DARTMOOR NATIONAL PARK AUTHORITY

DEVELOPMENT MANAGEMENT COMMITTEE

05 February 2016

APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Report of the Head of Planning

INDEX

Item No. Description

- 1. 0607/15 Restoration of former farmhouse; restoration and conversion of outbuildings to pottery, gallery and teaching facility (Full Planning Permission), Old Middlecott Farm, Chagford
- 2. 0608/15 Restoration of former farmhouse; restoration and conversion of outbuildings to pottery, gallery and teaching facility (Listed Building Consent), Old Middlecott Farm, Chagford
- 3. 0595/15 Erection of single-storey, split-level extension to residential care home to provide three day rooms, 16 beds and ancillary facilities (Full Planning Permission), Moorgate Residential Home, Bedford Bridge, Magpie, Yelverton
- 0589/15 Change of use of land from agricultural to domestic curtilage for provision of off road parking (Full Planning Permission), Bridge House, Sticklepath
- 5. 0557/15 Hard landscaping works, alterations to access and associated works (Full Planning Permission), South Wing Guest Hall, Buckfast Abbey
- 6. 0558/15 Hard landscaping works, alterations to access and associated works (Listed Building Consent), South Wing Guest Hall, Buckfast Abbey
- 7. 0529/15 Use of land as gypsy and traveller caravan site consisting of six pitches and communal day room and store (Full Planning Permission), Orchard Meadow, South Brent

Old Middlecott Farm - 0607/15



Application No:	0607/15	District/Borough	West Devon Borough
Application Type:	Full Planning Permission	Parish:	Chagford
Grid Ref:	SX716861	Officer:	Jo Burgess
Proposal:	Restoration of former farmhous outbuildings to pottery, gallery		
Location:	Old Middlecott Farm, Chagford		
Applicant:	R. Bowley & E Calvert		
Recommendation	That subject to a Section 106 legal agreement to require the dwelling to remain in the same ownership as the outbuildings and for the works to the non-domestic buildings to be implemented within a fixed timescale, permission be GRANTED		

Condition(s)

1.

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements set out in section 5 of the ecological survey report dated January 2016
- 3. Unless otherwise agreed in writing by the Local Planning Authority, the yard to the north east of the restored farmhouse hereby approved shall not be used for the parking of vehicles in association with the domestic use or the use of the outbuildings as a pottery, gallery and teaching facility.
- 4. No part of the development hereby approved shall be brought into its intended use until details of materials and layout of the surfaced parking for a maximum of four cars has been submitted to the Local Planning Authority for approval and the access, parking and turning area has been constructed, laid out and finished strictly in accordance with the approved details. Thereafter the parking shall be made available for use and permanently retained for that purpose at all times.
- 5. Prior to the external joinery and internal joinery being installed scaled details and details of the finish to be used shall be submitted to the Local Planning Authority for approval; at all times thereafter only the approved joinery finish shall be used on joinery on the building, unless otherwise agreed by the Local Planning Authority in writing.
- 6. The roof of the dwellinghouse hereby approved shall be covered in a corrugated metal roof. Prior to the commencement of any roofing works on the development hereby approved, samples of the proposed external roofing materials shall be submitted to the Local Planning Authority for approval; thereafter unless otherwise agreed by the Local Planning Authority in writing, only approved external roofing materials shall be used in the development.
- 7. The metal chimneys serving the development hereby approved shall, unless otherwise agreed by the Local Planning Authority in writing, have a black finish within one month of their installation.

- 8. Prior to the installation of any rooflight in the development hereby approved, details of the proposed rooflight(s) shall be submitted to the Local Planning Authority for approval; thereafter, unless otherwise agreed by the Local Planning Authority in writing, only approved rooflight(s) shall be used in the development.
- 9. No work shall take place to install subsurface pipework for water supply and drainage including any septic tank or remove any pre-existing floors within the development, until a written scheme of investigation (WSI) in respect of the affected floor, cobbles or ground, written by an archaeologist accredited by the Local Planning Authority but appointed and paid for by the applicant, has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, no work shall take place to commence the development hereby permitted until the expiration of 28 days following the date that written notice has been received by the Local Planning Authority of the intention to commence the development. At all times thereafter, until the completion of the development on the land, access shall be afforded at all reasonable times to any accredited archaeologist appointed and paid for by the applicant; this access to include the right to observe and inspect any excavation and to retrieve and record any items or finds.
- 10. The pottery, gallery and teaching facility shall not be brought into use until a Green Travel Plan in respect of users of and visitors to those facilities has been submitted to and approved in writing by the Local Planning Authority. Access to the pottery, gallery and teaching facility shall be in accordance with the approved Green Travel Plan.

Introduction

Old Middlecott Farm is on the edge of the hamlet of Middlecott, which is located 2km (over 1 mile) south east of Chagford. The buildings are listed grade II and on the Historic England Heritage at Risk Register.

It is proposed to convert the former milking parlour (formerly the farmhouse) to a dwelling, the threshing barn to a showroom and pottery studio/gallery. One of the stables will house a kiln and the remaining buildings will be workshops.

The facility will be a teaching facility and include work with groups to aid recovery through therapeutic work.

The application is brought before the committee in view of it being considered to be a departure from the Development Plan.

Planning History

0129/15	Restoration of former farmhouse and restoration and conversion of outbuilding to pottery, gallery and teaching facility		
	Listed Building Consent	Withdrawn	08 May 2015
0128/15	Restoration of former farmhouse and restoration and conversio outbuilding to pottery, gallery and teaching facility		conversion of
	Full Planning Permission	Withdrawn	08 May 2015

Consultations

West Devon Borough Council:	Does not wish to comment
County EEC Directorate:	No highway implications - recommend condition regarding provision of access, parking and turning prior to use being implemented
Environment Agency:	Flood Risk Zone 1 - standing advice applies
DNP - Archaeology:	An archaeological watching brief is recommended on the installation of subsurface pipework for water supply and drainage.
Historic Buildings Officer:	All the farm buildings are grade II listed and the farmhouse is a listed building 'at risk'. The farm buildings and their site are presently redundant and an appropriate new use is crucial for survival of this part of Dartmoor's cultural heritage.
	The proposal has been the subject of pre-application discussion and a site visit which has informed the conservation approach and change considered appropriate to sustain both character and significance of the designated heritage assets. A well informed and detailed historic buildings report has identified historic context, significance and potential impact of the proposals, and the level of harm is considered not to be substantial in this case.
DNP - Ecology & Wildlife Conservation:	A protected species survey report was submitted with the application and has been updated to provide for mitigation in respect of nesting birds. Provided work is conditioned to be carried out in accordance with the report, there are no ecological objections

Parish/Town Council Comments

Chagford PC: Support - however would like the Courtyard used for more parking

Relevant Development Plan Policies

- COR1 Sustainable Development Principles
- COR15 Providing for limited new housing to meet local needs
- COR18 Providing for sustainable economic growth
- **COR2** Settlement Strategies
- COR21 Dealing with development and transport issues in a sustainable way
- COR3 Protection of Dartmoor's special environmental qualities
- COR4 Design and sustainable development principles
- COR5 Protecting the historic built environment
- COR6 Protecting Dartmoor's Archaeology
- COR7 Providing for the conservation of Dartmoor's varied plant and animal life and geology
- DMD10 Enabling development
- DMD13 Archaeology
- DMD14 Biodiversity and geological conservation

DMD1a - Presumption in favour of sustainable development

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

DMD23 - Residential development outside Local Centres and Rural Settlements

DMD3 - Sustaining the quality of places in Dartmoor National Park

DMD40 - Parking provision - Residential

DMD43 - New visitor attractions and development of existing enterprises

DMD8 - Changes to Historic Buildings

DMD9 - The re-use and adoption of historic buildings in the countryside

Representations

None to date.

Observations

INTRODUCTION

This application is brought to Members because it has been advertised as a departure from the Development Plan - as an open market dwelling in the open countryside. The dwelling has one bedroom and is proposed in association with the use of the adjacent buildings to house a pottery.

HISTORY

The site has C11th origins. The existing buildings are grade II listed. They form an enclosed yard with the former farmhouse on the south-west side and the yard entrance on the north east side. The former farmhouse had an original layout typical of that of a Dartmoor longhouse and has C15th origins. It was converted to a milking parlour in the late 1950s. The history of the site and an assessment of the buildings has been set out in a comprehensive report submitted with the application.

The previous applications were withdrawn in order that ecology issues could be addressed.

THE PROPOSAL

The proposal includes the retention of the original trusses and the replacement of the corrugated iron roof with corrugated steel approximately 1.2m higher than the existing ridge, supported internally by a 'bird cage' timber truss system. This proposal is fully supported by a structural engineer's report. The main part of the house will be open to the underside of the roof with a first floor insertion in the location of an existing hayloft. No new openings are to be formed.

The proposed internal floor area will be 109sqm with two access and storage platforms totalling 25sqm. The accommodation is therefore modest and is effectively a live work unit to be occupied in association with the pottery business which is to be re-located from Exeter.

The use of the house is integral to the scheme as a whole. The works to the remaining buildings are minor and largely consist of repairs and reinstatement with new glazed doors in the former threshing barn and stables with a loft area in the workshop immediately adjacent to the proposed farmhouse set aside for the bat 'hotel'. The pottery kilns require round-the-clock attention when fired up, with constant monitoring of the temperatures over a long period and to

ensure security.

POLICY

Although the main building was formerly in residential use, it has been in agricultural use for the last 50 years or so. Planning permission is therefore required for change of use and in this location a new open market dwelling would not normally be permitted by virtue of policies COR2, COR15 and DMD23.

In addition DMD9 only allows for conversion of non-residential buildings to affordable housing for local persons or accommodation for agricultural, forestry or rural enterprise workers.

DMD8 requires an assessment of the significance of the building and whether the proposed development will result in harm to the building and the scale of such harm.

DMD10 allows for enabling development to secure the future conservation of a heritage asset where the public benefits of the proposed development decisively outweigh the disadvantages of departing from the development plan.

The applicant has set out evidence that the works will not materially harm the significance of the heritage asset and its setting. It will secure the long term future of the heritage asset and its continued use for a purpose sympathetic to its conservation and it is considered that the minimum level of development is being proposed to secure the future conservation of the heritage asset and it is of a design and type that minimises harm to other public interests.

OTHER PUBLIC INTERESTS

Ecology

It has been concluded that the amended protected species report and mitigation shown on the drawings satisfies the requirements of COR7 and DMD14. The bat 'hotel' will need to be provided before any other work is carried out in accordance with the recommendations of the updated report and the submitted drawings.

Sustainability

Four car parking spaces are provided to the south of the house leaving the courtyard surrounded by the listed buildings free of cars. Although the Parish Council has expressed a desire for parking provision in the courtyard, in order to control the impact of the use on the setting of the Listed Buildings, officers consider that parking should not be permitted in the yard. This can be achieved by a condition.

In view of the unsustainable location, nature of the lanes gaining access to the site and the likelihood of additional traffic resulting from the use, the applicant was encouraged at the pre-application stage, to think about how to minimize the traffic generated by the new use. In the application it is stated that car sharing and minibus use is a fundamental part of the ethos of the Pottery. The applicant envisages collecting those attending classes by minibus from either Chagford or Mortonhampstead.

It is considered that a condition requiring submission and approval of a green travel plan is appropriate.

LETTERS OF REPRESENTATION

No letters of objection have been received. At the time of the previous applications a 'petition' of support signed by 50 local individuals was submitted with the application.

CONCLUSION

This group of buildings is a good example of vernacular buildings and as such they are listed and designated heritage assets. The former farmhouse has been 'at risk' for some years. A reversion from its last use as an agricultural building to residential use in a very low key way, although against policies COR2, COR15, DMD9 and DMD23, will enable investment in the group and the proposed use as a pottery, studio and gallery will cause minimal harm to the significance of those buildings.

