

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

5 January 2024

Applications to be Determined by the Committee

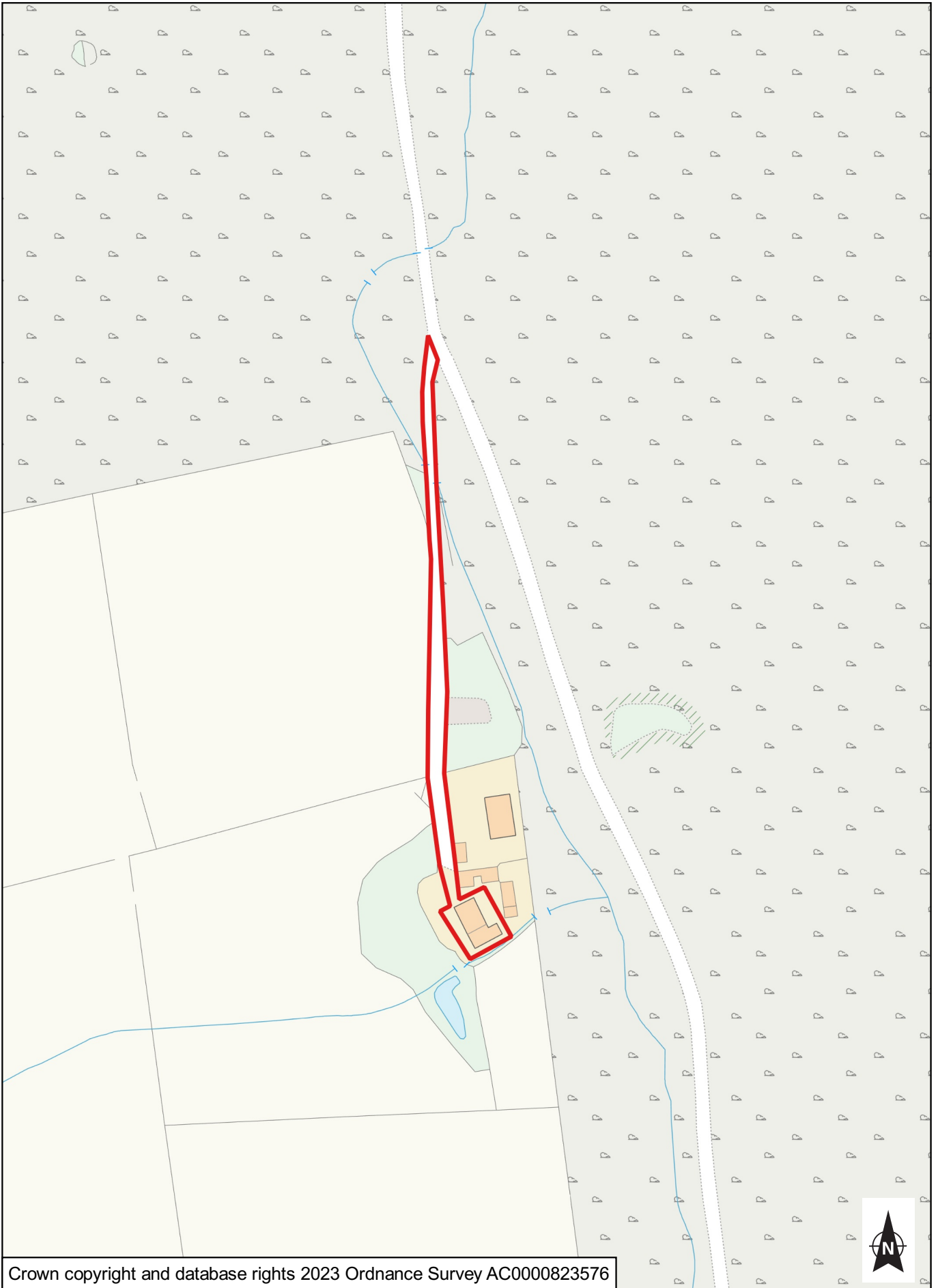
Report of the Head of Development Management

