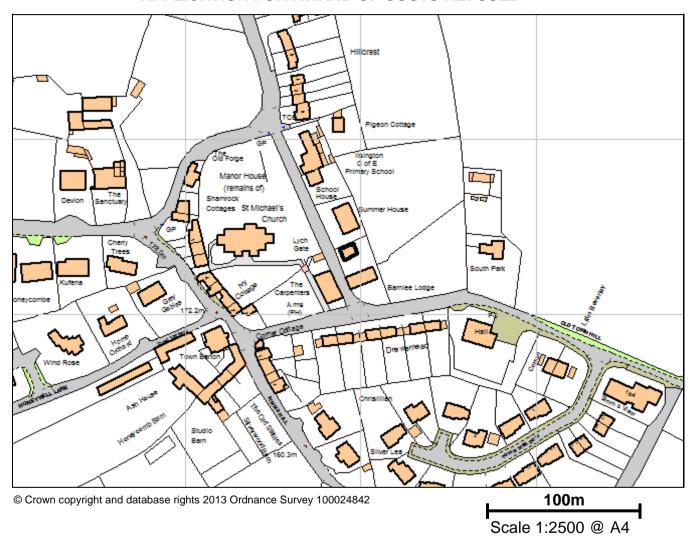
Permission - Householder

Proposal: Alterations to roof and fenestration of garage outbuilding

Location: Barnlee Lodge, Ilsington
Appellant: Mr & Mrs A & F Mullen

Decision: **DISMISSED**

APPLICATION FOR AWARD OF COSTS REFUSED



The appeal concerned refusal of planning permission for the alterations and extensions to a domestic garage in Ilsington.

The Inspector observed that while the existing garage did not make a positive contribution to the conservation area in its current form was discreet in public views into and across the conservation area. By contrast the proposed works, comprising primarily two large dormers on the front elevation, would result in a building which would be sigificantly more prominent.

He stated that their scale and design would be at odds with the more traditional appearance of buildings in the area and that they would fail to reflect local distinctiveness, to the detriment of the character of the conservation area.

He also concluded that the proposal would be harmful to setting of two nearby listed building, St Michaels Church and The Carpenter's Arms public house. In acknowledging that the majority of the views from the church towards the site would be from the churchyard where the dormers would not be visible there would be views from Old Town Hill from which the setting of the church and the would pub be adversely affected.

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

1 Application No: W/14/3001274 District/Borough: Teignbridge District

Appeal Type: Refusal of Full Planning Parish: Lustleigh

Permission

Proposal: Retrospective horticultural building Location: North Harton Farm, Lustleigh

Appellant: Mr R Bradford

2 Application No: A/14/2228309 District/Borough: West Devon Borough

Appeal Type: Refusal of Change of Use Parish: Drewsteignton

Proposal: Change of use of land from agricultural to garden

Location: Middle Venton Farm, Drewsteignton

Appellant: Mrs L Sowrey

STEPHEN BELLI

DARTMOOR NATIONAL PARK AUTHORITY DEVELOPMENT MANAGEMENT COMMITTEE

09 January 2015

APPLICATIONS DETERMINED UNDER DELEGATED POWERS AND APPLICATIONS WITHDRAWN

Report of the Director of Planning

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

(For further information please contact Stephen Belli)

Recommendation That the following decisions be noted.

1 Application No: 0397/14 District/Borough: Teignbridge District

Application Type: Full Planning Permission Parish: Dunsford

Proposal: Construction of keyworker farm dwelling and garage

Location: land at Wood Corner, Dunsford

Decision: Grant Conditionally

2 Application No: 0461/13 District/Borough: West Devon Borough

Application Type: Listed Building Consent **Parish:** South Tawton

Proposal: Replacement of all windows on ground and first floors of front and side

elevations

Location: The Old Post House, South Zeal

Decision: Withdrawn

3 Application No: 0490/14 District/Borough: West Devon Borough

Application Type: Full Planning Permission Parish: Drewsteignton

Proposal: Extension of boundaries (approved application ref 3/09/133/94/04) of

caravan site, siting of twenty pods with associated access road and

parking spaces plus siting of toilet and shower block

Location: Woodland Springs Touring Park, Venton,

Drewsteignton

Decision: Withdrawn

4 Application No: 0522/14 District/Borough: West Devon Borough

Application Type: Full Planning Permission Parish: Dartmoor Forest

Proposal: Steel portal frame agricultural livestock building (18.3m x 9.1m) adjacent

to existing farm building

Location: land adj to Smallwaters, Postbridge

5 Application No: 0528/14 District/Borough: South Hams District

Application Type: Full Planning Permission Parish: South Brent

Proposal: Erection of PV Solar Panels in paddock

Location: Garfield House, Aish, South Brent

Decision: Grant Conditionally

6 Application No: 0547/14 District/Borough: South Hams District

Application Type: Full Planning Parish: Ugborough

Permission - Householder

Proposal: Extension to dwelling and erection of garage Location: Gate Lodge, Moorhaven Village, Bittaford

