

To: All Members
of the Dartmoor National Park Authority

(see below)

Please quote: NPA/DM/17/Agenda

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Date: 25 January 2017

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

Friday 3 February 2017

A meeting of the Authority's Development Management Committee will be held on the above date at **11.30am in the Meeting Room at Parke, Bovey Tracey** to consider the following matters.



Kevin Bishop
Chief Executive (National Park Officer)

Access to Information - Local Government Act 1972
(as amended)

Agenda and Reports

Copies of the Agenda and Part I reports are available for inspection by members of the public at the above address five clear days prior to the meeting. They are also available at the National Park Visitor Centres at Princetown, Haytor and Postbridge during their opening hours. In addition, they are published on the DNPA website prior to the meeting. A limited number of copies are available for reference at the meeting.

Background Papers

The Background Papers relating to Part I reports, except any containing exempt information, can be inspected by members of the public at the above address between the hours of 9:00 am and 4:30 pm, Monday to Friday.

AGENDA

PART I - OPEN PROCEEDINGS

1 **Welcome and Apologies**

2 **Minutes of the meeting held on Friday 6 January 2017 – attached (Page 1)**

Please raise any issues or questions with the Head of Legal and Democratic Services before the meeting.

3 **Declarations of Interests and Contact**

Members are invited to declare any pecuniary, registerable or personal interest relating to any agenda item at this stage in the meeting.

4 **Items Requiring Urgent Attention**

5 **Site Inspections**

Report of the Head of Planning (NPA/DM/17/006) (Page 11)

6 **Applications for Determination by the Committee**

Report of the Head of Planning (NPA/DM/17/007) (Page 19)

7 **Monitoring and Enforcement**

Report of the Head of Planning (NPA/DM/17/008) (Page 63)

8 **Appeals**

Report of the Head of Planning (NPA/DM/17/009) (Page 68)

9 **Enforcement Action Taken Under Delegated Powers**

Report of the Head of Planning (NPA/DM/17/010) (Page 69)

10 **Appointment of Site Inspection Panel and Arrangements for Site Visits**

PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC ON THE GROUNDS THAT EXEMPT INFORMATION MAY BE DISCLOSED.

NIL

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Membership:

Membership: K Ball, S D Barker, W Cann OBE, J Christophers, A Cooper, G Gribble, S Hill, P W Hitchins, M Jeffery, D Lloyd, J McInnes (Chairman), I Mortimer, D Moyse, N Oakley, C Pannell, M H Retallick, P Sanders (Deputy Chairman), D W Webber, P Woods

Members Interests

Agenda Item 3 - Declaration of Interests

Members are invited to consider whether they have a personal interest to declare in the following agenda items in consequence of their membership of a County/District and/or Parish Council as follows:

	SITE INSPECTIONS	0407/16 – Hele Farm, North Bovey	APPLICATIONS FOR DETERMINATION BY COMMITTEE	0627/16 – Chagford C of E Primary School, Chagford	0641/16 – Bradfords Building Supplies, The Old Mill, Station Road, Moretonhampstead	0653/16 – Homer, Mary Tavy	0619/16 – Estrayer Park, Okehampton	0580/16 – Ilington Methodist Church, Honeywell Lane, Ilington	0637/16 – 4 Higher Green, South Brent	MONITORING AND ENFORCEMENT	ENF/0103/14 – Dolbeare Meadow, Ashburton
Mr Ball		C		CD	C	CD	CD	C	C		C
Mr Barker		CD		C	CD		C	CD	C		CD
Mr Cann				D		C	D				
Mr Christophers		D			D	D		D			D
Mr Gribble		CD		C	CD		C	CD	C		CD
Mr Hill				P		C					
Mr Hitchins									D		
Mr Jeffery		D			DP			D			D
Mr McInnes		C		CD	C	CD	CD	C	C		C
Miss Moyse				D		D	D				
Mrs Pannell									P		
Mr Retallick								P			
Mr Sanders		C		CD	C	CD	CD	C	C		C
Mr Webber							P				
Ms Woods											

Members will also be asked at the meeting to declare any **pecuniary**, **registerable** or **personal** interest which they may have in relation to any matter on the agenda

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

6 January 2017

Present: K Ball, S Barker, W Cann, J Christophers, A Cooper, G Gribble, S Hill,
P Hitchins, M Jeffery, D Lloyd, J McInnes, I Mortimer, D Moyse, N Oakley,
C Pannell, M Retallick, P Sanders, D Webber, P Woods

Apologies: None

1188 Minutes of the meeting held on Friday 2 December 2017

The minutes of the meeting held on 2 December 2016 were agreed and signed as a correct record.

