

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

01 July 2016

APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Report of the Head of Planning

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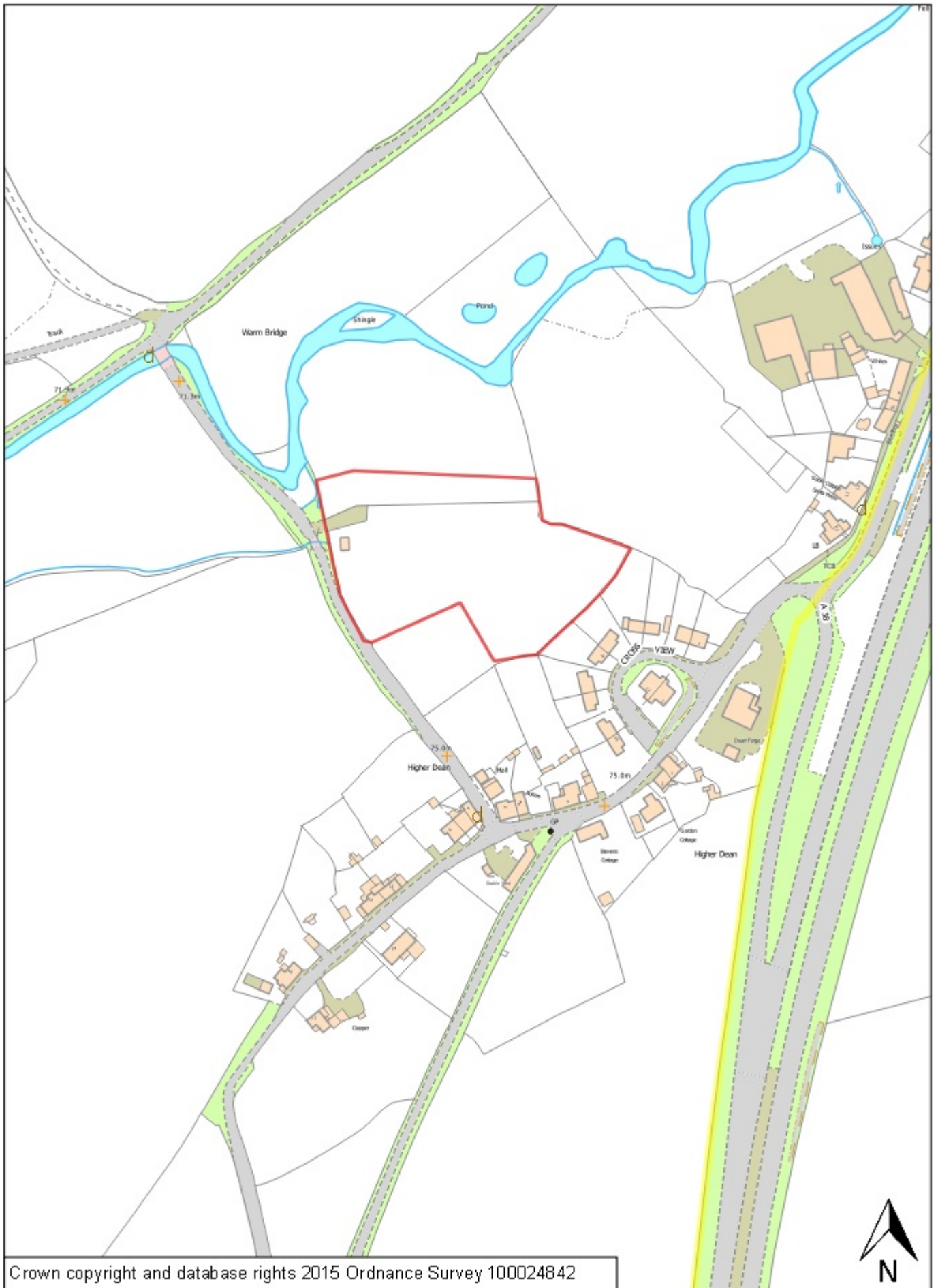
Item No. **Description**

1. 0207/16 - Change of use from agricultural to equestrian land; construction of stable block with concrete base under and turn-out area adjacent; erection of field shelter and shed (Full Planning Permission), land lying to the North of Cross View, Buckfastleigh
2. 0178/16 - Two-storey side extension (Full Planning Permission - Householder), 39 Emmetts Park, Ashburton
3. 0230/16 - Replace corrugated tin roof with slate roof incorporating roof lights (Listed Building Consent), Bagtor Barton, Ilsington
4. 0114/16 - Retrospective application for the provision of annex accommodation (Full Planning Permission - Householder), Little Sigford Farm, Sigford

Land North of Cross View - 0207/16



Scale 1:2,500



1. Application No: **0207/16** District/Borough: **South Hams District**
Application Type: **Full Planning Permission** Parish: **Dean Prior**
Grid Ref: **SX729647** Officer: **Alex Gandy**

Proposal: **Change of use from agricultural to equestrian land; construction of stable block with concrete base under and turn-out area adjacent; erection of field shelter and shed**