Decision: Refused

7 Application No: 0554/14 District/Borough: Teignbridge District

Application Type: Full Planning **Parish:** Ashburton

Permission - Householder

Proposal: Single storey extension and terrace at rear and addition of side extension

Location: Knowlefield, Bowden Hill, Asbhurton

Decision: Grant Conditionally

8 Application No: 0556/14 District/Borough: Teignbridge District

Application Type: Full Planning **Parish:** Christow

Permission - Householder

Proposal: Two-storey side extension to the rear of the property

Location: 4 Teign Terrace, Teign Valley Road, Christow

Decision: Grant Conditionally

9 **Application No:** 0558/14 **District/Borough:** Teignbridge District

Application Type: Full Planning **Parish:** Ashburton

Permission - Householder

Proposal: Single storey flank extension to provide a 'granny annexe' and

replacement of flat roof extension with a pitched roof

Location: 11 Cooks Close, Ashburton

Decision: Grant Conditionally

10 Application No: 0559/14 District/Borough: South Hams District

Application Type: Full Planning Parish: South Brent

Permission - Householder

Proposal: Retrospective application for the provision of studio/shed to front of

property

Location: Stockbridge Cottage, Stockbridge Lane, South Brent

Decision: Refused

11 Application No: 0561/14 District/Borough: West Devon Borough

Application Type: Full Planning Permission **Parish:** Gidleigh

Proposal: Erection of a building for agricultural and equestrian use (39sqm)

Location: Land adj Glebe Farm, Gidleigh

Decision: Grant Conditionally. That permission be GRANTED

12 **Application No:** 0562/14 **District/Borough:** South Hams District

Application Type: Full Planning Parish: South Brent

Permission - Householder

Proposal: Replacement sun room plus extension

Location: 1 School Gardens, South Brent

Decision: Grant Conditionally

13 Application No: 0563/14 District/Borough: South Hams District

Application Type: Certificate of Lawfulness Parish: South Brent

for an existing use

Proposal: Certificate of Lawfulness relating to breach of agricultural occupancy

condition on permission ref 9/45/048/93/02

Location: Thynacombe, South Brent

Decision: Certificate issued

14 Application No: 0564/14 District/Borough: West Devon Borough

Application Type: Full Planning Parish: Horrabridge

Permission - Householder

Proposal: Single storey extension

Location: Dean Crost, North Road, Yelverton

Decision: Grant Conditionally

15 **Application No:** 0565/14 **District/Borough:** Teignbridge District

Application Type: Full Planning Permission Parish: Moretonhampstead

Proposal: General purpose agricultural building (18.3m x 9.1m)

Location: Northmoor Farm, Moretonhampstead

Decision: Grant Conditionally

16 Application No: 0567/14 District/Borough: West Devon Borough

Application Type: Full Planning Permission Parish: Okehampton Hamlets

Proposal: First floor extension to existing Youth Hostel annexe to provide higher

quality, more spacious bedrooms

Location: Bracken Tor, Saxon Gate, Okehampton

17 **Application No:** 0568/14 **District/Borough:** Teignbridge District

Application Type: Full Planning **Parish:** Bovey Tracey

Permission - Householder

Proposal: Installation of solar panels using black frames and laid on the ground

Location: Lilac Cottage, Lower Brimley, Bovey Tracey

Decision: Grant Conditionally

18 **Application No:** 0569/14 **District/Borough:** West Devon Borough

Application Type: Full Planning Parish: Chagford

Permission - Householder

Proposal: Alterations and extension to existing dwelling and enlargement of

forecourt (amendments to scheme approved under 0549/13)

