

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

7 October 2022

**Applications to be Determined by the Committee**

Report of the Head of Development Management

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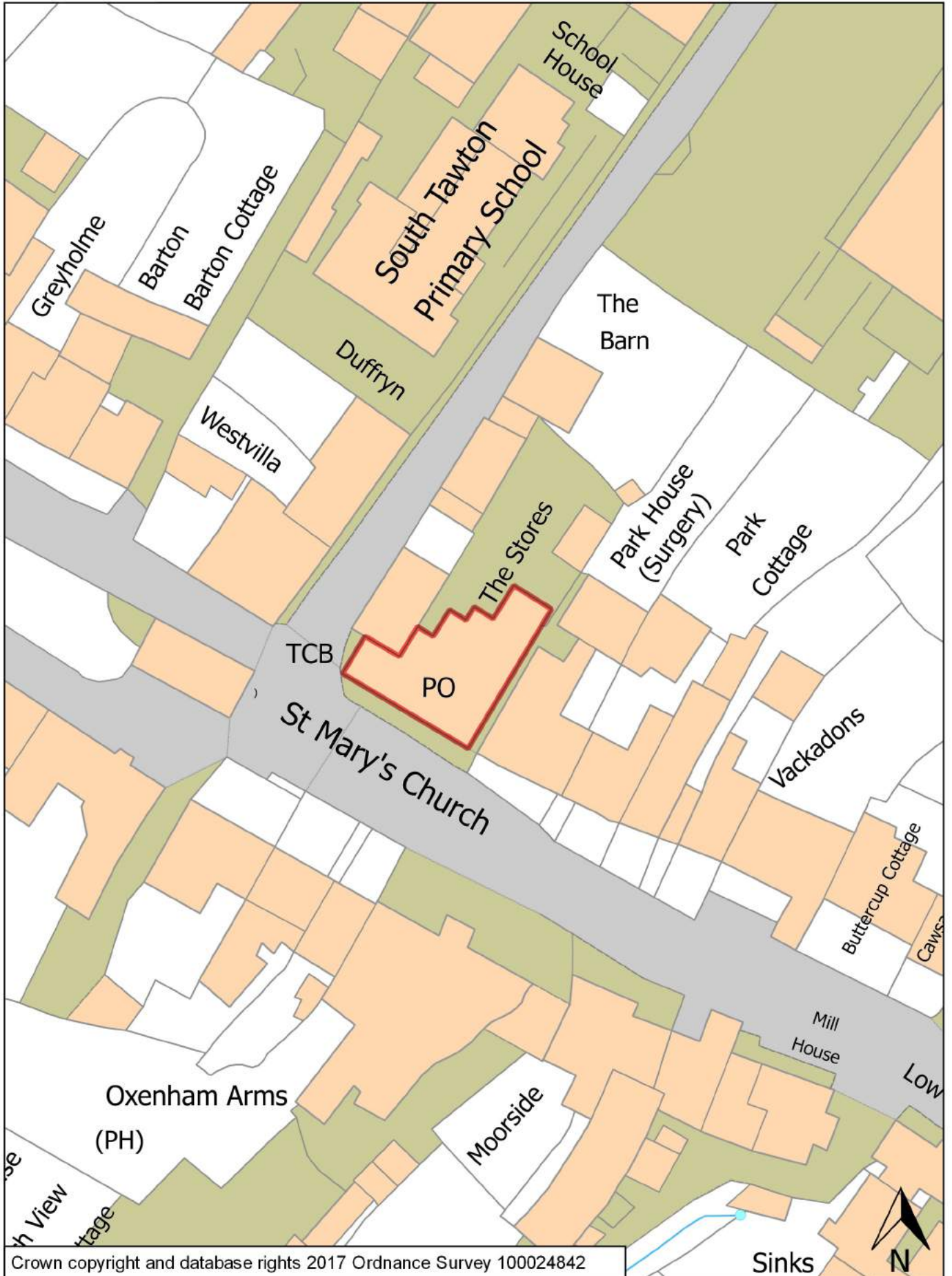
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# Dartmoor National Park Authority



0205/22 - The Stores, South Zeal

Scale 1:578



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## Item 1

Application No: **0205/22** District/Borough: **West Devon Borough**

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

Grid Ref: **SX651935** Officer: **Oliver Dorrell**

Proposal: **Change of use of shop, cafe and post office counter to residential accommodation as part of the existing dwelling**

Location: **The Stores, South Zeal**

Applicant: **Mr & Mrs Hill**

Recommendation: **That permission be REFUSED**

### Reason(s) for Refusal

1. The proposed development would result in the loss of the last general store and post office within the classified settlement of South Zeal which is identified as an important community service. It has not been demonstrated that the business has been offered for a realistic price for a period in excess of 12 months and there is evidence to indicate that the business is not currently being operated at its full potential. The proposed development would be contrary to the Dartmoor Local Plan, in particular policies SP1.1, SP1.2, SP4.1, SP5.1 and SP5.3, 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 2021.

## 1 Introduction

- 1.1 This application concerns the building known as 'The Stores' in South Zeal. The building is two storey comprising a shop, post office and café on the ground floor and residential accommodation above. It is grade II listed.
- 1.2 The site is located on the corner of the main village road and Tawton Lane in the centre of the village and the South Zeal conservation area. The chapel of St Mary's (grade II) is to the east and the Oxenham Arms pub (grade II\*) is opposite.
- 1.3 This application is brought to Development Management Committee for determination due to the level of public interest and policy implications. A decision was deferred at the Development Management Committee in July 2022 pending the outcome of an application to register the property as a community asset.

## 2 Planning History

- |         |  |
|---------|--|
| 0001/03 | Demolish old shed attached to kitchen wall and re-build kitchen, attach lean-to storeroom to kitchen and lean-to passage to connect two, first floor extension above existing kitchen<br>Full Planning Permission - Grant Conditionally - 11 February 2003 |
| 0002/03 | Demolish old shed attached to existing kitchen wall and re-build kitchen, attach lean-to storeroom to kitchen and lean-to passage to connect two, first floor extension above existing kitchen   |

0831/02	Listed Building Consent - Grant Conditionally - 11 February 2003 Alterations to front access to shop to create disabled ramp access and steps down to area adjacent to shop window
0830/02	Listed Building Consent - Grant Conditionally - 13 January 2003 Alterations to front access to shop to create disabled ramp access and steps to area adjacent to shop window
0746/02	Full Planning Permission - Grant Conditionally - 13 January 2003 Render front and west elevations with a single coat of lime render
0715/01	Listed Building Consent - Grant Unconditionally - 02 December 2002 Demolish shed/store attached to main building and rebuild as new kitchen, new bathroom and accommodation over existing kitchen, enclose area adjacent to back door to create office, stairs and store
0716/01	Listed Building Consent – Refused - 16 January 2002 Shop expansion, catering standard kitchen, office/store, new staircase and accommodation
3/26/221/98/07	Full Planning Permission – Refused - 16 January 2002 Removal of exterior render & internal alterations
3/26/252/97/07	Listed Building Consent - Grant Conditionally - 28 October 1998 Extension above annexe kitchen to provide office/study and new bathroom: provision of two new staircases; provision of toilet & washroom downstairs and alterations to doorways
3/26/253/97/03	Listed Building Consent - Grant Conditionally - 14 May 1998 First floor extension above annexe kitchen
3/26/028/97/04	Full Planning Permission - Grant Conditionally - 14 May 1998 To use central reception room as tea room (four tables seating sixteen)
3/26/201/96/07	Change of Use - Grant Unconditionally - 25 March 1997 Internal alterations
	Listed Building Consent - Grant Unconditionally - 15 October 1996

### **3 Consultations**

- 3.1 West Devon Borough Council - The Borough Council has designated the property as an Asset of Community Value.
- 3.2 County EEC Directorate - No highways objection
- 3.3 Environment Agency - Standing advice - flood zone 1
- 3.4 DNP - Building Conservation Officer - Refusal due to the negative impact caused to designated heritage assets contrary to the Planning (Listed Building and Conservation Areas) Act 1990 as amended, NPPF Section 16, PG on Historic Environment Local Plan and the Dartmoor Local Plan, Design Guide and South Zeal Conservation Area Character Appraisal.

## **4 Parish/Town Council Comments**

- 4.1 South Tawton PC - Object. The PC resolved not to support this application which is contrary to Dartmoor Local Plan Policy 4.1 supporting community services and facilities. The store is in a rural location with an elderly demographic, therefore, pivotal to local residents within and bordering the parish. If approved, this development will involve the total loss of community services and facilities. The applicant has not demonstrated that there is no community need for the store, and there are no equivalent provisions within the parish. The council has submitted an application to West Devon BC to request the store is made an asset of community value (since granted).

## **5 Relevant Development Plan Policies**

- 5.1 Strategic Policy 1.1 Delivering National Park purposes and protecting Dartmoor's Special Qualities.  
Strategic Policy 1.2 Sustainable development in Dartmoor National Park.  
Strategic Policy 1.3 Spatial Strategy.  
Strategic Policy 1.5 Delivering good design.  
Policy 1.7 Protecting local amenity in Dartmoor National Park.  
Strategic Policy 2.7 Conserving and enhancing heritage assets.  
Strategic Policy 3.2 Size and accessibility of new housing.  
Strategic Policy 4.1 Supporting community services and facilities.  
Strategic Policy 5.1 Non-residential Business and Tourism Development.  
Strategic Policy 5.3 Protecting Active Uses in Dartmoor's Settlements.

## **6 Observations**

### PROPOSAL

- 6.1 It is proposed to change the use of the shop, post office and café to residential use in association with the main dwelling. All rooms subject to the proposed change are on the ground floor. The proposed internal alterations are limited to the removal of the existing shop counter which is centrally located within the building. The shop sign and projecting blind are now intended to be retained.

### NATIONAL PLANNING POLICY

- 6.2 Paragraph 84 of the National Planning Policy Framework states that to support rural economies planning decisions should enable the retention and development of accessible local services and community facilities, such as local shops.
- 6.3 Paragraph 93 states that to promote healthy and safe communities planning decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs... and... ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community.
- 6.4 Paragraph 197 states that in determining applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets

- and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

## LOCAL PLAN POLICY

6.5 The following Local Plan policies are relevant in the assessment of this application:

Strategic Policy 1.1 Delivering National Park purposes and protecting Dartmoor's special Qualities

Strategic Policy 1.2 Sustainable development in Dartmoor National Park

Strategic Policy 1.3 Spatial Strategy

Strategic Policy 1.5 Delivering good design

Policy 1.7 Protecting local amenity in Dartmoor National Park

Strategic Policy 2.7 Conserving and enhancing heritage assets

Strategic Policy 3.2 Size and accessibility of new housing

Strategic Policy 4.1 Supporting community services and facilities

Strategic Policy 5.1 Non-residential Business and Tourism Development

Strategic Policy 5.3 Protecting Active Uses in Dartmoor's Settlements

Strategic Policy 1.2 seeks to support sustainable development by, amongst others, providing essential services and infrastructure, and promotes and enables travel by public transport, cycle or foot.

Strategic Policy 2.7 requires all development to conserve and/or enhance heritage assets and their settings through appropriate assessment of harm.

Strategic Policy 3.2 states that all new housing should meet and not significantly exceed nationally described technical housing standards.

Strategic Policy 4.1 and its supporting text states that existing community services and facilities including commercial enterprises such as shops, post offices and other Assets of Community Value will be protected and development involving the whole or partial loss of community services and facilities will only be permitted where evidence demonstrates: a) there is no community need; b) there is equivalent provision elsewhere which meets the community's needs; or c) the service and/or facility is not viable.

Strategic Policy 5.1 advises that existing business and employment sites and premises will be retained for economic uses and that where proposals involving the loss of existing employment sites and premises will be carefully assessed to ensure the National Park's business and industry needs would not be harmed by the proposal.

Strategic Policy 5.3 instructs that permission will not be granted within a classified settlement for a proposal that involves the loss of the last general store, shop or public house unless evidence submitted demonstrates the property has been offered for sale, rent and/or lease on the open market for the existing use or, in the case of Town Centres, main town centre uses, for a continuous period of at least 12 months, at a realistic price.

## PUBLIC COMMENTS

6.6 Sticklepath PC objects to the application. It states that the Post Office represents a community service and facility which should not be lost. This not only applies to South Zeal

but also to the communities which are served by the outreach post offices run by the South Zeal post office - Belstone, Sticklepath and Throwleigh. Sticklepath Parish Council object to the loss of a facility which is used by Sticklepath residents.