When considering development the Authority has a duty to presume in favour of sustainable development. It also has a duty to conserve and enhance the cultural heritage of the National Park. COR2 allows for development outside settlements where it sustains buildings that contribute to the special qualities of the Dartmoor National Park where those assets would otherwise be at risk and where development can be accomplished without adversely affecting the qualities of those buildings. This development achieves this and is therefore recommended for approval.

In addition to the conditions set out above, it will be necessary for a Section 106 agreement to be imposed requiring the dwelling to remain linked to the buildings and for the works to the non-domestic buildings to be implemented within a fixed timescale.

Old Middlecott Farm - 0608/15



2.	Application No:	0608/15	District/Borough: West Devon Borough	
	Application Type:	Listed Building Consent	Parish:	Chagford
	Grid Ref:	SX716861	Officer:	Jo Burgess
	Proposal:	Restoration of former farmhou outbuildings to pottery, gallery	•	
	Location:	Old Middlecott Farm, Chagford	1	
	Applicant:	R Bowley & E Calvert		

Recommendation That permission be GRANTED

Condition(s)

- 1. The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.
- 2. Prior to the external joinery and internal joinery being installed scaled details and details of the finish to be used shall be submitted to the Local Planning Authority for approval; at all times thereafter only the approved joinery finish shall be used on joinery on the building, unless otherwise agreed by the Local Planning Authority in writing.
- 3. The roof of the dwellinghouse hereby approved shall be covered in a corrugated metal roof. Prior to the commencement of any roofing works on the development hereby approved, samples of the proposed external roofing materials shall be submitted to the Local Planning Authority for approval; thereafter unless otherwise agreed by the Local Planning Authority in writing, only approved external roofing materials shall be used in the development.
- 4. The metal chimneys serving the development hereby approved shall, unless otherwise agreed by the Local Planning Authority in writing, have a black finish within one month of tier installation.
- 5. Prior to the installation of any rooflight in the development hereby approved, details of the proposed rooflight(s) shall be submitted to the Local Planning Authority for approval; thereafter, unless otherwise agreed by the Local Planning Authority in writing, only approved rooflight(s) shall be used in the development.
- 6. Prior to the installation of the slate floor in the development hereby approved, details of the proposed slate floor shall be submitted to the Local Planning Authority for approval; thereafter, unless otherwise agreed by the Local Planning Authority in writing, only the approved slate floor shall be used in the development.
- 7. No work shall take place to install subsurface pipework for water supply and drainage including any septic tank or remove any pre-existing floors within the development, until the work to the affected floor, cobbles or ground have been agreed in writing by the Local Planning Authority.

Introduction

Old Middlecott Farm is on the edge of the hamlet of Middlecott, which is located 2km (over 1 mile) south east of Chagford. The buildings are listed grade II and on the Historic England Heritage at Risk Register.

It is proposed to convert the former milking parlour (formerly the farmhouse) to a dwelling, the threshing barn to a showroom and pottery studio/gallery. One of the stables will house a kiln

and the remaining buildings will be workshops.

The facility will be a teaching facility and include work with groups to aid recovery through therapeutic work.

The application is brought before the committee in view of the corresponding planning application (0607/15) being considered to be a departure from the Development Plan.

Planning History

0129/15	Restoration of former farmhouse and restoration and conversion of outbuilding to pottery, gallery and teaching facility		conversion of
	Listed Building Consent	Withdrawn	08 May 2015
0128/15	Restoration of former farmhouse and restoration and conversio outbuilding to pottery, gallery and teaching facility		conversion of
	Full Planning Permission	Withdrawn	08 May 2015

Consultations

West Devon Borough Council: Environment Agency:	Flood Risk Zone 1 - standing advice applies
County EEC Directorate:	No highway implications
Historic Buildings Officer:	All the farm buildings are grade II listed and the farmhouse is a listed building 'at risk'. The farm buildings and their site are presently redundant and an appropriate new use is crucial for survival of this part of Dartmoor's cultural heritage.
	The proposal has been the subject of pre-application discussion and a site visit which has informed the conservation approach and change considered appropriate to sustain both character and significance of the designated

to sustain both character and significance of the designated heritage assets. A well informed and detailed historic buildings report has identified historic context, significance and potential impact of the proposals, and the level of harm is considered not to be substantial in this case.

Parish/Town Council Comments

Chagford PC:	Support

Relevant Development Plan Policies

- COR1 Sustainable Development Principles
- COR5 Protecting the historic built environment
- DMD1a Presumption in favour of sustainable development

DMD1b - Delivering National Park purposes and protecting Dartmoor National

Park's special qualities

DMD3 - Sustaining the quality of places in Dartmoor National Park

DMD8 - Changes to Historic Buildings

Representations

None to date.

Observations

INTRODUCTION

This application is brought to Members because the corresponding planning application has been advertised as a departure from the Development Plan - as an open market dwelling in the open countryside.

HISTORY

The site has C11th origins. The existing buildings are grade II listed. They form an enclosed yard with the former farmhouse on the south-west side and the yard entrance on the north east side. The former farmhouse had an original layout typical of that of a Dartmoor longhouse and has C15th origins. It was converted to a milking parlour in the late 1950s. The history of the site and an assessment of the buildings has been set out in a comprehensive report submitted with the application.

The previous applications were withdrawn in order that ecology issues could be addressed.

THE PROPOSAL

The proposal includes the retention of the original trusses and the replacement of the corrugated iron roof with corrugated steel approximately 1.2m higher than the existing ridge, supported internally by a 'bird cage' timber truss system. This proposal is fully supported by a structural engineer's report. The main part of the house will be open to the underside of the roof with a first floor insertion in the location of an existing hayloft. No new openings are to be formed.

The works to the remaining buildings are minor and largely consist of repairs and reinstatement with new glazed doors in the former threshing barn and stables with a loft area in the workshop immediately adjacent to the proposed farmhouse set aside for the bat 'hotel'.

POLICY

The buildings are listed so policies COR5, DMD3 and DMD8 are particularly relevant.

DMD8 requires an assessment of the significance of the building and whether the proposed development will result in harm to the building and the scale of such harm.

DMD10 allows for enabling development to secure the future conservation of a heritage asset where the public benefits of the proposed development decisively outweigh the disadvantages of departing from the development plan.

The applicant has set out evidence that the works will not materially harm the significance of the heritage asset and its setting. It will secure the long term future of the heritage asset and its continued use for a purpose sympathetic to its conservation and it is considered that the minimum level of development is being proposed to secure the future conservation of the heritage asset and it is of a design and type that minimises harm to other public interests.

The other public interests and material planning considerations have been set out in the report

in respect of the planning application.

LETTERS OF REPRESENTATION

No letters of objection have been received. At the time of the previous applications a 'petition' of support signed by 50 local individuals was submitted with the application.

CONCLUSION

This group of buildings is a good example of vernacular buildings and as such they are listed and designated heritage assets. The former farmhouse has been 'at risk' for some years. A reversion from its last use as an agricultural building to residential use in a very low key way, will enable investment in the group and the proposed use as a pottery, studio and gallery will cause minimal harm to the significance of those buildings.

When considering development the Authority has a duty to conserve and enhance the cultural heritage of the National Park. COR2 allows for development outside settlements where it sustains buildings that contribute to the special qualities of the Dartmoor National Park where those assets would otherwise be at risk and where development can be accomplished without adversely affecting the qualities of those buildings. This development achieves this and is therefore recommended for approval.

Moorgate Residential Home - 0595/15

Scale 1:1,000



3.	Application No: Application Type:	0595/15 Full Planning Permission	District/Borough: Parish:	West Devon Borough Horrabridge
	Grid Ref:	SX504701	Officer:	Jo Burgess
	Proposal:	Erection of single-storey, split- to provide three day rooms, 16		
	Location:	Moorgate Residential Home, Bedford Bridge, Magpie, Yelverton		
	Applicant:	Shadrick Care Homes Ltd		
	Recommendation	That permission be GRANTED	subject to a sati	sfactory Section 106

obligation in respect of the maintenance of the visibility splays

Condition(s)

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2. No part of the development hereby approved shall be brought into its intended use until the improved access, parking facilities and visibility splays have been provided in accordance with the approved drawings numbered 15/08/SCH/PLAN 01A and 11 received 11 November 2015. The parking facilities shall be maintained in accordance with the approved plans at all times.
- 3. Prior to the commencement of the development hereby approved, samples of all proposed surfacing, external facing and roofing materials shall be submitted to the Local Planning Authority for approval; thereafter unless otherwise agreed by the Local Planning Authority in writing, only approved surfacing, external facing and roofing materials shall be used in the development.
- 4. Prior to the commencement of the development hereby permitted, details of boundary screening to be planted along the boundaries of the land with Cornercroft and Bridge House shall be submitted to the Local Planning Authority for approval. The boundary screening shall be planted in accordance with the approved details within three months of the substantial completion of the development, or such longer period as the Local Planning Authority shall specify in writing. The boundary screening shall be maintained for a period of five years from the date of the commencement of the development, such maintenance to include the replacement of any trees or shrubs that die or are removed.
- 5. The landscaping and planting scheme shown on drawing number 15/08/SCH/PLAN/15 hereby approved and specified in the protected species report shall be carried out in accordance with the approved scheme within twelve months of the substantial completion of the development, or such longer period as the Local Planning Authority shall specify in writing. The landscaping and planting shall be maintained for a period of five years from the date of the commencement of the development, such maintenance shall include the replacement of any trees or shrubs that die or are removed.

- 6. No works in connection with demolition or development on the land, shall be carried out until all existing trees, shrubs and hedges to be retained have been protected by fences or suitable barriers erected beyond their dripline. Such fences or barriers shall be maintained until the completion of the development on the land. Within these protected areas there shall be no storage, deposit, tipping or placing of any materials, soil, spoil or other matter, no parking or movement of vehicles or trailers, no erection or siting of buildings or structures, no excavation or raising of ground levels and no disposal of water or other liquid. Furthermore, no fire(s) shall be lit within 20m of any protected area without the prior written authorisation of the Local Planning Authority.
- 7. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements of section 7 the ecological survey report reference 150101 rev01 dated October 2015 and received 13 January 2016.
- 8. Prior to the commencement of work to provide the additional car parking hereby permitted, details of the proposed surface water drainage works to serve the additional car parking hereby approved shall be submitted to the Local Planning Authority for approval. Implementation of all the surface water drainage works including rainwater harvesting shown on drawing number 15/08/SCH/PLAN/08 shall be strictly in accordance with the approved details. The extension shall not be brought into use until the additional car parking spaces and associated drainage have been provided in accordance with the approved details.
- 9. Unless otherwise agreed in writing by the Local Planning Authority, no work shall commence on the development hereby permitted until the expiration of 28 days following the date that written notice has been received by the Local Planning Authority of the intention to commence the development. At all times thereafter, until the completion of the development on the land, access shall be afforded at all reasonable times to any archaeologist accredited by the Local Planning Authority. This access shall include the right to observe and inspect any excavation and to retrieve and record any items of interest and finds.

Introduction

Moorgate is a private residential nursing home located 1km north west of Horrabridge at Bedford Bridge. The building is set high above the A386 and consists of the original 1930s/40s house with a large flat roofed rear extension and small single storey side extension. The home currently has 21 bedrooms.

It is proposed to erect a 40m long single storey side extension to accommodate an additional 16 bedrooms and other facilities. The extension will be visible from properties at the edge of Horrabridge, Sortridge and Grenofen against the wooded backdrop.

The application was advertised as a departure due to the size of the extension in a rural location and is presented to Members in view of the policy issues that it raises.