Location: **land lying to the North of Cross View, Buckfastleigh**

Applicant: **Mr & Mrs D Mabin**

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 caravan, play house and polytunnel currently sited at the application site shall, unless otherwise agreed by the Local Planning Authority in writing, be permanently removed from the site not later than three months following the commencement of the development.
3. No jumps, enclosures, mobile structures and other equestrian paraphernalia, including field shelters, exterior lighting, horse tape or structures to further subdivide the field shall be sited on the land without the prior written approval of the Local Planning Authority.
4. Any manure/dung heaps shall be sited in an area where it/they will not cause pollution of any watercourse or water source by the release of contaminated run-off.
5. The land and stables shall be used for private equestrian purposes only and shall not be used for livery, riding lessons, commercial equine breeding or commercial equestrian use of any kind.
6. Prior to the commencement of the development hereby permitted, details of the proposed landscaping and planting scheme shall be submitted to the Local Planning Authority for approval. The landscaping and planting shall be carried out in accordance with the approved scheme within twelve months of the commencement of the development, or such longer period as the Local Planning Authority shall specify in writing. The landscaping and planting shall be maintained for a period of five years from the date of the commencement of the development, such maintenance shall include the replacement of any trees or shrubs that die or are removed.
7. There shall be no artificial lighting on the site or buildings hereby approved without the prior written consent of the Local Planning Authority.

Introduction

The application site comprises a medium sized pastoral field of approximately 1 hectare which lies immediately north of Higher Dean. A small stable block, caravan, children's play house and polytunnel are currently sited on the land with multiple fences and horse tape subdividing the field. The application is presented to Members in view of the contrary view of the Parish Council.

Planning History

0412/01	Construction of six dwellings, associated roadworks and open space provision	Full Planning Permission	Withdrawn	05 June 2003
9/16/026/96/03	Erection of size semi-detached houses for local needs, formation of parking area and children's play space.	Full Planning Permission	Withdrawn	19 August 1996
9/16/019/93/01	Six local needs houses and associated works	Outline Planning Permission	Withdrawn	23 May 1995

Consultations

South Hams District Council:	No objection.
County EEC Directorate:	No highway implications.
Environment Agency:	Flood zone 1, standing advice applies.
DNP - Ecology & Wildlife Conservation:	The application site is within the South Hams Special Area of Conservations (SAC) Greater Horseshoe Bat sustenance zone and within a strategic greater horseshoe bat flyway. Greater horseshoe bats and other light sensitive bat species could be negatively impacted if the development results in an increase of artificial light levels. It is therefore recommended that no external lighting is installed within the application site without prior written approval of the Authority.
DNP - Trees & Landscape:	No objection, subject to the details of the proposed hedging being agreed.

Parish/Town Council Comments

Dean Prior PC:	Objection. The Council is concerned about paragraph 10 in the planning statement regarding any planning development in that area, which the Council would strongly oppose. The Council believe the proposed development can be achieved without a change of use from agricultural to equestrian use. The Council has no objection to proportionate permanent stabling.
Dean Prior PC:	No comment received

Relevant Development Plan Policies

- COR1 - Sustainable Development Principles
- COR3 - Protection of Dartmoor's special environmental qualities
- DMD1a - Presumption in favour of sustainable development
- DMD33 - Horse related development
- DMD4 - Protecting local amenity
- DMD5 - National Park Landscape
- DMD7 - Dartmoor's built environment

Representations

None to date.

Observations

PROPOSAL

The application proposes the change of use of the field to equestrian use with stabling for up to three horses and a field shelter for hay and implement storage.

The applicant has worked closely with Officers to improve the scheme's design. The number of buildings proposed has been reduced, an area of all weather turn-out removed, the development's layout relative to local landscape features has been improved and a mixed native hedgerow now bounds the development. The applicant has agreed the removal of the existing caravan, play house and polytunnel will be a condition of any forthcoming consent.

LOCATION AND DESIGN

The development occupies a fairly discreet location in the north west corner of the field. Although the proposed structures do not relate well to existing development and are located some 100m away from the residential properties to the south, they are clustered beside the field's only existing vehicular access. A location closer to existing residential development to the south would likely impact on amenity and require a track which would further impact on the landscape character of this field.

The applicants have willingly bounded the development with a mixed native hedgerow to help mitigate its visual impact. The layout of the development has also been amended to avoid damaging the roots of a mature oak tree growing in the adjacent hedgerow. Two subdividing fences are proposed to help control grazing of the field.

The stable block will provide stabling for three horses. To ensure the welfare of horses and husbandry of land the British Horse Society standards recommend 1 acre of land per horse and proportional area required falls if the horses are to be stabled. It is considered the stabling proposed is proportionate to this 2.5 acre field.

EQUESTRIAN USE

A change of use from agriculture to equestrian is proposed. Horse related uses have created some contention as to whether they constitute a material change of use from an agriculture use. A planning application is normally required for the use of land for the keeping of horses and for equestrian activities unless they are kept as livestock or the land is used purely for grazing. In this case the horses are being stabled, fed supplementary food and being used for recreational purposes. These uses do not fall within the definition of agriculture and are considered an equestrian use.

POLICY AND LANDSCAPE IMPACT

Policy DMD33 is clear that horse related development should conserve and/or enhance the character and special qualities of the Dartmoor landscape. The landscape has an agricultural character and the stables and equine use will have an impact on this character. Policy DMD33 and the National Character Area Profile for Dartmoor (150) recognise that horse related development can negatively impact on the character of the landscape.

The Authority's Landscape Officer believes this isolated development will contrast with the pastoral agricultural landscape character. However, the proposals will concentrate existing development into a single well designed courtyard which will bring landscape benefits. On balance, whilst there will be some harm by introducing isolated development into the pastoral landscape the benefits of the development will neutralise this harm.

ADJACENT DEVELOPMENT

The Parish Council make reference to development in the immediate vicinity of the site. The land immediately to the south of the application site was the subject of an application for six dwellings, which was withdrawn in 2002. The site is not allocated for residential development and has not been the subject of any recent proposals.

