

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

25 June 2021

APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Report of the Head of Development Management

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0093/21 - land to the west of Fingle House, Crockernwell



Scale 1:2,500



1.

Application No: **0093/21** District/Borough: **West Devon**

Application Type: **Outline Planning Permission** Parish: **Drewsteignton**

Grid ref: **SX75129238** Officer: **Phil Twamley**

Description: **Creation of 10 dwelling houses and associated works**

Location: **Land to the west of Fingle House, Crockernwell, EX6 6NA**

Applicant: **Mr P Nickells, SAS (Europe) Ltd**

Recommendation: **That permission be REFUSED**

Reason(s) for Refusal:

- 1. The proposal is located in open countryside outside of a designated settlement in an area where the Authority would only permit residential development which is necessary in the interests of agriculture or an established rural business. There is no over-riding justification or specific evidenced need for the provision of residential development in this location. The proposal is contrary to the Dartmoor National Park Development Plan in particular policies COR1, COR2, COR15 and DMD23 and to the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2019.**
- 2. The lack of footways adjoining the carriageway through Crockernwell, formerly the A30, now a C class highway, will lead to instances of pedestrians generated by the development, possibly using mobility buggies, having to use the carriageway which is prejudicial to the existing condition of highway safety and is neither safe nor suitable for all users as required by paragraphs 108 and 109 of the National Planning Policy Framework 2019.**

1 Introduction

The site lies to the immediate west of the settlement of Crockernwell on the northern side of the former A30 which runs through the village. The application seeks outline planning permission for the erection of 10 dwellings with all matters reserved for later submission.

2 Planning History

0394/20	Creation of retirement accommodation (18 houses) and associated works		
	Outline Planning Permission	Refused	19 November 2020

0626/15	Erection of eight home/work units and two storage/commercial buildings Outline Planning Permission	Withdrawn	27 January 2016
3.9.1992/118	Tunnel type barn Other		

Granted by WDBC 03 February 1992

3 Consultations

3.1 **Environment Agency** Flood Risk Zone 1 - Standing advice applies

3.2 **WDBC** Does not wish to comment

3.3 **County EEC Directorate** Objection

3.3.1 A similar development proposal was the subject of a pre-application consultation with the planning authority, Dartmoor National Park, in May 2019. The highway authority made the following response to the pre-application consultation and this response applies equally to the subject of this planning application.

3.3.2 The existing access is not ideally located within the frontage to optimise visibility in the trailing traffic direction (to the East). The proposed access should be re-located within the frontage to provide appropriate sight lines of 2.4 metres by 43 metres in both directions and the existing access closed to vehicles. This aspect could be satisfactorily addressed by a suitably worded condition as the application is in outline form with all matters reserved.

3.3.3 Of much greater concern, however, when considering this type of development in this location is the complete lack of footways in the vicinity of the site, meaning that pedestrians, potentially with mobility buggies, have to use the carriageway to get anywhere as a pedestrian. This inadequacy has to result in a recommendation to refuse planning permission on highway safety grounds, as the access is neither safe nor suitable for pedestrian traffic associated with and generated by the development.

3.4 **DNP - Trees & Landscape** No objection

3.5 **DNP - Ecology & Wildlife**

3.5.1 An ecological impact assessment (JL Ecology, August 2020) has been submitted. The survey methods, presentation of results and recommendations are satisfactory. Hedges and banks have some dormouse potential and could be used by nesting birds. Unmanaged grassland on part of the site could be used by reptiles. The two buildings on site to be demolished were externally assessed for use by bats and found to have negligible potential. The site is of limited potential for foraging bats. No other protected species constraint was noted.

3.5.2 Recommendations are made for precautionary working to protect dormice, nesting birds and reptiles. Suggestions have been made for biodiversity enhancement, in the form of swift nesting and bat roosting features. Given the scale of the development, I suggest further consideration is given to wildlife enhancement opportunities.

3.5.3 If permission is granted I recommend a condition requiring that a Construction Environment Management Plan (CEMP) and Landscape and Ecological Management Plan (LEMP) (or their equivalent) are submitted and approved to accompany the approval of reserved matters around final layout and landscaping.

4 Parish Council Comments

- 4.1 Drewsteignton Council object as the Council believe that the site is unsuitable for this level of development as Crockernwell does not have the services or infrastructure to support it, i.e., no GP surgery, and the Council also believe that the access to the site is unsuitable for a development of this scale.

5 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
COR7	Providing for the conservation of Dartmoor's varied plant and animal life and Geology
COR12	Meeting the need for local infrastructure, community facilities and public services
COR14	Meeting the infrastructure requirements of new development
COR15	Providing for limited new housing to meet local needs
COR18	Providing for sustainable economic growth
COR21	Dealing with development and transport issues in a sustainable way
DMD1a	Presumption in favour of sustainable development
DMD1b	Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD2	Major Development
DMD3	Sustaining the quality of places in Dartmoor National Park
DMD4	Protecting local amenity
DMD5	National Park Landscape
DMD7	Dartmoor's built environment
DMD14	Biodiversity and geological conservation
DMD19	Sustainable Communities
DMD23	Residential development outside Local Centres and Rural Settlements
DMD38	Access onto the highway

6 Representations

4 objections / 2 general comments

- 6.1 The Authority has received objections relating to the proposal, with concerns including the adverse impact on the character and appearance of the area, the lack of local infrastructure, highways safety for pedestrians and from additional vehicles, the development being outside of designated settlements, and the loss of agricultural land and buildings.

- 6.2 A further two comments included observations relating to the legal right of access over the track on site, the ecology present, and ecological enhancement through swift boxes and hedgehog holes / routes should permission be granted.