Location: Chad Wyche, Manor Road, Chagford

Decision: Grant Conditionally

19 **Application No:** 0571/14 **District/Borough:** South Hams District

Application Type: Full Planning Permission **Parish:** Cornwood

Proposal: Change of use of shop/tea room to additional living accommodation

Location: Eldon Ash, The Square, Cornwood

Decision: Grant Conditionally

20 Application No: 0572/14 District/Borough: Teignbridge District

Application Type: Full Planning Parish: Buckfastleigh

Permission - Householder

Proposal: Ground floor extension to form bedroom and en-suite

Location: 8 Hembury Park, Buckfast

Decision: Grant Conditionally

21 **Application No:** 0573/14 **District/Borough:** South Hams District

Application Type: Full Planning Parish: Holne

Permission - Householder

Proposal: Alteration to pitch of roof of single storey outbuilding

Location: 5 Church Park Cottages, Holne

Decision: Grant Conditionally

22 Application No: 0575/14 District/Borough: West Devon Borough

Application Type: Full Planning Permission **Parish:** South Tawton

Proposal: Demolition of temporary classrooms

Location: South Tawton Primary School, Tawton Lane, Okehampton

23 Application No: 0576/14 District/Borough: West Devon Borough

Application Type: Full Planning Permission **Parish:** South Tawton

Proposal: Demolition of temporary classrooms and construction of new classroom

block plus re-siting of storage building

Location: South Tawton Primary School, Tawton Lane,

Okehampton

Decision: Grant Conditionally

24 Application No: 0577/14 District/Borough: West Devon Borough

Application Type: Full Planning Permission Parish: Dartmoor Forest

Proposal: Single storey extension and internal alterations to provide improved

facilities and office space

Location: Dartmoor Brewery Ltd, Station Road, Princetown

Decision: Grant Conditionally

25 Application No: 0578/14 District/Borough: Teignbridge District

Application Type: Full Planning Permission **Parish:** Ashburton

Proposal: Internal refurbishment, external alterations and replacement of single

storey side extension

Location: Grey Matter Ltd, 2 Prigg Meadow, Ashburton

Decision: Grant Conditionally

26 Application No: 0584/14 District/Borough: Teignbridge District

Application Type: Full Planning Parish: Bridford

Permission - Householder

Proposal: Rear single storey extension
Location: 8 Oxenpark Gate, Bridford

Decision: Grant Conditionally

27 Application No: 0586/14 District/Borough: West Devon Borough

Application Type: Certificate of Lawfulness Parish: Chagford

for a proposed development

Proposal: Certificate of Lawfulness for the erection of a garage

Location: Crossways, Chagford

Decision: Withdrawn

28 Application No: 0587/14 District/Borough: West Devon Borough

Application Type: Full Planning Parish: Belstone

Permission - Householder

Proposal: Flue for biomass boiler in garage

Location: Tor Down House, Belstone

29 **Application No:** 0588/14 **District/Borough:** South Hams District

Application Type: Full Planning Permission Parish: Buckfastleigh West

Proposal: Erection of solar panel PV arrays

Location: Warmacombe, Buckfastleigh

Decision: Grant Conditionally

30 **Application No:** 0589/14 **District/Borough:** West Devon Borough

Application Type: Listed Building Consent Parish: Belstone

Proposal: Flue for biomass boiler in garage

Location: Tor Down House, Belstone

Decision: Grant Conditionally

31 Application No: 0590/14 District/Borough: South Hams District

Application Type: Full Planning Parish: Ugborough

Permission - Householder

Proposal: Part-demolition of existing rear extension and construction of new single

storey rear extension with mono-pitch roof

Location: Rutt Farm, Ivybridge **Decision:** Grant Conditionally

32 Application No: 0592/14 District/Borough: Teignbridge District

Application Type: Prior Approval (Class J) **Parish:** Ashburton **Proposal:** Change of use from B1(a) office to Class C single dwelling

Location: The Coach House, Halshanger Manor, Ashburton

Decision: Prior Approval not required

33 Application No: 0593/14 District/Borough: Teignbridge District

Application Type: Full Planning Permission Parish: Ashburton

Proposal: Change of use from vacant office to holiday let

Location: The Old Mill, Halshanger Farm, Ashburton

Decision: Grant Conditionally

34 Application No: 0594/14 District/Borough: Teignbridge District

Application Type: Listed Building Consent Parish: Ashburton

Proposal: Change of use from vacant office to holiday let

Location: The Old Mill, Halshanger Farm, Ashburton

35 **Application No:** 0595/14 **District/Borough:** West Devon Borough

Application Type: Full Planning **Parish:** South Tawton

Permission - Householder

Proposal: Replacement garden equipment and firewood store

Location: Rowan Close, South Zeal

Decision: Grant Unconditionally

36 Application No: 0596/14 District/Borough: Teignbridge District

Application Type: Full Planning Parish: Ilsington

Permission - Householder

Proposal: Installation of ground-mounted solar panels to the rear of the house

Location: The Linhay, Ilsington

Decision: Grant Conditionally

37 Application No: 0597/14 District/Borough: Teignbridge District

Application Type: Full Planning **Parish:** Manaton

Permission - Householder

Proposal: Replace slate hanging with timber cladding and alterations to windows

(retrospective)

Location: Well House, Manaton

Decision: Grant Conditionally

38 Application No: 0599/14 District/Borough: West Devon Borough

Application Type: Full Planning Parish: Chagford

Permission - Householder

Proposal: Replace existing corrugated cement roof with natural slate and increase

ridge height by 1m

Location: Middle Drewson Farm, Moretonhampstead

Decision: Grant Conditionally

39 **Application No:** 0600/14 **District/Borough:** West Devon Borough

Application Type: Listed Building Consent Parish: Chagford

Proposal: Replace existing corrugated cement roof with natural slate and increase

ridge height by 1m

Location: Middle Drewson Farm, Moretonhampstead

Decision: Grant Conditionally

40 **Application No:** 0601/14 **District/Borough:** Teignbridge District

Application Type: Listed Building Consent Parish: Ashburton

Proposal: Internal alterations

Location: Foales Cottage, Foales Court, Ashburton

41 **Application No:** 0602/14 **District/Borough:** West Devon Borough

Application Type: Full Planning **Parish:** South Tawton

Permission - Householder

Proposal: Single storey extension to two sides (re-submission of app ref 0342/14)