Planning History

0751/05 New glazed roof over courtyard and extension into courtyard to provide new dining room, kitchen and bedrooms including infill of loading bay

	door and alterations to north e	levation	
	Full Planning Permission	Grant Conditionally	17 November 2005
0335/05	Erection of single storey exten dayroom	sion to residential home	e to provide new
	Full Planning Permission	Grant Conditionally	09 June 2005
03/35/1262/89	Erection of proprietors dwelling	g and garage	
	Outline Planning Permission	Refused	02 June 1989
03/35/0644/84	Conversion of existing garages access lobby to bedrooms	s to form beds and exte	nsion to provide
	Full Planning Permission	Grant Unconditionally	25 May 1984
03/35/0541/83	Change of Use from a hotel to	residential home for the	e elderly
	Change of Use	Grant Unconditionally	03 June 1983
WC/6389/74	Use of existing chalet to the ho	otel	
	Full Planning Permission	Grant Conditionally	30 August 1974
3/35/1974/30	Chalet to be used in conjunction	on with the hotel	
	Full Planning Permission	Grant Conditionally	30 August 1974

Consultations

West Devon Borough Council: County EEC Directorate:	Does not wish to comment The proposed amendments to the access and the additional car parking are acceptable providing a condition is imposed requiring provision of the improved access and parking prior to the development being brought into use.
Environment Agency:	Flood Risk Zone 1 - standing advice applies
Devon County Council:	The Senior Commissioning Manager (Social Care) has advised that this area of the county is one where greater choice and diversity of care home provision would be of benefit.
DNP - Archaeology:	Two mineralised lodes pass through the site of the proposed development and it appears that these may have been exploited by opencast working. There is a strong possibility of sub-surface mine workings. A geotechnical survey and archaeological watching brief are recommended.
DNP - Trees & Landscape:	No objection subject to the applicant submitting a Tree and Hedgerow Protection Plan. The development will have minimal impact on the character of the local landscape and will have minimal visual impact.
DNP - Ecology & Wildlife Conservation:	Details of wildlife planting scheme, lighting and mitigation were requested to be shown on the drawings. Additional drawings have incorporated the recommendations in respect of bat roost access points, wildlife planting, lighting and bird nesting. The condition proposed therefore fulfills the Ecology requirements.

.

Horrabridge PC: Support the application. Although unsympathetic to the original house, landscape contours and the existing planting scheme, trees and bushes will completely obscure the long low utility building. Residential home beds are required locally and the extra employment created justify support within the Horrabridge community particularly as 28 beds have been lost with the closure of a Yelverton home. There is a concern whether the bus stop to Tavistock could be moved closer to the entrance.

Relevant Development Plan Policies

- COR1 Sustainable Development Principles
- COR11 Retaining tranquillity
- COR18 Providing for sustainable economic growth
- COR2 Settlement Strategies
- COR21 Dealing with development and transport issues in a sustainable way
- COR3 Protection of Dartmoor's special environmental qualities
- COR4 Design and sustainable development principles
- COR6 Protecting Dartmoor's Archaeology

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

- DMD14 Biodiversity and geological conservation
- DMD17 Development on contaminated land
- DMD18 Development on unstable land
- DMD1a Presumption in favour of sustainable development
- DMD1b Delivering National Park purposes and protecting Dartmoor National
- Park's special qualities
- DMD38 Access onto the highway
- DMD4 Protecting local amenity
- DMD41 Parking provision Non Residential
- DMD5 National Park Landscape
- DMD6 Dartmoor's moorland and woodland
- DMD7 Dartmoor's built environment

Representations

1 letter of objection 1 other letter

The immediate neighbour raises boundary screening and privacy issues that can be dealt with by condition.

Observations

INTRODUCTION

Moorgate Residential Home is an established care home which has been extended and refurbished over the last ten years. It is located approximately 1km (0.5 miles) north of Horrabridge and access is from the A386. Pre-application discussions have taken place in respect of the design and massing of the extension and the configuration of the access.

THE PROPOSAL

The scope for extending is limited by the landform, the orientation, the links to the existing building and the underlying geology. The existing terraces to the side of the home are the site of two former tennis courts. The proposed extension projects onto the terrace and is 40m long compared with the existing home the frontage of which is 20m. The extension is of single storey design with alternate sedum and metal roofs, larch cladding and self-coloured render in order to blend effectively into the back drop of the slope and the woods. It has been designed specifically to meet the requirements of the home and best practice and also to maximise solar gain and passive ventilation. Following pre-application discussions with the Highways Officer improvements to the access are proposed together with additional parking.

PLANNING POLICY AND SUSTAINABILITY

The settlement pattern proposed for Dartmoor is based on a planned approach to development and constraint that works towards the objective of sustainable development. The key to this is the settlement strategy set out in policy COR2.

Horrabridge is one of a number of Local Centres which offers a range of services for its immediate locality and wider rural hinterland.

Outside such settlements development is very restricted but the policy does allow for small scale development for the growth of existing businesses. COR18 specifically states that outside a classified settlement, local employment and business opportunities will be sustained by provision for the small scale expansion and development of existing businesses and sites.

Policy DMD1a maintains a presumption in favour of sustainable development.

Moorgate Residential Home is located outside of the settlement of Horrabridge. Doubling the number of beds being provided cannot be considered to be a small scale expansion of the business. An expansion of this scale is therefore considered to be a departure from the Development Plan and needs to be justified.

THE NEED FOR ADDITIONAL FACILITIES

The owners of the home have undertaken a feasibility study into expanding and improving the facilities at Moorgate together with an assessment of the optimum size for the home with regard to care quality, staffing, facilities and resident ratios. This proposal addresses the need identified including 16 additional beds.

The applicant has provided an analysis of the Devon County Council's 2014 report into dementia, demographic and population data provided on the DCC website and information from the home regarding the source of the demand for dementia care at Moorgate and concluded that in the West Devon area around 150 additional beds per year will be required for specialist dementia care. It is also noted that due to closure of a home in Yelverton and one in Tavistock 61 beds have recently been lost in the area resulting in increased demand and the re-homing of residents outside the area due to bed shortage. With a rising mean age of the UK population and locally the shortfall in 2016 is expected to be around 110 beds rising to 550 by 2020.

Devon County Council Social Care has confirmed that this is an area of the county where greater choice and diversity of care home provision will be of benefit, especially as the

prevalence of dementia will increase in the coming years.

Moorgate currently provides specialist dementia care. 65% of this demand is relating to local people referred by social services and the rest come from five feeder homes in the West Devon area. Moorgate is one of the only local care facilities that has the potential to grow substantially without moving sites or requiring a major restructuring of the existing business.

The applicants are committed to remaining on site and although they acknowledge that this is not a small scale expansion of a business outside a local settlement, they consider that this extension will meet a real and identified need in the local community for essential services to the elderly, frail or those with specialist care needs such as dementia.

IMPACT ON LANDSCAPE CHARACTER

Moorgate Residential Home lies in the Walkham Valley, which is classed as 3J Upland River Valley in the Landscape Character Assessment. It occupies an elevated position and being two stories in height with a render finish and extensive glazing it is visible from the edge of Horrabridge, Sortridge and Grenofen to the south east, east and north east respectively.

Rather than extending with a design to match the existing building which would be visible and prominent in the wider landscape, the proposed extension is single storey with mono pitch sedum and metal roofs in a staggered form. Significant landscaping will be carried out and existing structures will be removed apart from one shed used to store garden machinery. This will ensure that the new building blends effectively into the landscape.

The Trees and Landscape Officer has confirmed that the proposal will have minimal impact on the character of the landscape and will have minimal visual impact and as such the proposal is considered to be in accordance with DMD5. A tree and hedgerow protection condition is requested.

DESIGN

In developing the design, it was clear that conventional two storey development would create massing that would dominate the existing care home and be visible from several public viewpoints. Single storey development with a conventional roof resulted in the roof being very dominant and issues with providing daylight, sunlight and natural ventilation.

The final design articulates the hierarchy of rooms from single bedrooms to grander communal spaces in the built form with smaller roof sections, changes to profiles and materials giving the appearance of a cluster of buildings rather than one large building. The use of larch cladding, a timber frame, self-coloured render, a mixture of a green roof and standing seam metal and the integration of sustainable heating using air source heat pumps and under floor heating, together with solar photovoltaic panels will ensure a building that blends into the landscape and is sustainable as required by the Design Guide. The link to Moorgate will be glazed to clearly define the old and new and provide an internal garden which can be used throughout the year.

ECOLOGY

A protected species survey was submitted with this application together with a landscape plan and a lighting plan. Clarification regarding specific issues was sought especially in respect of lighting in relation to a known bat roost in the existing building. Additional information in respect of light spill and amended plans detailing appropriate the integration of additional wildlife friendly planting into the landscaping scheme have been received and the ecologist has confirmed that the proposed condition requiring works to be carried out in accordance with the protected species report will ensure that the proposal will conserve and enhance biodiversity and is therefore acceptable in terms of policies COR7 and DMD14.

MINING & ARCHAEOLOGY

The site is located on land formerly ascribed to an early tin and copper mine called Creakham Beam. The mine was extended and became part of Wheal Franco Copper Mine. Policy DMD18 in respect of unstable land is therefore relevant.

The abandonment mine plans are not complete and do not show the earliest workings in the area around the site. There are no records showing the location, depth and extent of mine workings associated with the shafts located close to the western boundary of the site and in the mining search report submitted with the application, it is stated that it is not possible to categorise the potential risk of subsidence of shallow mine workings within the site area and that it would be necessary to carry out site investigation to verify the condition of the ground.

Having examined the mining search report the West Devon Borough Council specialist within the Environmental Health department concurred with this advice and had concerns regarding geostability which may arise due to potential mine shafts beneath the proposed extension. Further investigations have been carried out and information provided to demonstrate to the satisfaction of the engineer at West Devon Borough Council that the risk of mine working being discovered in the construction of the footings is low. It is therefore considered that the requirements of the NPPF and policy DMD18 in this respect have been met. No mitigation is proposed or required in this case.

In light of the mining history on the site, an archaeological watching brief has been requested by the archaeologist.

HIGHWAYS

The applicant has demonstrated that the increase in traffic flow to and from the site as a result of the development will be in the order of 3 per day and hence very modest. The access onto the A386 is narrow, restricting entry or departure to one vehicle at a time.

Visibility is limited in the Horrabridge direction to 40m. Following consultation with Highways and the immediate neighbour it is proposed to increase the width of the access to 60m for the first 15m from the road, providing markings on the drive to maintain a free flow and trimming back the road-side hedge to provide improved visibility of 60m towards Horrabridge. Visibility towards Tavistock will remain at 90m. As the visibility splay towards Horrabridge is on the neighbours land a Unilateral Oligation requiring the applicant and the neighbouring owner to maintain the visibility splay at all times is required.

The Highways Officer has recommended a condition requiring this work to be carried out and the improved access to be maintained at all times in accordance with the drawings.

In terms of parking five additional car parking spaces are shown to be provided. The site has a secondary access for pedestrians and cyclists to Drakes Trail and it is proposed that this is improved to encourage staff to use more sustainable forms of transport.

The Parish Council has raised the issue of the bus stop location, however the Highways Officer has advised that in terms of forward visibility on the downhill approach and the existing double white lines, he does not consider that the position could be improved.

DRAINAGE

The proposal includes good sustainable drainage features including rainwater harvesting but no details of drainage of the additional parking area have been provided. This should be the subject of a condition in accordance with COR8.

IMPACT ON RESIDENTIAL AMENITY

The site is elevated above the property known as Cornercroft. The respective levels and intervening screening are such that there will be no direct overlooking from the extension into windows in the existing dwelling and a section confirms that the extension will not dominate this property such that the amenity it enjoys will be compromised.

The neighbour in Bridge House which is located to the north and adjacent to the drive has raised matters related to the revisions to the access and screening of the access drive. These can be addressed through conditions.

CONCLUSION

Policy DMD1a contains a presumption in favour of sustainable development and planning applications that accord with the policies in the Local Plan.