7 Observations

7.1 MAJOR DEVELOPMENT TEST

- 7.1.1 Paragraph 172 of the National Planning Policy Framework 2019 (NPPF) states that planning permission should be refused for major developments in National Parks except in exceptional circumstances and where it can be demonstrated they are in the public interest. This is reiterated in policy DMD2 of the Local Plan.
- 7.1.2 Policy DMD2 states that planning permission will not be granted for major development unless after rigorous examination it can be demonstrated that there is an overriding public benefit which outweighs National Park purposes, and the development cannot be reasonably accommodated in any other way.
- 7.1.3 The determination of whether a proposal amounts to 'major development' is a matter of planning judgement to be decided by the decision maker. It is not synonymous with the definition of a 'major planning application', but rather whether the development could be construed as major development in the ordinary meaning of the word having regard to the character of the development in its local context. Recent headline applications for major developments in England's National Parks include fracking, power line infrastructure and quarrying.
- 7.1.4 Having regard to the character, nature, and scale of the proposed residential development, and taking the local circumstances and context into account, it is not considered to be a 'major development' under paragraph 172 of the NPPF.

7.2 PRE-APPLICATION ADVICE

- 7.2.1 Planning advice was provided in 2019 (Ref. PRE/0109/19) for the proposed 'removal of two redundant barns and redevelopment of the site for housing for the over 55s - total 17 units with a plant and equipment store, and warden accommodation. Dwellings to be built to Passivhaus construction.' It was advised that Officers would be unlikely to support a proposal as presented as our policies do not support open market dwellings in the open countryside or the unjustified loss of the existing business use.
- 7.2.2 Planning application ref 0394/20 proposed the removal of redundant barns and erection of 18 open market sheltered housing dwellings and 1 x warden accommodation. The outline application was refused on 19 November 2020.

7.3 PRINCIPLE OF DEVELOPMENT

- 7.3.1 The proposed site is an agricultural field containing two barns to the west of Crockernwell. The site is located outside of a designated settlement as defined by policy COR2 in the Development Plan.

- 7.3.2 Paragraph 3.17.4 of the Plan states that 'Crockernwell is not a designated settlement in the Core Strategy meaning that, for planning purposes, it falls under policy principles applying to the open countryside'.
- 7.3.3 While the site lies on the edge of the village of Crockernwell there is no defined housing need to support an exceptional permission for residential development (affordable housing) in this location.
- 7.3.4 Policy COR1 establishes the requirement for all development to be undertaken in a sustainable manner.
- 7.3.4 Policy DMD23 indicates the circumstances in which housing will be permitted in this location, being outside Local Centres and Rural Settlements.
- 7.3.5 These are:
- (a) it is required for an agricultural holding, a forestry enterprise or a rural based business; or
 - (b) the proposal comprises the conversion of an existing building to an affordable dwelling and the conversion is compliant with policy DMD9 (conversion of non - residential buildings outside of a settlement)
 - (c) the proposal comprises low impact residential development and is compliant with policy DMD30 (low impact residential development in the countryside)
- 7.3.6 The application does not accord with any of the above criteria.
- 7.3.7 The key policies of the emerging Local Plan for Dartmoor still have objections of some significance to resolve prior to gaining significant weight in the determination of applications. Regardless of this, the emerging plan does not significantly alter the policy approach with regard to the application.
- 7.4 HIGHWAY ISSUES
- 7.4.1 Policies COR21 and DMD38 guide development to have particular regard to conserve and enhance highway safety.
- 7.4.2 The Highway Authority (DCC) has raised concern with both the existing access and the lack of footways in the vicinity of the site. Whilst the access arrangements could be made acceptable subject to negotiation and condition, the safety concerns related to the lack of footways present a significant cause for objection.
- 7.4.3 The lack of footways and concerns over safe pedestrian movement have led to a recommendation to refuse planning permission on highway safety grounds. The access is neither safe nor suitable for pedestrian traffic associated with and generated by the development.
- 7.5 ECOLOGY
- 7.5.1 An ecological impact assessment (JL Ecology, August 2020) has been submitted. The survey methods, presentation of results and recommendations are satisfactory. Hedges and banks have some dormouse potential and could be used by nesting birds. Unmanaged grassland on part of the site could be used by reptiles. The site is of limited potential for foraging bats. No other protected species were noted.

Recommendations are made for precautionary working to protect dormice, nesting birds and reptiles. Suggestions have been made for biodiversity enhancement, in the form of swift nesting and bat roosting features. Should the application be granted, wildlife enhancement opportunities should be sought.