6.7 Number of objections: 61

Summary of issues raised:

- The shop and post office are a valuable community resource
- Elderly residents would be unduly harmed by loss
- Petrol price rise means local services required more than ever
- The stock levels have been depleted
- The site supports outreach post office in other villages
- The owner has lost enthusiasm
- The opening hours are too short/inflexible
- A house would result in more parking on road
- The asking price is too high
- No for sale sign on the building

6.8 Number of support: 4

Summary of issues raised:

- The residents do not provide enough custom
- Shop has been on market for a long time with no offers
- No issues with change to house

General observation: 1 - If the shop were open before 0900 it would increase custom.

#### ASSET OF COMMUNITY VALUE

6.9 West Devon Borough Council has taken the decision to list The Stores as an Asset of Community Value (ACV), following a nomination by South Tawton Parish Council.

6.10 An Asset of Community Value (ACV) is a building or other type of land which furthers the social wellbeing or social interests of the local community or could do so in the future. The Localism Act 2011 introduced a right for communities to bid for land or buildings which are determined by the Local Authority to be of community value.

6.11 An ACV listing does not place any restriction on what an owner can do with their property, once listed, if it remains in their ownership; however, they are unable to dispose of it unless certain conditions are met. Initially this involves the provision of a six-week interim moratorium period following notification of an intention to dispose to allow the community interest group to express an interest to be treated as a potential bidder for the site. If no request is made by a community interest group within the six-week interim moratorium period, the owner is free to dispose of the land at the end of the six-week period. If a community interest group makes a written request to be treated as a bidder for the listed land, the local authority must inform the owner that this request has been received and that the full six-month moratorium period will operate.

- 6.12 During the full moratorium period, an owner can continue to market their land and negotiate sales but cannot exchange contracts or enter into a binding contract to exchange contacts, except to a community interest group.
- 6.13 After the full moratorium period, the owner can dispose of land to whoever they choose.
- 6.14 This demonstrates a clear intention and desire within the community for the stores to be retained.
- 6.15 The fact that the site is listed as an ACV may affect planning decisions. However, it is for the Local Planning Authority to decide that listing an ACV is a material consideration if an application for change of use is submitted, considering all the circumstances of the case.
- 6.16 In this case it is considered that significant weight should be attributed to the confirmation of the site as an AVC, for the reasons set out in the paragraphs below.

#### LOSS OF COMMUNITY FACILITY/SHOP/POST OFFICE

- 6.17 The Stores is centrally located within South Zeal with an active frontage on the main road through the village. It is both a retail outlet and registered post office, as well as a café. In addition to the post office service provided within the shop the contract with the post office also requires the operation of three outreach post offices in the following locations in Belstone, Sticklepath and Throwleigh. The applicant has advised that the outreach services to the three villages is a service that can be resigned at any point and is not directly linked to the operation of the main post office counter. There is a notice period for terminating this service. It would then be for the Post Office to re-provide the outreach service and is their responsibility. If the main post office closes the current provider would cease this service as well. The Post Office would then seek to re-allocate the service with a different provider.
- 6.18 The strategic Communities, Services and Infrastructure chapter (4) of the Local Plan describes 'Community services and facilities' as being social and cultural services and facilities which support the social well-being of the community as a whole, or a substantial portion of it and states that they can include commercial enterprises such as pubs and post offices.
- 6.19 Strategic Policy 4.1 advises development involving the whole or partial loss of community services and facilities will only be permitted where evidence demonstrates: a) there is no community need; b) there is equivalent provision elsewhere which meets the community's needs; or c) the service and/or facility is not viable. These are addressed below:

(a) Community need

The extent of the response to the public consultation clearly identifies that there is a desire within the community for the stores to remain active within the village and beyond where post office the outreach services are provided.

(b) Equivalent provision elsewhere

There are alternative general stores located in Sticklepath (1km), Whitehouse



Services (3.5km) and Whiddon Down (5km). None of these stores provide post office services throughout the week and all would be likely reliant on use of a car to access, with the exception perhaps of the Sticklepath store for those houses located on the western edge of the village.

(c) Service not viable

The application is accompanied by profit and loss accounts showing trading since 2016 to the present day. A letter from a local firm of accountants is also provided advising that the store has not made a profit since 2018, with the income from the post office salary supplementing income to an increasing degree. It is clear that the business overall has been struggling to support an income in the recent years, with the covid pandemic having a significant impact on trading. What is less clear is whether the business has suffered solely due to external factors or if it has also been impacted by the decisions made and current owner's business model, as suggested by a number of the public comments and indeed refuted in the applicant's response. In the absence of an independent assessment of the facility's potential it is difficult for officers to pass judgement on this matter and it is considered that additional information is required before a conclusion can be reached to establish whether, for example, a change in the business operating hours or a focus on a different retail offer might be sufficient to engage the community and sustain the business in the longer term. An independent assessment of accounts would only be appropriate where marketing and or/other business uses have been fully explored.

- 6.20 The strategic Economy chapter (5) of the Local Plan recognises that there are challenges to Dartmoor's economy, including changing consumer preferences such as online shopping and home delivery (a trend accelerated through the covid pandemic and beyond), but also the importance of retaining active uses in settlements to ensure vibrant communities remain.
- 6.21 Strategic Policy 5.1 seeks to ensure that existing business sites are retained to ensure that business needs with the National Park would not be harmed by development. The business at the stores directly supports one full time and one part time member of staff however it also contributes towards wider offer of services available in the village, which includes two pubs and a school.
- 6.22 Strategic Policy 5.3 requires any business operating as the last general store in any settlement in the National Park to carry out appropriate marketing for a period in excess of 12 months at a realistic price. A full description of what constitutes appropriate 'marketing evidence' is set out in the glossary, but includes as a minimum:
- appointment of a qualified and experienced agent;
  - marketing at a realistic price or rent;
  - erection of a prominent signboard on the site;
  - production of agent's particulars/brochure; and
  - website entry appropriate to the use.
- 6.23 The supporting information shows that the property has been offered for sale as a going concern with a commercial agent since April 2019. It was originally marketed at an asking price of £575,000 plus stock. A total of two viewings took place and

no offers were made. In September 2021 the asking price was increased to £650,000 plus stock. No viewings and no offers have been received.

- 6.24 The property is reported to have been advertised directly via the agent's website and through a number of other websites specialising in the sale of commercial property. It was not displayed on RightMove and was not listed with a local estate agent. Furthermore, no signboard was erected at the site.
- 6.25 It is also understood that throughout the marketing of the property the accommodation on offer included the store/post office/café and the owner's accommodation; at no time has the business premises been offered independent from the house.
- 6.26 While it is acknowledged that the property has been on the market for an extensive period of time, officers consider that the marketing strategy has been flawed for the following reasons: (i) the asking price - both the initial and revised - appears to have been largely based on the residential value of the site and does not/did not reflect the health of the business aspect of the site (ii) the marketing strategy was too narrow and restricted opportunity for local interest (iii) there was/is no flexibility offered in the marketing details to allow for the business to operate independent from the residential use. Its listing as an asset of community value will now have the effect of widening that appeal, fully testing any potential interest.

#### IMPACT ON HERITAGE ASSET

- 6.27 The proposed development would have an impact on designated heritage assets in the form of the South Zeal conservation area and the grade II listed building and this has accordingly been appraised against the relevant paragraphs in the NPPF, Strategic Policy 2.7 of the Local Plan and the South Zeal Conservation Area Appraisal.
- 6.28 The site has been in use as a merchant's house and premises since before 1844 (Tithe Apportionment) for the storage and selling of goods, when the land was owned by Henry Arthur Hoare, Esq and run and occupied by George Westaway as part of the Battershays Steer Estate. White's Directory of 1850 states that Westaway is a Carrier, transporter of goods (sometimes people). The area covered by the business includes much of the area now occupied by the school extension. The Tithe Map (1847) shows the front range of buildings as two dwelling houses, the fenestration pattern of the front elevation also indicates that at the time of refronting (prior to the recoating with lime render c. 2002 (application ref. 0746/02)) it was in use as two separate dwellings, note also the separate entrance door on the north elevation. The First Edition OS Map also shows this arrangement, the break being at the northern line of the cross passage.
- 6.29 The proposed change of use would remove the business use of the property with which it has been associated for perhaps more than 200 years. This would have a negative impact on the character and appearance of the Conservation Area, this being a busy corner of the village with both the school and shop/post office.
- 6.30 Notwithstanding the above it is considered that the proposed change of use and works, which would be limited to the removal of the Perspex screen above the modern post office counter would not cause material harm to the significance of the

building and the character of the South Zeal conservation area.

## SUMMARY

- 6.31 The proposed development would result in the loss of an important community facility. The community response to this application indicates that there is an overwhelming desire to retain the shop and post office and this has resulted in the registration of the site as a ACV which should provide an opportunity for the community to bid for ownership of the business. At this point in time there is insufficient justification to overturn the strong policy objection to this proposal. The Authority is obliged to reach a decision on this application and the following for listed building consent. It is not an option to defer a decision indefinitely. This does not prevent the owner continuing with his marketing, addressing the issues related to the ACV or making decisions as to how they trade – those are decisions outside of the remit of planning. A decision not to approve this application sends a strong message about the importance of this facility to the local community.
- 6.32 While it is acknowledged that there has been a clear downward trend in the business which has affected viability it is has not been satisfactorily demonstrated through the application that this has been solely or substantially due to external market pressures. Neither has sufficient information been submitted to demonstrate that the business has been marketed at a realistic price for a reasonable period of time. It has clearly been the intention of the owner for the business and owners accommodation to be sold as one, as opposed to separate entities, which appears to have conflated these issues. At this point viability issues are not considered to be an overriding justification to allow this change of use given the strong policy objection and community interest in retaining this facility.
- 6.33 There are obviously important heritage considerations to any change to the way the building might be used or occupied given the status of the building as grade II listed however at this point officers have not been presented with enough information to determine whether there is a realistic opportunity for the two uses to operate successfully, independently from each other.
-

## Item 2

Application No: **0206/22** District/Borough: **West Devon Borough**  
Application Type: **Listed Building Consent** Parish: **South Tawton**  
Grid Ref: **SX651935** Officer: **Oliver Dorrell**  
Proposal: **Works to remove post office counter screen**  
Location: **The Stores, South Zeal**  
Applicant: **Mr & Mrs Hill**  
Recommendation: **That consent be GRANTED**

### Condition

1. The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

### 1 Introduction

- 1.1 This application concerns the building known as 'The Stores' in South Zeal. The building is two storey comprises a shop, post office and café on the ground floor and residential accommodation above. It is grade II listed.
- 1.2 The site is located on the corner of the main village road and Tawton Lane in the centre of the village and the South Zeal conservation area. The chapel of St Mary's (grade II) is to the east and the Oxenham Arms pub (grade II\*) is opposite.
- 1.3 This application is brought to Development Management Committee for determination due to the level of public interest and policy implications.

### 2 Planning History

0897/06	Barn conversion to studio Listed Building Consent	Grant Conditionally	02 May 2007
0896/06	Barn conversion to studio Full Planning Permission	Grant Conditionally	02 May 2007
0790/05	Barn conversion to holiday accommodation Full Planning Permission	Refused	22 November 2005
0791/05	Barn conversion to holiday accommodation Listed Building Consent	Refused	22 November 2005
0001/03	Demolish old shed attached to kitchen wall and re-build kitchen, attach lean-to storeroom to kitchen and lean-to passage to connect two, first floor extension above existing kitchen Full Planning Permission	Grant Conditionally	11 February 2003
0002/03	Demolish old shed attached to existing kitchen wall and re-build kitchen, attach lean-to storeroom to kitchen and lean-to passage to connect two, first floor extension above existing kitchen		

0831/02	Listed Building Consent	Grant Conditionally	11 February 2003
	Alterations to front access to shop to create disabled ramp access and steps down to area adjacent to shop window		
0830/02	Listed Building Consent	Grant Conditionally	13 January 2003
	Alterations to front access to shop to create disabled ramp access and steps to area adjacent to shop window		
0746/02	Full Planning Permission	Grant Conditionally	13 January 2003
	Render front and west elevations with a single coat of lime render		
0715/01	Listed Building Consent	Grant Unconditionally	02 December 2002
	Demolish shed/store attached to main building and rebuild as new kitchen, new bathroom and accommodation over existing kitchen, enclose rear adjacent to back door to create office, stairs and store		
0716/01	Listed Building Consent	Refused	16 January 2002
	Shop expansion, catering standard kitchen, office/store, new staircase and accommodation		
	Full Planning Permission	Refused	16 January 2002
3/26/221/98/07	Removal of exterior render & internal alterations		
	Listed Building Consent	Grant Conditionally	28 October 1998
3/26/252/97/07	Extension above annexe kitchen to provide office/study and new bathroom: provision of two new staircases; provision of toilet & washroom downstairs and alterations to doorways		
	Listed Building Consent	Grant Conditionally	14 May 1998
3/26/253/97/03	First floor extension above annexe kitchen		
	Full Planning Permission	Grant Conditionally	14 May 1998
3/26/028/97/04	To use central reception room as tea room (four tables seating sixteen)		
	Change of Use	Grant Unconditionally	5 March 1997
3/26/201/96/07	Internal alterations		
	Listed Building Consent	Grant Unconditionally	15 October 1996

### 3 Consultations

- 3.1 West Devon Borough Council - The premises have been listed as as an Asset of Community Value.
- 3.2 County EEC Directorate - No highways objection
- 3.3 Environment Agency - Standing advice - flood zone 1
- 3.4 DNP - Building Conservation - Refusal due to the negative impact caused to designated Officer - heritage assets contrary to the Planning (Listed Building and Conservation Areas) Act 1990 as amended, NPPF Section 16, PG on Historic Environment Local Plan, and the Dartmoor Local Plan, Design Guide and South Zeal Conservation Area Character Appraisal.