Moorgate Residential Home is located outside of an identified settlement, therefore by definition in an unsustainable location, however it is an existing business which is accessible by public transport due to its location on the A386 and by cycle and foot on the nearby Drakes Trail.

Information provided by the applicant and supported in general terms by Devon County Council demonstrates the existing and likely increased demand for residential care provision, especially for those suffering from dementia. The recent closure of homes in Yelverton and Tavistock has increased demand in the area for beds and this home is well placed to meet that demand.

Care has been taken with the providing a design, improved access, ecological features including appropriate lighting, landscaping and drainage to meet the relevant policy requirements.

Policy DMD1b requires development to deliver National Park purposes and protect Dartmoor National Park's special qualities. It is considered that in this case the development will not detract from but will enhance the special qualities of the National Park and in view of the proven need for residential care in this part of West Devon that this development will foster the social and economic well-being of the local community.

Policy DMD18 states that a stability report should accompany applications for development on unstable land and remedial measures shall be agreed by the Local Planning Authority. The National Policy Planning Framework in paragraph 120-121 states that where a site is affected by land stability issues, responsibilities for securing a safe development rests with the developer but that planning decisions should also ensure that the site is suitable for its new

use taking into account ground conditions and land instability, including from former activities such as mining. The specialist at West Devon Borough Council (WDBC) is satisfied that this is the case. It is therefore recommended that planning permission is granted subject to conditions.



4.	Application No: Application Type: Grid Ref:	0589/15 Full Planning Permission SX643939	District/Borough: Parish: Officer:	West Devon Borough Sticklepath Oliver Dorrell
	Proposal:	Change of use of land from ag provision of off road parking		
	Location:	Bridge House, Sticklepath		
	Applicant:	Mr D Moore		
	Recommendation	That permission be REFUSED		

Reason(s) for Refusal

1. The proposed change of use of agricultural land to domestic curtilage for the parking of motor vehicles would, by reason of its size and location, have a detrimental impact on the character and appearance of this part of the National Park and would fail to preserve the setting of the Sticklepath Conservation Area. It would be contrary to policies COR1, COR3, COR5 of the Dartmoor National Park Authority's Core Strategy and policies DMD1b, DMD5, DMD7 and DMD12 of the Authority's Development and Delivery Development Plan Document, the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.

Introduction

The application site comprises part of a field on the eastern side of Sticklepath measuring 15m by 5.5 - 8m at its widest point. This proposal is for the change of use of this land to domestic curtilage to allow for off-road parking.

The site is bounded to the north by the B3260 road where there is an existing field gateway providing access directly onto the highway.

Part of the site is within Flood Zones 2 & 3.

This application is presented to Committee in view of the Parish Council comments.

Consultations

West Devon Borough Council:	Does not wish to comment
County EEC Directorate:	No objection
Environment Agency:	Standing advice - flood zone 2 & 3

Parish/Town Council Comments

Sticklepath PC:	Council agreed unanimously to approve application as it
	was an improvement on the current situation.

Relevant Development Plan Policies

- COR1 Sustainable Development Principles
- **COR2** Settlement Strategies
- COR4 Design and sustainable development principles

COR5 - Protecting the historic built environment

DMD12 - Conservation Areas

DMD1b - Delivering National Park purposes and protecting Dartmoor National

Park's special qualities

DMD38 - Access onto the highway

DMD5 - National Park Landscape

DMD7 - Dartmoor's built environment

Representations

1 letter of objection 7 letters of support

For - Proposal would alleviate local parking problems; on-street parking is a potential danger to emergency vehicles.

Against - Noise/light intrusion for occupiers of neighbouring property; existing garage should be removed to provide off-street parking; highway safety; inappropriate construction materials.

Observations

BACKGROUND

This application has been submitted by the owners of Bridge House. The property has limited capacity for off-street parking. There is a garage attached to the northern end of the building however its dimensions are such that it not suitable to accommodate modern vehicles. As a consequence the owners and any visitors to the property are required to park on the road.

PROPOSAL

This application is for the change of use of a parcel of land adjoining the northern boundary of the property to domestic curtilage to allow for off-road parking.

As part of an agreement with the owner of the remainder of the field it is proposed that the part of the site adjoining the boundary with the highway be retained up to 5.5m back from the hedge to allow access to the field. A new gateway would be formed at right angles to the existing gate.

The remainder of the site would be bounded by stock proof fencing and a mixed native hedge.

IMPACT ON CHARACTER AND APPEARANCE

The site currently forms part of a field which extends from the road to the boundary of Skaigh Woods. The field is very visible from the road. Although the land does not form part of the Sticklepath Conservation Area the view from bridge across the field to the rear of the Bridge House is specifically recognised in the Conservation Area Appraisal as being a important to the setting of the village.

Bridge House itself is also identified as an Historic Building of High Quality.

Policy DMD7 states that development proposals affecting the quality and distinctiveness of Dartmoor's built environment should respect the integrity of historic village plans and have particular regard for the setting of heritage assets, while DMD12 asserts that development

outside a conservation area that would harm its character of appearance should not be permitted.

In this case it is considered that the openness of the field framed by the woodland beyond is important to the setting of the both Bridge House and the wider Sticklepath Conservation Area. The change of use of such a large part of the field for the purpose of parking motor vehicles, along with the associated surfacing necessary to facilitate this use, would constitute an undesirable domestic intrusion which would be harmful to setting of the conservation area and eastern approach into the village. The proposed development would therefore be contrary to policies DMD7 and DMD12.

FLOOD RISK

Approximately half of the site falls within flood zones 2 & 3 due to its proximity to the River Taw. In addition there is a drainage channel which runs along the middle of the field and the field is known for becoming waterlogged during times of heavy rainfall.

The proposal to change the use of part of the field from agricultural to domestic curtilage does not alter the vulnerability classification of the site, both uses falling in the 'less vulnerable' classification. Table 3 of the National Planning Policy Framework Technical Guidance 2012 states that the proposed change of use is 'appropriate' and there is no evidence that the proposal would lead to increased flooding elsewhere away from the site.

The proposed development therefore is considered to comply with policy COR9.

HIGHWAY SAFETY

There is an existing field access which would remain as part of this proposal with arrangements in place to provide access to the remainder of the field (see above). Although it has not been demonstrated that there is adequate turning space within the red-line to allow for domestic vehicles to enter and leave the proposed parking area in a forward gear the Highways Engineer is satisfied that adequate visibility in both directions to serve the proposed development and does not raise any objection on the grounds of highway safety. There is however no over-riding need on highway safety grounds to warrant such a visual intrusion and harm to local character.

CONCLUSION

The proposal in its current form would be harmful to the character and appearance of this part of the National Park. Officers acknowledge the benefits in removing parked cars from this busy approach into the village however recommends instead that the applicant considers adaptation of the space currently occupied by the garage to the side of the property to provide off-road parking within the site.

This is consistent with the written advice provided prior to the submission of this application.

South Wing Guest Hall, Buckfast Abbey-0557/15

Scale 1:2,500





5.	Application No: Application Type: Grid Ref:	0557/15 Full Planning Permission SX740673	District/Borough: Parish: Officer:	Teignbridge District Buckfastleigh Christopher Hart
	Proposal:	Hard landscaping works, alterations to access and associated works		and associated works
	Location:	South Wing Guest Hall, Buckfast Abbey		
	Applicant:	Buckfast Abbey Trustees		
	Recommendation	That permission be REFUSED		

Reason(s) for Refusal

1. In the absence of sufficient information on the potential impact of the development on affected heritage assets the proposed development would lead to substantial harm to the character, appearance and setting of the designated heritage assets. In the absence of substantial public benefit sufficient to outweigh the potential harm, the proposal would be contrary to policies COR1, 3, 4, 5, 6 and DMD 1a, 1b, 7 and 8 of the Development Plan and the advice contained in the English National Parks & The Broads UK Government Circular 2010 and the National Planning Policy Framework 2012.

Introduction

The South Wing Guest Hall is a grade II listed building situated on the south side of the main Abbey precinct at Buckfast. It is a two-storey building which has been the subject of previous upgrading and refurbishment.

The application seeks permission to establish better access to the underutilised first floor chamber of the building. A new access ramp is proposed from the southern side together with a comprehensive redesign of the landscaping on that elevation.

The application is presented to the Committee in view of the concerns raised by Historic England.

Planning History

5/32/143/93/03	Repair and re-roofing of existing building to form musuem exhibition room including interpretation of original medieval walls		
	Full Planning Permission	Grant Conditionally	02 August 1993
5/32/142/93/07	Repair and re-roofing of existing building to form museum exhibition room including interpretation of original medieval walls		
	Listed Building Consent	Grant Conditionally	02 August 1993
5/32/024/93/03	Repair and re-roofing of existing building to form museum exhibition room including interpretation of original medieval walls		
	Full Planning Permission	Grant Conditionally	05 April 1993
5/32/025/93/07	Repair and re-roofing of existing building to form museum exhibition room including interpretation of original medieval walls		
	Listed Building Consent	Grant Conditionally	05 April 1993
0558/15 Hard landscaping works, alterations to access and associate		sociated works	
	Listed Building Consent	Not yet determined	

Consultations

Teignbridge District Council: County EEC Directorate: Environment Agency: Historic Buildings Officer: No objection No highway implications Flood zone 1 - standing advice The proposal has been the subject of substantial preapplication advice and site visits.

The South Wing Guest Hall was grade II listed on 10th January, 1951 and is a designated heritage asset and setting. Only the ground below the listed building is a scheduled monument. Whist one end of the proposed bridge link is to be connected to the listed building the opposite end rests on earthworks placed directly on the scheduled monument. The area of ground on which the external works to form a pathway, garden and the bridge support for the proposed access to the first floor of the Guest Hall is within the curtilage of the listed building. Settings of designated heritage assets are a material consideration in this case.

This application for proposed works by Buckfast Abbey Trustees has been undertaken by a carefully chosen and highly regarded group of consultants; respected specialists in the fields of Conservation Architecture, Archaeology, and Historic Buildings. Their knowledge, understanding and experience of the Abbey site is unsurpassed and accords with the Trust's approach to produce definitive architecture and an enhanced appreciation of the monastic life and place. There has been a long ongoing history of major projects from the rebuilding of the Abbey church, definitive restoration of South Gate, workshop and office premises, South Wing Guest Hall, and many more exemplar building projects which have combined to create a vision greater than the sum of its parts.

Heritage value and significance have been addressed in accompanying documents and it is not considered that the proposal will cause substantial harm to the significance of the designated heritage asset and settings, and the proposal is therefore supported.

Whilst Historic England has called for additional justification and assessment of impact on the settings of designated heritage assets, the very long time taken to provide proactive and informed advice much earlier in the design and scheduled monument process has not been helpful to the Abbey for their plans to celebrate its Millennium year in 2018.

The proposal will not cause substantial harm to the

significance and character of designated heritage assets and settings.

Historic England: Historic England (HE) appreciates the aim of improving access to the principal space at first-floor level of the restored grade II Guest Hall. It appreciates that this would allow greater use of this fine building, and provides a further amenity for visitors and guests.

> However, the present proposals for the access ramps and bridge, and for the reduction in the nearby ruined walls, would have an adverse impact on the fabric and setting of the scheduled monument and on the setting of the listed Guest Hall. The ramp structure would also cause a degree of harm through its intrusion between the listed South Gate range and the Guest Hall, and there could also be some intrusive impact on views of the Abbey from this area.

The harm resulting from the visual and spatial intrusion might be acceptable if the scheme as a whole was adequately justified and it could be demonstrated that the level of harm to affected heritage asset would be acceptable in other respects. Unfortunately this is not the case: the application proposes treatment of upstanding walls which would bring unacceptable harm to the monument and the setting of the listed buildings, and the application also presents insufficient information on the archaeological impact of the proposed ramp and bridge scheme, and provides insufficient justification to demonstrate that this is, on balance, the most acceptable option.