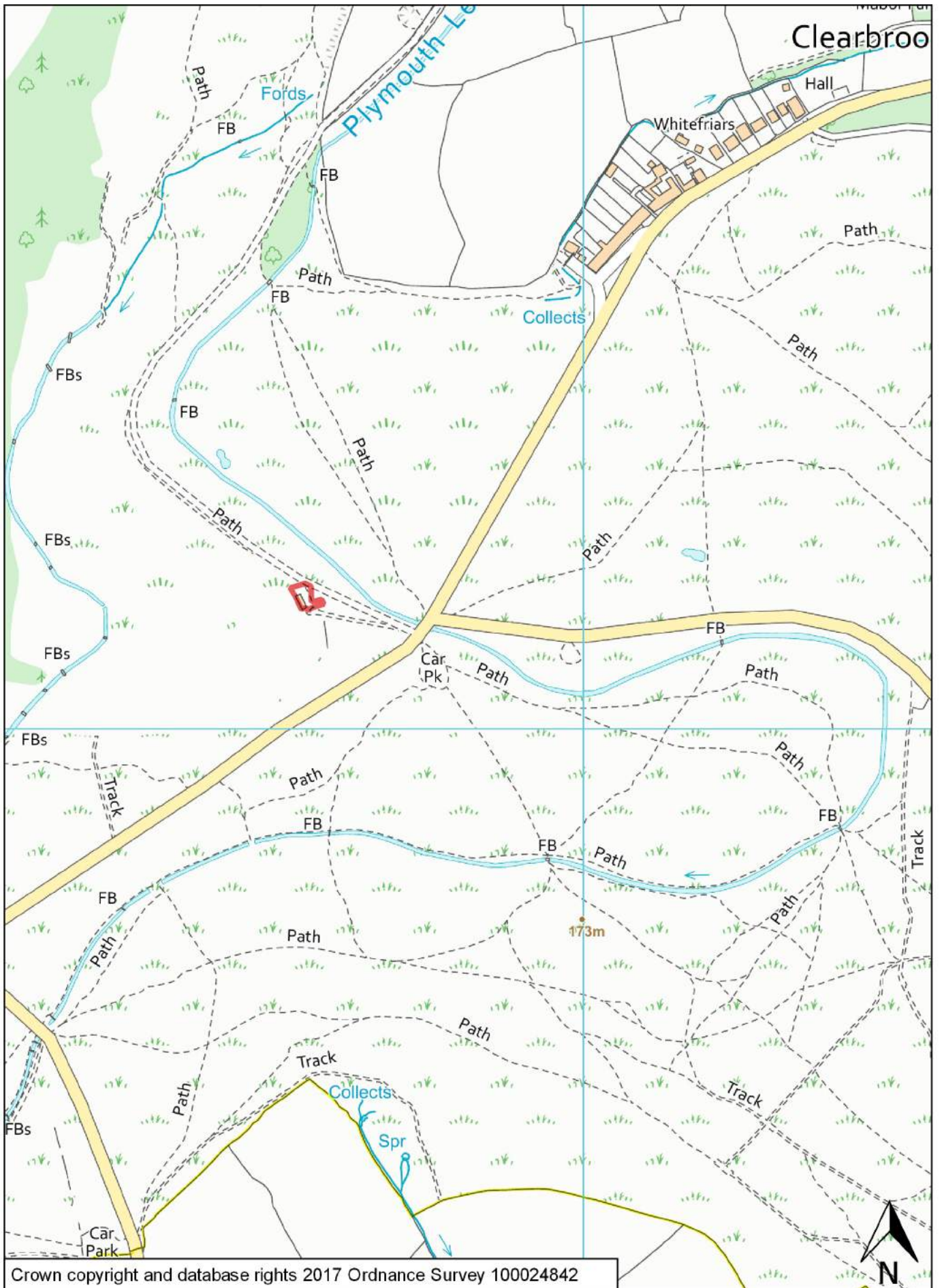
8 Conclusion

- 8.1 The proposal is located in an area where the Authority would only permit residential development which is necessary in the interests of agriculture or an established rural business. No over-riding justification for the provision of housing in this location has been provided to outweigh this policy position.
 - 8.2 The lack of footways adjoining the carriageway through Crockernwell, formerly the A30, now a C class highway, will lead to instances of pedestrians generated by the development having to use the carriageway which is prejudicial to the existing condition of highway safety and is neither safe nor suitable for all users as required by paragraphs 108 and 109 of the National Planning Policy Framework 2019.
 - 8.3 The proposal represents development in an unsustainable location with significant highways concerns and is considered contrary to the National Planning Policy Framework 2019 and the Dartmoor National Park Development Plan, in particular policies COR1, COR2, COR15, COR18, COR21, DMD23, DMD38.
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0050/21 - Tyrwhitt's Wharf, Yelverton



Scale 1:5,000



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2.

Application No: **0050/21** District/Borough: **West Devon**
Application Type: **Full Planning Permission** Parish: **Buckland Monachorum**
Grid Ref: **SX517651** Officer: **David Green**
Proposal: **Conversion of barn to create venue providing café, cycle hire, bike workshops and area for courses**
Location: **Tyrwhitt's Wharf, Yelverton**
Applicant: **Mr S Whitehead**
Recommendation: **That permission be GRANTED**

Condition(s)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with approved location plan drawing number 2013/01 received 2 January 2021 and amended drawings site plan 2013/02 rev B, floor plan 2013/07 rev B, elevation and cross section drawing 2013/08 rev B, SE and SW elevations 2013/09 rev B, NE elevation shutters and doors closed drawings 2013/10 rev B, door shutter drawings 2013/11 and chimney details 2013/12 received 27 May 2021.
3. The premises shall only be used as a cycle hub for bicycle rental and bicycle related activity centre and for no other purpose including any other use specified in Class E(C) (iii) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or any Order revoking and re-enacting that Order.
4. No works shall take place during the bird nesting season (1 March to 31 August, inclusive if nesting birds are found to present in the building).
5. At no times shall any external lighting be installed or used in association with the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority.
6. Notwithstanding the details submitted no removal of the roof trusses shall take place until full details for the roof structure and covering, including structural information, scale drawings and the location and details of the rainwater harvesting system (including above ground storage within the building) have been submitted to and approved by the Local Planning Authority in writing.
7. Notwithstanding the details submitted, full details of the external landscape works which shall include levels, details of all seating, cycle racks, any hard surfacing shall be submitted to and approved by the Local Planning Authority in writing. The external landscaping shall thereafter be retained as agreed by the Local Planning Authority.
8. Any repointing of the building shall be completed using techniques and materials so as to match the pointing on the existing building. If large areas of repointing are necessary, a sample panel shall be prepared for inspection by the Local Planning Authority.
9. No work shall commence on the development hereby permitted until a written scheme providing for an appropriately qualified archaeologist to carry out a full archaeological watching brief during all stages of the development has been

submitted to and approved in writing by the Local Planning Authority. The watching brief shall include all associated ground works, both internal and external, the laying of services and landscaping. The scheme, which shall be written and implemented at the applicant's expense, shall provide for the observation, recording and recovery of artefacts and post-excavation analysis. A full report detailing the findings shall be submitted to and approved in writing by the Local Planning Authority before the substantial completion of the development.

10. No external storage shall take place in connection with the use hereby approved.

1 Introduction

The barn is located 400m due south-west of the nearest house in Clearbrook, Yelverton and is located on Section 3 Moorland of Conservation Importance and on common land.

The application seeks permission to convert the barn to create a venue providing café, cycle hire, bike workshops and area for courses.