1189 Declarations of Interest and Contact

Members agreed to declare those interests set out in the matrix attached to the Agenda (Membership of other Councils).

A number of Members declared receipt of email correspondence with regard to Items 0315/16 – Peter Tavy Garage, Peter Tavy, 0491/16 – Foxlands, Willey Lane, Sticklepath and 0619/16 – Estrayer Park, Okehampton.

Mr McInnes declared a personal interest, due to knowing the family, in item 0619/16 – Estrayer Park, Okehampton.

Mr Sanders declared a personal interest, due to contact, in item 0533/16 - Wortleigh, Meavy Lane, Yelverton, and a personal interest, having attended a Parish Council meeting when the matter was discussed and objectors were present, in item 0606/16 – The Villa, Plymouth Hill, Princetown.

Mr Barker declared a personal interest, due to email contact and receipt of photographs, in item 0315/16 – Peter Tavy Garage, Peter Tavy.

Mr Webber declared a personal interest, due to knowing the family, in item 0619/16 – Estrayer Park, Okehampton.

Mr Ball declared a personal interest, due to communication with an objector, in item 0315/16 – Peter Tavy Garage, Peter Tavy, and a personal interest, due to knowing the applicant, in item 0619/16 – Estrayer Park, Okehampton.

Miss Moyse declared a personal interest, due to contact, in item 0533/16 - Wortleigh, Meavy Lane, Yelverton, and a personal interest, having attended a Parish Council meeting when the matter was discussed and objectors were present, in item 0606/16 – The Villa, Plymouth Hill, Princetown.

Mr Retallick declared a personal interest, due to knowing the family, in item 0619/16 – Estrayer Park, Okehampton.

1190 Items requiring urgent attention

None.

1191 Site inspections

Members received the report of the Head of Planning (NPA/DM/017/001).

Item 1 - 0315/16 – New dwelling (revised re-design of existing planning consent 0270/14) – Peter Tavy Garage, Peter Tavy

Speakers: Cllr Bill Lane, Parish Council Representative
Barbara Mortimer, Objector
Graham Goddard, Applicant

The Case Officer reminded Members that the proposal is to erect an open market dwelling on the site of the former garage in the centre of Peter Tavy. A stream runs to the south of the site and a leat to the north. Due to the fact that the proposal would mean the creation of an open market dwelling in a Rural Settlement the application has been advertised as a departure from the Development Plan.

Revised plans showing a reduction in the proposed ridge height and other changes were presented to Members. Three neighbours had reiterated their objections and concerns regarding the proposed glazed roof and rendering.

With regard to the flooding issues, Mr John Pask from the Environment Agency was in attendance at the meeting to answer any technical questions that Members may have. The Case Officer confirmed Mr Pask's advice that the impact of the proposed dwelling on flood storage and the risk to others downstream is not significant.

Cllr Lane stated that the site was in the heart of the historic village. A garage had stood on the site since 1925, which is within 60 yards of two Grade II listed houses, the listed church and nearby bridge. The existing houses and cottages have small windows with multi paned glass, pebble dash, stone and painted cream. The proposed dwelling would be out of keeping with the surrounding area.

Mrs Mortimer stated that, in her view, the land should never have been built on in 1925. There are significant issues regarding building upon this site as it is seen from all directions. It was her understanding that there should be compelling reasons for refusal of planning permission but, as the brook flooded only last year, overwhelming the culvert, she questioned how a building upon the site would not displace water elsewhere and put other dwellings at risk of flooding.

Mr Goddard reiterated the points made by the Case Officer. In response to some of the comments made he stated that the stonework would be exactly the same as that on the extant planning permission. He added that he had taken on board comments regarding the large window overlooking the brook and this had now been reduced. It was his opinion that the revised design was better than that previously granted.