### 4 Parish/Town Council Comments

- 4.1 South Tawton PC - Object. The PC resolved not to support this application which is contrary to Dartmoor Local Plan Policy 4.1 supporting community services and facilities. The store is in a rural location with an elderly demographic, therefore, pivotal to local residents within and bordering the parish. If approved, this development will involve the total loss of community services and facilities. The applicant has not demonstrated that

there is no community need for the store, and there are no equivalent provisions within the parish. The council has submitted will be submitting an application to West Devon BC to request the store is made an asset of community value (since granted).

## 5 Observations

### PROPOSAL

- 5.1 This proposal relates alterations to the shop, post office and café. Internally the works are limited to the removal of the screen above the shop counter which is centrally located within the building. The revised plans show the retention of the shop sign and projecting blind. All rooms subject to the proposed change are on the ground floor.
- 5.2 The works are proposed in connection with a proposal to change the use of the shop, post office and café to residential use in association with the main dwelling which is subject to a separate planning application ref: 0205/22.

### NATIONAL PLANNING POLICY

Paragraph 197 states that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

### LOCAL PLAN POLICY

- 5.3 The following Local Plan policies are relevant in the assessment of this application:

Strategic Policy 1.1 Delivering National Park purposes and protecting Dartmoor's Special Qualities

Strategic Policy 1.2 Sustainable development in Dartmoor National Park

Strategic Policy 1.5 Delivering good design

Strategic Policy 2.7 Conserving and enhancing heritage assets

Strategic Policy 2.7 requires all development to conserve and/or enhance heritage assets and their settings through appropriate assessment of harm.

### PUBLIC COMMENTS

- 5.4 Number of objections: 61

Summary of issues raised:

- The shop and post office are a valuable community resource
- Elderly residents would be unduly harmed by loss
- Petrol price rise means local services required more than ever
- The stock levels have been depleted
- The site supports outreach post office in other villages

- The owner has lost enthusiasm
- The opening hours are too short/inflexible
- A house would result in more parking on road
- The asking price is too high
- No for sale sign on the building

5.5 Number of support: 4

Summary of issues raised:

- The residents do not provide enough custom
- Shop has been on market for a long time with no offers
- No issues with change to house

5.6 General observation: 1 - If the shop were open before 0900 it would increase custom.

#### IMPACT ON HERITAGE ASSET

5.7 The proposed development would have an impact on a designated heritage asset in the form of a grade II listed building and has been accordingly been appraised against the relevant paragraphs in the NPPF, Strategic Policy 2.7 of the Local Plan and the South Zeal Conservation Area Appraisal.

5.8 The site has been in use as a merchant's house and premises since before 1844 (Tithe Apportionment) for the storage and selling of goods, when the land was owned by Henry Arthur Hoare, Esq and run and occupied by George Westaway as part of the Battersshays Steer Estate. White's Directory of 1850 states that Westaway is a Carrier, transporter of goods (sometimes people). The area covered by the business includes much of the area now occupied by the school extension. The Tithe Map (1847) shows the front range of buildings as two dwelling houses, the fenestration pattern of the front elevation also indicates that at the time of refronting (prior to the recoating with lime render c. 2002 (application ref. 0746/02)) it was in use as two separate dwellings, note also the separate entrance door on the north elevation. The First Edition OS Map also shows this arrangement, the break being at the northern line of the cross passage.

5.9 The associated proposed change of use would remove the business use of the property with which it has been associated for perhaps more than 200 years. This could have an impact on the historic interest of the listed property and the character and appearance of the Conservation Area, this being a busy corner of the village with both the school and shop/post office.

5.10 That, however, is a matter for consideration in relation to the planning merits of the case discussed in the preceding report. It is considered that the works, the subject of this application, which are now limited to the removal of the Perspex screen above the modern post office counter, would not cause material harm to the significance of the listed building or have any wider impact on the integrity of the South Zeal conservation area.

5.11 It is considered that the proposed works would cause less than substantial harm to the significance of the building and the character of the South Zeal conservation area. A grant of listed building consent does not imply that the proposed change of use is acceptable.



Scale 1:1,000





### Item 3

Application No: **0336/22** District/Borough: **Teignbridge District**

Application Type: **Full Planning Permission** Parish: **North Bovey**

Grid ref: **SX74328476** Officer: **Oliver Dorrell**

Proposal: **Change of use of former Water Works to single-family dwelling with associated landscaping**

Location: **Former Water Treatment Works, North Bovey Road, Moretonhampstead**

Applicant: **Miss Watt & Mr Pearce**

Recommendation: **That permission be REFUSED**

#### **Reason for Refusal**

The proposal would result in the change of use of a building, which is not of a form, structure and history that is traditional within the context of Dartmoor's built heritage, to an open market dwelling in the open countryside of the National Park. It would therefore be contrary to the policies SP1.1, SP1.2, SP1.3 and SP2.8 of the Dartmoor Local Plan and to the advice contained in the National Planning Policy Framework 2021.

#### **1 Introduction**

- 1.1 This application relates to the former South-West Water treatment site located at Bovey Cross, North Bovey. The site comprises a single storey building with hardstanding and parking. The land within the site is sloping from east to west.
- 1.2 The building is located at the eastern end of the site. It comprises an I-shape building with a dual pitch roof and rendered painted walls and metal frame windows.
- 1.3 There are two subterranean water tanks immediately to the north-west of the building and a further two tanks beyond at a lower level.
- 1.4 There is an existing vehicular access via the unclassified road to the south of the site.
- 1.5 Hospit Cross - grade II listed and a scheduled ancient monument – is located immediately beyond the south-western boundary of the site adjacent to the public highway.
- 1.6 The application is presented to the Committee at the request of Ms Diana Moyse in view of the policy considerations and extensive public interest.

#### **2 Planning History**

- 2.1 0363/12 - Conversion of existing treatment works into a holiday cottage  
Grant planning permission - 12 Sept 2012

0160/14 - Conversion of redundant waterworks to dwelling  
Refused - 8 July 2014

### **3 Consultations**

3.1 West Devon Borough Council - Does not wish to comment

3.2 County EEC Directorate - No highways objection

3.3 Environment Agency - Standing advice – Flood Zone 1

3.4 DNP - Forward Planning & Community

3.4.1 The application site is located in the open countryside north east of North Bovey, a Village and Hamlet.

3.4.2 The NPPF and Dartmoor Local Plan seek to avoid unjustified housing growth in the open countryside. National and Local policies require that development in our National Parks is focussed upon protecting National Park Special Qualities and meeting the needs of local communities. The Dartmoor Local Plan therefore sets out that speculative housing development is not supported in the National Park and housing development on Dartmoor is only permitted where it is delivering affordable and other identified local housing needs, such as local needs custom and self-build, and rural workers housing. The Local Plan permits these uses in accordance with a spatial strategy that focuses development in classified settlements.

3.4.3 The proposal is for an open market dwelling which is not meeting an identified local housing need. The application proposes to convert a redundant water pumping station, which is of modern construction and not of any historic significance. The site is considered previously developed land.

3.4.4 In the open countryside Local Plan policy allows for residential conversion of redundant historic buildings provided criteria in Policy 2.8 are met, which include (among others) marketing for uses less impactful on historic significance first, the building being well related to a settlement, and where residential uses are accepted the provision of affordable housing. The proposal does not however involve a historic building and as such Policy 2.8 is not applicable. Nor does the policy involve provision of affordable housing, a principal objective of the Local Plan on housing sites of all sizes.

3.4.5 On the basis of the above it is our view the proposal has no policy support and it is recommended the application is refused.

3.5 DNP - Ecology & Wildlife

3.5.1 No bats were observed in the roof void of the property, although potential roost features/access points for bats were identified via wall top gaps and lifted lead flashing. Three aggregations of bat droppings were found – one in the loft, one against the internal blockwork of the southern gable and one on the ground floor at the southern end of the building. Two bat emergence/re-entry surveys were undertaken in June 2022.

- 3.5.2 18/07/22: Two common pipistrelle bats emerged from the top of the valley on the west elevation of the building
- 3.5.3 03/08/2022: One common pipistrelle emerged from the northern gable end and one common pipistrelle emerged from the top of the valley.
- 3.5.4 The sample of droppings retrieved from the loft confirmed the presence of greater horseshoe bats. It appears that the building offers a summer day roost for common pipistrelle and a day roost for Greater Horseshoe bats.
- 3.5.5 Impacts to bats cannot be avoided and therefore an EPSL will be required.
- 3.5.6 The following mitigation will be implemented:
- Works must be carried out under an ecological Watching Brief
  - Compensation for the loss of roosting sites will be provided by discrete, self-contained bat boxes, built into the gable ends of the converted structure.
  - Compensation for the loss of the greater horseshoe bat roost will be provided by allowing access into the storage area within the old water tanks at the northern end of the Site. This mitigation is deemed sufficient.
- 3.5.7 The Authority must consider whether the proposal meets the three derogation tests of the Conservation of Habitats and Species Regulations 2017 (as amended), and accordingly whether Natural England are likely to grant an EPS license which would permit the proposal to lawfully proceed.
- 3.5.8 The first two tests (below) are essentially planning tests and are for the LPA's planner to assess. This assessment needs to be proportionate to the impact on bats.
- i) The consented operation must be for 'preserving public health or public safety or other imperative reasons for overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment';
  - ii) There must be 'no satisfactory alternative';
  - iii) The action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'. In this case, we advise that the first two tests are likely to be met considering proportionality for the impact on bats and the third test I have concluded below.
- 3.5.9 Given bat roosting provision will not be lost and works will be undertaken to avoid impacting bats, it is my opinion that the third test of the Habitats Regulations is satisfied. Therefore, it is reasonable to conclude that Natural England would grant a low-impact class mitigation licence.
- 3.5.10 Biodiveristy Net Gain: Under the recently adopted Dartmoor Local Plan biodiversity enhancement is required. The ecology report states that 220m<sup>2</sup> of soft landscaping (wildflower meadow), 5 fruit trees and the erection of two woodstone bird boxes will be provided. This will provide a biodiversity enhancement in line with policy 2.3 of the Dartmoor Local Plan.

### 3.5.11 Suggested conditions:

- No external lighting shall be installed at any time at the application site without the written permission of the Local Planning Authority.
- Development shall be carried out in accordance with the actions set out in the Ecological Impact Assessment (Lakeway Ecology, August 2022). This condition shall be discharged when the consultant ecologist confirms in writing to the LPA that the recommendations have been implemented.
- No works are to 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 works will not disturb nesting birds and a record of this kept.
- A Construction and Environmental Management Plan which will include details of environmental protection throughout the construction phase, will be submitted and agreed with the LPA.
- A Landscape and Ecological Management Plan which will include details relating to habitat creation, species specification and management, will be submitted and agreed with the LPA.