2 Planning History

0749/06	Construction of a cycle/walkway (renewal and amendments to existing permissions) Full Planning Permission	Grant Conditionally 20 December 2006
0765/99	Construction of cycle/walkway Full Planning Permission	Grant Conditionally 08 May 2000

3 Consultations

- 3.1 **Environment Agency:** Flood zone 1 - standing advice applies

3.2 County EEC Directorate

- 3.2.1 The site has no direct motorised vehicular access from the highway or off-street car parking within the control of the applicant, so any servicing or parking would have to use the existing off-street car park facilities in the area or park on-carriageway. The appropriate number of parking spaces proposed to serve new development is a matter for the planning authority to determine, but the highway authority need to be satisfied that any parking associated with or generated by a development will not prejudice highway safety, which has been assessed in this instance.
- 3.2.2 From representations received to the application and from observations on site (dating back several years), it is evident there are occasions when there are significant numbers of vehicles parked in the area generally; it is a popular location, particularly at certain times of the year.
- 3.2.3 On balance, however, the highway authority would be prepared to accept that the facility would predominantly cater for people already in the area rather than attract specific additional vehicle movements and, for that reason, there are no sustainable objections to the proposals from a highway safety point of view.

- 3.2.4 There are some references in the supporting documentation to the provision of brown 'tourist' signage on the highway from as far afield as the A38 (in the Description of Business document). The provision of signage would need to be the subject of separate consents from the appropriate highway authority (Highways England in the case of the A38, Devon County Council for all County roads) and any planning consent granted must not be construed as consent for additional on-highway signage.
- 3.3 **West Devon Borough Council:** Does not wish to comment.
- 3.4 **DNP - Ecology & Wildlife**
- 3.4.1 An Ecological Impact Assessment report (JL Ecology, January 2021 (Updated March 2021)) has been submitted. The building on which the works are proposed was deemed unsuitable in supporting roosting bats.
- 3.4.2 Breeding jackdaws had previously utilised the building.
- 3.4.3 There are records within 500m of the site for other protected and priority species, such as Nightjar and Dartford Warbler. The bramble, gorse and hawthorn scrub, situated c.10m to the north-west of the site, provides suitable nesting bird habitat for the species listed above this will be retained as part of the proposals.
- 3.4.4 Access to the proposed cycle hub will be from the north-east, directly off the existing cycle route 27, which is currently an ecological poor short-grazed pasture field. The majority of activities associated with the hub will be internal, with the exception of three external benches allowing visitors an outside coffee if weather permits (daylight hours only with no external lighting proposed).
- 3.4.5 The building is situated directly adjacent to the 9th tee of Yelverton Golf Course with the existing cycle route 27 directly to the east and Clearbrook Leat car park directly to the south, human presence is already high and it is predicted that 80% of trade will comprise of existing visitors already utilising the surrounding area. In the context of the proposals and current use of the surrounding landscape the direct and indirect impacts of the proposed cycle hub is deemed negligible on protected and priority species.
- 3.4.6 Suggested condition: No works shall take place during the bird nesting season (01 March to 31 August, inclusive) unless the developer has been advised by a suitably qualified ecologist that the clearance will not disturb nesting birds and a record of this kept.
- 3.5 **DNP - Building Conservation Officer:** The structural engineer's report recommends replacement of the roof timbers and the covering.
- 3.5.1 The slate has been covered with a cementitious material, it is unlikely that many of the slates could be reused. The report also requires a new wall plate resin anchored to the existing stone wall top, stitching with metal rods of the infill sections of wall, some replacement lintols and repointing of the masonry. All of these items need repair to bring the building back into use.

- 3.5.2 The proposed floor screed is only required for more intensive uses and is the only specific recommendation made in the structural report, which relates to the proposed use of the building. This would increase the protection to any below floor archaeology.
- 3.5.3 Alternatives to the demolition and replacement of the roof structure should be investigated. This is part of the history and architectural significance of the building and should be retained where possible.
- 3.5.4 The building is considered to be a non-designated heritage asset, in association with the Princetown to Sutton Harbour Tramway, a staging post for horses and is significant for its archaeological, architectural and historic interest. Further information on the site is set out on the Historic Environment Record for Dartmoor.
- 3.5.5 In addition to the Tramway and Wharf building dating to the 19th century a Roman road is located close to the site.
- 3.5.6 The building is an open and somewhat exposed position and is a feature within the landscape.
- 3.5.7 As a non-designated heritage asset the setting of the non-designated heritage asset is extensive. Proposals within this setting which have a negative impact on the setting will cause harm in addition to any negative impact on the fabric of building itself.
- 3.5.8 The proposal is a lesser scheme than that proposed at pre-application, it has a much less damaging impact on the building and the potential archaeology of the area. The building is in need of significant repair and in order to maintain the building once repaired a new use for the building is needed, there are a number of suitable new uses for the building, subject to amendment, the proposed use could be one of these acceptable uses.
- 3.5.9 The roof, replacement, repair to the walls and floor screed are discussed above. The greatest impacts of the proposal remain the servicing for the building. However, there are likely to be options to resolve these negative impacts.
- 3.5.10 The reuse of the existing flue for a wood burning stove would remove historic fabric and would likely result in an increased flue height and potentially changes to the design of the existing flue.
- 3.5.11 The water supply and drainage for the property and the levelling of the exterior ground levels and creating an area of gravel reinforced grass will have a potential negative impact on the archaeology and landscape of the moor.
- 3.5.12 Extract vents for the WC and/or kitchen should be directed through the new roof covering, with a flush vent to avoid alteration to the existing stonework.
- 3.5.13 The proposed windows should have a simple frame without glazing bars.
- 3.5.14 The kitchen equipment is shown to use LPG. A fireproof housing for the tanks is not shown within the building. An extension to house the tanks outside the building would not be acceptable.