A Member commented that, in their opinion, the proposed design was better than that which had previously been granted permission, and has great merit. There would indeed be an impact on the surrounding listed buildings, however, out of the 10, only four could actually be considered to be 'in keeping' with the rest of the village.

The Head of Legal and Democratic Services advised Members that the correct approach to take when the proximity of listed buildings needs to be considered is to ask the questions below, taking into account that 'great weight' must be given to the desirability of preserving the setting of listed buildings:

1. Would there be any adverse impact on the listed buildings, or their setting?
2. Is any adverse impact outweighed by public benefit arising from the development?

In response to Member queries, Mr Pask advised that in his opinion there would be no issues downstream of the site. The finished floor level of the proposed dwelling would be 500mm higher than the floods in February 2016. With regard to flood flow, the revised design would have much less effect than the design approved in 2014.

Mr Barker proposed the recommendation, which was seconded by Mr Sanders.

RESOLVED: That, subject to the conditions in the report, permission be GRANTED.

Item 2 – 0533/16 – Replacement of existing house and outbuildings with two detached 2-storey houses and two detached garages – Wortleigh, Meavy Lane, Yelverton

Speaker: Mike Hope, for the Applicant

The Case Officer reminded Members that the site currently houses a dormer bungalow in a large plot with a narrow frontage, set back from the road. The proposal is to demolish the bungalow and replace it with two two-storey dwellings, together with two garages in the front garden. It is also proposed to relocate the access to a more central location.

Although the site is outside YEL2 the character of Meavy Lane is one of large houses set back from the boundary in long linear plots. The sub division of the plot to facilitate the proposed two dwellings would significantly change the character of the area.

The Case Officer advised Members that although great effort had been made to obtain information on affordable housing requirements within Yelverton, unfortunately this information had not been forthcoming.

The application has considerable support; however, the site is considered to be of inadequate width to accommodate the two dwellings in the form set out, without having an adverse impact on the character and appearance of this part of Yelverton.

Mr Hope advised Members that his client wishes to demolish the current bungalow and rebuild his own home plus another dwelling; both would be more affordable. The properties would be set back 20m from the road, ensuring no loss of privacy. He stated that, to his knowledge, exceptions have been made to the affordable housing policy over the past three years. The last housing needs survey was undertaken in 2013. The application before Members are for two modest sized houses on the plot.

The Chairman reminded Members that personal circumstances of the applicant could not be taken into account. He advised that the Members who had attended the site inspection did not have an issue with massing, rather the issue was regarding affordability. Clarification on this issue would have been welcomed.

The Head of Legal and Democratic Services reminded Members that, within the National Park, the Development Plan only allows for new open market housing to bring forward and cross-subsidise affordable housing. This proposal is for one open market dwelling to be demolished and replaced with two open market properties; this type of scheme has not previously been approved.

Dr Mortimer recommended caution in the absence of local needs housing information and proposed that the application be deferred until this information becomes available. The Head of Planning advised Members that it would be unlikely that this information would be forthcoming in the near future.

A Member stated that Members should adhere to policy, as detailed by the Head of Legal and Democratic Services; if policy is to be put aside then Members should only do this if they felt that the proposal would enhance the National Park.

In the light of these comments Dr Mortimer withdrew his proposal to defer and proposed the recommendation as set out, which was seconded by Mr Lloyd.

RESOLVED: That permission be REFUSED for the reasons as stated in the report.

1192 Applications for Determination by the Committee

Item 1 – 0478/16 – Demolition of existing redundant building and replacement with park home – Ashburton Caravan Park, Waterleat, Ashburton

Speaker: Dr Murdock, Agent for the Applicant

The Case Officer advised Members that it is proposed to remove a building which is now redundant. Residents have advised that until recently it was used as an office and a venue for social functions. It is to be replaced with a new park home, to be situated on exactly the same site. Although the application is for an additional residential unit in the open countryside, planning permission exists for an additional unit on the caravan park and officers consider this to be sustainable development given the site's history and location. The flooding issues have been dealt with.

Dr Murdock stated that there were no remaining objections to this application and it had full officer support. He added that there is an extant planning permission for 41

home units on the site; currently there are 39. The building to be replaced is redundant, having been originally built as an ablutions block when the site was a holiday park. The proposed new park home is in keeping with those currently on site.

In response to Member queries, the Head of Legal and Democratic Services advised that it would be advisable to include an additional condition removing householder permitted development rights.