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Scale 1:1,555



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Item 1

Application No: **0413/23** District/Borough: **West Devon**
Application Type: **Full Planning Permission** Parish: **Dartmoor Forest**
Grid Ref: Officer: **Nicky Hand**
Proposal: **Side extension to house a new staircase and rear single storey lean-to extension**
Location: **Yellowmead Farm, Princetown, Devon, PL20 6SS**
Applicant: **Mr Patrick Scott**
Recommendation: **That permission be REFUSED**

Reasons

1. The proposed extensions, by reason of their additional habitable floor space, their form, size and design, would have a detrimental impact on the character and appearance of the host property. In the absence of any overriding need, justification or public benefit to outweigh the harm, the proposed development would be contrary to policy P3.7 of the Dartmoor Local Plan, the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010, the National Planning Policy Framework 2023 and the Dartmoor Design Guide.

1 Introduction

- 1.1 Yellowmead Farm is a former working farm located between the B3257 and Foggintor Quarry, approximately 1.5km west of Princetown.
- 1.2 The historic farmstead is considered a non-designated heritage asset featuring on the Historic Environment Record.
- 1.3 The site is accessed along a track from the B road, and is visible from surrounding open access land.
- 1.4 This proposal is to erect two extensions; one rear single storey extension and a two-storey side extension to provide for an external staircase to serve an existing mezzanine floor.
- 1.5 The application is presented to the Committee at the request of Mr Philip Sanders, in view of the impact on the surrounding area.

2 Planning History

- 2.1 0358/20 – Prior Approval - Erection of agricultural building (12x8m) – Prior Approval Granted 9 November 2020
0033/20 – Full Planning Permission - Siting and connection to services of single

storey shepherd's hut for personal use and short term holiday accommodation –
Withdrawn 12 March 2020

0225/19 – Full Planning Permission - Erection of single storey rear utility room
extension including ground source heat pump – Grant conditionally 18 July 2019

0360/13 – Full Planning Permission - Construction of a multi-purpose building to
provide camping barn holiday accommodation, workshop/ implement store,
garaging and removal of existing agricultural buildings – Grant Conditionally
(Committee decision) 6 November 2013

0623/12 – Full Planning Permission - Construction of a multi-purpose building to
provide holiday accommodation, workshop, garaging and implement store and
removal of existing agricultural buildings – Refused 11 February 2013

0577/11 – Full Planning Permission - Variation of conditions 5 and 6 (0204/11) to
allow grey powder coated aluminium window and door frames in the first floor and
side extension – Grant Conditionally 13 December 2011

0204/11 – Full Planning Permission - Construction of first floor rear extension and
two-storey side extension and fitting of external insulation and rendering, with new
slate roof and associated works – Grant conditionally 26 May 2011

3/55/004/97/18 – Prior Notification - Agricultural Building for General Storage
(9.144m x 6.1m) – No objection 31 January 1997

3 Consultations

- 3.1 West Devon District Council – Did not wish to comment
- 3.2 County EEC Directorate – No highways implications
- 3.3 Environment Agency – Standing advice – Flood Zone 1
- 3.4 DNPA Ecology – Ok subject to conditions

4 Parish Council Comments

- 4.1 *“The Council agreed in principle to support the application as referenced above, subject having sight of the more detailed plans regarding the extensions. Unfortunately, these were not available on the DNPA planning portal prior to the meeting.*

Subsequent to the meeting the detailed plans have been circulated to Councillors, who have confirmed their support of the application, and recommendation for approval.”

5 Representations

- 5.1 Seven letters of support. The comments are summarised as follows:

- Extension would make no external difference to the appearance of the house and

the staircase is needed as a point of health & safety.

- No detrimental effect on surrounding area.
- Will enhance the building when finished in matching materials.
- External staircase will give full and safe access to the mezzanine.
- Impossible to see the proposed extensions from walking between Swell Tor and Kings Tor and also from the track to Foggintor Quarry. Only brief glimpse of side extension but would look in keeping with rest of house.
- Current owners have restored the farm beautifully.
- Sympathetic to the history of the building.
- Current 'floating staircase' is dangerous and not fit for purpose.
- With Council's focus on accessibility this should be approved.
- Owner has physical impairment which prevents her using the current staircase to access the mezzanine.
- Mezzanine area is currently virtually unusable for the existing homeowners.
- Small footprint for the proposed stairs would be unjustifiable to refuse.