## 4 Parish Council Comments

4.1 North Bovey PC - The Council has no objection to the application

## 5 Relevant Local Plan Policies

- 5.1 Strategic Policy 1.1 Delivering National Park purposes and protecting Dartmoor's Special Qualities  
Strategic Policy 1.2 Sustainable development in Dartmoor National Park  
Strategic Policy 1.3 Spatial Strategy  
Strategic Policy 1.5 Delivering good design  
Strategic Policy 1.6 Sustainable construction  
Policy 1.7 Protecting local amenity in Dartmoor National Park  
Policy 1.8 Higher risk development and sites  
Strategic Policy 2.1 Protecting the character of Dartmoor's landscape  
Strategic Policy 2.2 Conserving and enhancing Dartmoor's biodiversity and geodiversity  
Strategic Policy 2.3 Biodiversity Net Gain  
Strategic Policy 2.4 Conserving and enhancing Dartmoor's moorland, heathland and woodland  
Strategic policy 2.5 The Water Environment and Flood Risk  
Strategic Policy 2.6 Protecting tranquillity and dark night skies  
Strategic Policy 2.8 Conservation of historic non-residential buildings in the open countryside  
Strategic Policy 3.1 Meeting Housing Need in Dartmoor National Park  
Policy 4.4 Parking standards for new development  
Policy 4.5 Electric Vehicle Charging Points (EVCPs)  
Strategic Policy 5.1 Non-residential Business and Tourism Development

## 6 Representations

### 6.1 Support – 120 letters of representation

### 6.2 Summary of issues raised:

- Good use of redundant site
- Local family would make use as a family home
- Derelict site, eyesore. The building already looks like a house
- Community does not need any more holiday lets
- Use as house would not destroy any green fields as there is an existing building on the site
- Young family should be encouraged to stay in area
- Homes are what is needed here, holiday lets are irrelevant, we need committed people to be part of our community
- The existing building is derelict and unused. Converting it would be supporting a young family and will make the building a contributor to the housing stock in the area
- A Local employer keeping the communities alive far outweighs the need for further holiday homes which brings short and limited benefit to the area
- This property has been derelict and subject to vandalism in the past
- The property lends itself to being a permanent residence and needs to be occupied. Presently it is creating a danger, due to it being vacant.
- There are already more holiday homes in the area than is desirable so why wouldn't we want to enable a young family to live there year-round?
- A disused building can cause all sorts of issues, so if there is someone willing to turn it into something more beneficial to the community and done in an appropriate way, then this should be done
- We need more homes for locals, and it sounds like they will be heavily considering the wildlife and environment
- pleased to see the proposed use of photovoltaic slates on some of the refurbished roof
- Moretonhampstead school is seriously struggling with very low numbers of students. That's not because the school is failing and the children are going elsewhere, it's because young families are simply being priced out of the area. The creation of a new family home should be supported and encouraged every step of the way to help our village community thrive
- This is an excellent proposal to upgrade the waterworks building which is currently derelict and in an unsafe condition. The applicants have lived and worked in the area for a number of years, and employ people from the local community
- This former waterworks wouldn't have any environmentally impact on the environment to change it to a permanent family home. With this permanent residence we will have less change on vandalism (on this old building) on Dartmoor and in our Parish
- There are already enough holiday cottages to support tourism in the village
- It will cost the same amount of money to build for holiday lets as for a family home. As a limited letting business however the costs cannot be justified and such development is unlikely to proceed. This premise was accepted in the case of the middle barn at Collihole, giving a valuable precedent

- Suggested commercial use or, as previously agreed, a holiday let is likely to require significant security when the site is unoccupied, which would create an eyesore
- There has to be some flexibility when a proposal as carefully considered as this is submitted for consideration by a family significantly involved in local employment and building construction
- A business premises would be completely impractical and unpopular due to the amount of extra car parking it would require, not to mention the traffic it would create on single track roads
- If the Local Plan states that houses can only be used for holiday use , the Local Plan is flawed and it is crucial that the planning committee override this error. It may have been appropriate before the pandemic, but if the Authority is seriously promoting a system that forces some people to live in barns during the summer months and other local families to leave the area, it needs to reconsider
- The Local Plan was drafted with the best of intentions before the pandemic, and if the Authority insist on sticking to it for the next four and a half years, it will irrevocably and irredeemably damage the social fabric of Dartmoor. How often does the development of new housing on Dartmoor receive dozens of letters of support? In a case like this - where dozens of local voices have united to support the application - why on earth would the Authority refuse it?
- We need to keep villages like North Bovey alive - and that is exactly what this proposal contributes to - and prevent them from becoming holiday parks for second home owners. The Authority should take the lead in this and learn from the mistakes from other authorities where the character of ancient villages is destroyed
- This particular area needs domestic rather than commercial development, as there is already tremendous congestion along the neighbouring cycle route
- The building's environmental performance would be significantly improved because of the use of environmentally sustainable features such as: ungraded insulation, photo voltaic slates, air source heat pump and water harvesting
- The applicants have a young family and we should encourage people to stay here and support local schools and shops rather than moving away

6.3 Object – 1 letter of representation

6.4 Summary of issues raised:

- There have been many other local water treatment works where planning has been refused. Other more habitable buildings have had planning refused in surrounding areas of Moretonhampstead and near Throwleigh
- Many locals who have lived in North Bovey all of their lives and have their heart here in North Bovey, have considered redeveloping the building but when speaking to local councillors and staff working for the Authority have been told 'not a chance' of getting planning permission on it. Hence why they have had to leave the village and buy elsewhere which is more affordable

## 7 Observations

### PRINCIPLE OF CHANGE OF USE

7.1 The proposal is for the change of use of the existing building and land within its curtilage to an open market dwelling.

- 7.2 The application site is in open countryside approximately 0.8km from North Bovey and 1.2km from Moretonhampstead.
- 7.3 Development in the open countryside of the National Park is strictly controlled and is limited to a narrow set of circumstances. These are set out in Strategic Policy 1.3 which states that outside of the classified settlements development will be acceptable in principle if it is:
- a) *farming, forestry or other land-based rural businesses with a proven need to locate in the open countryside, including farm diversification;*
  - b) *Gypsy and traveller, or low impact development, which is well related to a Local Centre or Rural Settlement;*
  - c) *new business development making use of redundant buildings and development related to existing businesses;*
  - d) *householder or domestic related development;*
  - e) *necessary to sustain buildings or structures of proven conservation value;*
  - f) *for the provision of utility, service, transport or recreational infrastructure; or*
  - g) *needed to pursue National Park purposes.*
- 7.4 None of the criterion a) – d) apply to the proposed development.
- 7.5 Criterion e) would be applicable if the proposed development would involve a building or structures with proven conservation value, and this links with Strategic Policy 2.8 (Conservation of historic non-residential buildings in the open countryside). The building was constructed in the 1970's as a water treatment facility and has no identified architectural merit or historic interest.
- 7.6 Criterion f) relates to buildings and development which are required for the provision of utility, service, transport or recreational infrastructure. The site was developed for utility purposes but is now vacant. The proposed development would take the use of the site away from its former utility use.
- 7.7 Criterion g) supports development in principle where it would further National Park purposes. The supporting information does not indicate how this would be achieved.
- 7.8 In the open countryside Local Plan policy allows for residential conversion of redundant historic buildings provided criteria in Policy 2.8 are met, which include (among others) marketing for those uses which may be less harmful on any historic significance, the building being well related to a settlement, and where residential uses are accepted, the provision of affordable housing.
- 7.9 The proposal does not involve a historic building and as such Policy 2.8 is not applicable. Nor does the proposal involve provision of affordable housing, a principal objective of the Local Plan on housing sites of all sizes.

#### IMPACT ON THE CHARACTER AND APPEARANCE OF THE NATIONAL PARK

- 7.10 The application site is located at Bovey Cross. The site is largely screened from the Mortetonhampstead to North Bovey road by trees and hedges which are growing on the southern and eastern site boundaries in front of the 2m chainlink fence which

extends around the whole boundary, although it is possible to distinguish the building owing to the white rendered walls on the property.

- 7.11 The site and building are much more visible from the unclassified road to the south-east where the chainlink fence and metal gates come into clear view. Through the fence and gates it is possible to observe unplanned vegetation growing around the building including through part of the hardstanding/parking area.
- 7.12 The proposal is for the change of use of the building plus external alterations. The existing concrete block walls would be insulated on the outside and clad in 20cm thick coursed rubble granite. The existing concrete tile roof would be replaced with natural slate, which is double-lapped to accommodate the low roof pitch. The doors would be hardwood left to weather naturally and the windows would be double-glazed slim-profile timber with aluminium outer. Horizontal larch cladding would be installed on the north-west gable which would be left to weather naturally to silver-grey.
- 7.13 The four existing flood lights and tall antennae attached to the building would be removed as would the chain link fence and metal gate. Approximately half of the existing hardstanding would be removed, replaced with amenity lawn and meadow planting with fruit trees.
- 7.14 It is considered that the proposed external changes to the building and works planned within the site – including removal of existing unwelcome features such as security fencing, floodlighting and areas of hardstanding, and cladding the building with natural stone/replacement of concrete tiles with slate roof - would enhance the utilitarian building and the appearance of this part of the National Park, in accordance with Strategic Policies 1.1, 1.2, 1.5 and 2.1 of the Local Plan,.

## ECOLOGY

- 7.15 Strategic Policy 2.2 states that:
1. Development must conserve and enhance all Dartmoor's biodiversity and geodiversity.
  2. Development proposals, either alone or in combination with other development, having adverse impacts on:
    - a) internationally, nationally or locally designated biodiversity and geodiversity sites; and/or
    - b) Dartmoor's priority habitats and species identified in Table 2.1 (including bats) will only be permitted in exceptional circumstances.
- 7.16 The application is accompanied by an Ecological Impact Assessment. It appears that the building offers a summer day roost for common pipistrelle and a day roost for Greater Horseshoe bats.
- 7.17 Compensation for the loss of roosting sites will be provided by discrete, self-contained bat boxes, built into the gable ends of the converted structure. Compensation for the loss of the greater horseshoe bat roost will be provided by allowing access into the storage area within the old water tanks at the northern end of the Site.



- 7.18 A European protected species license (EPSL) will be required from Natural England.
- 7.19 The Authority's Ecologist considers that the proposal meets the three derogation tests of the Conservation of Habitats and Species Regulations 2017 (as amended). He has suggested appropriate planning conditions if approval is forthcoming.

#### HERITAGE IMPACT

- 7.20 The application site is immediately adjacent to Hospit Cross on its south-eastern corner boundary. The granite cross is registered as a grade II listed building and an scheduled ancient monument.
- 7.21 Strategic Policy 2.7 states that all development must conserve and/or enhance heritage assets and their settings
- 7.22 The cross is sited on the grass verge adjacent the crossroads between a finger post and highway grit box on land which is outside of the application site and the ownership of the applicant.
- 7.23 The proposed development is considered to have a neutral impact on the setting of the cross. No conflict with SP 2.7 has been identified.

#### SUSTAINABLE CONSTRUCTION

- 7.24 The site is acknowledged as having an elevated level of embodied energy and carbon. The existing building on site is constructed from concrete block and the roof is concrete tile. There are concrete bunds within the building at the upper end and concrete lined tanks within the curtilage.
- 7.25 The principle of re-use and adaption of the site is supported by the National Planning Policy Framework (NPPF) and Strategic Policies 1.2 and 1.6. A series of energy saving measures are proposed within the development to reduce the reliance of the site on fossil fuels during occupation as a dwelling. These include; external wall insulation to improve thermal qualities of the building; photo voltaic roofing slates on the south elevation; air source heat pump and heat recovery system; rainwater harvesting within one of the existing upper tanks.

#### PLANNING BALANCE

- 7.26 The strategic focus of housing development in Dartmoor National Park is the delivery of affordable, well-designed, efficient homes to meet the needs of local people with an expectation that these are delivered within existing (or in a limited set of cases, adjoining) existing settlements. The proposed development would not accord with this strategy as it would deliver an open market dwelling in the open countryside. There are some exceptions, as outlined the Spatial Strategy (SP1.3) however it has been identified that none of these would apply in the case of the proposed development.
- 7.27 The site, while redundant, retains its classification for employment use. The committee report for the 2014 refusal of planning permission (ref: 0160/14) for a dwelling stated that if a commercial use cannot be found for the site, then the

preference would be for this modern building to be removed from the site to enhance the character and appearance of this part of the National Park to meet the first purposes of the National Park designation.

7.28 The 2014 decision was taken under previous local plan policies, but the above comments remain valid today. There are other examples of similar isolated utilitarian buildings throughout the Park and if a decision is taken to approve this application contrary to policy then the Authority would be under pressure to approve other schemes under similar circumstances.