Mr Lloyd proposed the recommendation, subject to an additional condition removing permitted development rights, which was seconded by Dr Mortimer.

RESOLVED: That, subject to the conditions as set in the report and the additional condition as set out above, permission be GRANTED.

Item 2 – 0606/16 – New open market dwelling – land to the south west of The Villa, Plymouth Hill, Princetown

Speaker: Mrs Maddock, Agent for the Applicant

The Case Officer advised Members that the proposal is to erect a single open market dwelling on the land which is set back to the line of The Villa. It is designed to reflect the characteristics of the neighbouring property, with a detached garage to the rear. The application is advertised as a departure from the Development Plan due to the creation of an additional unit of open market residential accommodation.

One of the neighbouring objectors was unable to attend but has provided a letter which the Case Officer summarised for Members as follows:

- There is no agreed right to visibility to the north east across the frontage of The Villa and there are general concerns regarding highway safety as a result of the development;
- The advice of the Highways officer in respect of visibility to the south west is disputed;
- It is stated that there should be a formal and independent evaluation of water and contamination on the site;
- It is stated that the previous assessment was wrong in respect of the impact on privacy and light and that it has not been adequately evaluated;
- It is also stated that in this location the building will be visually dominating on entering the village.

By means of update two additional letters of support have been received since the completion of the report. With respect to highway matters the highways officer, Mr Townsend, was present to answer any technical questions from Members. The proposed dwelling would be set back slightly from The Villa and in front of Babbs Cottages. With regard to neighbouring amenity the assessment concludes that although the dwelling projects in front of Babbs Cottages, the orientation of the houses and distance is such that there will not be a material impact on daylight or sunlight to the main habitable room windows in Babbs Cottages. In addition, only

small windows are proposed on the west elevation, all with obscure glazing, thus having no impact on loss of privacy.

Since taking the photographs a fence has been erected across the site which has been measured and is one metre high and, therefore, permitted development.

Mrs Maddock stated that Stephens and Scown had now provided the evidence needed to enable the issues of the visibility splay to be settled. She added that it was not acceptable to recommend refusal of the application on the grounds of highways only, as the Highways Officer has no issues. In her view visibility issues can be dealt with by condition. The covenant relating to the piece of land at the front of The Villa, and which secures the visibility needed, is in place 'in perpetuity'.

The Head of Legal and Democratic Services advised that the question for Members to determine is whether a consent can be issued that does not risk highway safety. Conditions are only enforceable on land which is owned or controlled by the applicant. He advised that, having seen the information provided by Stephens and Scown, the owner and applicant has no control over the visibility splay and, therefore, the Authority would need to ask the neighbour to enter into a S106 agreement which would be legally binding. Members are effectively being asked to grant permission without the ability to secure highway safety.

In response to Member queries, Mr Townsend advised that in order to achieve highway safety, the visibility is needed and must be maintained as such.

The Head of Legal and Democratic Services advised Members that, in his opinion, the restrictive covenants over the land required to form the visibility splay are not sufficient guarantee of highway safety. The Authority would be unable to enforce the covenants and there is no certainty that any future owner /occupier of the application site would take the necessary legal action to enforce the restrictive covenants in the event of an obstruction of the visibility splay, for example by planting leylandii along the boundary of the property.

The Head of Legal and Democratic Services advised Members that he had considered whether a Grampian condition could be imposed to prevent development commencing without resolving the issue, but in his view such a condition would not be reasonable as it appears incapable of compliance.

Mr McInnes proposed the recommendation, which was seconded by Mr Sanders.

RESOLVED: That permission be REFUSED for the reason as stated in the report.

Item 3 – 0491/16 – Construction of extension and associated works – Foxlands, Willey Lane, Sticklepath

Speaker: Stephen Blakeman, Agent for the Applicant

The Planning Team Manager reminded Members that the application had been deferred at the Development Management Committee meeting on 2 December 2016 in order to clarify what could be constructed under permitted development rights and to obtain further information in respect of the farm holding. The

application is for an extension to the northern end of the building to provide a living room and farm office.