It is recommended planning permission be granted, subject to appropriate conditions.

To limit any further landscape impact a condition is proposed requiring no jumps, enclosures, other equestrian paraphernalia, including mobile field shelters, exterior lighting, horse tape or structures to further subdivide the field to be sited on the land without the prior written approval of the Local Planning Authority.

39 Emmetts Park, Ashburton - 0178/16



Scale 1:1,250



2. Application No: **0178/16** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission -
Householder** Parish: **Ashburton**
Grid Ref: **SX761704** Officer: **Alex Gandy**
Proposal: **Two-storey side extension**
Location: **39 Emmetts Park, Ashburton**
Applicant: **Mr N Wilkinson-Cave**
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. 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 Bat and nesting bird survey letter report [Butler Ecology, dated 24 March 2016]
4. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority, for an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with. Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority.

Introduction

The application site comprises a well proportioned and presentable semi-detached dwelling on a modern residential estate in Ashburton. The application is presented to Members in view of the conflict with DMD Policy DMD24.

Consultations

Teignbridge District Council: That planning permission be subject to a condition ensuring contamination not previously known to be present is reported to the Local Planning Authority.

County EEC Directorate: No highway implications.

Environment Agency: Flood zone 1, standing advice applies.

DNP - Ecology & Wildlife Conservation: No objection. Works to proceed in accordance with the good practice recommendations of the Bat and nesting bird survey letter report Butler Ecology, dated 24 March 2016.

Parish/Town Council Comments

Ashburton TC: Support.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR4 - Design and sustainable development principles

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

DMD14 - Biodiversity and geological conservation

DMD1a - Presumption in favour of sustainable development

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

DMD24 - Extensions and alterations to dwellings

DMD7 - Dartmoor's built environment

Representations

1 letter

The neighbour has no in principle objection to the scheme, but requests sufficient pathway width be maintained to ensure the applicant need not pass over their land to access the garden. Furthermore a vehicle currently parked at the property does not comply with a local covenant.

Observations

PROPOSAL

The application proposes a modest two-storey side extension on an area which currently serves as a driveway for this two bedroom dwelling in central Ashburton. The application is referred to committee because it is considered a departure from Policy DMD24.

POLICY AND DESIGN

The existing house is particularly small, offering only 58sqm of habitable accommodation. This is below national space standards for two-storey, 2 bedroom, 3 person houses. The DCLG's Technical Housing Standards 2015 recommend a minimum of 70sqm for such accommodation. The proposed extension will deliver 28sqm of habitable floorspace and provide one additional bedroom, creating a total area of 86sqm. The extended accommodation will comply with DCLG's recommended space standards, however, the total increase in habitable floorspace represents a 48% increase and exceeds the 30% threshold set out in Policy DMD24.

Given the existing accommodation is so exceptionally small as to make it substandard, it is considered Policy DMD24 needs to be applied flexibly in this case. The proposal will sympathetically enlarge the southern elevation of this dwelling, providing an enlarged living room and one additional bedroom. The extension is reasonable in its scale and proportions. It is set back from the front elevation and its form is similar to other extensions which have occurred in the immediate vicinity. The extension will be subservient and subordinate to the existing dwelling. The materials proposed have been chosen to be consistent with the main house and are considered acceptable. The extension is in no way overbearing and will not

lead to any adverse overlooking opportunities or impact on neighbours' access to light.

The proposal will ensure this dwelling is appropriately sized and is fit for purpose in the future. In these exceptional circumstances it is considered a departure from policy is acceptable.

To maintain two parking spaces at the dwelling a portion of garden beside the driveway is to be surfaced and utilised as parking for one vehicle. Such works benefit from permitted development rights and are acceptable.