7.29 It should also be noted there are policies in the new Local Plan which recognise that there are sites such as this one (i.e., sites containing non-historic, isolated, utilitarian buildings) within the open countryside of the National Park that may be better adapted and re-used than removed. For example, Strategic Policy 5.1 states that:

*Within Villages and Hamlets and the open countryside non-residential business and tourism development will be acceptable where it is needed to support:*

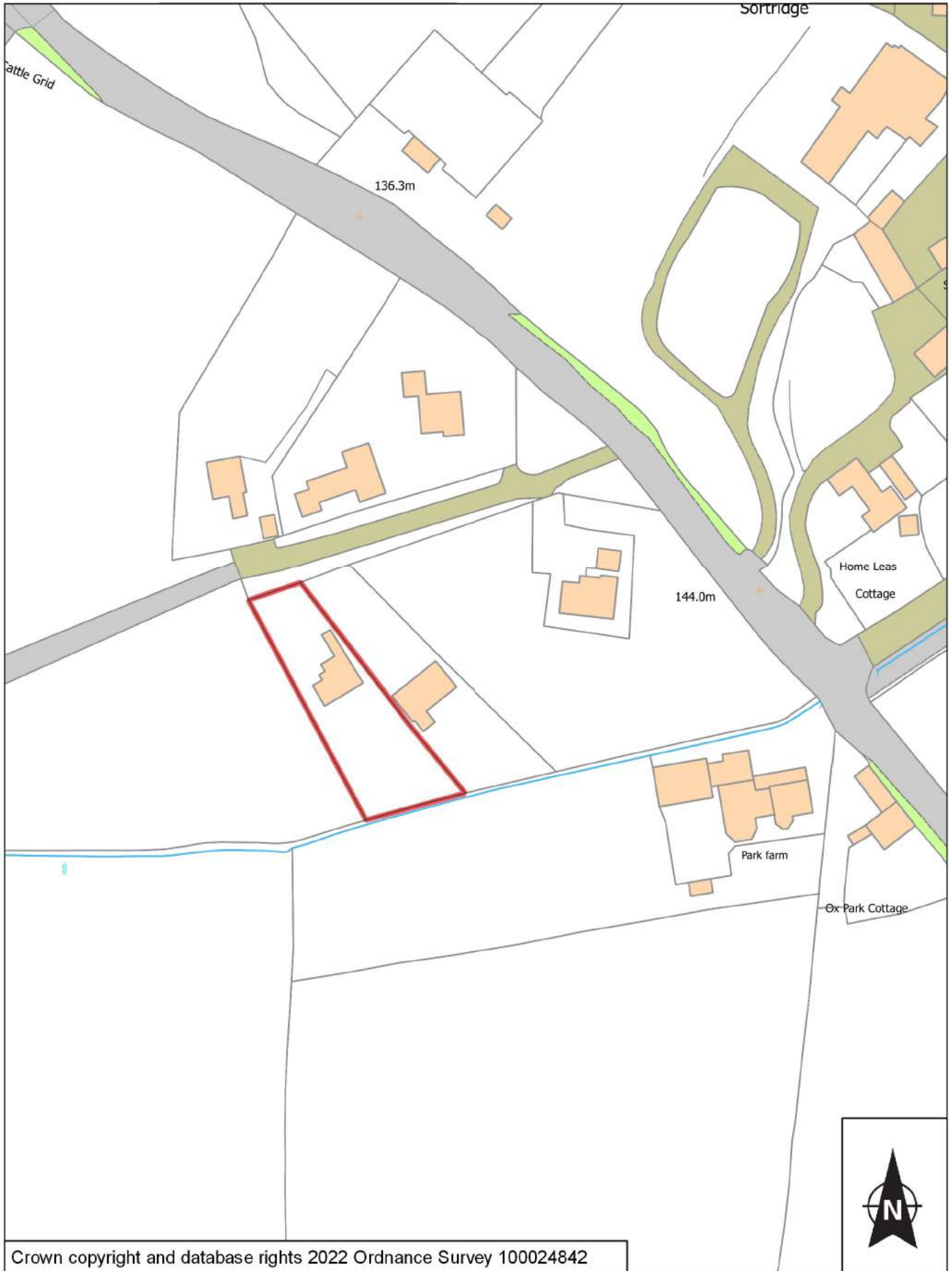
- a) small-scale expansion of existing businesses;*
- b) farm diversification in accordance with Policy 5.9; or*
- c) the establishment of appropriate new businesses where: i) the proposal involves the conversion of redundant buildings only and suitable historic buildings are used first in accordance with Strategic Policy 2.7 and/or Strategic Policy 2.8; or ii) the proposal and activity is small-scale, low impact and is focussed on improving opportunities for the quiet enjoyment and understanding of the National Park's Special Qualities.*

7.30 In this case it is understood that the application site was transferred from the previous owners to the new owners without being advertised on the open market. This prevented any alternative business use being considered at today's date which might be compliant with policy SP5.1.

7.31 The application offers some positives which would be delivered through the proposed scheme, such as improved aesthetics and energy from renewable sources, however its conversion to an unrestricted, open market dwelling would be contrary to policy in this location. Were the site to be marketed for a realistic price it may be that an alternative business use of the site could be found – one which accords with policy SP5.1 while also delivering equal benefits in terms of a suitable re-use of the site and the enhancement of its surroundings. It should be noted that allowing a site to fall into disrepair is not, in itself, a valid reason for departing from policy.

7.32 It is considered that the proposed enhancements are not sufficient to justify what would be a clear departure from policy.

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#### Item 4

Application No: **0345/22** District/Borough: **West Devon Borough**

Application Type: **Full Planning Permission Householder** Parish: **Horrabridge**

Grid ref: **SX50507090** Officer: **Joanna Rumble**

Proposal: **Removal of existing lean-to utility room/porch and erection of timber framed extension**

Location: **Largie, Sortridge, Horrabridge**

Applicant: **Ms J Borrow**

Recommendation: **That permission be GRANTED**

#### **Conditions:**

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 strictly in accordance with the approved drawings numbered AP(0-)001 A, AP(0-)002 B, AP(0-)003 B, AP(0-)004 C and AP(0-)009B
3. Prior to the commencement of the development hereby approved, samples (or details) of all roofing and external facing materials to be used, shall be submitted to, and approved by, the Local Planning Authority. Thereafter, the approved materials shall be maintained in perpetuity.
4. The pitched roof slopes to the extension hereby approved shall be covered in natural slate fixed by nailing, a sample of which shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of any roofing work. Thereafter the roof slopes shall be maintained as approved.
5. The roof light hereby approved shall be of a low profile design, details of which shall be submitted to and approved by the Local Planning Authority prior to its installation. Thereafter the approved rooflight shall be maintained as approved.
6. The gutters and downpipes shall be of cast iron or aluminium construction and shall receive a painted finish within one month of their installation.
7. Within 6 months of the commencement of the development hereby approved, the biodiversity enhancement measures illustrated on drawing numbered AP(0-)004 Rev C and described in the accompanying Bat and Nesting Bird Survey report dated August 2022 and prepared by Butler Ecology, shall be completed such that they comply with Part 3 of Policy 2.3 of the Dartmoor Local Plan (Biodiversity Net Gain). Thereafter, the approved biodiversity enhancement measures shall be maintained in perpetuity.

#### **1 Introduction**

- 1.1 Largie is a detached slate and render house set within its own grounds. It is accessed by a small, shared track which serves ½ dozen properties before going on to Great Eddish Farm.

- 1.2 The application is for a single storey extension at the front of the dwelling to provide a sitting room, entrance lobby and hall.
- 1.3 The application is presented to the Committee as the applicant is an employee of the Authority.

## **2 Planning History**

- 2.1 03/35/1661/80 Erection of studio  
Full Planning Permission Withdrawn (PD) 19 Dec 1980
- 03/35/1433/78 Extensions and alterations to dwelling  
Full Planning Permission Grant Conditionally 23 Nov 1978

## **3 Consultations**

- 3.1 West Devon Borough Council: Does not wish to comment
- 3.2 Environment Agency: Flood Zone 1 – Standing advice applies
- 3.3 County EEC Directorate: No Comment received
- 3.4 DNP Ecology: The development site does not lie within any statutory or non-statutory designated sites. There will be no loss of structures or trees with bat roosting potential and the existing building offers negligible opportunity to support roosting bats. No vegetation or areas utilised by nesting birds to be impacted by these proposals.
  - 3.4.1 This application equates to an increase of 27m<sup>2</sup>, or two separate enhancement features. The proposed Biodiversity Enhancement measures proposed of two bat boxes, three swift nest boxes and seven house martin cups is deemed sufficient.
  - 3.4.2 Suggested conditions requiring the development to be carried out in accordance with the actions set out in the submitted Bat and Nesting Bird Survey report and to secure the installation of the Biodiversity Enhancement measures.

## **4 Parish/Town Council Comments**

- 4.1 Horrabridge PC supports the application.

## **5 Relevant Local Plan Policies**

- 5.1 Strategic Policy 1.1: Delivering National Park purposes and protecting Dartmoor's special qualities  
Strategic Policy 1.2: Sustainable development in Dartmoor National Park  
Strategic Policy 1.5: Delivering good design  
Policy 1.7: Protecting local amenity in Dartmoor National Park  
Strategic Policy 2.3: Biodiversity Net Gain  
Policy 3.7: Residential alterations, extensions and outbuildings

## **6 Representations**

6.1 No representations have been received.

## **7 Observations**

7.1 Largie is a traditional slate and render property probably constructed in the early to mid-1900's. It is set back off the road and is not publicly visible. It's relationship with neighbouring properties and the topography results in a building that is not prominent or intrusive in the street scene.

7.2 It is located in the Open Countryside of the National Park, with sweeping views over farmland to the west and north-west. These are most readily appreciated from the rooms to the front of the property.

### THE PROPOSAL

7.3 The application proposes a deep lean-to extension to the front, principal elevation constructed from timber frame with a shallow mono pitched standard seam roof and timber clad walls. This is explained as having taken an agricultural reference to reflect the rural area with the proposed large gabled full length window openings designed to maximise views out.

7.4 The Design and Access statement indicates that the existing floor area extends to 170sqm, and the proposal adds an additional 27sqm. This is an increase in floor area of 16%, within the 30% indicated by Policy 3.7.

### BIODIVERSITY ENHANCEMENT

7.5 The proposal increases floor area by 27sqm which generates a requirement for two enhancement features. The proposals include the installation of two bat boxes, three swift nest boxes and seven house martin cups. This is deemed sufficient.

### NEIGHBOUR AMENITY

7.6 The proposal will have no undue impact on local amenity or on the amenities enjoyed by residents of neighbouring properties.

### ASSESSMENT

7.7 Policy 3.7 looks not only for the increase in floor area of residential extensions to be within 30% but also to deliver good design by reflecting the design principles set out in the Design Guide and which conserve or enhance the dwelling's character, appearance, curtilage and immediate surroundings. This is further supported by Policy 1.5 which sets out the design expectations in more detail and requires development proposals to reinforce distinctive local character by respecting Dartmoor's vernacular.

7.8 The size and scale of the proposed extension is considered to be acceptable and while the advice of the Design Guide suggests that extensions should be set back from the front elevation, the siting, orientation and existing form of Largie, can successfully accommodate a well-designed and sympathetic extension.

- 7.9 Following negotiations a revised proposal has been submitted that shows a slated dual pitched extension at 90<sup>0</sup> to the main dwelling, with a small area of flat roof linking it to the existing attached garage. A small canopy is proposed to the front door and the glazing shows a strong vertical emphasis. A relatively simple palette of materials is proposed, incorporating slate and natural timber which will be allowed to weather.

## CONCLUSION

- 7.10 The proposed extension is less than the 30% increase in floor area permitted by Strategic Policy 3.7. It is considered to be of an acceptable design and will have no undue impact on local amenity or on the amenities enjoyed by the residents of neighbouring properties and, as such, is considered acceptable, subject to the conditions suggested.
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## Item 5

Application No: **0244/22** District/Borough: **West Devon Borough**  
Application Type: **Full Planning Permission** Parish: **Buckland Monachorum**  
Grid ref: **SX52456801** Officer: **Joanna Rumble**  
Proposal: **Change of use from mixed residential and commercial use to full residential use - to include minor alterations**  
Location: **Westella House, Yelverton**  
Applicant: **H Roberts**  
Recommendation: **That permission be GRANTED**

### Conditions:

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 strictly in accordance with the approved drawings numbered WESTELLA/22/01 REV A and WESTELLA/22/03 REV B.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking and re-enacting that Order with or without modification, no material alterations to the external appearance of the building(s) shall be carried out and no extension, building, enclosure, structure, erection, hard surface, swimming or other pool shall be constructed or erected in or around the curtilage of the development hereby permitted.