For developments affecting significant heritage assets, applications should (in line with NPPF para 128) be accompanied by sufficient information to enable a proper assessment to be made of the impact of the proposals on the affected assets and potential for mitigation. In this case, mitigation would include alterations to the scheme to ensure physical preservation of archaeological and historic remains and their settings, and investigation and recording of archaeological remains. The applicant has not provided sufficient information on the potential impacts of the proposals on the affected heritage assets. Without this information, it is not possible for the Authority to make an informed determination of the application.

The lack of information and justification need to be addressed through archaeological evaluations and an options appraisal, and the proposals for the standing walls should be amended to avoid harmful impact.

Scheduled Monument Consent Issues

A key factor, in addition to the planning issues, the proposed development also requires Scheduled Monument Consent (SMC) (HE advises on and administers consent). In cases like these it is advisable that SMC issues are resolved prior to submission and before determination of planning applications.

In view of the above concerns HE is unable to support the granting of SMC for the present proposal. HE has asked the applicant to commission pre-determination archaeological evaluation of the proposed site. Previous investigations have focussed on the former medieval kitchen area to the west of the main works now proposed, with limited investigation of the area of the access ramp. Archaeological trial trenching is required in order to be able to design a scheme first floor access.

HE cannot support the proposed reduction in height and capping of the upstanding walling south of the Guest Hall and to the west of the proposed ramp. This walling forms an integral part of the historic complex and is important for the appreciation and understanding of the history and development of the monument as a whole, including its development in the centuries following Dissolution. The applicant has been advised that these walls should be repaired and conserved 'as found'.

HE has advised that the 2013 options appraisals should be revisited to consider further architectural options and retain the openness of the area. This could involve consideration of an internal lift.

The application for Guest Hall access affects the site and setting of the scheduled monument at Buckfast Abbey (scheduled as 'The North Gate and part of the precinct area of Buckfast Abbey) and the settings of several listed buildings, including the grade II* Abbey. The present proposals would potentially have a harmful impact on the scheduled monument and on the settings and associative relationship of the nearby listed buildings, notably the grade II Guest Hall and South Gate. In HE's view the application is premature. It fails to provide sufficient information on the potential impact of the proposal on the affected heritage assets, as required by the NPPF paragraph 128, and it has not demonstrated that the proposed development can be achieved without unacceptable harm to designated heritage assets, or that any such harm would be justified or outweighed by other public benefits, as required by the NPPF paragraphs 132-5. Without this information, it is not possible for the Authority to make an informed assessment on the impacts of the development proposed here, or make

	a properly informed determination of the application. HE therefore object to the application on the grounds that it is contrary to national and local planning policy, and recommend that the local authority either refuses the application, or defers determination and requests the applicant to provide the required information and amend the application. In view of the amount of work that may be required to achieve an acceptable application, deferral may not be feasible, in which case the most appropriate course might be for the application to be withdrawn with a view to a revised resubmission. If the application is determined as it currently stands, HE would recommend refusal.
DNP - Archaeology:	The area to the south of the abbey guest house is located within the precinct of the medieval abbey and has the potential to contain buried heritage assets which, given the area's Scheduled status, are likely to be of some significance. Most of the proposed works will not affect any such features. However, especially on the eastern side of the area, the architect's sections indicate a reduction in the ground level which has the potential to expose any archaeological remains.

According to policy DMD13, an archaeological watching brief and appropriate recording is recommended on all ground works which will reduce the level of the ground within the works area.

Parish/Town Council Comments

Buckfastleigh TC:

Support - will improve access for the disabled and looks very much in keeping with the rest of the grounds

Relevant Development Plan Policies

- COR1 Sustainable Development Principles
- COR13 Providing for high standards of accessibility and design
- COR3 Protection of Dartmoor's special environmental qualities
- COR4 Design and sustainable development principles
- COR5 Protecting the historic built environment
- COR6 Protecting Dartmoor's Archaeology
- DMD13 Archaeology
- DMD1a Presumption in favour of sustainable development
- DMD1b Delivering National Park purposes and protecting Dartmoor National Park's special gualities
- DMD7 Dartmoor's built environment
- DMD8 Changes to Historic Buildings

Representations

None to date.

Observations

THE PROPOSAL

The proposal has the objective of providing improved public access to the upper chamber of the South Wing of the medieval Guest Hall at Buckfast Abbey. This area of the building is currently underutilised and difficult to access up a steep flight of stairs. The first floor is a fine example of a beautifully restored medieval upper hall.

The concept is of reworking the landscaped area to the south of the building and providing a new minimal link spanning from a landscaped mound to the existing pentice roofed stars/landing on the south elevation of the building. The idea is to provide an attractive new entrance way for all with minimum intervention to the existing building. The bridging link will be formed from oak bearers with a clear galls safety balustrade. The scheme has been devised through extensive pre-application discussions with both the Authority and Historic England.

The application includes the lowering and consolidation of existing historic walls adjacent to the listed building.

POLICY IMPLICATIONS

The Guest Hall is a designated heritage asset in its own right, being a grade II listed building. It is one of a number of important listed buildings within the Abbey complex and notably within the immediate setting of the grade II* listed Abbey and South Gate. It also lies within the designated area of the scheduled ancient monument which covers a significant portion of the historic core of the Abbey.

The National Planning Policy Framework (2012) recognises that heritage assets are an irreplaceable resource and advocates that they should be conserved in a manner appropriate to their significance. It states that;

Paragraph 128; 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation'.

Paragraph 132; 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional'.

Paragraph 133; 'Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss'.

The Development Plan echoes the need to ensure that change to designated heritage assets is proportionate and well informed by thorough analysis of significance and assessment of harm. The assets themselves should be 'conserved and enhanced' by any proposals (COR5). Development should not have an adverse impact on the integrity or setting of a scheduled ancient monument (COR6). Proposals should have particular regard to the quality, integrity, character and settings of heritage assets (DMD7). Where potential for substantial harm is identified it will be necessary to demonstrate that the harm will be outweighed by substantial public benefit. (DMD8).

Policy COR13 encourages the highest standards of accessible to public buildings.

REPRESENTATIONS

The concerns raised by Historic England (HE) are set out in detail in the preceding text. While HE has been actively involved in the development of the solution to access issues and has given pre-application encouragement to the design approach, it has always cautioned about the potential for impact on the underlying scheduled monument and the potential for impact on this important aspect. The formal consultation, necessary as part of the application process, has revealed a strong objection to the principle of this development on the basis of the potential for substantial harm to the designated asset and its setting.

It should be noted that the Authority's Historic Buildings Officer and Archaeologist have assessed the matter and after due consideration have reached a conclusion that the harm is less significant and is outweighed by the public benefits that may accrue by allowing better access to this building.

SUMMMARY

This, and the following application, present an unusual dilemma where the desire to meet improved public access requirements must be offset against perceived harm to designated heritage assets. The test requires that, where substantial harm is envisaged, there must equally be at least substantial public benefit to outweigh that concern. HE has highlighted a concern in this respect which, it suggests, may be overcome by further informed research and investigation. In many cases a pragmatic approach has been achieved through negotiation however, in this case, HE is maintaining a strong objection.

CONCLUSION

While there are undoubted public benefits to be gained by the provision of improved access for all to the first floor of this important building, Members are advised that to set aside the strong objection of HE would be unwise at this time. The applicants and their agent are fully aware of the concerns raised by HE.

South Wing Guest Hall, Buckfast Abbey-0558/15

Scale 1:2,500




6.	Application No:	0558/15	District/Borough:	Teignbridge District
	Application Type:	Listed Building Consent	Parish:	Buckfastleigh
	Grid Ref:	SX740673	Officer:	Christopher Hart
	Proposal:	Hard landscaping works, altera	ations to access	and associated works
	Location:	South Wing Guest Hall, Buckfast Abbey		
	Applicant:	Buckfast Abbey Trustees		
	Recommendation	That consent be REFUSED		

Reason(s) for Refusal

 In the absence of sufficient information on the potential impact on affected heritage assets the proposed works would lead to substantial harm to the character, appearance and setting of the designated heritage asset. In the absence of substantial public benefit sufficient to outweigh the potential harm, the proposal would be contrary to policies COR1, 3, 4, 5, 6 and DMD 1a, 1b, 7 and 8 of the Development Plan and the advice contained in the English National Parks & The Broads UK Government Circular 2010 and the National Planning Policy Framework 2012.

Introduction

The South Wing Guest Hall is a grade II listed building situated on the south side of the main Abbey precinct at Buckfast. It is a two-storey building which has been the subject of previous upgrading and refurbishment.

The application seeks consent to establish better access to the underutilised first floor chamber of the building. A new access ramp is proposed from the southern side together with a comprehensive redesign of the landscaping on that elevation.

The application is presented to the committee in view of the concerns raised by Historic England.

Planning History

5/32/143/93/03	Repair and re-roofing of existing building to form musuem exhibition room including interpretation of original medieval walls		
	Full Planning Permission	Grant Conditionally	02 August 1993
5/32/142/93/07	Repair and re-roofing of existin including interpretation of origir		eum exhibition room
	Listed Building Consent	Grant Conditionally	02 August 1993
5/32/024/93/03	Repair and re-roofing of existing building to form museum exhibition room including interpretation of original medieval walls		
	Full Planning Permission	Grant Conditionally	05 April 1993
5/32/025/93/07	Repair and re-roofing of existin including interpretation of origin	č	eum exhibition room
	Listed Building Consent	Grant Conditionally	05 April 1993
0557/15	Hard landscaping works, altera	itions to access and as	sociated works
	Full Planning Permission	Not yet determined	

Consultations

Teignbridge District Council: County EEC Directorate: Environment Agency: DNP - Archaeology:	No objection No highway implications Flood zone 1 - standing advice The area to the south of the abbey guest house is located
	within the precinct of the medieval abbey and has the potential to contain buried heritage assets which, Given the area's Scheduled status are likely to be of some significance. Most of the proposed works will not affect any such features. However, especially on the eastern side of the area, the architect's sections indicate a reduction in the ground level which has the potential to expose any archaeological remains.
Historic Buildings Officer:	The proposal has been the subject of substantial pre- application advice and site visits.
	The South Wing Guest Hall was grade II listed on 10th January, 1951 and is a designated heritage asset and setting. Only the ground below the listed building is a scheduled monument. Whist one end of the proposed bridge link is to be connected to the listed building the opposite end rests on earthworks placed directly on the scheduled monument. The area of ground on which the external works to form a pathway, garden and the bridge support for the proposed access to the first floor of the Guest Hall is within the curtilage of the listed building. Settings of designated heritage assets are a material consideration in this case.
	This application for proposed works by Buckfast Abbey Trustees has been undertaken by a carefully chosen and highly regarded group of consultants; respected specialists in the fields of Conservation Architecture, Archaeology, and Historic Buildings. Their knowledge, understanding and experience of the Abbey site is unsurpassed and accords with the Trust's approach to produce definitive architecture and an enhanced appreciation of the monastic life and place. There has been a long ongoing history of major projects from the rebuilding of the Abbey church, definitive restoration of South Gate, workshop and office premises, South Wing Guest Hall, and many more exemplar building projects which have combined to create a vision greater than the sum of its parts.
	Heritage value and significance have been addressed in accompanying documents and it is not considered that the proposal will cause substantial harm to the significance of the designated heritage asset and settings, and the proposal is therefore supported.