- 3.5.15 Permanent benches should be located adjacent to the building, to minimise the impact on the setting of the building and on the landscape.
- 3.5.16 With amendment as set out, the proposals would be capable of minimising the harm caused to the building and landscape, which combined with the public benefit of the repair will secure the long term use of the building.
- 3.6 **DNP - Archaeology:** Tyrwhitt's Wharf is located within a rich multi-period archaeological landscape containing many features which include the Plymouth and Dartmoor Tramway which dates to the early 19th century and is associated with the building. Additional features in the vicinity of the site of the proposed development include a relict field system, possibly of medieval date and the line of a possible Roman road (HER No: MDV127259) which has been recently identified from LiDAR survey data. The potential for the presence of buried heritage assets which have no surface expression, including features associated with the use of Tyrwhitt's Wharf and that of the Plymouth and Dartmoor Tramway, is thus elevated.
- 3.6.1 Given the sensitivity of the proposed development site, an archaeological watching brief (standard condition X03) is recommended on all groundworks, including the levelling of ground in the vicinity the building and the installation of services both inside and outside such as the septic tank, soakaway and associated pipework.

4 **Parish/Town Council Comments**

- 4.1 Buckland Monachorum PC: The Parish Council objects to the proposal with the following comments:
- generally supportive of the idea but considered the development to be in the wrong location.
 - there are already issues with parking and that the proposal could be exasperated by the development.
 - it was a repetition of services that are already provided in the locality.
 - concern was raised about the path being a shared space for both pedestrians and cyclists. With an increase in cyclists this could prove detrimental to the use and enjoyment of the path by pedestrians.
 - the overall effect of an increased footfall to the area being damaging for the local environment and that Dartmoor National Park should be afforded suitable protection for the benefit of all.

5 **Representations**

- 5.1 70 letters of objection 50 in support 4 general comments
- 5.2 There have been 124 letters received of which 70 letters objected raising concerns on lack of parking, noise and disturbance, ecology, impact on existing businesses, loss of historic character, impact on the moor landscape, litter, and it is in the wrong location. However, 50 letters (excluding 5 submitted with the application) were received expressing support for the proposal. On the basis that it will provide cycling facilities for the less able, promote access to the moor, retain and preserve a historic building, provide repair and café facilities on the cycle route. There were also 4 general comment letters received which raised issues that could be

addressed in the application such as parking, impact on ecology and landscape harm.

6 Observations

6.1 THE SITE AND BARN

6.1.1 The barn is located 400m due south-west of the nearest house in Clearbrook, Yelverton and is located on Section 3 Moorland of Conservation Importance and on common land. It is located close to the 9th tee of the Yelverton golf course which lies on the south western flank of the Barn, and the National Cycle Route 27 which lies 15m to the north west of the barn. There is also a car park for approx. 33 cars located approx. 110 m to the east of the site on the other side of the road which leads to Clearbrook.

6.1.2 The application site consists of a single storey barn that has an internal floor area of approximately 57m². Access is via a grassed track from the road to the east of the barn. The ground up to the cycle track is open grassland and there are some bushes on the golf club side. The 2 sections of the 9th tee are on raised earth platforms to the rear (southwest) of the barn.

6.1.3 The building is a non-designated heritage asset. It is referred to as a wharf and was built in the early 1820's to serve as halfway point on the Princetown to Sutton Harbour tramway created by Sir Thomas Tyrwhitt. It served as a staging point for changing horses and also reputedly breakfast was served here to approx. 1000 people on the opening day of the tramway on 16 September 1823.

6.1.4 The building is currently unused. Whereas its walls appear reasonably sound, its roof is structurally in very poor condition. The central trusses are sagging and exerting horizontal pressures on the walls, the slates have been covered with a cementitious waterproofing compound and are leaking in places. The large openings on the ends have been infilled with matching rubble stone, most likely shortly after the tramway closed. The building also has 2 windows that have been infilled with blockwork which suggest that it was done quite recently. There is a large opening on the side of the building with large doors which are close to collapse.

6.1.5 Although the original sleeper blocks from the tramway are still in existence in many locations along its former route, there is no indication of them around the building.

6.2 THE PROPOSAL

6.2.1 The application proposes the primary use of the building as a cycle hub/bike rental and bike related activity centre which will be wholly contained inside the building. The centre will provide cycling facilities and services for the community and particularly for the less able individuals who may have difficulty riding a bike thus providing them with similar access to the cycle track as more able individuals.

6.2.2 As defined in the Town and Country Planning (Use Classes) Order 1987" (as amended), the application is for change the use of the barn to Class E(c)(iii) for the provision of services principally to visiting members of the public, and paragraph (iii) is the class which is most appropriate as it relates to "any other services which it is

appropriate to provide in a commercial, business or service locality”.

- 6.2.3 The principal use of the barn would be a not for profit, CIC (Community Interest Company) providing cycling facilities and services as a community interest operation providing cycle hire (to include specialist bikes suitable for less able people – adapted E-bikes etc), bike workshops and courses for individuals, school groups and community groups. It is also proposed to have a small internal café being ancillary to the primary enterprise of providing accessibility to cycling for all individuals. The application includes letters of support from Sustrans, British Cycling, Active Devon, Horrabridge Primary School and the Sports and Recreation officer at Plymouth City Council.
- 6.2.4 The new use will also result in the following changes to the existing building. It will have new, plain outward opening casement windows in the existing window openings. These will be hardwood with a matt clear protective oil finish. These windows will have shutters which will leave the barn looking much as it did originally.
- 6.2.5 The main entrance will have hardwood glazed doors with side panels. These glazed doors and side panels will be covered when closed with heavy timber doors on the outside that would resemble the existing doors. It is proposed that the name boards for the centre would be on the inside face of the external main entrance doors, visible when the doors are folded back but concealed when the doors are shut. When the hub is closed these shutters and doors will also provide security.
- 6.2.6 It is proposed that the internal wall surfaces will remain as exposed stone and that the space will be open to expose the underside of the roof. The WC cubicle and the counter will be self-supporting pods. This way the visitor will be able to perceive the building much as it would have been.
- 6.2.7 The cafe counter will be operated with LPG gas fired equipment which reduces the amount of electrical equipment mainly to lights and extraction fans which can be operated off a 12V system. It is proposed to install a wood burner to provide background heating during colder months and the flue will be within the existing chimney structure to ensure its impact on the external roof character is minimal. Within the building it is proposed to have a permanent history board telling visitors about Sir Thomas Tyrwhitt and the tramway he created, highlighting the building’s role as well as other surviving features nearby.
- 6.2.8 The surrounding area is semi-open moorland, but the presence of the barn, of the road and car park, of the raised golf club tee, of both the Devonport and Plymouth leats as well as the tarmac cycle track influence and alter the visitors’ perception of the location.
- 6.2.9 Externally, the existing gravel track will remain unchanged, but the space between the barn and the cycle route would remain in grass but be levelled and gravel reinforced. This would be the principle access to the building. The ground outside is more or less level with the inside of the building and therefore achieving disabled access will not require ground works of any significance. The remaining areas around the building will stay as grass. Three simple sturdy permanent external benches with timber tops on granite bases are proposed, as well as possibly a