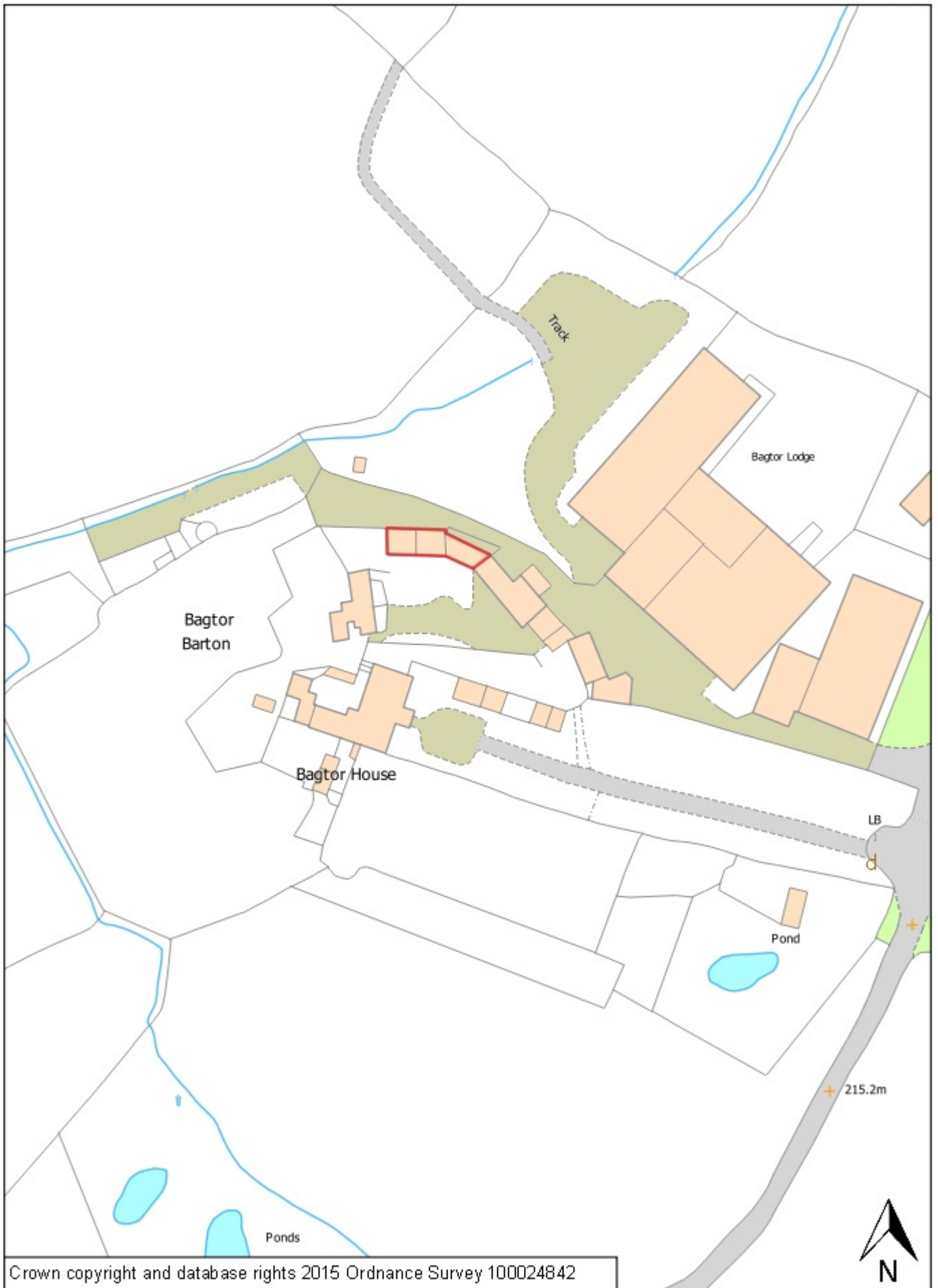
Regarding the neighbour's comments, it is considered a 0.65m pathway allows sufficient space for pedestrian access to the rear garden along the southern boundary of the site. The matter regarding the parking of vehicles which do not comply with a local covenant is not a material planning consideration.

It is recommended planning permission be granted, subject to appropriate conditions.

Bagtor Barton, Ilsington - 0230/16



Scale 1:1,250



3. Application No: **0230/16** District/Borough: **Teignbridge District**
Application Type: **Listed Building Consent** Parish: **Ilington**
Grid Ref: **SX765752** Officer: **Louise Barattini**

Proposal: **Replace corrugated tin roof with slate roof incorporating roof lights**

Location: **Bagtor Barton, Ilington**

Applicant: **Mr R Retallick**

Recommendation **That consent be GRANTED**

Condition(s)

1. The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.
2. The roof of the building shall be covered in natural slate, sample(s) of which shall be submitted to the Local Planning Authority for approval prior to the commencement of any roofing work. At all times thereafter the roof shall be maintained in the approved natural slate.
3. A sample of the proposed ridge tile/detail shall be submitted to the Local Planning Authority for approval prior to the commencement of any roofing work. At all times thereafter the roof shall be maintained in the approved ridge tile/detail.
4. There shall be no verge or fascia boards.
5. All gutters and downpipes shall be of metal construction and round or half-round in section and, unless otherwise agreed by the Local Planning Authority in writing, shall be finished black and maintained as such thereafter.
6. Prior to the installation of any rooflight in the building, details of the proposed rooflight(s) shall be submitted to the Local Planning Authority for approval; thereafter, unless otherwise agreed by the Local Planning Authority in writing, only approved rooflight(s) shall be used in the development.

Introduction

The application relates to part of a range of grade II listed farm buildings at Bagtor Barton located to the south of Haytor on the fringe of the moor. It is proposed to replace the existing corrugated metal roof with a new slate roof incorporating roof lights.

The application is presented to Members as the applicant's father is a Member of the Authority.

Planning History

0954/07	Repair and restoration of existing agricultural barn and change of use to farm walk meeting room	Listed Building Consent	Grant Conditionally	08 February 2008
0963/07	Repairs and restoration to existing barn and change of use to farm walk meeting room	Full Planning Permission	Grant Conditionally	08 February 2008

Consultations

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

Environment Agency: No objection - Flood Zone 1 standing advice only
Historic England: Historic England are in support of the application but raise concern about the introduction of roof lights on the principal elevation facing the farmyard/listed group and recommend consideration of alternative glazing solutions that are less domestic in character and reflect the utilitarian and agricultural character of the site. Careful consideration should be given to the choice of natural slate.

The application should be determined in accordance with national and local policy guidance, and on the basis of local expert conservation advice.

Building Conservation Officer: Whilst the roof would have been thatched originally and the re-roofing in slate would fundamentally change the building's character, the use of slate would improve on the existing metal sheeting and would align with that on the adjoining building. Reclaimed British slate should be conditioned, as the use of monotonous regular, imported, machine fashioned slate would look clearly wrong on this building.