The House is subject of an agricultural tie and is therefore subject to policy DMD24 which states that extensions to dwellings limited by condition for agricultural workers should not be permitted where the habitable floorspace of the existing building, combined with the extension, would exceed 120sqm. The floorspace of the house currently stands at 149sqm; this includes a large part of the loft space having been converted, without the need for planning permission. With the proposed extension the floorspace would be 192sqm.

Under permitted development rights it would be possible for the applicants to extend the ground floor accommodation to the rear of the property to a maximum floor area of 62sqm, an area approximately 50% larger than that proposed under the application.

The holding consists of 35 hectares and Foxlands is the only dwelling serving the holding. Members were advised that the proposed office is less than 25% of the overall size of the proposed extension.

Mr Blakeman advised Members that he had designed the original dwelling 15 years ago. He had considered the possibility of using the permitted development rights but had come to the conclusion that there were better ways of extending the property. He added that he was aware of Policy DMD24 but the proposal before Members was, in his opinion, of better design being situated at the side of the building and smaller in floorspace. His clients would be happy for permitted development rights to be removed.

Mr Cann advised that he, and the Parish Council, would prefer to see the construction of the proposed extension before committee today, rather than what may be constructed under permitted development rights as it was a more appropriate design. He proposed that permission be granted on those grounds, which was seconded by Mr Hill.

The Planning Team Manager advised that conditions would be as follows:

1. Standard commencement of works within three years of the planning consent;
2. The removal of permitted development rights; and
3. Materials to be used to match those already in use on the existing dwelling and no further roof lights to be introduced to the property, notwithstanding those shown on the proposed extension plans.

RESOLVED: That, subject to the conditions as set out above, permission be GRANTED.

Mr Barker and Mr Cann left the meeting room.

Item 4 – 0583/16 – 11.5m x 5.5m extension to barn for car garage – Elliots Farm, Buckland in the Moor

Speaker: Malcolm Rogers, Agent for the Applicant

The Case Officer advised Members that the application proposed the extension of an existing building in order to house a domestic garage. When compared to the size of the dwelling, the proposed garage is not considered to be excessive, contrary to the views of the Parish Council. In addition, it is not felt that the extension would harm the look of the area.

Mr Rogers advised Members that with regard to drainage from the area of land in question, it sits considerably lower than the adjacent property. In addition, for this reason, there would be no issues of overshadowing or shading of the adjacent property. He added that the proposed extension would not represent 'overdevelopment' of the site as all of the works so far undertaken represent less than 50% of the buildings on site.

Mr Barker and Mr Cann returned to the meeting room.

Mr Christophers proposed the recommendation, which was seconded by Mr Hitchins.

RESOLVED: That, subject to the conditions in the report, permission be GRANTED.

(Mr Barker and Mr Cann did not vote).

Item 5 – 0619/16 - Conversion of three redundant barns to three holiday lets – Estrayer Park, Okehampton

Speaker: John Pettit, for the Applicant

The Case Officer advised Members that Estrayer Park comprises a traditional farmhouse and range of barns which are registered on the Historic Environment Record. The traditional barns are now surplus to requirements. Barns 2 and 3 would need to be reconstructed internally to create two-storey accommodation; however, there are a number of existing openings which would minimise the need for additional external alterations. Barn 1 is a simple linhay style, open fronted building which is identified within the Dartmoor Design Guide as the type of building that may not be possible to convert. The proposed scheme would retain the open courtyard to the front of the barns.

With regard to internal works, the existing hay loft platform would require raising in tandem with alterations to the roof carcass in order to accommodate a useable first floor. Headroom would remain low but as the application is for holiday accommodation, rather than permanent dwellings, it is of a lesser concern.

The recommendation for refusal of the application relates to Barn 1. The proposed introduction of new windows and alterations are inconsistent with the function and character of the building and would harm the special interest and contribution that it makes to the group. Officers have asked the applicants to consider a lesser scheme for two holiday units, with Barn 1 to be incorporated into the scheme for low key ancillary use, eg, bike store/games room. However, the applicants have stated that a lesser scheme would not be viable.

Mr Pettit advised Members that, following a site visit with Officers of the Authority, revised drawings had been submitted following what had been agreed. Alterations to Barns 2 and 3 are considered acceptable and the applicants would be happy to adhere to any proposed conditions. However, Barn 1 is very conspicuous on the approach to the complex. The building is in need of repair; he added that the English Heritage design guide did not preclude the insertion of new windows into this type of building. The only proposed change to the roof is for the insertion of a new flue. Windows are needed in order to provide much needed light into the upstairs room. It is proposed that Barn 1 would be used for physio and massage, as well as provide a unit of holiday accommodation.