## 1 INTRODUCTION

- 1.1 Westella House is a substantial detached slate and render property, the extensive ground floor most recently used for commercial use such as show rooms while the first floor was given over to a flat, with separate access provided at ground level.
- 1.2 It is proposed to incorporate the commercial floor area with the residential to create one large dwelling, with some minor external alterations to openings etc.
- 1.3 The application is presented to the Committee as the proposal amounts to a departure from Dartmoor Local Plan policy 3.7.

## 2 Planning History

- 2.1 0283/20 - Demolition of dwelling and erection of four town houses(open market) - Withdrawn  
  
0930/07- Alterations to front of property to replace garage doors/windows with new windows/door – Grant Conditionally  
  
0761/07 - Change of use from limousine car hire to piano restoration and sales – Grant unconditionally

03/32/1489/91 - Change of use to veterinary surgery - Withdrawn

03/32/1516/90 - Change of use to nursing home with 15 bedrooms – Grant Conditionally

03/32/1494/90 - Change of use to restaurant with accommodation and parking - Refused

03/32/1169/90 - Conversion and extension to provide six flats – Grant Conditionally

03/32/1625/89 - Erection of eight flats, construction of vehicular access and formation of eight parking spaces - Refused

### **3 Consultations**

3.1 West Devon Borough Council: Does not wish to comment

3.2 Environment Agency: Flood Zone 1 – Standing advice applies

3.3 County EECc Directorate: Did not wish to comment

### **4 Parish/Town Council Comments**

4.1 Buckland Monachorum : PC did not wish to comment.

### **5 Relevant Local Plan Policies**

5.1 Strategic Policy 1.1: Delivering National Park Purposes and protecting Dartmoor's Special Qualities

Strategic Policy 1.2: Sustainable development in Dartmoor National Park

Strategic Policy 1.3: Spatial Strategy

Strategic Policy 1.5: Delivering good design

Policy 1.7: Protecting local amenity in Dartmoor National Park

Strategic Policy 2.3: Biodiversity Net Gain

Policy 3.7: Residential alterations, extensions and outbuildings

Policy 4.4: Parking standards for new development

Strategic Policy 5.1 Non-residential Business and Tourism Development

Strategic Policy 5.3: Protecting Active Uses in Dartmoor's Settlements

### **6 Representations**

6.1 One objection has been received which raises concern regarding the loss of a business/retail/residential property and consequence loss of an employment opportunity from the local area.

6.2 They state that at least one person is still known to be at the premises during regular office days/hours and that potentially a new owner/occupier would use the premises for both business and residential use which would sustain the same or a higher level of employment. Businesses have previously thrived at this location and it is conveniently located not far from the main business/retail area in Yelverton.

- 6.3 The two planned residential developments will add approximately 50 new dwellings to Yelverton and affordable business premises are, and will be, required to sustain the balance within the area and to help the community thrive.
- 6.4 A marketing report has been submitted but it is queried how the property could have been marketed effectively for business use when you can only access the retail door by climbing over a wall constructed around 18 months ago leaving the only access to the business area being via the applicant's private car parking area? Furthermore, the 'to Let' sign was partially obscured by the boundary wall and hedging.
- 6.5 If the application is to be approved the use should be as a sole residence, not multi occupancy, second home, Air B&B or converted into flats.

#### OBSERVATIONS

- 6.6 Westella House is a substantial detached slate and render property set within its own grounds, fronting onto the B3212. The 'ella's' estate is typically residential although this property is further extended to include commercial use that maximises its frontage to the main road.
- 6.7 The ground floor comprised various rooms including showrooms and workshops, although this is understood to have now been vacated. Previous uses have included a limousine rental business and piano workshop and showroom.
- 6.8 The first floor has been used as a linked but self-contained flat, with a separate access provided at ground level.
- 6.9 It is noted that some works have already taken place, these include a new roadside hedgebank created between the main road and the old forecourt area to create a secure courtyard and closing off pedestrian and vehicular access to the B3212. Other limited works appear to have been undertaken on the building including the alteration of existing window openings and the addition of new rooflights.

#### THE PROPOSAL

- 6.10 The application proposes a simple change of use from a mixed residential/commercial use to full residential use. The proposal includes some minor alterations, the insertion of French bi-fold doors to the two large ground floor display windows, re-establishing the original floor length window proportions and retaining the stucco detailing.
- 6.11 The proposal is unusual in that it is looking to incorporate the substantial commercial areas into the existing residential use. In Policy terms this amounts to an 'extension' of the dwelling and Strategic Policy 3.7 would be most relevant.

#### POLICY CONSIDERATIONS

- 6.12 **Loss of Business Use** - Strategic Policy 5.1 states that proposals involving the loss of employment sites will be carefully assessed to ensure that National Park industry and business needs are not harmed. More specifically Strategic Policy 5.3 looks to protect active uses within town centres and will not support the loss of a

main town centre use unless evidence has been submitted demonstrating that the property has been offered for sale, rent and/or lease on the open market for a continuous period of at least 12 months and at a realistic price.

- 6.13 The applicant has submitted evidence showing that the property has been marketed via an appropriate agent, Stratton Creber Commercial, and on a number of websites including BoxPod, Property Link, Rightmove and Zoopla. A 'to let' board has been on display in the property window. The property has been marketed as light industrial/2 offices with substantial storage space for £10k pa (£8.33 persqft). However, the supporting evidence does refers to a period of 6 months rather than the 12 months referred to in Policy 5.3 which relates to Town Centre premises.
- 6.14 The extent of the 'Town Centre' in any settlement is not defined in the Local Plan. Westella House sits on the outskirts of the 'ella's' residential estate, some 320m from the parade of shops at the centre of Yelverton. The street frontage between Westella House and main parade includes several businesses including a public house and surgery, but is predominantly residential properties, particularly as you approach Westella House.
- 6.15 Its location at the very edge of the 'town centre' of Yelverton seems more likely to relate to its position directly fronting the B3212 than a strong association with Yelverton's retail core.

## **RESIDENTIAL EXTENSION**

- 6.16 Strategic Policy 3.7 refers to residential extensions and supports extensions where they do not increase the habitable floorspace of the original dwelling by more than 30%.
- 6.17 The commercial area takes up the whole of the ground floor with the exception of a shared entrance vestibule/hallway which also serves the residential accommodation on the first floor. The commercial floorspace currently extends to approximately 280sqm, with the first floor residential floorspace amounting to approximately 95sqm. This proposal, which looks to incorporate the commercial floorspace into the residential would result in a 294% increase in residential floor area.
- 6.18 Any subsequent subdivision to create separate residential units or flats would require a further permission. The use of existing residential premises for second homes or holiday lets etc. falls within the same use class and currently cannot be controlled through the planning process.

## **HIGHWAYS**

- 6.19 Policy 1.7 serves to protect residential amenity in Dartmoor National Park and includes the requirement for developments to avoid any adverse impact on highways safety.
- 6.20 While the Highway Authority has not commented specifically on this proposal for an extension to the existing residential use, they have recently offered comment on a pre-application consultation regarding the site and the substandard access onto the B3212, and provided the following advice:

- 6.21 Although there are no fundamental objections to the principle of the proposed development from a highway safety point of view, the proposals involve the reopening and utilisation of the northernmost access to the B3212, where visibility is seriously restricted in the leading traffic direction, to about 20 metres when the minimum standard for visibility for a 30 m.p.h. is 43 metres; at least twice that which is available.
- 6.22 The use of that access, quite clearly the least suitable to the site from a highway safety point of view, for even just one property is unacceptable from a highway point of view and would lead to a recommendation to refuse planning permission on highway safety grounds’.

#### NEIGHBOUR AMENITY

- 6.23 The proposal will have no undue impact on local amenity or the amenities enjoyed by residents of neighbouring properties. Indeed, the removal of traffic accessing directly onto the main road along with the ceasing of commercial use in a predominantly residential area is likely to lead to an overall improvement.

#### BIODIVERSITY ENHANCEMENT ASSESSMENT

- 6.24 The proposal is for change of use and does not create any increase in floor area generating a requirement for Biodiversity Enhancement or Net Gain.
- 6.25 The application proposes a large increase in residential floor area, clearly considerably in excess of that supported by Policy 3.7.
- 6.26 In addition, it also proposes the loss of business premises which requires careful consideration. The building is on a tight site set within a mainly residential area characterised by larger residential properties. The original vehicular access to the business premises, directly off the B3212 is considered unsafe and it’s continued use is not supported by the Highways Authority.
- 6.27 The remaining access off Kirkella Road and limited amenity area serves the residential use and offers little opportunity to support the separate commercial use. Westella is some 320m from the retail area of Yelverton and has limited opportunity for passing pedestrian trade, it is not considered to fall within the ‘Town Centre’ for the purposes of Policy 5.3.
- 6.28 Consequently, its location away from the main parade of shops, its poor vehicular access and limited amenity land has significantly reduced the viability of the site for commercial use, also supported by marketing evidence submitted. Given this, it is not considered that the proposal is contrary to the provisions of Strategic Policy 5.1 or 5.3.

#### CONCLUSION

- 6.29 The proposed extension is considerably in excess of the 30% increase in floor area permitted by Strategic Policy 3.7. However, taking into account the other material planning considerations outlined above, it is not considered that it will have an unacceptable impact on the economic or social interests of the National Park, on

local amenity or on the amenities enjoyed by the residents of neighbouring properties and, as such, is considered acceptable, subject to appropriate conditions.

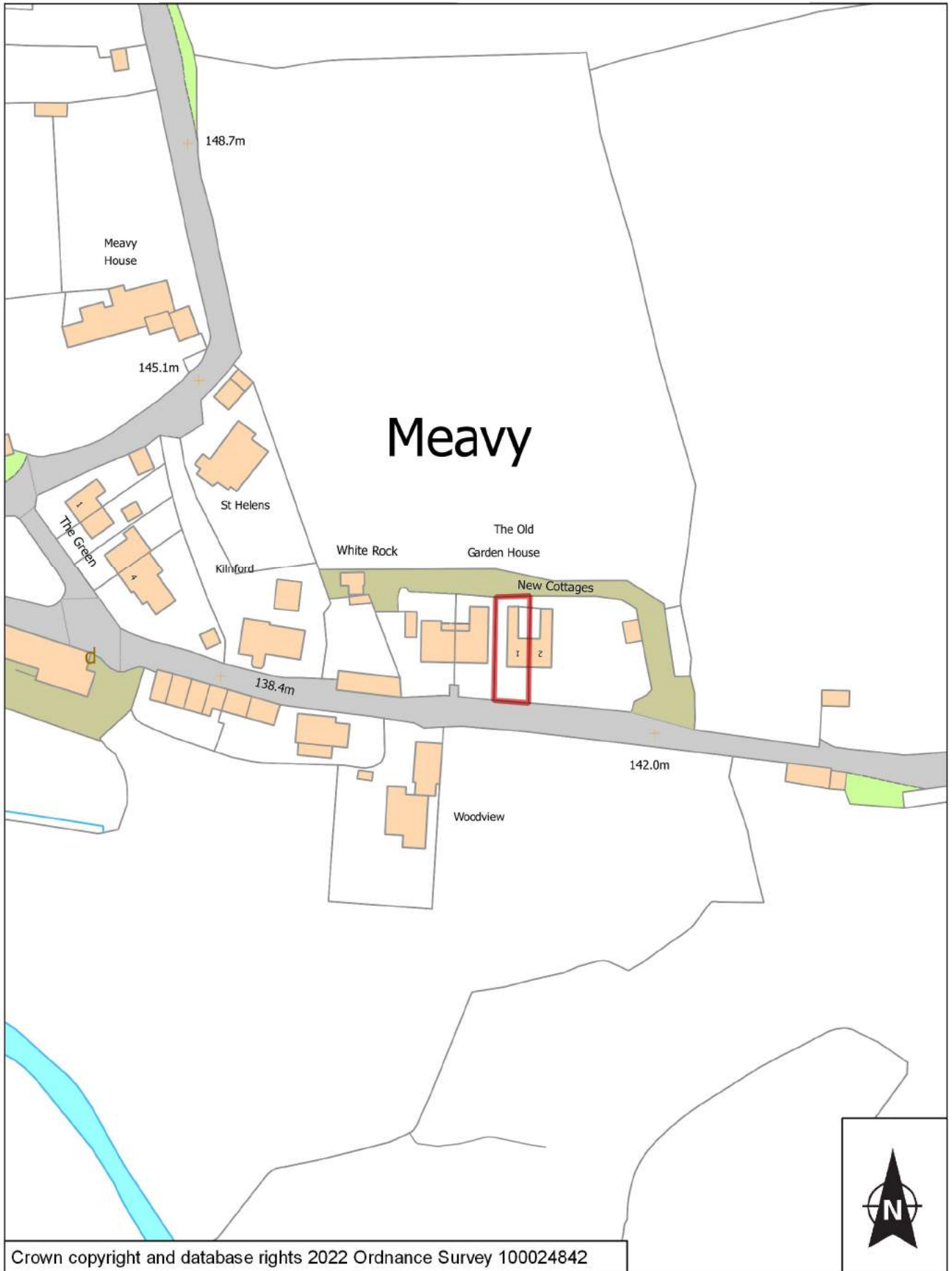
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# 0193/22 - 1 New Cottages, Meavy