The insertion of roof lights on the front elevation would be quite inappropriate; they would interrupt the flowing quality of the roof forms and be harmful to the significance of the group and courtyard. The introduction of conservation roof lights on the rear elevation would be less harmful, however, there is a wider question about the long term intention of these buildings. It is not obvious why roof lights are needed in the buildings in their current use and their insertion suggests conversion is intended in the long term. The latter should be informed by a detailed assessment of needs of a new use, the internal layout, position and amount of glazing and an assessment of where it would cause least harm to the significance of the group.

Parish/Town Council Comments

Ilminster PC: No comment received

Ilminster PC: The Parish Council supports the application to remove the rusty metal and make the roof sound

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR3 - Protection of Dartmoor's special environmental qualities

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

DMD8 - Changes to Historic Buildings

Representations

None to date.

Observations

PLANNING POLICY

The National Planning Framework (NPPF) attaches great importance to the Cultural Heritage of National Parks. This is reiterated in policy DMD1b which emphasises that the conservation and enhancement of the natural beauty, wildlife and cultural heritage will be given priority over other considerations in the determination of development proposals. The NPPF states that 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.

Planning policies DMD1b, DMD8, COR1 and COR3 establish the requirement to conserve and enhance the significance of Dartmoor's historic and listed buildings. Policy DMD8 states that where a proposal will cause harm to the special interest of a listed building, consent will only be granted where that harm is outweighed by public benefits. In assessing impact and scale of harm, an assessment of whether the development will detract from the original scale, significance, form, quality and setting of the building is made.

PROPOSAL & IMPACT

The application relates to the western end of a range of grade II listed farm buildings (19th Century or earlier) forming an arc on the north-east side of the farmyard, adjacent to the grade II listed Bagtor Barton farmhouse.

The listing description acknowledges Bagtor Barton, its farm buildings and Bagtor House, immediately to the south, as forming a group of high visual quality. The farm buildings and Bagtor House are all separately listed.

The western end of this stone barn range is presently roofed in corrugated metal and comprises a barn and stable with loft over; the latter having been partially converted to accommodate a covered space for the educational tours offered at Bagtor Barton.

The barn and stable have evidential value, being typical examples of 17th-19th century Dartmoor farm buildings, constructed of local materials.

The application proposes the removal of the corrugated metal sheeting, retention of 20th and 21st Century A-frames and their repair where appropriate. Modern purlins would be replaced/repared as appropriate and new battens introduced to nail fix the proposed slates. No verges or fascia boards are proposed and new Lindab metal rainwater goods fixed to the ends of the rafters.

Whilst the roof would have been thatched originally and the re-roofing in slate would fundamentally change the building's character, the use of slate would improve on the appearance of the existing metal sheeting (which is also not watertight) and would align with that on the adjoining building. Careful consideration needs to be given to a quality slate to ensure an appropriate finish for the significance of this building and the setting of the wider group. The Building Conservation Officer advises against the use of monotonous regular, imported, machine fashioned slate and recommends a British natural slate. Historic England recommend that careful consideration is given to a quality slate which reflects the local vernacular.

Historic England are in support of the application but raise concern about rooflights on the principal elevation facing the farmyard/listed group and recommend consideration of alternative glazing solutions that are less domestic in character and reflect the utilitarian and agricultural character of the site.

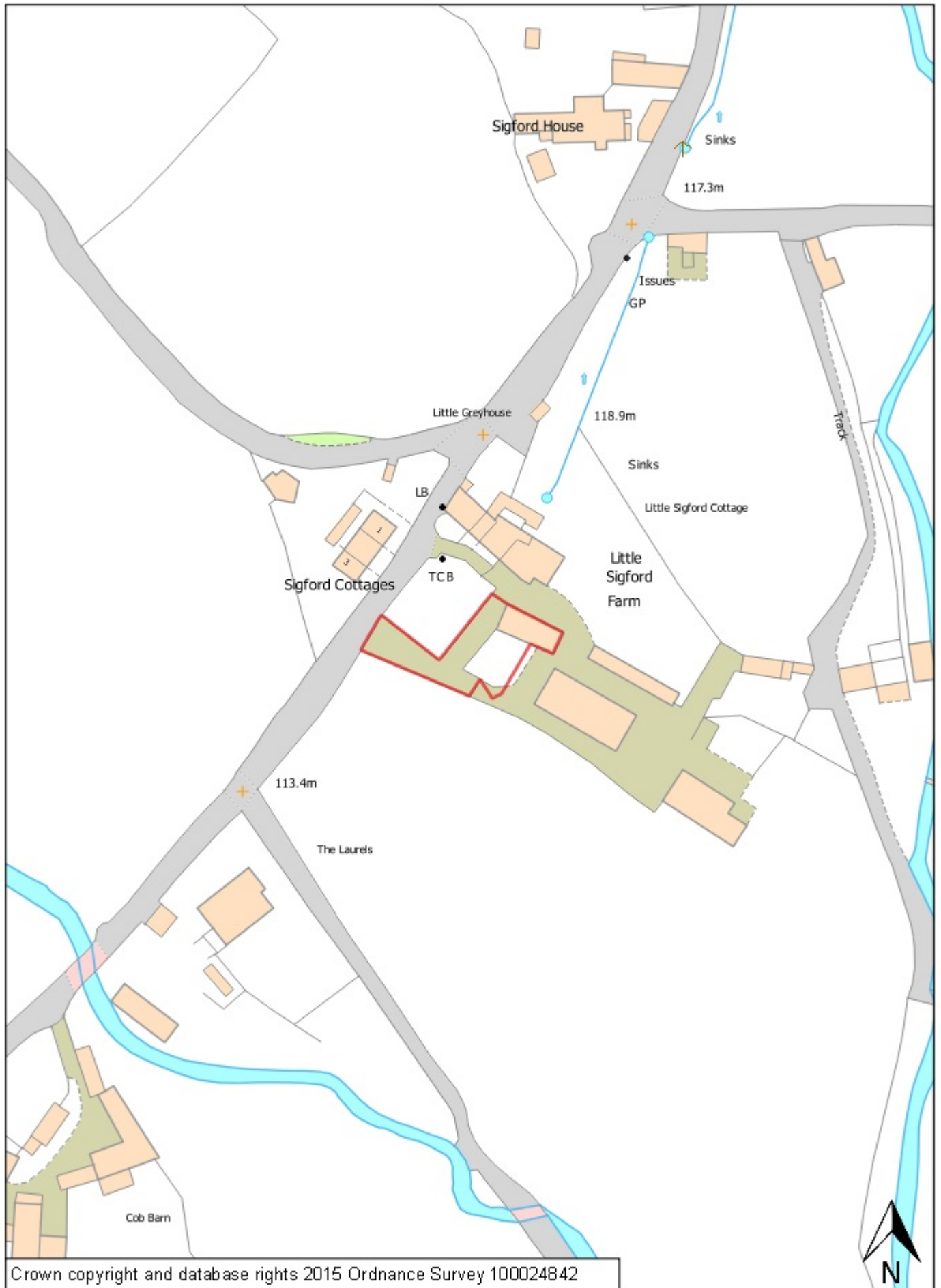
The applicant has revised the plans in response to these comments, omitting the conservation roof lights from the principal elevation and siting three on the rear elevation only. The Building Conservation Officer has expressed some concern about the justification for the position and nature of roof lights for the agricultural building.