heavy timber bike rack made from a log or a railway sleeper but no fencing or enclosure is proposed.

- 6.2.10 There is mains water 250m away but the ground disturbance to lay a supply pipe was considered to have an impact on the moorland ground, and therefore the applicants have provided an off-grid arrangement. It is proposed to store rainwater from the roofs in underground tanks, purify it and pump to the building instead. It is also proposed for the building to receive a small septic tank which will be buried underground to the north east of the barn. The surfaces will be carefully reinstated to the previous appearance after the tanks have been installed.
- 6.2.11 All the external elements will be moved indoors when the cafe is closed and the windows and main door opening will be closed with heavy timber shutters.

6.3 POLICY

- 6.3.1 Policy COR2(c) supports development outside of Local Centres and Rural Settlements in principle 'if it would sustain buildings or structures that contribute to the distinctive landscape or special qualities of the Dartmoor National Park, where those assets would otherwise be at risk and where development can be accomplished without adversely affecting the quality of those buildings or structures'.
- 6.3.2 The proposal maintains the building's original appearance and makes nominal changes to this appearance during opening hours only. Out of hours, with the shutters all closed the appearance is close to unchanged – especially in terms of contribution to and impact on the setting as it exists currently.
- 6.3.3 This is development that would help sustain the building, established as traditional and of local heritage value by its status as a non-designated asset, would therefore accord with this strategic approach. The existing building features crudely blocked up openings that will benefit from sympathetic conservation.
- 6.3.4 Policy COR18(e) establishes the policy approach for local employment and business opportunities outside the classified settlements by providing support for appropriate sustainable tourism and small scale recreation enterprises that are based on the intrinsic qualities of the Dartmoor National Park. In all cases, COR18 requires that full consideration is given to the use of existing buildings, particularly traditional buildings as presented. Appropriate tourism development that encourages healthy lifestyles and sustainable transport should be at the forefront of any proposal. This is a well-suited location for a cycle hub and cafe with community services alongside Route 27. Given the historic significance of the tramway and the route of which the cycle track uses in this area, this building is ideally suited. The daytime activity will include the congregation of people outside the building, but this is not very much more than the bustle of visitors already seeking recreation on the cycle route itself and on the nearby car park. The promotion of cycling increases the public's perception and enjoyment of the moor in a positive way that compensates for any impact the scheme may be perceived to have.
- 6.3.5 The cycling organisations consulted by the applicant feel that the aim to promote cycling and make it more accessible could be carried out very well from this site. It

is also considered to be a good example of a redundant traditional barn-like building with historical significance being given a new use and desperately needed maintenance to retain it as part of the built and landscape character of the National Park.

- 6.3.6 Policy DMD9 prioritises the conservation of Dartmoor's cultural heritage in the conversion or re-use of non-residential buildings outside of classified settlements. Any rural building conversion scheme must clearly demonstrate that it will conserve the special character and appearance of the existing building. The policy requires development proposals to demonstrate that the building is traditional within Dartmoor's built heritage, capable of conversion without need for substantial alteration or significant changes in the relationship with existing ground levels, that conversion works will be in-keeping with local building styles and materials and will not adversely impact rural character.
- 6.3.7 Significant historic and architectural elements have been incorporated into the design and the overall setting of the building has been sustained. The applicants have engaged in pre-application discussions with Officers and have also amended the scheme to ensure the historic and architectural elements of the building are retained.
- 6.3.8 The proposed café element has been revised from the pre-app discussions in 2020 following officer advice and is now a much smaller element of the scheme with no external impact in terms of tables and chairs, parasols, canopies, advertising sail flags and external paraphernalia that might ordinarily be associated with a café use and advertisement of the business use. This can also be ensured through the imposition of suitably worded conditions which could then be enforced. It is considered that the café element, subject to these conditions, will not adversely impact on the existing landscape character and the special character, setting and appearance of the heritage asset. Therefore, the external impact of the proposal as presented is considered to be acceptable.
- 6.3.9 DMD43 states that new tourism development and the expansion of existing tourism businesses will be permitted where:
- (i) the proposal will provide opportunities for visitors to increase their awareness, understanding and enjoyment of the special qualities of the National Park in a way that conserves or enhances those special qualities;
 - (ii) the proposal will not generate an increased level of activity, including noise, that would significantly detract from the experience of visitors and the quality of life of local residents;
 - (iii) the development can be satisfactorily accessed from the road network or by other sustainable modes of transport including public transport, walking, cycling or horse riding;
 - (iv) it will make use of an existing building. Proposals for new buildings will be expected to demonstrate that the facility cannot be satisfactorily accommodated within an existing building at the location.
- 6.3.10 The primary use of the building as a cycle hub/bike rental and bike related activity centre are considered to meet the above criteria, subject to the use being wholly contained inside the building as is presented by the proposal. The café can be supported as it is ancillary to the primary enterprise and has little or no external presence.