Whist Historic England has called for additional justification and assessment of impact on the settings of designated heritage assets, the very long time taken to provide proactive and informed advice much earlier in the design and scheduled monument process has not been helpful to the Abbey for their plans to celebrate its Millennium year in 2018. The proposal will not cause substantial harm to the significance and character of designated heritage assets and settings. Historic England: Historic England (HE) appreciates the aim of improving access to the principal space at first-floor level of the restored grade II Guest Hall. It appreciates that this would allow greater use of this fine building, and provides a further amenity for visitors and guests. However, the present proposals for the access ramps and bridge, and for the reduction in the nearby ruined walls, would have an adverse impact on the fabric and setting of the scheduled monument and on the setting of the listed Guest Hall. The ramp structure would also cause a degree of harm through its intrusion between the listed South Gate range and the Guest Hall, and there could also be some intrusive impact on views of the Abbey from this area. The harm resulting from the visual and spatial intrusion might be acceptable if the scheme as a whole was adequately justified and it could be demonstrated that the level of harm to affected heritage asset would be acceptable in other respects. Unfortunately this is not the case: the application proposes treatment of upstanding walls which would bring unacceptable harm to the monument and the setting of the listed buildings, and the application also presents insufficient information on the archaeological impact of the proposed ramp and bridge scheme, and provides insufficient justification to demonstrate that this is, on balance, the most acceptable option. For developments affecting significant heritage assets, applications should (in line with NPPF para 128) be accompanied by sufficient information to enable a proper assessment to be made of the impact of the proposals on the affected assets and potential for mitigation. In this case, mitigation would include alterations to the scheme to ensure physical preservation of archaeological and historic remains and their settings, and investigation and recording of archaeological remains. The application as not provide

sufficient information on the potential impacts of the

proposals on the affected heritage assets. Without this information, it is not possible for the Authority to make an informed determination of the application.

The lack of information and justification need to be addressed through archaeological evaluations and an options appraisal, and the proposals for the standing walls should be amended to avoid harmful impact.

Scheduled Monument Consent Issues

A key factor, in addition to the planning issues, the proposed development also requires Scheduled Monument Consent (SMC) (HE advises on and administers consent). In cases like these it is advisable that SMC issues are resolved prior to submission and before determination of planning applications.

In view of the above concerns HE is unable to support the granting of SMC for the present proposal. HE has asked the applicant to commission pre-determination archaeological evaluation of the proposed site. Previous investigations have focussed on the former medieval kitchen area to the west of the main works now proposed, with limited investigation of the area of the access ramp. Archaeological trial trenching is required in order to be able to design a scheme first floor access.

HE cannot support the proposed reduction in height and capping of the upstanding walling south of the Guest Hall and to the west of the proposed ramp. This walling forms an integral part of the historic complex and is important for the appreciation and understanding of the history and development of the monument as a whole, including its development in the centuries following Dissolution. The applicant has been advised that these walls should be repaired and conserved 'as found'.

HE has advised that the 2013 options appraisals should be revisited to consider further architectural options and retain the openness of the area. This could involve consideration of an internal lift.

The application for Guest Hall access affects the site and setting of the scheduled monument at Buckfast Abbey (scheduled as 'The North Gate and part of the precinct area of Buckfast Abbey) and the settings of several listed buildings, including the grade II* Abbey. The present proposals would potentially have a harmful impact on the scheduled monument and on the settings and associative relationship of the nearby listed buildings, notably the grade II Guest Hall and South Gate. In HE's view the application is premature. It fails to provide sufficient information on the potential impact of the proposal on the affected heritage assets, as required by the NPPF paragraph 128, and it has not demonstrated that the proposed development can be achieved without unacceptable harm to designated heritage assets, or that any such harm would be justified or outweighed by other public benefits, as required by the NPPF paragraphs 132-5. Without this information, it is not possible for the Authority to make an informed assessment on the impacts of the development proposed here, or make a properly informed determination of the application. HE therefore object to the application on the grounds that it is contrary to national and local planning policy, and recommend that the local authority either refuses the application, or defers determination and requests the applicant to provide the required information and amend the application. In view of the amount of work that may be required to achieve an acceptable application, deferral may not be feasible, in which case the most appropriate course might be for the application to be withdrawn with a view to a revised resubmission. If the application is determined as it currently stands, HE would recommend refusal.

Parish/Town Council Comments

Buckfastleigh TC:

Support - will improve access for the disabled and looks very much in keeping with the rest of the grounds

Relevant Development Plan Policies

- **COR1 Sustainable Development Principles**
- COR5 Protecting the historic built environment
- DMD1b Delivering National Park purposes and protecting Dartmoor National
- Park's special qualities
- DMD7 Dartmoor's built environment
- DMD8 Changes to Historic Buildings

Representations

None to date.

Observations

THE PROPOSAL

The proposal has the objective of providing improved public access to the upper chamber of the South Wing of the medieval Guest Hall at Buckfast Abbey. This area of the building is currently underutilised and difficult to access up a steep flight of stairs. The first floor is a fine example of a beautifully restored medieval upper hall.

The concept is of reworking the landscaped area to the south of the building and providing a new minimal link spanning from a landscaped mound to the existing pentice roofed stars/landing on the south elevation of the building. The idea is to provide an attractive new

entrance way for all with minimum intervention to the existing building. The bridging link will be formed from oak bearers with a clear galls safety balustrade. The scheme has been devised through extensive pre-application discussions with both the Authority and Historic England.

The works include lowering and consolidation of existing walls attached to the listed structure.

POLICY IMPLICATIONS

The Guest Hall is a designated heritage asset in its own right, being a grade II listed building. It is one of a number of important listed buildings within the Abbey complex and notably within the immediate setting of the grade II* listed Abbey and South Gate. It also lies within the designated area of the scheduled ancient monument which covers a significant portion of the historic core of the Abbey.

The National Planning Policy Framework (2012) recognises that heritage assets are an irreplaceable resource and advocates that they should be conserved in a manner appropriate to their significance. It states that;

Paragraph 128; 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation'.

Paragraph 132; 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional'.

Paragraph 133; 'Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss'.

The Development Plan echoes the need to ensure that change to designated heritage assets is proportionate and well informed by thorough analysis of significance and assessment of harm. The assets themselves should be 'conserved and enhanced' by any proposals (COR5). Development should not have an adverse impact on the integrity or setting of a scheduled ancient monument (COR6). Proposal should have particular regard to the quality, integrity, character and settings of heritage assets (DMD7). Where potential for substantial harm is identified it will be necessary to demonstrate that the harm will be outweighed by

substantial public benefit. (DMD8).

REPRESENTATIONS

The concerns raised by Historic England (HE) are set out in detail in the preceding text. While HE has been actively involved in the development of the solution to access issues and has given pre-application encouragement to the design approach, it has always cautioned about the potential for impact on the underlying scheduled monument and the potential for impact on this important aspect. The formal consultation, necessary as part of the application process, has revealed a strong objection to the principle of this development on the basis of the potential for substantial harm to the designated asset and its setting.

It should be noted that the Authority's Historic Buildings Officer and Archaeologist have assessed the matter and after due consideration have reached a conclusion that the harm is less significant and is outweighed by the public benefits that may accrue by allowing better access to this building.

SUMMMARY

This application presents an unusual dilemma where the desire to meet improved public access requirements must be offset against perceived harm to designated heritage assets. The test requires that, where substantial harm is envisaged, there must equally be at least substantial public benefit to outweigh that concern. HE has highlighted a concern in this respect which, it suggests, may be overcome by further informed research and investigation. In many cases a pragmatic approach has been achieved through negotiation however, in this case, HE is maintaining a strong objection.

CONCLUSION

While there are undoubted public benefits to be gained by the provision of improved access for all to the first floor of this important building, Members are advised that to set aside the strong objection of HE would be unwise at this time. The applicants and their agent are fully aware of the concerns raised by HE.



7. Application No: 0529/15 District/Borough: South Hams District Application Type: Full Planning Permission Parish: South Brent Grid Ref: Officer: SX704601 James Aven Proposal: Use of land as gypsy and traveller caravan site consisting of six pitches and communal day room and store Location: **Orchard Meadow, South Brent** Applicant: Mr & Mrs Purdy Recommendation That permission be GRANTED

Condition(s)

- 1. No works on the development hereby approved shall take place until details of the Day Room and Store have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out and maintained in accordance with the approved details.
- 2. The development hereby approved shall be carried out strictly in accordance with the approved drawing numbered 01319/3C, unless otherwise agreed in writing by the Local Planning Authority.
- 3. No part of the development hereby approved shall be brought into its intended use until improvements to the access visibility splay have been provided in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the visibility splay shall be maintained as approved at all times.
- 4. Prior to the commencement of the development hereby permitted, details of boundary screening to be planted along the north eastern boundary of the land shall be submitted to the Local Planning Authority for approval. The boundary screening shall be completed in accordance with the approved details within twelve months of the commencement of the development, or such longer period as the Local Planning Authority shall specify in writing. The boundary screening shall be maintained for a period of not less than five years from the date of the commencement of the development, such maintenance to include the replacement of any trees or shrubs that die or are removed.
- 5. No tree or hedge on the land (other than one permitted to be felled or removed as shown on the approved plans) shall be felled, lopped, topped, cut down or grubbed out without the prior written consent of the Local Planning Authority. Any tree or hedge removed without consent, or found to be dying, damaged or diseased, shall be replaced on a like for like basis unless otherwise agreed in writing by the Local Planning Authority.
- 6. This permission does not authorise use of the land as a caravan site by any persons other than gypsies and travellers, as defined in Annex 1 to DCLG "Planning Policy for Traveller Sites" (August 2015).
- 7. The residential use hereby permitted shall be restricted to the stationing of no more than twelve caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, at any time, of which no more than six shall be a static caravan.

- 8. There shall be no more than six pitches on the site and on each of the six pitches hereby approved no more than two caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, shall be stationed at any time, of which only one caravan shall be a residential static caravan.
- 9. No touring caravan shall be used or occupied other than for purposes ancillary and subservient to the approved static caravan on each of their respective pitches and shall not at any time be used, let, sold or otherwise occupied as a separate unit of accommodation.
- ^{10.} The Day Room and Store hereby approved shall only be used for purposes ancillary to the residential use as a caravan site hereby approved and shall not at any time be occupied, let or sold for any independent use.
- 11. No commercial or industrial activities shall take place on the land, including the storage or sale of goods or materials of any kind.
- 12. No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.
- 13. No external lighting shall be installed on the site until details have been submitted to and approved in writing by the Local Planning Authority.
- 14. Notwithstanding the details hereby approved, unless otherwise agreed in writing by the Local Planning Authority, the boundary fences around each pitch shall be made of a non-combustible material. Details of the fences shall be submitted to and approved in writing by the Local Planning Authority prior to their erection and thereafter, shall be maintained in accordance with the approved details.
- 15. 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 building, enclosure, structure, erection, hard surface, swimming or other pool shall be constructed or erected in, on or around the paddock located along the eastern side of the site hereby permitted without the prior written authorisation of the Local Planning Authority.

Introduction

The application site occupies an area of approximately 0.2ha and is situated approximately 650 metres to the east of South Brent, outside but immediately adjoining the settlement boundary of the village.

The site adjoins the B3372 South Brent to Marley Head road along its southern boundary, a sports ground to the west, an electricity sub-station to the north and agricultural land to the east.

The site is occupied at the present time by the Purdy family, who purchased the site in 1995 and have since resided there on a permanent basis. The family travel for economic purposes and have a recognised Gypsy status. The site is currently considered to be tidy and well maintained.

This application seeks permission to extend the site and increase the number of pitches from two to six, with an additional communal day room and store.

The application is presented to the Committee due to the comments of the Parish Council.