Officers consider that whilst it would be preferable to see a more utilitarian glazing solution considered, the rationalisation of conservation type roof lights to the rear elevation is considered, on balance, to be acceptable and will conserve the special heritage interest of the listed building and the significance of the wider group. Whilst officers are not able to insist on British slates, condition 2 requires a sample to be submitted and agreed.

Little Sigford Farm, Sigford - 0114/16



Scale 1:1,250



4. Application No: **0114/16** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission - Householder** Parish: **Ilington**
Grid Ref: **SX77738** Officer: **James Aven**
Proposal: **Retrospective application for the provision of annex accommodation**
Location: **Little Sigford Farm, Sigford**
Applicant: **Mr J Prior**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposal by reason of its scale, design and incremental development would result in the creation of an independent unit of residential accommodation outside a recognised settlement which does not meet an identified need for affordable housing to meet local needs or a need relating to an agricultural worker or other essential rural business, contrary to the Dartmoor National Park Core Strategy Development Plan Document in particular policies COR2 and COR15 and policies DMD1a, DMD1b, DMD9, DMD26 of the Development Management and Delivery Development Plan Document and the advice contained in the English National Parks & The Broads UK Government Circular 2010 and the National Planning Policy Framework 2012.

Introduction

The application site is located approximately 3km north east of Ashburton in the open countryside. The building subject to this application is a detached outbuilding that takes the form of a two-storey period stone barn with slate roof. The application site lies within a valley basin and the building itself is set back around 23 metres from the road beyond the gardens of properties adjacent to the site. The building is partially visible from viewpoints along the public road to the west.

This application seeks retrospective permission for an extension to the ancillary accommodation provided within the detached barn in the grounds of Little Sigford Farm and is in effect, a re-submission of application ref. 0300/13 that was refused by Committee in December 2013.

This application was brought before the Committee in view of the comments of the Parish Council.

Planning History

0300/13	Retrospective application for extension to ancillary accommodation Full Planning Permission - Householder	Refused	10 December 2013
0208/13	Change of use from carport parking to living space within annex Full Planning Permission - Householder	Withdrawn	12 June 2013
0175/12	Demolish existing range of agricultural buildings and replace with single agricultural building (27m x 10m)		

	Full Planning Permission	Grant Conditionally	17 May 2012
0563/06	Conversion of derelict barn to provide ancillary accommodation to farmhouse		
	Full Planning Permission	Grant Conditionally	20 September 2006

Consultations

Teignbridge District Council:	Does not wish to comment
County EEC Directorate:	No objection
Environment Agency:	Flood risk zone 1 - Stasnding advise applies

Parish/Town Council Comments

Illesington PC:	Support; to keep a farming family on the farm to support local business and give the development an agricultural tie.
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Relevant Development Plan Policies

- COR1 - Sustainable Development Principles
- COR15 - Providing for limited new housing to meet local needs
- COR4 - Design and sustainable development principles
- COR9 - Protection from and prevention of flooding
- DMD1a - Presumption in favour of sustainable development
- DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
- DMD25 - Ancillary residential development
- DMD4 - Protecting local amenity
- DMD9 - The re-use and adoption of historic buildings in the countryside

Representations

5 letters of support

The letters of support states that it is important to make it possible for the next generation to live and contibute to local life and to sustain a balance in the community to ensure its survival. They consider the barn to have been sympathetically converted and that its use by a local family is preferable to being converted to a holiday let.

Observations

BACKGROUND

Permission was granted in 2006, ref. 0563/06, for the conversion of the eastern most third of this barn to provide ancillary accommodation to the farmhouse. Work has since been carried out to change the use of the barn from an agricultural building into a three-bedroom dwellinghouse that is completely different to the 2006 permission.

This permission had an occupancy condition attached requiring that "the unit hereby approved shall be used solely as additional living accommodation in connection with, and ancillary to the existing dwelling and shall not be used, let or otherwise disposed of as a separate unit of accommodation."