6 Relevant Development 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 1.3 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.

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 2.7 Conserving and enhancing heritage assets.

Policy 3.7 Residential alterations, extensions and outbuildings

7 Proposal

7.1 This application proposes to erect two extensions to the dwellinghouse; one rear single storey extension to the living area and a two-storey side extension to provide for an external staircase to serve an existing mezzanine floor.

8 Policy

8.1 Local Plan Policy 3.7 relates to residential alterations, extensions and outbuildings.

8.2 It states that residential extensions must not increase the habitable floorspace of the original dwelling (pre 1995) by more than 30%.

8.3 In exceptional circumstances an increase in habitable floorspace which exceeds 30% will be permitted where:

"a) the original dwelling's size is below technical householder standards, in which case a 30% increase from the applicable technical housing standards will be permitted; or

b) *a minor increase is necessary to ensure the design conserves and/ or enhances the dwelling's special character*".

9 Assessment

9.1 The property has its origins as a modest farmhouse of simple proportions with a variety of associated outbuildings.

It has had the benefit of two recent extensions;

- First floor rear extension and side extension – 2011
- Single storey rear utility room – 2019

9.2 The habitable floor space of the original (pre 1995) farmhouse amounted to 86 sqm. The approved extensions have added a further 33sqm; an increase in habitable floorspace of 38%. (It should be noted that the utility room extension is excluded from this calculation in line with policy 3.8).

9.3 The extensions proposed within this application would add a further 16sqm of habitable floor space. The cumulative impact, alongside the previous extensions amounts to an increase in habitable floorspace of 57% (noting that the previous two-storey extension did not provide head height over 1.8m over the entire mezzanine level). The dwelling meets the requirements of the technical floor space standards.

9.4 On this basis there is clear conflict with Local Plan policy 3.7 part a).

10. Design & Access

10.1 Where there is conflict with habitable floor space requirements, Local Plan policy 3.7 part b) allows for the consideration of '*a minor increase... necessary to ensure the design conserves and/ or enhances the dwelling's special character*'.

The side extension

10.2 The proposed side extension on the southern aspect is to accommodate a new staircase to serve an existing mezzanine floor within the extension applied to the property in 2011. This new staircase seeks to replace an existing, steep, 'hit & miss' staircase.

10.3 The footprint of the proposed side extension measures 2.75sqm. The proposed height is 5.6m, with a ridge height matching that of the existing dwellinghouse. The projection from the dwellinghouse measures 1.6m. It would be set back from the front elevation of the dwellinghouse and has limited visual impact. Materials are designed to match the existing dwellinghouse; painted render walls, slate roof; grey, aluminium framed window. It is a functional addition that does not fit comfortably with design of the existing extension.

The rear extension

10.4 The proposed single storey rear extension is designed to allow for increased living room space. The form is a simple lean-to design with dimensions of 3.5m x 4.8m with an eaves height of 2.2m and an overall height of 3.2m. One triple casement window is proposed at ground floor level to the rear, east elevation with two rooflights proposed above. The proposed extension is designed to sit beneath an

existing first floor gable end extension. Materials are designed to match the dwellinghouse in the main; painted rendered walls, grey aluminium window with a zinc roof. A flue is proposed to the extension roof with an exit height of 1.8m.

- 10.5 The key test is whether, as presented, the proposed extensions are a 'minor increase' which 'conserve or enhance' the special character of the dwelling sufficient to allow for deviation from the criteria applied under Locla Plan policy 3.7 (a). The cumulative total of 57% additional habitable floor space and the design and form of the proposed extensions do not conserve or enhance the non-designated heritage asset. The proposed additional extensions would further dilute the simple quality of the former farmhouse.