Scale 1:1,250

Compiled by jumble on 26/9/2022



## Item 6

Application No: **0193/22** District/Borough: **West Devon Borough**

Application Type: **Full Planning Permission  
Householder** Parish: **Meavy**

Grid ref: **SX54206716** Officer: **Joanna Rumble**

Proposal: **Single storey side extension to dwelling for ancillary residential  
accommodation**

Location: **1 New Cottages, Meavy**

Applicant: **Mr R Grove & Miss S Clout**

Recommendation: **That permission be GRANTED**

### **Conditions:**

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 strictly in accordance with the approved drawings numbered 2437(S-)02, 2437(PL-)01B and 2437(PL-)02
3. Prior to the commencement of the development hereby approved, samples (or details) of all external facing materials including the natural stone to be used, shall be submitted to, and approved by, the Local Planning Authority.
4. All new stonework shall be laid and pointed in a traditional manner to match the stonework on the existing building.
5. The roof of the extension shall be covered in natural slate fixed by nailing, a sample of which shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of any roofing work.
6. Full details of the proposed rooflights shall be submitted to and approved by the Local Planning Authority prior to their installation. The roof lights shall be fixed flush with the outer face of the roof slope, unless otherwise agreed in writing by the Local Planning Authority.
7. The gutters and downpipes shall be of cast iron or aluminium construction and shall receive a painted finish within one month of their installation, unless otherwise agreed in writing by the Local Planning Authority.
8. Within 6 months of the commencement of the development hereby approved, the biodiversity enhancement measures illustrated on drawing numbered 2437-(PL-)01B and described in the accompanying Design and Access Statement shall be completed such that they comply with Part 3 of Policy 2.3 of the Dartmoor Local Plan (Biodiversity Net Gain). Thereafter, the approved biodiversity enhancement measures shall be maintained in perpetuity.

## **1 Introduction**

- 1.1 1 New Cottages is one of pair of traditional stone and slate cottages in the Meavy Conservation Area.



- 1.2 The application is for a single storey extension to the side of the dwelling to provide an additional bedroom, shower-room and office.
- 1.3 The application is presented to the Committee at the request of Ms Diana Moyse, in view of the impact of the proposal on the Conservation Area.

## **2 Planning History**

- 2.1 0071/16 - Erect single storey extension to the side and rear of existing dwelling - Refused - Appeal Dismissed
- 0074/15 - Single storey rear extension - Refused

## **3 CONSULTATIONS**

- 3.1 West Devon Borough Council: No comment received
- 3.2 Environment Agency: Flood Zone 1 – Standing advice applies
- 3.3 County EEC Directorate: The vehicular access to the site is from the private access track to the rear, with no vehicular access to the southern frontage. The extension extends slightly further north than the existing shed but it does not significantly impinge on existing parking, and even if it did, it is not considered to affect parking on any highways.
- 3.4 As a consequence, there are no objections to the proposals from a highway safety point of view.
- 3.5 DNP Building Conservation Officer: No's 1 and 2 New Cottages are non-designated heritage assets constructed by the Maristow Estate in the late 19<sup>th</sup> century or early 20<sup>th</sup>, being present on the 1905 OS mapping, but not earlier. The rear wing and enclosed yard were part of their original layout. They retain a significant amount of their architectural and historic interest, although originally designed with large gardens to provide self-sufficiency for the Estate's workers this character of buildings within their setting is maintained.
  - 3.5.1 Front gardens were more typically used for a combination of fruit and veg growing together with flowers to attract pollinators. The garden to No. 1 was developed with two new houses. There is an important gap between the new dwellings and No. 1, this was designed to retain the character of No.1, No. 2 and the character of the Meavy Conservation Area, a designated heritage asset.
  - 3.5.2 The proposal infills the gap between No. 1 and the boundary line significantly reducing the gap between the property and the new dwelling, a covered area is created in the yard (akin to a car port) causing harm. The multiple roof forms and materials, and compressed nature of the accommodation (no storage in bedroom created for example) and the parking have a further a negative impact on the setting of the non-designated heritage assets and on the character and appearance of the designated heritage asset, all side and any remaining rear garden is now proposed to be developed.

- 3.6 DNP Archaeology: Meavy as a settlement has pre-Domesday origins, with the first documentary reference dating to AD 1031. This, combined with the location of the proposed development site within the Meavy Conservation area, means there is an elevated potential for the presence of buried heritage assets with no current surface expression.
- 3.6.1 Given the archaeological sensitivity of the proposed development site, an archaeological watching brief (standard condition X03) is recommended according to policy 2.7.
- 3.7 DNP Trees & Landscape: The application is to build an extension on the western side of 1 New Cottages. The new build will not extend beyond the front of the property. A mature oak tree is growing along the roadside boundary. The extension will have no direct impact on the tree. Tree roots can be damaged during construction by storing materials, equipment etc on the rooting area of the tree which can compact soil changing oxygen levels leading to root death. It is important that no materials, equipment, waste materials etc are stored on the grassed area in front of the property during construction.
- 3.7.1 No objection, subject to a condition stating that no materials, equipment, waste materials etc are stored on the grassed area in front of the property during construction.

#### **4 Parish/Town Council Comments**

- 4.1 Burrator Parish Council: Objects to the proposal for the following reasons:
- A similar application in 2016 was previously refused. Due to the fact that this historic cottage is in a Conservation Area and is one of two which represent a vernacular style and situation that is worthy of preservation in its present duplicate form. This "twin aspect" approach to New Cottages should be preserved and it would be wrong to allow extensions and alterations to either of the buildings, as the effect on its partner cottage would be so damaging, it would ruin the dual aspect nature of the two cottages.
  - Additional usage of the property would put extra pressure on the already strained drainage system.
  - There is potential for the loss of a parking space having an impact on the village that already has a lack of parking.
  - Additionally, the development would impact the neighbouring property and cause a loss of privacy.

#### **5 Representations**

- 5.1 Objections have been received from the occupiers of 4 residences in Meavy including the occupiers of the modern house immediately adjacent to the application site.
- 5.2 A number of issues are raised including:
- the impact of the proposal on the historic integrity, character and appearance of the traditional building, upsetting its symmetry with its pair, to the detriment of the Meavy Conservation Area.

- In contravention of national and local plan policy particularly SP2.7
- that similar applications have previously been refused and dismissed at appeal
- The site is visible from the back lane into Meavy and from the moorland to the rear (one states it is visible from the 2 lanes leading into village and main village road, particularly in autumn/winter).
- will increase the % floor area by nearly 30%, setting a precedent, pushing prices up and reducing the stock of affordable houses for local people in the village changing from farm workers cottage to suburban semi
- the proposal reduces area available for parking, increases need by the provision of an extra bedroom and will add to parking issues in the village both in the short term by the need for tradespeople to park and in the long term
- parking will impact on the private shared driveway which must be kept clear
- will impact on neighbouring property and the wider neighbouring area by reducing the available area to soak and contain flood water that runs off the adjacent fields, endangering properties in lower lying areas of the village from flooding. More specifically, that there are well known problems with flooding in the village, as the course of the old leat flows across the top of the field behind our houses. After heavy rain, water flows off the field and finds its way past all our houses; filtering through the gardens of the properties, down their steps and into the village lane, where it is directed through a number of open pipes to the flood plain below. When any of these areas becomes blocked, there is build-up of water in the surrounding properties. These are not small amounts of water – it can be knee-deep with significant waterfalls gushing down our steps and onto the lane. Such water does not soak away, and we frequently use sandbags to protect the area. Extending the building's ground plan to fill the entire area between the property's east and west boundaries will block any north to south transit of water, forcing it to flow downwards to the west (rather than south through the property's garden to the flood plain). In addition to risks to our own flood safety, we are concerned that the proposed extension would cause flooding issues for the village, where excess water naturally courses, making for difficult passage through the village.
- the ground level of the extension will be higher than that of neighbouring property
- the addition of a second set of gable roofing and windows, and the use of render rather than brick on the back end wall, would be completely unbalanced and out of character.
- the lack of space and the substantial scale of the proposed extension, which would run most of the length of the sides of both 1 New Cottages and the adjacent property
- the loss of privacy to both properties, due to the less than 4ft proximity, and mutual overlooking from the proposed direct facing east-west (as opposed to adjacent south facing) windows situated above the height of the neighbouring wall
- The five new Velux windows angled on the pitched roof, three of which align directly with neighbours own windows, permitting views down into their kitchen, dining room, and downstairs WC, and straight into a bedroom, with direct views across the landing and into a further bedroom resulting in loss of privacy when

preparing meals, eating, socialising, sleeping, using the bathroom, and moving between the bedroom and bathroom.

- light intrusion and sound issues for neighbour - Meavy is quiet in the evenings; the only sound being the river and wildlife. With a minimal distance between windows, any household light and noises would be immediately overheard. We moved into the village because it is known for its tranquility and dark skies, which are part of its rural and conservation character, and we cannot be expected to keep our windows permanently closed and covered. It would be impossible to resolve the impact of this extremely close face to face proximity in any other way, as the 1 metre space that will exist between us would not allow for any form of screening without blocking our route from the front to the back of our property – an access route that is important in a variety of circumstances.
- the size and close proximity of the proposed extension to neighbouring property will block natural light from the east side of the property. As a semi-detached house, it relies on the natural light provided over the top of its boundary wall by the space that currently exists between its east walls and 1 New Cottage. The top of the proposed extension would start from the top of our wall and rise to just under the window, blocking much of the available light. This would require the use artificial light continuously, day and night.
- with only 1m between both properties it will be difficult to maintain both properties and, obstruction would be unavoidable.

## **6 Relevant Local Plan Policies**

### **6.1 Strategic Policy 1.1: Delivering National Park purposes and protecting Dartmoor's special qualities**

Strategic Policy 1.2: Sustainable development in Dartmoor National Park

Strategic Policy 1.5: Delivering good design

Policy 1.7: Protecting local amenity in Dartmoor National Park

Strategic Policy 2.3: Biodiversity Net Gain

Strategic Policy 2.5: The water environment and flood risk

Strategic Policy 2.7: Conserving and enhancing heritage assets

Policy 3.7: Residential alterations, extensions and outbuildings

## **7 Observations**

7.1 New Cottages are an attractive pair of late Victorian estate cottages built in stone with brick dressings by the Maristow Estate. The pair of cottages have distinctive single storey rear tenements and have a symmetry to the front and rear. They feature as undesignated heritage assets on the Historic Environment Record.

7.2 They are set back from the road at a higher level, with hedges enclosing the front garden of number 1. The site faces open agricultural fields to the rear that are included within the boundary of the Conservation Area. The cottages, and adjacent modern semi-detached, are visible from public view points including the lane running north from the centre of the village. This important view is recognised in the Meavy Conservation Area Appraisal.

7.3 To the west and within the former garden of number 1 is a pair of modern semi-detached houses. The house adjacent to 1 New Cottages, The Old Garden House,

has a rear, single storey, dual pitch, substantially glazed extension which was permitted in 2011. Subsequent to this, a 2m high (approx.) boundary blockwork wall has been constructed between it and 1 New Cottages.

## THE PROPOSAL

- 7.4 The application proposes a lean-to extension to the west side of the dwelling which, at the rear turns to dual pitch to create an 'M' profile with the existing rear extension. The extension is to have stone faced front and rear elevations with brick detailing, and a natural slate roof with terracotta ridge tiles, all to match the existing. The side wall, which will run immediately along the neighbouring property's breeze block boundary wall, is to be rendered.
- 7.5 The 5 rooflights will be conservation style and flush fitting, other windows to be white UPVC casements to matching existing. Rainwater goods will be painted aluminium.
- 7.6 The Design and Access statement indicates that the existing floor area extends to 99.4sqm and the proposal adds an additional 28.5sqm. This is an increase in floor area of 28.6%, within the 30% indicated by Policy 3.7.