An application submitted in April 2013, ref. 0208/13, sought permission to convert the final western third of the barn and showed the middle section as having already been converted. No permission had been granted for the conversion of this part of the building or the new openings that had been created. This application was subsequently withdrawn to allow the applicants an opportunity to address the unauthorised part of the existing development.

A subsequent application submitted in June 2013, ref. 0300/13, that sought retrospective permission for the “extension to ancillary accommodation”, incorporating all the works that had been carried out, was refused at the Development Management Committee meeting in December 2013 for two reasons:

1. The proposal by reason of its scale, design and incremental development would result in the creation of an independent unit of residential accommodation outside a recognised settlement which does not meet an identified need for affordable housing to meet local needs or a need relating to an agricultural worker or other essential rural business, contrary to Development Plan policies, and
2. The proposed physical alterations to the building would have a harmful cumulative impact on the character and appearance of the building and the surrounding area, contrary to policies.

Following the refusal of planning permission in December 2013, the Committee considered an enforcement report at its meeting in July 2014 and resolved to authorise the appropriate legal action to secure the cessation of the use of the building as a separate unit of residential accommodation.

An enforcement notice was subsequently issued in August 2014 that was upheld on appeal in July 2015.

THE PROPOSED DEVELOPMENT

The building the subject of this application has not been converted in accordance with the originally approved scheme (ref: 0563/06), having a different design and layout. As such, the original permission is not considered to have been implemented and it follows that no part of the conversion is authorised.

The original conversion approved in 2006 provided 44.4 square metres of ancillary accommodation, arranged over two floors and providing a sitting room with toilet on the ground floor and one bedroom and bathroom on the first floor.

The building, as converted, now provides approximately 120 square metres of accommodation, comprising three ensuite double bedrooms and a family bathroom on the first floor and a living room, kitchen/diner, toilet and shower room on the ground floor. It should be noted that this is more than would be allowed for an affordable dwellinghouse and considerably more than would be considered appropriate or necessary as ancillary accommodation.

The enlarged living accommodation has also resulted in a number of unauthorised alterations to the external appearance of the building, including the addition of a porch to the front of the building, an additional ground floor window to what has become the living room, three additional roof lights serving the two new bedrooms and landing area and a change in the design of two windows on the rear elevation that have been split horizontally to provide light to the first floor landing and ground floor rooms. These alterations add to the domestic appearance of the building and detract from the character of the barn which has a simple,

traditional form borne out of its agricultural origins.

However, the works are claimed to have been carried out in 2007/08 and a review of the Authority's aerial photographic record from 2010 appears to confirm that the porch and rooflights were in place at that time. As such, these works to the building are immune to enforcement action having taken place more than four years ago.

POLICY

The provision of ancillary residential accommodation is addressed specifically under Policy DMD25, which allows for accommodation to provide a degree of independence from the main dwelling. The supporting text for this policy explains clearly that it is not the intention of the policy "to facilitate a process of incremental development and increasingly independent occupation, such that a new independent dwelling becomes established over the course of time." The National Planning Policy Framework (NPPF) seeks to avoid the creation of new dwellings outside of defined settlements and this aim is reflected in the policies of the Authority.

The submitted plans, planning history and correspondence with the Parish Council, the applicants and agent indicate that the building is occupied by the applicant's son and his family, independently of the main dwelling. Irrespective of how the property is currently used, the building as converted offers all the facilities necessary for human habitation without any reliance on the main dwelling. Whilst ancillary accommodation can be self-contained, the accommodation proposed goes beyond the scope of being ancillary to the main dwelling and is tantamount to the creation of a separate new dwelling in the countryside, contrary to Local and National planning policy.

The comments regarding the personal circumstances of the applicant's family are noted; however the decisions of the Local Planning Authority must be based on the use of land and not the personal circumstances of particular applicants.

The policy objection to a separate dwelling was made clear to the owner back in 2006 at the pre-application advice stage.

AGENTS COMMENTS

The applicant's agent states that the conversion and provision of ancillary accommodation provides a number of benefits. Firstly, there is a clear family link. Secondly, is the dependent link. The applicant's mother and father, whilst residing in the principal farmhouse, are elderly and having close family in the vicinity is, they state, beneficial. Thirdly, the conversion provides local housing for local people who work in the locality.

This is an application for annex/ancillary accommodation and not a farm workers dwelling nevertheless, the agent does state that the applicant is engaged in agriculture, developing an intensive beef enterprise. A labour calculation has been undertaken and whilst the results of the calculation have identified that the scale of the activity based on standard data is below a full time level, it is equivalent to 0.86 units and still of a reasonable scale.

In considering agricultural need, thought, they state, must be given to the functional need test. Animal welfare is of paramount importance and in this case the need relates to young animals susceptible to disease and injury and the fact they are housed all year round intensifies the risk. With the occupier as the key employee residing off the holding, they believe the proper

functioning of the business would be affected.

IMPACT ON RESIDENTIAL AMENITY

The proposed conversion to residential use of the remainder of the outbuilding would not present any significant harm to the current levels of privacy and residential amenity enjoyed by nearby residents. The proposal would afford a sufficient level of privacy and residential amenity to occupants of the building. There have not been any objections raised by nearby residents through public representation.

CONCLUSION

Permission has previously been granted for the use of a smaller part of this barn as ancillary accommodation and an application on similar lines is likely to be supported. However, the development currently proposed would result in the creation of a large unit of residential accommodation of comparable scale to a three-bed dwelling, physically detached from the main house and offering all the facilities necessary for human habitation without any reliance on the main dwelling.