Dr Mortimer stated that should Barn 1 be left as it is there would be a negative impact on the whole complex. It is also the building in most need of preservation. He proposed that permission be granted on the grounds of improved visual impact, and the promotion of business in the open countryside, which was seconded by Mr Ball. The Head of Planning requested that the application be deferred in order for Officers to prepare any conditions to be attached to any planning permission, as well as to consider other policy matters such as the issues surrounding the management of the holiday units and how this fits with the Authority's farm diversification policies.

Following further discussion, Dr Mortimer withdrew his proposal.

Mr Gribble proposed that the matter be deferred for officers to consider possible conditions should permission be granted, which was seconded by Mr Barker.

RESOLVED: That the application be DEFERRED for a period of one month.

Item 6 – 0556/16 – Enlargement and insertion of French doors to existing south elevation ground floor kitchen window – Mardle Wood House, Higher Combe, Buckfastleigh (Listed Building Consent)

The Building Conservation Officer (BCO) advised Members that Mardle Wood House is part of an 18th century mill complex in the small hamlet of Higher Combe. The application seeks consent to remove the existing ground floor window and wall below and replace with a new French door of the same width. With regard to loss of historic fabric, the window to be replaced is modern with no historic value. The masonry below is original but is not thought to have any features of high historic interest.

The Parish Council has objected to this application on the grounds that the French doors would not be in keeping with the appearance of the building; the glazing panels on the proposed doors being too large. In addition, the new opening would potentially impede the enjoyment and free access of others using the permitted path which skirts the building.

Dr Mortimer was in agreement with the views of the Parish Council and proposed that consent be refused on the ground that the opening should remain a window and the installation of French doors would damage the integrity of the listed building. The proposal was seconded by Miss Moyse.

RESOLVED: That consent be REFUSED.

1193 Monitoring and Enforcement

Item 1 – ENF/0230/15 – Twin unit mobile home sited on agricultural land – Beacon View Farm, Drewsteignton

The Planning Team Manager advised Members that Beacon View Farm, operating as 'Dunns Dairy' is situated some 650m south east of Whiddon Down. Outline planning permission for the construction of an agricultural worker's dwelling was refused in December 2016, as there was no existing functional need for a third agricultural dwelling to be sited on the farm. It follows, therefore, that is no justification for the mobile home in this location. The landowner was advised in writing to remove the mobile home but despite further meetings it remains in place. The proposed action is supported by the Parish Council.

Dr Mortimer proposed the recommendation, which was seconded by Mr Gribble.

RESOLVED: That the appropriate legal action be taken to:

- (i) Secure the removal of the mobile home from the land, and
- (ii) secure the cessation of the residential use of the land.

1194 Appeals

Members received the report of the Head of Planning (NPA/DM/17/004).

RESOLVED:

Members NOTED the content of the report.

1195 Site Inspections

The Chairman advised Members that a pre-committee site inspection is proposed to be held on Friday 27 January 2017, regarding:

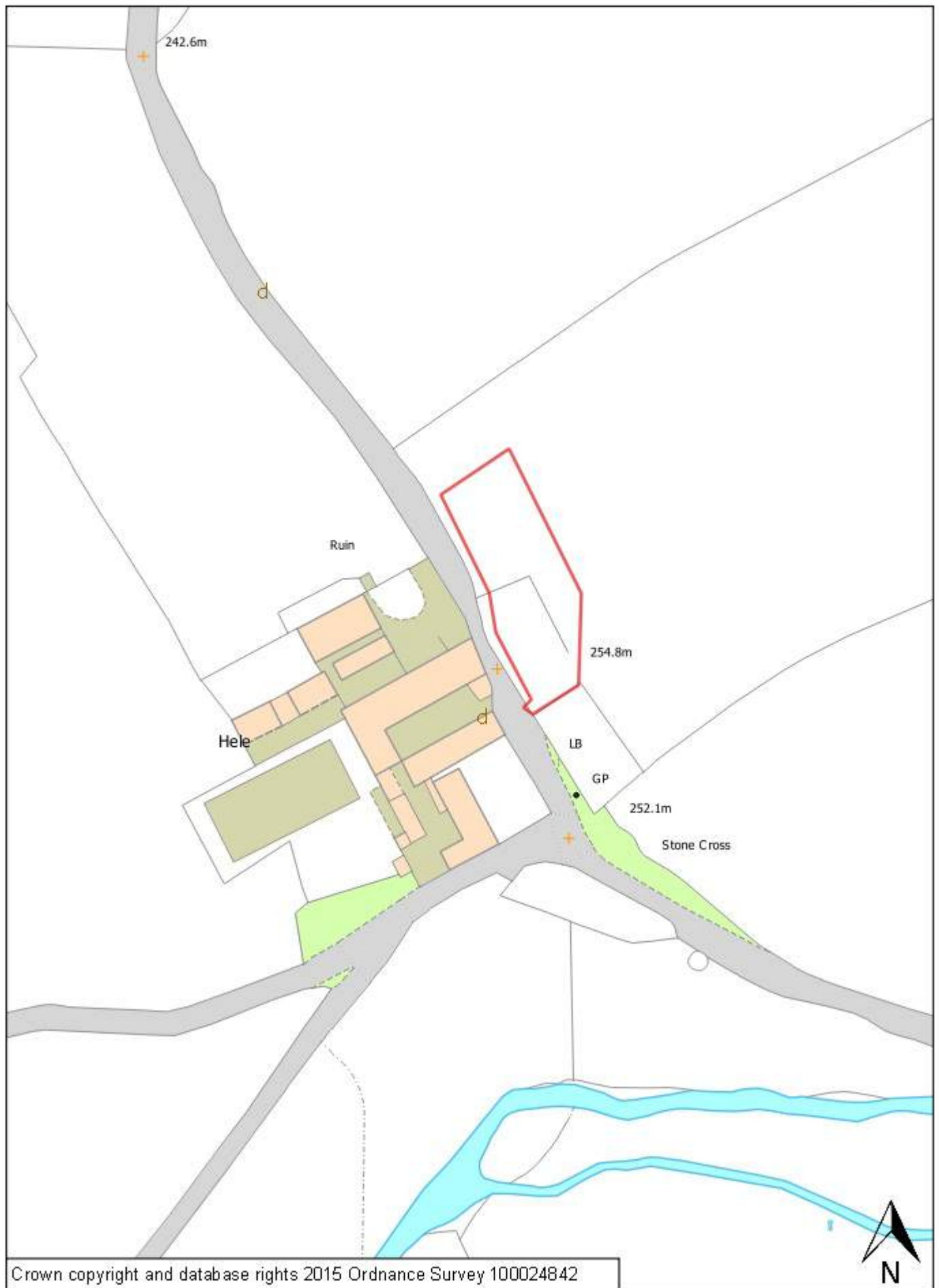
Application No. **0627/16** - Construction of new primary school on existing school playing field and demolition of existing school buildings, Chagford C of E Primary School, Chagford.

The following Members were appointed to the Site Inspection Panel : Mr McInnes, Mr Sanders, Miss Moyse, Mr Hitchins, Mr Hill, Mr Webber, Mr Christophers, Mr Jeffery and Mr Cann.

Hele Farm, North Bovey - 0407/16



Scale 1:1,250



DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

03 February 2017

SITE INSPECTIONS

Report of the Head of Planning

1 Application No: **0407/16** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **North Bovey**
Grid Ref: **SX721842** Officer: **Christopher Hart**

Proposal: **Erection of agricultural building (18.3m x 12.2m) with hardstanding**

Location: **Hele Farm, North Bovey**

Applicant: **Mr C Godfrey**

Recommendation: **That, permission be GRANTED**

Condition(s)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Prior to the commencement of the development hereby permitted, details of the proposed landscaping and planting scheme shall be submitted to the Local Planning Authority for approval. The landscaping and planting shall be carried out in accordance with the approved scheme within twelve months of the commencement of the development, or such longer period as the Local Planning Authority shall specify in writing. The landscaping and planting shall be maintained for a period of five years from the date of the commencement of the development, such maintenance shall include the replacement of any trees or shrubs that die or are removed.
3. Prior to work commencing on the hardstanding hereby approved, samples of all proposed surfacing 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 materials shall be used in the development.
4. 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, the building hereby permitted shall only be used for agricultural purposes reasonably necessary on the holding to which it relates. Upon it becoming redundant for such purposes, the building shall be removed and the land reinstated to its former condition within a period of six months, unless the Local Planning Authority shall grant planning permission for an alternative use of the building.