## HERITAGE CONSIDERATIONS

- 7.7 The existing cottages are rather typical of estate architecture and have a well noted symmetry and balance in their design and detailing. However, with the development of 2 houses in the garden of number 1 and the further subsequent addition of a substantial blockwork boundary wall, the character of the cottage setting has been significantly eroded.
- 7.8 The current proposal has significantly reduced the bulk, prominence and height of the proposed extension from that previously considered and refused in 2016. Its narrower form, set back from the principal elevation, reduced height and more sympathetic approach to the roof profile all help to produce an extension which is visually subservient to the original dwelling. It also retains and complements the existing tenement rear projection, rather than replacing it.
- 7.9 While there are public views of the rear of the cottages, these are relatively distant and the cottages are seen in association with the more imposing newer development immediately adjacent. The proposed single storey extension will be well screened by the existing field hedge to the rear or existing built features such as the extension and boundary wall of the neighbouring property when seen from the north west.
- 7.10 Strategic Policy 2.7 states that proposals should avoid harming a heritage asset's significance. For designated assets, in this case the Conservation Area, any harm to significance must be less than substantial, justified and clearly be outweighed by the development's public benefits to be acceptable. For non-designated assets, in this case the cottages, any harm must be balanced against the significance of the asset and found to be reasonable and justified.

## HIGHWAYS

- 7.11 The Highways Officer has raised no objection to the access and parking provision.

## FLOODING

- 7.12 The extension utilises existing surfaced yard areas. The site is not within Flood Zone 2 or 3 and soakaway provision is made within the grassed garden area to the front of the cottage. Any run-off arising from outside the site would be able to flow between the extension and neighbour's boundary wall, if necessary.

## BIODIVERSITY ENHANCEMENT

- 7.13 The proposal has a floor area of 28.5sqm which generates a requirement of 2 enhancement features, for which 4 bird nesting boxes have been proposed.

## NEIGHBOUR AMENITY

- 7.14 An objection has been received from the occupiers of the adjoining property to the west of the cottage, The Old Garden House. In addition to the concerns raised with regard to loss of parking, flooding and impact on the character of the building and the Conservation Area, they have also raised issue with loss of privacy, noise, light intrusion and the loss of natural light from their own property.
- 7.15 The proposal creates a bedroom, shower room and study in an area previously used for outdoor seating as part of the garden, this is unlikely to create any additional noise other than that reasonably associated with use as a dwelling. It will also have no bearing on privacy, the rooflights are set at height within the roofplane and do not offer any direct line of sight into the neighbouring property. The walls of the proposed extension sit behind the neighbour's existing concrete block wall and will have no impact on natural light to his property, similarly the roof is pitched away from the boundary and again will have little impact.

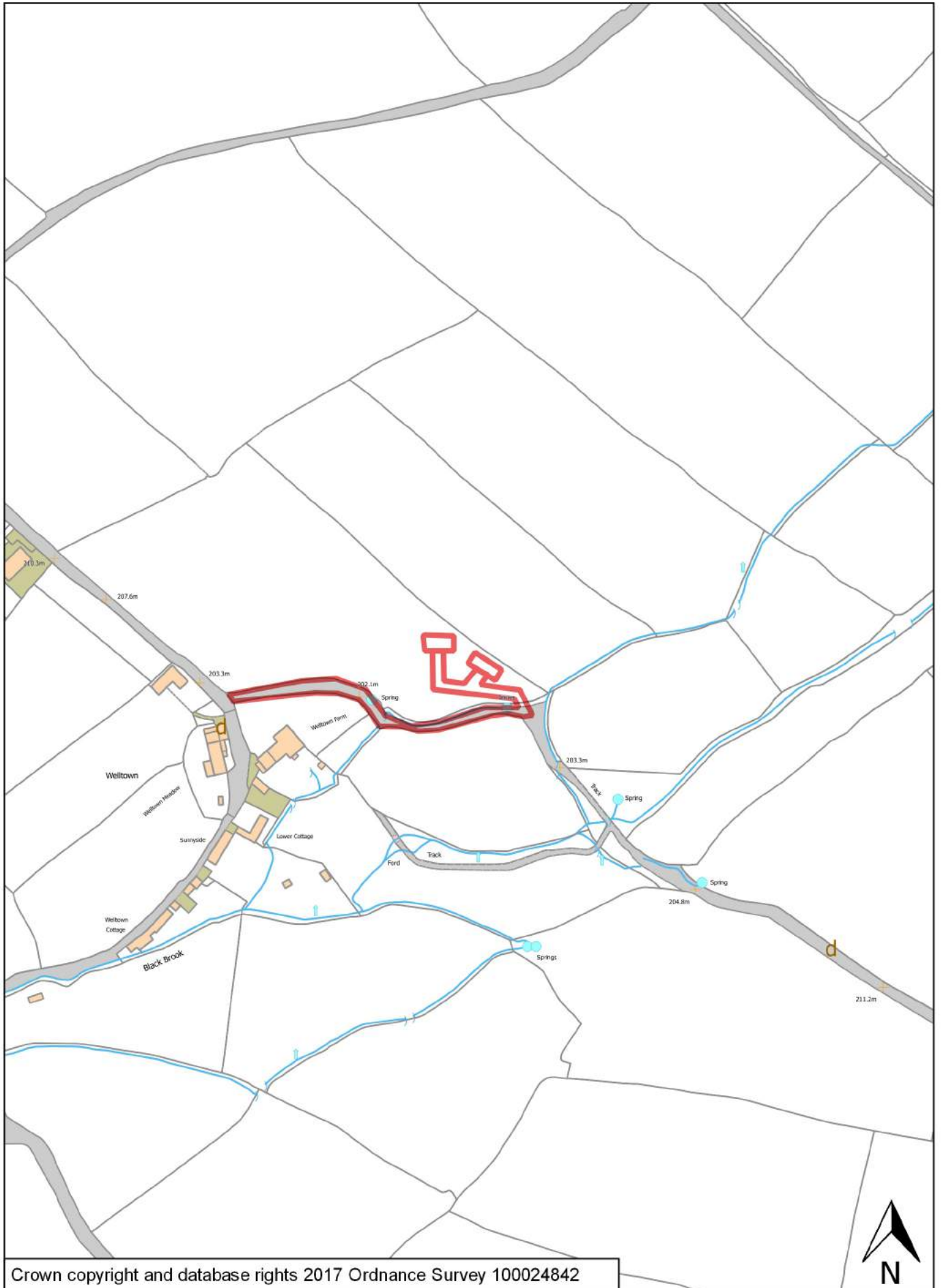
## CONCLUSION

- 7.16 The proposed extension is less than the 30% increase in floor area permitted by Strategic Policy 3.7. It is considered to be an acceptable form of extension that respects the character and appearance of the cottages and of the Meavy Conservation Area, will have no unacceptable impact on local amenity or on the amenities enjoyed by the residents of neighbouring property; will have no undue impact on highway safety or flooding and, as such, is considered acceptable, subject to the conditions suggested.
-

# 0369/22 - Welltown, Walkhampton



Scale 1:2,500



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## Item 7

Application No: **0369/22** District/Borough: **West Devon Borough**  
Application Type: **Full Planning Permission** Parish: **Walkhampton**  
Grid ref: **SX54147007** Officer: **Nicola White**  
Proposal: **Installation of two arrays of photovoltaic panels, one ground mounted and one roof mounted**  
Location: **Welltown Farm, Walkhampton**  
Applicant: **Mr R Glanville**  
Recommendation: **That, subject to the consideration of any comments from the Parish Council, permission be GRANTED**

### Conditions

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 strictly in accordance with the approved site location plan entitled 'GLANVILLE PVS LOCPL AUG22', drawing numbered GLANVILLE PVPANELS REV1 AUG22A, GLANVILLE PVPANELS BLPREV1 AUG22 and the VERTEXS\_395W - TECHNICAL SPECIFICATIONS product information sheet, valid 1 September 2022.
3. Upon the photovoltaic panels hereby permitted becoming non-operational they shall be removed and the land/building reinstated to its former condition within a period of six months.
4. Within twelve months of the date of this decision notice, the biodiversity enhancement measures described in the Design and Access Statement dated 1 September 2022 shall be completed, such that they comply with Part 3 of Policy 2.3 of the Dartmoor Local Plan (Biodiversity Net Gain). Thereafter, the approved biodiversity enhancement measures shall be maintained in perpetuity.
5. The solar panels hereby approved shall be fitted with black outer frames.
6. All associated cabling shall be placed underground. Details of the cable route shall have been submitted to the Local Planning Authority and approved in writing prior to the installation of the approved panels. Works shall be carried out in accordance with the approved details and maintained as such thereafter.

### 1 Introduction

- 1.1 This application is being presented to the Committee as the Applicant is a Member of the Authority
- 1.2 The proposal is for a ground mounted solar array in a field, and a set of panels on an existing barn on land to the northeast of Welltown Farm, Walkhampton. The proposed solar array in the field will consist of 14 panels in an array 3.5 x 7.7 metres. The highest end of each panel will be 1.1m from the ground and the lowest 0.3m this will allow light and natural growth under the panels. The panels will be south facing and due to the topography will not be visible. The array on top of the barn would be 14 panels , some vertically, some horizontal, in a block 9.9 x 2.9 metres.



- 1.3 The ground array will be mounted on steel stakes driven into the ground making minimal disturbance to the land.
- 1.4 The main issue in this case is the impact of the proposed development on the character and appearance of this part of the National Park.

## **2 Consultations**

- 2.1 West Devon Borough Council – No objection  
DCC Economy and Environment Directorate – No highway implications

## **3 Parish Council Comments**

- 3.1 No response to date.

## **4 Relevant Local Plan Policies**

- 4.1 Strategic Policy 1.1 Delivering National Park purposes and protecting Dartmoor's Special Qualities  
Strategic Policy 1.2 Sustainable development in Dartmoor National Park  
Strategic Policy 1.3 Spatial Strategy  
Strategic Policy 1.5 Delivering good design  
Strategic Policy 1.7 Protecting local amenity in Dartmoor National Park  
Strategic Policy 2.1 Protecting the character of Dartmoor's landscape  
Strategic Policy 2.2 Conserving and enhancing Dartmoor's biodiversity and geodiversity  
Strategic Policy 2.3 Biodiversity Net Gain  
Strategic Policy 6.6 Renewable Energy

## **5 Representations**

- 5.1 None received.

## **6 Observations**

### **IMPACT ON CHARACTER AND APPEARANCE OF THE AREA**

- 6.1 Strategic Policy 1.5 seeks to deliver good design and informs that anything less than good design will be refused.
- 6.2 Strategic Policy 2.1 states that all development should conserve or enhance the character of the Dartmoor landscape.
- 6.3 Policy 6.6 states that renewable energy development will be encouraged where it does not harm the National Park's Special Qualities, including:
  - a) landscape character, taking into consideration the cumulative impact with other development;
  - b) biodiversity, geodiversity, and heritage significance;
  - c) tranquillity, dark night skies and residential amenity, taking into consideration noise, lighting, movement, odour and vibration; and

d) air, soil and water quality.

- 6.4 The site is on the northern side of a mature hedge running along the side of an access track to other parcels of agricultural land. A small bund lies between the barn and the proposed ground mounted array. The land to the south and west of the array is grazed agricultural land.
- 6.5 The array will be located on the edge of the field adjacent to the existing building, and the building itself, and will have minimal impact on the character of the local landscape. The ground array will be hidden from public view. The roof mounted array will be seen in the context of that building.

#### CONSERVATION

- 6.6 The proposed solar array is to be sited approximately 100 metres from a Grade II Listed Building. It is considered that due to the topography and mature hedging, as well as the distance, there would be no impact on the setting of the Listed Building. Confirmation has been given by the Agent that the cable will be underground and through a gateway, not impacting any trees, and enter the dwelling through the same location as the existing water supply pipes.
- 6.7 If it is considered, on submission of more information that Listed Building Consent is needed, that will be taken up as a separate matter.

#### ECOLOGY

- 6.8 The proposed development would have negligible impact on the grassland present, but the area of proposal requires one biodiversity enhancement. This will be provided by the area of the whole field in which the proposal is located, being laid to wildflower meadow.

#### CONCLUSION

- 6.9 The proposed panels will make a contribution to mitigating climate change impact through the use of renewable energy technology. Officers are satisfied that the proposed development would not impact on the special qualities of the Dartmoor landscape and that the panel design/appearance is appropriate.
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