From a Development Management perspective, this is tantamount to the creation of a new unrestricted dwelling in an unsustainable location in the countryside, for which there is no planning policy support. The applicant's personal circumstances are noted however, this is not an application for a farm workers dwelling and these circumstances cannot be the basis for a planning decision. The proposal is therefore contrary to locally adopted planning policy and the advice contained in the National Planning Policy Framework.

STEPHEN BELLI

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

1 July 2016

CONSULTATIONS BY NEIGHBOURING LOCAL AUTHORITIES

Report of the Head of Planning

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

1	Grid Ref:	SX816750	District/Borough:	Teignbridge
	Officer:	Alex Gandy	Parish:	Ilsgivington
	Proposal	Change of use of land to four gypsy pitches including mobile homes and touring caravan		
	Location	Land opposite Chapel Lane, off Old Liverton Road		
	Response:	NO OBJECTIONS		

It is considered the change of use of this land, bounded by woodland on two sides, adjacent to existing development to the south and with good access to the A38, for use as a gypsy caravan site will have limited impact on the wider landscape setting of the Dartmoor National Park. The proposal would likely assist in relieving pressures for such development along the A38 corridor in the National Park.

It is considered the proposed development will not have a prejudicial effect on National Park interests and NO OBJECTION is raised.

STEPHEN BELLI

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

01 July 2016

APPEALS

Report of the Head of Planning

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

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

1 Application No: W/15/3139886 District/Borough: West Devon Borough
Appeal Type: Refusal of Full Planning Permission Parish: Buckland Monachorum
Proposal: Demolition of existing dwelling and change of use from agricultural to domestic curtilage to erect new dwelling plus vehicle access
Location: **Higher Lake Farm, Lake Lane, Dousland**
Appellant: **Mr M Williams**
Decision: **DISMISSED**
APPLICATION FOR AWARD OF COSTS REFUSED

2 Application No: W/15/3140275 District/Borough: South Hams District
Appeal Type: Refusal of Full Planning Permission Parish: South Brent
Proposal: Renovation and alteration to dwelling
Location: **Lydia Mill, Lydia Bridge, South Brent**
Appellant: **Mr R Brighthouse**
Decision: **ALLOWED**

3 Application No: W/16/3144095 District/Borough: Teignbridge District
Appeal Type: Refusal of Full Planning Permission Parish: Ashburton
Proposal: Change of use from domestic ancillary to B1 business use
Location: **26 St Lawrence Lane, Ashburton**
Appellant: **Mr M Bartram**
Decision: **ALLOWED**

4 Application No: W/16/3144531 District/Borough: West Devon Borough
Appeal Type: Condition(s) Imposed Parish: Mary Tavy
Proposal: Alterations to existing agricultural barns to form holiday cottages and games

Location: room for use incidental to the residential use of Wringworthy Farm House
Wringworthy Farm, Mary Tavy
Appellant: **Mrs A Roberts**
Decision: **PART DISMISSED PART ALLOWED**

5 Application No: Y/16/3144533 District/Borough: West Devon Borough
Appeal Type: Condition(s) Imposed Parish: Mary Tavy
Proposal: Alterations to existing agricultural barns to form holiday cottages and games room for use incidental to the residential use of Wringworthy Farm House
Location: **Wringworthy Farm, Mary Tavy**
Appellant: **Mrs A Roberts**
Decision: **ALLOWED**

6 Application No: Y/15/3140279 District/Borough: South Hams District
Appeal Type: Refusal of Listed Building Consent Parish: South Brent
Proposal: Renovation and alteration to dwelling
Location: **Lydia Mill, Lydia Bridge, South Brent**
Appellant: **Mr R Brighthouse**
Decision: **ALLOWED**

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

1 Application No: W/16/3149865 District/Borough: Teignbridge District
Appeal Type: Refusal of Full Planning Permission Parish: Ilsington
Proposal: Erection of storage shed; retention of small storage building and bird hide plus creation of new track
Location: **land to west of Liverton at Lounston**
Appellant: **Mr S Bickley**

STEPHEN BELLI

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

01 July 2016

ENFORCEMENT ACTION TAKEN UNDER DELEGATED POWERS

Report of the Head of Planning

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

(For further information please contact James Aven)

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

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- | | | |
|---|---|---|
| 1 | Enforcement Code: ENF/0025/15 | District/Borough: Teignbridge District |
| | Grid Ref : SX694808 | Parish : North Bovey |
| | Breach : Unauthorised field shelter | |
| | Location : Headland Warren Farm, North Bovey | |
| | Action taken /
Notice served | Enforce |
-
- | | | |
|---|--|---|
| 2 | Enforcement Code: ENF/0047/16 | District/Borough: West Devon Borough |
| | Grid Ref : SX515686 | Parish : Buckland Monachoru |
| | Breach : Erection of close boarded fence and summerhouse in rear garden | |
| | Location : The Brake, Harrowbeer Lane, Yelverton | |
| | Action taken /
Notice served | No further action taken |
-
- | | | |
|---|---|---|
| 3 | Enforcement Code: ENF/0215/15 | District/Borough: Teignbridge District |
| | Grid Ref : SX771762 | Parish : Ilsington |
| | Breach : Erection of shepherds hut /timber structures on agricultural land | |
| | Location : Land at Bracken Ridge, Smokey Cross, Haytor | |
| | Action taken /
Notice served | Enforce |
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