Location: 17 The Croft, South Zeal

Decision: Grant Conditionally

42 **Application No:** 0604/14 **District/Borough:** South Hams District

Application Type: Full Planning PermissionParish:Holne

Proposal: Conversion of outbuilding to holiday accommodation

Location: Mill Leat, Holne

Decision: Refused

43 Application No: 0605/14 District/Borough: Teignbridge District

Application Type: Full Planning Permission Parish: Moretonhampstead

Proposal: Upgrade two vehicular access points from road to Fingle Woods/Hall's

Cleave (SX772880 Coleridge Wood and SX779897 Hall's Cleave) to allow heavy haulage vehicles to remove timber and improve existing

turning bays with new loading areas

Location: Wooston Farm, Moretonhampstead

Decision: Grant Conditionally

44 **Application No:** 0607/14 **District/Borough:** West Devon Borough

Application Type: Full Planning **Parish:** Mary Tavy

Permission - Householder

Proposal: Insert window on first floor south elevation, increase ridge height on

extension and replace plastic sheet roof with slate

Location: Higher Creason Farm, Horndon, Mary Tavy

Decision: Grant Unconditionally

45 **Application No:** 0608/14 **District/Borough:** West Devon Borough

Application Type: Full Planning Permission Parish: Chagford

Proposal: Construction of low energy passive house including new driveway and

associated landscaping

Location: Westcott Farm, Chagford

Decision: Refused

46 Application No: 0609/14 District/Borough: West Devon Borough

Application Type: Certificate of Lawfulness Parish: Dartmoor Forest

for a proposed development

Proposal: Certificate of Lawfulness for the erection of a rear extension

Location: 10 Moor Crescent, Princetown

Decision: Certificate issued

47 Application No: 0610/14 District/Borough: Teignbridge District

Application Type: Full Planning Parish: Christow

Permission - Householder Single storey extension

Location: Haldon View, Village Road, Christow

Decision: Grant Conditionally

Proposal:

48 Application No: 0611/14 District/Borough: Teignbridge District

Application Type: Full Planning Permission Parish: Lustleigh

Proposal: Alterations and refurbishment to five-bedroom house into a three-

bedroom house and a two-bedroom maisonette

Location: Mapstone Cottage, Mapstone Hill, Lustleigh

Decision: Withdrawn

49 Application No: 0614/14 District/Borough: Teignbridge District

Application Type: Full Planning Parish: Lustleigh

Permission - Householder

Proposal: Conversion of attached garage to domestic with construction of first floor

extension above

Location: Cherry Trees, Knowle Road, Lustleigh

Decision: Grant Conditionally

50 Application No: 0615/14 District/Borough: Teignbridge District

Application Type: Full Planning **Parish:** Ashburton

Permission - Householder

Proposal: Single storey side extension

Location: 17 East End Terrace, Ashburton

Decision: Grant Conditionally

51 Application No: 0616/14 District/Borough: Teignbridge District

Application Type: Listed Building Consent Parish: North Bovey

Proposal: Extension of existing outshot and replacement windows as oak screens

Location: Luckdon Farm, North Bovey

Decision: Grant Conditionally

52 **Application No:** 0617/14 **District/Borough:** West Devon Borough

Application Type: Full Planning **Parish:** South Tawton

Permission - Householder

Proposal: Demolition of outbuilding and erection of two-storey side extension

Location: 13 The Croft, South Zeal

53 **Application No:** 0624/14 **District/Borough:** South Hams District

Application Type: Full Planning **Parish:** Harford

Permission - Householder

Proposal: Hard landscaping (terrace and steps) to front of property

Location: Ermewood House, Harford, Ivybridge

Decision: Grant Unconditionally

54 Application No: 0634/14 District/Borough: Teignbridge District

Application Type: Prior Notification **Parish:** Ashburton

Proposal: Open steel-framed barn (167sqm) as extension to existing livestock barn

Location: Gages Farm, Ashburton **Decision:** Prior Approval not required

55 Application No: 0651/14 District/Borough: West Devon Borough

Application Type: Full Planning Parish: Dartmoor Forest

Permission - Householder

Proposal: Demolition of single storey side extension and replacement with two-

storey side extension

Location: 5 Forestry Houses, Postbridge

Decision: Withdrawn

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