11. Other material planning considerations

Visual Impact

- 11.1 This is a relatively isolated moorland location. Long range public views are possible from Four Winds car park and the B3257 road. Public views are possible from surrounding access land from the old railway line between Swell Tor and Kings Tor to the south-west, which is approximately 1km away. From here the views are quite distant, and the extensions would be read against the context of the existing buildings. It is in more intimate, close up views where the cumulative impact of existing and proposed extensions would be most obvious.

Flood Risk

- 11.2 A stream is located approximately 3.5m from the proposed siting of the extension which is not considered to cause any harm, or lead to issues of flooding due to the topography of the land.

Permitted Development Rights – the fall back position

- 11.3 The dwellinghouse benefits from permitted development rights which may allow for further extension to the rear, eastern aspect of the property. The applicant has presented an argument that a sizeable, single storey extension of 35.25 sqm could be built across the rear of the dwellinghouse under permitted development and that this 'fallback position' should influence a decision on the application as presented.
- 11.4 The relevant legal principles relating to fallback were set out in *R v Secretary of State for the Environment and Havering BC (1998) EnvLR189*. This established 3 tests; *"First whether there is a fallback use, that is to say whether there is a lawful ability to undertake such a use; secondly, whether there is a likelihood or real prospect of such occurring. Thirdly if the answer to the second question is "yes" a comparison must be made between the proposed development and the fallback use."*
- 11.5 A fallback position can be a material planning consideration. However, there must be a realistic and not just a theoretical prospect of the fallback position being an alternative.
- 11.6 The permitted development fallback position proposed in this application could result in a larger single storey extension across the rear of the dwelling – the aspect which is less visible in wider public views. It would not provide the intended solution to accessing the first floor mezzanine area therefore it is questionable

whether this provides a 'real prospect' to solve the applicant's stated requirements.

Accessibility

- 11.7 Part of the justification for the proposed southern extension is to allow for improved access to the first floor mezzanine area. It seeks to replace a 'hit & miss' stair with a turning stair – neither of which are considered most appropriate for those with mobility issues. It is noted that the plans as presented in 2011 and 2019 showed a simple internal I-shaped stair pattern for access to this area. There is therefore no compelling accessibility issue that would override the policy concerns.

12 Conclusion

- 12.1 The proposed extensions, in combination with previous extensions, would significantly exceed the 30% increase in habitable floorspace, contrary to the requirements of Local Plan policy 3.7. The proposed extensions would further erode the character and appearance of the host property, There are no overriding material planning considerations which would lead to an alternative view.

13 Member Site Visit – 15 December 2023

- 13.1 Members in attendance at the site visit were; Philip Sanders, Sally Morgan, Mark Renders, Gay Hill and Peter Smerdon. Julian Greatrex from Dartmoor Forest Parish Council was also in attendance.
- 13.2 Members of the site inspection panel convened on the site where the Planning Officer advised Members of the application proposal and referred to the reasons for refusal.
- 13.3 The planning officer distributed copies of the plans which included the fall-back option presented by the applicant.
- 13.4 Members inspected the location of the proposed two storey extension. The Planning Officer identified the locations from where the proposed extension would be visible in the landscape. The Planning Officer confirmed that the extension is proposed to accommodate stairs to provide access to the existing mezzanine.
- 13.5 The Planning Officer confirmed that the previous permission for the existing extension included a permanent internal staircase which would have provided access to the mezzanine.
- 13.6 Members viewed the internal arrangement within the existing extension and noted the fold out staircase which currently provides access to the mezzanine.
- 13.7 Members then inspected the location of the proposed rear extension. The Planning Officer confirmed the size, design and materials proposed. The Planning Officer also stated that due to its location to the rear of the property it would not be overly visible in the landscape, and that there would only be glimpsed views from the public footpath to the rear of the site.
- 13.8 There was a short discussion between Members and the Planning Officers where it was confirmed that the house was part of an historic farmstead appearing on the Heritage Environment Record.

- 13.9 Planning Officers confirmed that the designation of non-designated heritage asset was a material consideration, Planning Officers also confirmed that the presence of a permitted development fall back option was a material planning consideration.
- 13.10 The Chair commented on the 30% rule in Policy 3.7.
- 13.11 The Parish Council representative confirmed that the Parish Council was in favour of the application.

CHRISTOPHER HART