Planning History

0019/14	Variation of condition 1 allowed 09/45/1203/83) to allow occupation		
	Full Planning Permission	Grant Conditionally	14 March 2014
9/45/007/97/03	RENOVATION AND REFURB		
	Full Planning Permission	Grant Conditionally	11 March 1997
09/45/0876/88	TWO NEW BUNGALOWS FO	R LIVINGACCOMMOD	DATION.
	Outline Planning Permission	Refused	16 June 1988
09/45/1203/83	TWO MOBILE HOMES AND T	WO SHEDS	
	Change of Use	Refused	30 September 1983
		Result: Allowed	
09/45/1851/80	PROPOSED RETENTION OF ANDTWO SHEDS.	TWORESIDENTIAL C	ARAVANS
	Full Planning Permission	Refused	09 January 1981

Consultations

Officer:

South Hams District Council: The applicant will need to be aware that the proposals will fall under the licensing regime of the Mobile Homes Act 2013; there is some concern that the proposed separation distances between some units is less than 6m and on this basis, the District Council would be unable to issue a licence. This concern would be lessened however if the two caravans on each pitch were tied and occupied as one unit. This will not resolve the problem entirely however and the layout may have to be reviewed under the licence application. It would also be preferable if the proposed close boarded timber fences were of a non-flammable material.

In regards to Environmental Health concerns, the site is not known to be contaminated or at significant risk of noise from environmental sources and as such I do not see the need to provide conditions for this application.

Environment Agency: Flood Risk Zone 1 - Standing advice applies Gypsy & Traveller Liaison Devon has only two local authority Gypsy site

Devon has only two local authority Gypsy sites, one at Sowton, Exeter; this site is a long term residential site which holds a long waiting list. A second: Broadclyst is not owned by the County Council and we are not able to offer any new pitches for families due to the terms set by the landowner. Whilst accommodation for the settled community is increasing substantially in the South West there is still very little provision for Gypsy/Traveller families.

There is no local authority emergency or transit sites in Devon and ninety percent of the traditional stopping places have been blocked off in the past 10 years. Due to this, it is becoming more essential for Gypsy/Traveller families to

	have an authorised stable base from which they may access health and education services.
	The site will be used as a family site with no business operating from it. The site is for use by one family with one extended member of the family hoping to use a pitch due to health reasons. The family travel for economic purpose and I can confirm Gypsy status under planning law. There are children on site who access education. The family have been living in the local community for the past 20 years at this location. They are well integrated; furthermore, the site is clean and tidy with good screening. In my opinion, the site can easily accommodate the pitch number listed with adequate parking.
	The Gypsy/Traveller Liaison service supports the Purdy family in this application.
	Small private sites continue to be the best option for local housing authorities in relation to finding accommodation for Gypsy/Travellers. Meeting this huge need in Devon is important if the number of unauthorised encampments and developments are to reduce across the country.
	The County Council has a range of responsibilities in these matters and, whilst on social and welfare grounds this application is supported, recognising the lack of authorised sites within Devon, this would not override other material factors, such as highways.
County EEC Directorate:	The existing access is acceptable in principle from a highway point of view, but the visibility in the leading traffic direction is restricted by a well-manicured hedge which could usefully be reduced in height to align with the adjoining stone pier as this would optimise the available visibility splay in this direction. Visibility in the other direction is acceptable.
	Conditions are therefore recommended to be imposed on
Forward Planning & Community:	any planning permission granted. The key policies in respect of this application are DMD29, and COR2 and COR15. DMD29 allows for permanent gypsy and traveller sites "where there is a demonstrable need for such development in the identified area of the National Park". In respect of strategic location the site would conform with the principles of these policies, and would appear to be a strategically suitable location for this type of development. The site was considered through the SHLAA process and considered achievable.
	The Devon Partnership Gypsy and Traveller Accommodation Assessment 2015 identified an annualised pitch requirement of 0.2 pa 2014-2019 for Dartmoor

National Park. The applicant has described the evidence

	of need in the Design and Access Statement, and I would recommend the county and district council is better placed to scrutinise this justification, subject to clear consideration of need pertaining to the National Park and not the wider market area.
South Hams District Council:	The Council's Affordable Housing team advise that the last Gypsy and Traveller Accommodation Needs Assessment was in 2014 when there was an assessed need of 22 – 30 Permanent Pitches and 5 – 8 Transit Pitches in its area up to 2029. 8 pitches have been approved to date. The Devon Partnership Gypsy and Traveller Accommodation Assessment 2015 identified an annualised pitch requirement of 0.2 per annum 2014-2019 for Dartmoor National Park. South Hams District Council seeks to improve the housing options and choice for vulnerable groups including gypsy
	and travellers, therefore it supports this application.

Parish/Town Council Comments

South Brent PC:

The Parish Council recommends refusal of this application due to over-development of the site (although the Council supports regularisation of the site).

Relevant Development Plan Policies

- COR1 Sustainable Development Principles
- COR15 Providing for limited new housing to meet local needs
- COR2 Settlement Strategies
- COR3 Protection of Dartmoor's special environmental qualities
- COR4 Design and sustainable development principles
- DMD1b Delivering National Park purposes and protecting Dartmoor National Park's special gualities
- DMD28 Residential caravans
- DMD29 The accommodation needs of gypies and travellers
- DMD3 Sustaining the quality of places in Dartmoor National Park
- DMD5 National Park Landscape

Representations

5 letters of objection 1 letter of support

The objections received from or on behalf of local residents state that conditions have been regularly breached with the storage and repair of vehicles on the site, and resultant increased risk to traffic. They state that waste is occasionally burnt on site with resultant noxious smoke and that the tranquillity of the area is likely to be disturbed further by the noise of barking dogs on the site. They point out that the proposal includes one static caravan and one touring caravan on each of the six pitches which could, in their opinion, provide accommodation for up to twelve families. They consider the development would amount to overdevelopment of a site outside the settlement boundary and will be detrimental to the character and appearance of the area.

Solicitors representing a group of concerned residents state that SHDC's projected future

need figures and pitch delivery targets should not be an overriding reason to approve this application in the National Park. They point out that the Devon Partnership Gypsy and Traveller Accommodation Assessment 2015 (GTAA) identified only one further pitch needed for the five year period between 2014 - 2019 and that both the 2014 and 2015 Needs Assessments acknowledge little newly arising need on account of consistent turnover in existing pitches. On this basis, they state that the application clearly over caters for existing and projected need in the National Park and believes the application should be refused in the absence of robust and demonstrable evidence of need.

The solicitors further consider that the site location and intensification of use are unsustainable, that the proposed development constitutes overdevelopment that will dominate the local settled community and that it will have an adverse impact on the highway and on the character of the landscape and built environment. The solicitors point out that the site's use by travellers identified as being achievable in the SHLAA is not determinative and have suggested an alternative use for affordable housing allocation for which, they state, there is a locally recognised need.

A letter of objection has also been received on behalf of a development company which has recently secured planning permission for 40 dwellings on nearby land. The developers raise similar concerns to those mentioned above and express concern that the proximity of the site and nature of the development will give rise to amenity issues for future residents of the approved housing development.

A letter of support has been received from Plymouth & Devon Racial Equality Council which states that there are no other plans to develop additional pitches in the District and that there are currently no vacancies on existing sites. It states that as the family has grown, it requires additional pitches and having lived in caravans all their lives, they would not want to settle in conventional housing. The Council advises that there are two children on the site that need to remain in the area for education reasons and that there are two members of the family with serious health conditions who need continuity in their health care and treatments.

Observations

BACKGROUND

Planning permission for the continued use of the land for the siting of two mobile homes and two sheds for Mr Leonard Saunders and his family was granted at appeal on 6th August 1984. This permission was conditional and in effect made the permission personal to Mr Saunders and his dependents.

An investigation in 2013 confirmed that the site was no longer being occupied by Mr Saunders or any of his dependents and so the current occupants (the Purdy family) submitted an application to vary the relevant planning condition and regularise the situation.

Planning permission was granted in March 2014 (ref. 0019/14) for the variation of the planning condition to allow occupation of the site by any gypsy or traveller. This permission again restricted the number of pitches to two.

More recently, a couple of additional caravans have been moved onto the land and although being occupied by family members, these are in breach of the current planning permission.

THE PROPOSED DEVELOPMENT

The development proposes six traveller pitches and the siting/construction of a day room and store. This involves the creation of four additional traveller pitches, the relocation of one pitch, the retention of another, provision for the storage of a touring caravan and the parking of two vehicles on each pitch and the siting of a separate, communal day room and store.

The application site already benefits from permission to site two sheds and two mobile homes for residential purposes by any gypsy or traveller (0019/14). The principle of this use has therefore already been considered and found to be acceptable. The issue for consideration therefore relates to an assessment of the impact of the intensification in the use of the site; whether this is acceptable in policy and environmental terms, whether there is sufficient demonstrable need for the additional pitches and whether the application site is a suitable location to provide these.

LANDSCAPE AND VISUAL IMPACT

The proposed development extends the area of land to be occupied to the north, into what is currently amenity land associated with the site. The existing site is reasonably well screened by mature trees and hedging, albeit the existing caravans and paraphernalia on the site can be seen through gaps in the vegetation and site entrance. The proposed caravans, because of their size, colour and form, will have an adverse impact on the character and appearance of the area, however, given the nature of the screening along much of the sites boundary, and the additional planting recommended, this impact should not be significant.

Orchard Meadow is screened along the south eastern boundary by a relatively high hedge and high metal gating. A mature, thick hedge provides the western boundary (between the adjacent recreation area and the application site). However, the northern part of the site is more visible when seen from the east.

LOCATION

In respect of strategic location, the site would conform with the principles of the Local Plan policies, and would appear to be a strategically suitable location for this type of development. The site is just outside the settlement boundary but does not propose any permanent structures and could relatively easily be reversed. The site was considered through the SHLAA process and considered to be achievable.

The site is located within a reasonable walking or cycling distance to the village centre with a pavement and cycle route to the village opposite the site entrance, albeit on the other side of the main road. The Marley Head junction on the A38 is conveniently located providing direct access to key routes in the region.

POLICY IMPLICATIONS

There are several policies and guidance notes available in the Local Plan (Core Strategy and Development Management and Delivery Development Plan Document) and National Planning Policy Framework (NPPF) that are relevant to this proposal. The key policies to consider are DMD29 (accommodation for gypsies and travellers), COR2 (spatial development) and COR15 (housing provision).

Policy DMD29 relates to accommodation for gypsies and travellers. This policy states that

proposals for permanent gypsy and traveller sites will only be permitted where there is a demonstrable need for such development in the National Park, and that any site should conform to the policy framework on sustainable development and residential development set out in the Core Strategy.

The principle of having a gypsy and traveller site in this location was agreed many years ago, and it is understood that it has been occupied consistently since permission was granted in 1984. Given the sites proximity and connection to the town of South Brent and its services, it is considered that the development is broadly compatible with the Core Strategy's aims relating to sustainable development.

The issue of 'demonstrable need' is discussed further in the report.

STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT (SHLAA)

Subsequent to the previous application (0019/14), the land at Orchard Meadow was put forward by the owners to be included in the Strategic Housing Land Availability Assessment (SHLAA) in June of 2014. The SHLAA identifies potential sites for housing, employment and traveller uses and assesses whether these are developable, how much development could be accommodated on them and whether they could be delivered within 5, 10 or 15 year time frames.

The SHLAA however is not a policy making document and it does not decide where new development will take place. Decisions included in the report do not mean planning permission has or will be granted for a site. A site deemed acceptable by the panel is simply technically feasible. All sites will still be required to go through the normal planning permission process and are not guaranteed permission.

The SHLAA panel considered this site at Orchard Meadow in 2014 and identified it as suitable, available and achievable for a potential six traveller pitches. The 2015 Devon Partnership Gypsy and Traveller Accommodation Assessment (GTAA) report however concluded the need for a single additional permanent pitch over the next five years.

DEVON PARTNERSHIP GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT 2015 (GTAA)

The key policies in respect of this application are DMD29, COR2 and COR15. Policy DMD29 states that proposals for permanent or transit sites for gypsies and travellers will only be permitted where there is a demonstrable need for such development in the National Park.

The Devon Partnership Gypsy and Traveller Accommodation Assessment 2015 identified an annualised pitch requirement of 0.2 per annum between 2014-2019 for Dartmoor National Park. The applicant has described the evidence of need in the Design and Access Statement and the County and District Council's have been asked to scrutinised this justification, with due consideration of need pertaining to the National Park rather than the wider market area. Any further comments received will be reported at the meeting.