6.4 HIGHWAYS

6.4.1 The site has no direct access from the highway or off-street car parking. The highway authority accept that the facility would predominantly cater for people already in the area rather than attract specific additional vehicle movements. There are no objections to the proposals from a highway safety point of view.

6.5 ECOLOGY

6.5.1 The building was deemed unsuitable in supporting roosting bats. Breeding jackdaws have previously utilised the building.

6.5.2 The building is situated directly adjacent to the 9th tee of Yelverton Golf Course with the existing cycle route 27 directly to the east and Clearbrook Leat carpark directly to the south, human presence is already high and it is predicted that 80% of trade will comprise of existing visitors already utilising the surrounding area. The direct and indirect impacts of the proposed cycle hub is deemed negligible on protected and priority species.

6.5.3 A condition is included to ensure that no works shall take place during the bird nesting season.

6.6 ARCHAEOLOGY

6.6.1 The Authority's Archaeologist has no objection and has advised that, given the sensitivity of the proposed development site, an archaeological watching brief standard condition is recommended on all groundworks, including the levelling of ground in the vicinity the building and the installation of services both inside and outside such as the septic tank, soakaway and associated pipework.

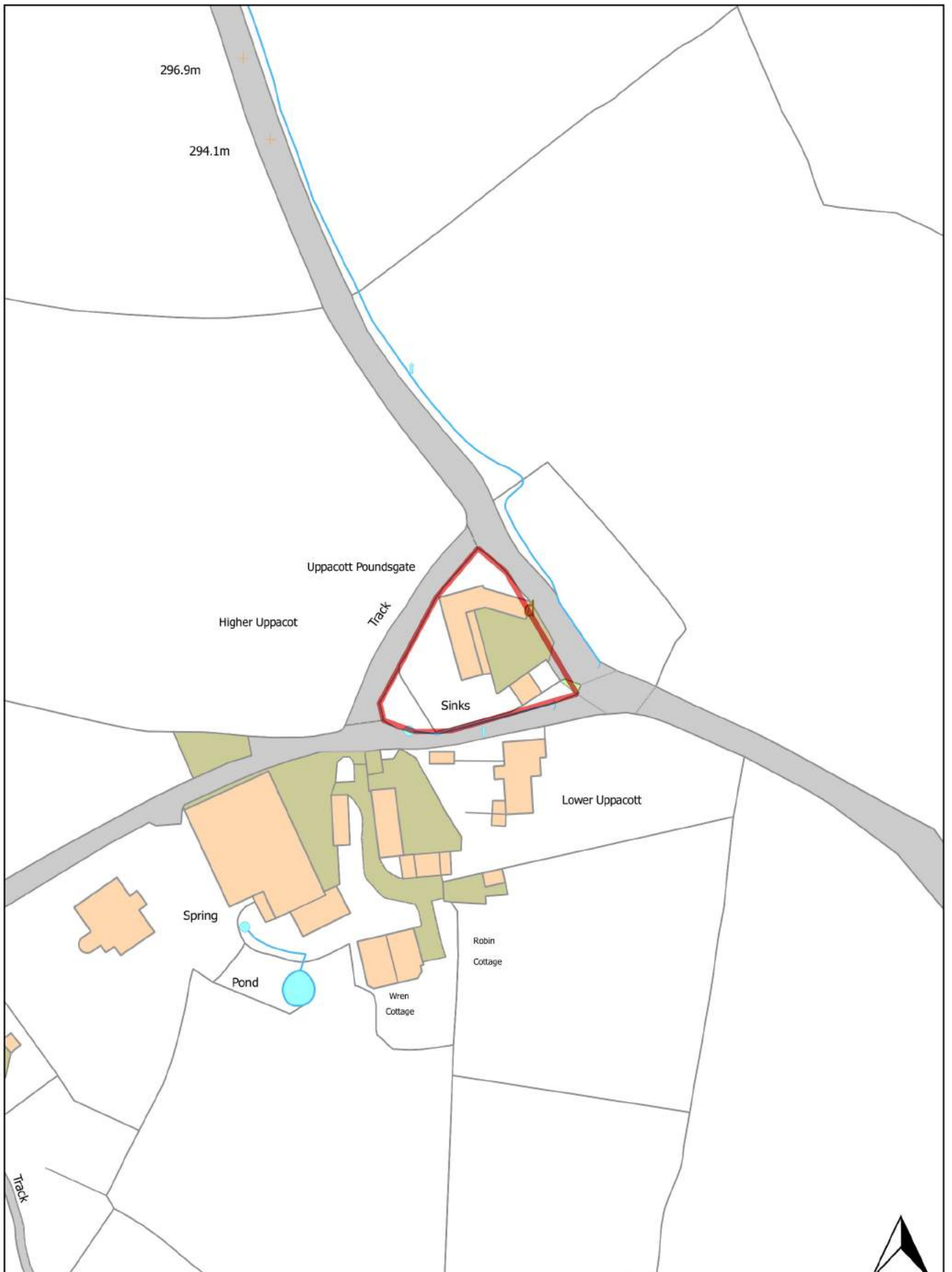
7 Conclusion

7.1 The proposed works facilitate a viable re-use of an important non-designated heritage asset. The intended use and proposed enhancement works are compatible with the historic importance of the building and relate well to the associated, well-used, cycleway in this location. In this location the level of activity is commensurate with the existing patterns of use and will not unduly impact on the amenity of nearby residents. The proposal is considered to be in accordance with planning policy and, as a consequence is recommended for approval.

0210/21 - Higher Uppacott, Poundsgate



Scale 1:1,250



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3.

Application No: **0210/21** District/Borough: **Teignbridge**
Application Type: **Listed Building Consent** Parish: **Widcombe-in-the-Moor**
Grid ref: **SX70137287** Officer: **Clare Vint**
Proposal: **Removal and replacement of doors and frames, two windows and cills**
Location: **Higher Uppacott, Poundsgate TQ13 7PD**
Applicant: **Dartmoor National Park Authority**
Recommendation: **That consent be GRANTED**

Condition(s):

1. The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.
2. The development hereby permitted shall be carried out in accordance with the site location plan, block plan and drawings numbered 427-7.DET.001, 427-7.DET.002, 427-7.DET.003, 427-7.e.003, 427-7.P.002, 427-7.P.004, 427-7.P.005, valid 30 April 2021.
3. The doors and doorframes shall receive a painted finish within one month of their installation.
4. The window opening treatment shall be maintained as natural rough sawn timber.

1 Introduction

- 1.1 This is an application for listed building consent on a grade I listed building, which is owned and managed by Dartmoor National Park Authority (DNPA). It relates to refurbishment works involving the replacement of windows and doors with more suitable alternatives.

2 Consultations

- 2.1 **Environment Agency:** Flood Risk Zone 1 – Standing advice applies
- 2.2 **Teignbridge District Council:** Does not wish to comment
- 2.3 **County EEC Directorate:** No highway implications

2.4 Historic England

- 2.4.1 On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation adviser.

3 Parish Council Comments

3.1 Widecombe-in-the-Moor Parish Council - no comments received.

4 Relevant Development Plan Policies

COR1	Sustainable Development Principles
COR3	Protection of Dartmoor's special environmental qualities
COR4	Design and sustainable development principles
COR5	Protecting the historic built environment
COR13	Providing for high standards of accessibility and design
DMD1a	Presumption in favour of sustainable development
DMD1b	Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD3	Sustaining the quality of places in Dartmoor National Park
DMD5	National Park Landscape
DMD7	Dartmoor's built environment
DMD8	Changes to Historic Buildings

5 Representations

5.1 No representations on the application have been received.

6 Observations

6.1 PROCEDURE

6.1.1 The Authority is able to decide its own listed building applications where:

1. The Authority has notified the 'Commission' and the National Amenity Societies of the application in accordance with any direction issued by the Secretary of State under section 15 (5) of the Planning (Listed Building and Conservation Areas) Act;
2. The Authority has not received an objection to the application from any of the above bodies within 21 days of the date of issue of the notice; and
3. The Authority proposes to refuse the application.

6.1.2 The relevant notification has been made, in this instance to the Commission (Historic England), with further notification to other National Amenity Societies not being required as the scale of the proposal is minor. No objection to the proposal has been raised by Historic England. Where there is no objection, the Authority may issue a decision on the application.

6.1.3 The case officer is the Authority's Building Conservation Officer, the specialist adviser on historic building conservation.

6.2 POLICY

6.2.1 Paragraph 189 of the National Planning Policy Framework 2019 (NPPF) states that in determining applications local planning authorities (LPAs) should require the applicant to describe the significance of any heritage asset and its setting to a level of detail which is proportionate to the asset's importance and sufficient to understand the scale of the work to be undertaken. This is reiterated in paragraphs 2.10.10-12 of the Development Management and Delivery Development Plan Document (DMD). The combined design and access statement, statement on the significance of the historic asset and the structural assessment (Combined Report) provides sufficient information in this regard.

6.2.2 Paragraph 190 of the NPPF requires LPAs to identify and assess the particular significance of any heritage asset that may be affected by a proposal. This is reiterated in Policy DMD8. The grade I listed building of Higher Uppacott is the sole heritage asset affected by the proposal. The significance of this building, in relation to the proposed development is identified within the Combined Report.

6.2.3 Paragraph 192 of the NPPF requires LPAs in their determination of applications to take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that the conservation of heritage assets can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness. These points are reiterated through the Development Plan policies. The proposal will provide:

- A visual enhancement to the window openings and cills to the WC;
- Permanent, secure natural ventilation to the WC, enhancing the evaporation of moisture which may collect in this room, promoting longevity of the building by minimising potential sources of damp; and
- A more appropriately detailed door to the barn conversion and to the house entrance door, enhancing the visual appearance and character of the building.

6.2.4 Paragraph 193 of the NPPF requires great weight to be applied to the asset's conservation, the more important the asset the greater the weight. The building is grade I listed, the highest grade for a listed building. The conservation of this building has been placed at the heart of this application, proposing to remove modern, less sympathetic windows, cills, doors and doorframes and to replace these with appropriately detailed designs.

7 The Proposal

7.1 Detail of proposal:

1. The removal of the existing c1960s windows and window cills to the existing WC, replacement of the windows with untreated rough sawn Douglas fir hit and miss boarding and slate cills, replacement of the WC and basin.

2. The removal and replacement of the modern door and doorframe to the converted barn, also known as 'the cottage'. The door and doorframe will have a painted finish.
3. The removal and replacement of the external door and doorframe at the access to the WC. The door and doorframe will have a painted finish.

8 Summary

- 8.1 The proposed alterations to the listed building are an enhancement and will preserve the fabric, character and appearance of the remainder of the building. The proposal is supported by the Planning (Listed Building and Conservation Areas) Act 1990 as amended, the National Planning Policy Framework Section 16, and Dartmoor Core Policies COR1, COR3, COR4, COR5, COR13, and Development Management Plan Policies DMD1a, DMD1b, DMD3, DMD5, DMD7 and DMD8.
- 8.2 The key policies of the emerging Local Plan for Dartmoor are subject to amendments proposed in the current consultation (until 19.7.21) on this Plan following objections to the wording, rather than the intent. Significant weight cannot be applied to these policies at this time. Regardless of this, the emerging plan does not significantly alter the policy approach with regard to the application.

9 Conclusion

- 9.1 The proposed alterations to the windows and doors in this grade I listed building are an enhancement and will preserve the fabric, character and appearance of the remainder of the building and provide a clear and justified public benefit to the designated heritage asset.
- 9.2 For those reasons outlined, the proposal is recommended for approval.

CHRISTOPHER HART