DEMONSTRABLE NEED

So far as the issue of "demonstrable need" is concerned, South Hams District Council has advised that the last Gypsy and Traveller Accommodation Needs Assessment was in 2014 when there was an assessed need of 22 - 30 Permanent Pitches and 5 - 8 Transit Pitches in

the District. In addition, Devon County Council's Gypsy & Traveller Liaison Officer has indicated a lack of suitable, available alternative sites in the County and a diminishing supply of authorised sites.

With regard need specifically within the National Park, the Devon Partnership Gypsy and Traveller Accommodation Assessment 2015 (GTAA) identified an annualised pitch requirement of only 0.2 per annum between 2014-2019 for Dartmoor National Park.

The applicants have stated a personal need for the development in order to provide additional accommodation for the family. Mr and Mrs Purdy have lived on the site since 1995 and have raised their children there. The applicants state that the family has outgrown the permitted use of the site as Mr and Mrs Purdy have 4 children (3 sons and a daughter) who are all now of age (indeed 2 of whom are married and living on site with their own family). On top of this need from within the immediate family, there is an additional stated need for Mrs Purdy's sister and brother-in-law, so that he can continue to receive essential medical care from local providers that he has been receiving for the last 3 years.

From the foregoing it is clear that there is a demonstrable need for additional permanent pitches within the County and within South Hams but the proposal exceeds the National Park pitch requirement identified in 2015. At present, apart from the applicants stated desire for additional pitches for personal reasons, little evidence has been submitted to confirm whether or not there is a demonstrable need for such development in the National Park.

CONCLUSION

In respect of strategic location, the site would conform with the principles of the Local Plan policies, and would appear to be a strategically suitable location for this type of development. The site is just outside the settlement boundary but does not propose any permanent structures and could be reversed relatively easily. The site was considered through the SHLAA process and considered achievable.

Whilst in principle a scheme on this site may be acceptable, the current evidence does not, at a more strategic level, support a proposal of the scale proposed. The applicant's agent does comment on the question of 'demonstrable need' but only on a regional and personal level and does not address specifically the need for this development to be in the National Park.

The proposal exceeds the National Park pitch requirement of 0.2 per annum up to 2019 identified by the 2015 GTAA but there is likely to be little harm caused by the proposed intensification of use on the site in terms of its impact on the landscape and on the amenity and living conditions of local residents.

The site is relatively well located in terms of highway access and links to local settlements and the intensification in the use of existing sites is considered to be the preferred method of meeting need. Furthermore, there is support from Devon County Council's Gypsy & Traveller Liaison Officer who emphasises the need for additional pitch provision in the County and advises that small private sites continue to be the best option for local housing authorities in relation to finding accommodation for Gypsy/Travellers. Meeting this significant need in Devon is important if the number of unauthorised encampments and developments are to reduce across the county.

There have been a number of objections to this application and the proposal is not supported by the Parish Council. However, notwithstanding the objections raised and the officer's comments above, given the existing permission on the site and the limited impact of the proposed additional development, it is not considered that a refusal can be sustained. It is therefore recommended that, subject to appropriate conditions, permission be granted.

NPA/DM/16/006

DARTMOOR NATIONAL PARK AUTHORITY

DEVELOPMENT MANAGEMENT COMMITTEE

05 February 2016

MONITORING AND ENFORCEMENT

Report of the Head of Planning

INDEX

Item No. Description

1. ENF/0191/15 - Unauthorised residential use of land, Land at Little Down near Sigford

ENF/0191/15 - Littledown, Sigford

Scale 1:7,500



1	Enforcement Code:	ENF/0191/15	District/Borough:	Teignbridge District
	Grid Ref:	SX788737	Parish:	Ashburton
			Officer:	Keith Palmer
	Description:	Unauthorised residential use	of land	
	Location:	Land at Little Down near Sigford		
Land owner: Mr G Williams				
	Recommendation	That, subject to the consider Council, the appropriate lega cessation of the use of the la residential use.	I action be autho	rised to secure the

Relevant Development Plan Policies

COR1 – Sustainable Development COR2 – Development in the countryside COR15 – Providing for limited new housing to meet local needs in the countryside

DMD1b - Dartmoor National Park's Special Qualities DMD3 - Quality of Place DMD5 - Landscape Character DMD7 - Built Environment DMD23 - Residential Development outside settlements

Representations & Parish/Town Council Comments

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

Observations

INTRODUCTION

Littledown is located in a rural setting in Sigford, Newton Abbot. The land has previously been used for horticulture.

This report concerns the unauthorised residential use of a portacabin and a timber clad building ('building'), both situated on the land.

It appears to the Authority that the portacabin and the building are being used for unauthorised residential use. Therefore the land is in an unauthorised mixed horticulture and residential use.

HISTORY

On 21st September 2015, the Authority received an anonymous letter, raising concerns that land at Littledown was being used for residential purposes.

On 23rd September 2015, an officer of the Authority visited Littledown . He observed a building and a portacabin. He met with two of the occupants of the land, Mr and Mrs Mudge, who are understood to be the landowner's parents.

The officer was shown around the building and the portacabin. In the portacabin he observed a bedroom and shower room. In the timber clad building, he observed a bedroom, a living room/kitchen, a fitted kitchen and WC facilities. The building also appeared to have workshop

facilities.

Photographs taken by the officer show that both the building and the portacabin contain domestic paraphernalia.

Mr and Mrs Mudge told the officer that they slept and washed in the portacabin, and lived and ate in the building.

On 22nd October 2015, a Planning Contravention Notice was served on Mr and Mrs Mudge and Mr Williams, requesting information in respect of the use of the building and the portacabin. By way of replies dated 30th October 2015, Mr and Mrs Mudge and Mr Williams confirmed that:

•The building is used for residential purposes, and as a workshop;

•It is used by Mr and Mrs Mudge, and Mr Williams;

•It has been used as a workshop since 2005, and for residential use since 2010;

•It has 'incomplete' washing facilities;

• The portacabin is used for residential purposes by Mr and Mrs Mudge, and Mr Williams;
• It has been used for residential purposes since 2010;
• The portacabin does not have kitchen or bedroom facilities

Neither the building nor the portacabin has all of the facilities required for a dwelling. However it is clear to the officer that the building and the portacabin are in residential use.

POLICY

The residential use of the land in the open countryside represents a serious breach of planning control.

The Development is contrary to policies COR1, COR2, COR15, DMD1b, DMD3, DMD5, DMD7, and DMD23 in the development plan and government advice contained in the National Planning Policy Framework, in particular at para 115, and the National Parks Circular 2010.

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

THE HUMAN RIGHTS ACT 1998

The building and the portacabin are currently used by Mr and Mrs Mudge, and Mr Williams.

Although Mr and Mrs Mudge are understood to be elderly, to the best of the Authority's knowledge there are no specific health or social services issues associated with this case.

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

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

UK planning system (including the enforcement process) is not incompatible with the Human Rights Act 1998.

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

There are not believed to be any overriding welfare considerations at this time.

Members are therefore advised that enforcement action would appear to be:

(i) In accordance with law – s.178(1) T&CPA 1990
(ii) In pursuance of legitimate aim – the upholding of planning law and in particular the Development Plan policies restricting development in the open countryside of the National Park
(iii) Proportionate to the harm and therefore not incompatible with the Human Rights Act 1998.

CONCLUSION

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

Given the fact that no planning permission has been applied for or granted for the residential use of the land, it is now considered appropriate to secure the cessation of that use.

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

NPA/DM/16/007

DARTMOOR NATIONAL PARK AUTHORITY

DEVELOPMENT MANAGEMENT COMMITTEE

05 February 2016

APPEALS

Report of the Head of Planning

<u>Recommendation :</u> That the report be noted.

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

 Application No: Appeal Type: Proposal: Location: Appellant: 	D/15/3130873 Refusal of Full Planning Permission - Householder Loft/roof extension plus othe 11 Manor Drive, Chagford Mr & Mrs N Lloyd	District/Borough: Parish: r works	West Devon Borough Chagford
Decision:	ALLOWED		
2 Application No:	W/15/3022971	District/Borough:	West Devon Borough
Appeal Type:	Refusal of Full Planning Permission	Parish:	Drewsteignton
Proposal:	Change of use of part of agri application)	icultural building into	o a holiday-let (retrospective
Location:	Westford Farm, Drewsteig	nton	
Appellant:	Mr M Nugent		
Decision:	DISMISSED		
3 Application No:	W/15/3038226	District/Borough:	Teignbridge District
Appeal Type:	Refusal of Full Planning Permission	Parish:	Ashburton
Proposal:	Conversion and change of us units; ancillary accommodati proposed units will comprom of solar panels to the existing	on located between ise of a WC and bre	Rew Farm Cottage and the
Location:	Rew Farm Cottage, Rew Ro	oad, Ashburton	
Appellant:	Mr N Roberts		
Decision:	PART DISMISSED PART AI	LLOWED	

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

1	Application No:	W/15/3136449	District/Borough:	West Devon Borough		
	Appeal Type:	Refusal of Full Planning Permission	Parish:	Buckland Monachorum		
	Proposal:	New dwelling (contempora	ry design)			
	Location:	land adjacent to Station (Cottage, Station Ro	oad, Yelverton		
	Appellant:	Mrs J Perryman	-			
_						
2	Application No:	W/15/3136453	District/Borough:	West Devon Borough		
	Appeal Type:	Refusal of Full Planning Permission	Parish:	Buckland Monachorum		
	Proposal:	New dwelling (traditional de	esign)			
	Location:	land adjacent to Station Cottage, Station Road, Yelverton				
	Appellant:	Mrs J Perryman				
3	Application No:	W/15/3139886	District/Borough:	West Devon Borough		
	Appeal Type:	Refusal of Full Planning Permission	Parish:	Buckland Monachorum		
	Proposal:	Demolition of existing dwelling and change of use from agricultural to domestic curtilage to erect new dwelling plus vehicle access				
	Location:	Higher Lake Farm, Lake Lane, Dousland				
	Appellant:	Mr M Williams				
4	Application No:	Y/15/3134641	District/Borough:	West Devon Borough		
	Appeal Type:	Condition(s) Imposed	Parish:	Mary Tavy		
	Proposal:	Alterations to house and construction of new single storey entrance lobby/porch				
	Location:	Wringworthy Farm, Tavistock				
	Appellant:	Mrs A Roberts				
5	Application No:	Y/15/3140279	District/Borough:	South Hams District		
0	Appeal Type:	Refusal of Listed Building	Parish:	South Brent		
		Consent	(
	Proposal:	Renovation and alteration to dwelling				
	Location:	Lydia Mill, Lydia Bridge, South Brent				
	Appellant:	Mr R Brighouse				
6	Application No:	C/15/3138615	District/Borough:	Teignbridge District		
	Appeal Type:	Enforcement Notice	Parish:	Hennock		

Proposal: Location: Appellant:	Multiple subdivision of dwellinghouse Hyner Bridge, Lower Ashton, Christow EX6 7RQ Mr L Poole				
7 Application No:	C/15/3138617	District/Borough:	Teignbridge District		
Appeal Type:	Enforcement Notice	Parish:	Hennock		
Proposal:	Multiple subdivision of dwellinghouse				
Location:	Hyner Bridge, Lower Ashton, Christow EX6 7RQ				
Appellant:	Appellant: Mr L Poole				
8 Application No:	C/15/3138619	District/Borough:	Teignbridge District		
Appeal Type:	Enforcement Notice	Parish:	Hennock		
Proposal:	Multiple subdivision of du	wellinghouse			
Location:	Hyner Bridge, Lower A	shton, Christow EX6	7RQ		
Appellant:	Mr L Poole				

STEPHEN BELLI