5. Prior to the commencement of the development hereby permitted, details of the proposed soakaway to serve the development shall be submitted to and approved in writing by the Local Planning Authority. Implementation of the soakaway shall be strictly in accordance with the approved details.
6. Any animal waste arising from the clearing of the building hereby approved shall be stored in excess of 200m away from the nearest residential dwelling.
7. There shall be no external lighting or overhead power cables associated with the proposed building.
8. The proposed alterations to the entrance gateway shall be undertaken no later than 3 months from the substantial completion of the building hereby approved.

Members convened at the site of the proposed building north east of Hele Farm, North Bovey.

The Planning Officer outlined the proposal indicating the position of the proposed barn and its relationship to the hedgerows, field access gate and point of access to the highway. Members noted the relationship with the highway, the adjacent barns and dwelling (in separate ownership) and the amendments that had already been carried out to the access. The applicant has asked to confirm the extent of land ownership in this location.

The panel had a number of questions for the applicant. They raised concern about the accuracy of the submitted plans, in particular the proximity of the proposed building to the roadside hedge; drainage arrangements; the need for site excavations; the intended use of the building; internal floor coverings; the need for external lighting and whether the width of the access gateway could be reduced.

The applicant explained that the building would primarily be used for implement storage and for seasonal lambing. There is no intention to overwinter livestock in the building; that use will remain at the central point of the farm at Blackdown Piper in Widecombe. It was confirmed that there is no need for external lighting and that the width of the access gateway could be reduced if required.

The Parish Council was not represented at the meeting.

The District Council representative made no further comment.

Having taken the opportunity to view the site of the proposed barn from the adjacent highway and viewpoint of the neighbouring property, the panel considered its opinion on the matter. All agreed that, as presented, there were clear discrepancies with submitted plans and actual site conditions making it difficult to accurately assess the position and impact of the building. That said, it was considered that the principle of a building in this location could be supported. The need appears to be justified and the proposed building would relate well to neighbouring farm buildings across the road. Having considered the objections and relationship to the neighbouring dwelling, the panel were of the view that there were no overriding amenity issues presented by the application. Neither did they consider there to be any adverse effect on the setting of either the Listed building and site to the east or the ancient monument cross to the south.

UPDATE

Following the site inspection Officers requested revised plans to address the concerns identified on site. These have been received and will be displayed at the meeting.

Officers are of the view that there is sufficient justification for the erection of this building to serve the applicant's land holding in this location. The impact of the proposed building will be limited given its relationship to the group of farm buildings in this location. There are no overriding landscape or amenity issues that would support a reason for refusal in this case. The reduction in width of the access gateway is a positive improvement. The clear concerns expressed by the neighbouring property in terms of the impact on setting of Listed buildings and their residential amenity have been carefully considered. Officers are of the view that given the nature of the proposal, its location and limited impact, that there will be no adverse impact such as to warrant a refusal of planning permission. Other potential sites have also been considered.

STEPHEN BELLI

Original report taken to Development Management Committee on 7 October 2016

7. Application No: **0407/16** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **North Bovey**
Grid Ref: **SX721842** Officer: **Alex Gandy**

Proposal: **Erection of agricultural building (18.3m x 12.2m) with hardstanding**

Location: **Hele Farm, North Bovey**

Applicant: **Mr C Godfrey**

Recommendation **That permission be GRANTED**

Condition(s)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Prior to the commencement of the development hereby permitted, details of the proposed landscaping and planting scheme shall be submitted to the Local Planning Authority for approval. The landscaping and planting shall be carried out in accordance with the approved scheme within twelve months of the commencement of the development, or such longer period as the Local Planning Authority shall specify in writing. The landscaping and planting shall be maintained for a period of five years from the date of the commencement of the development, such maintenance shall include the replacement of any trees or shrubs that die or are removed.
3. Prior to work commencing on the hardstanding hereby approved, samples of all proposed surfacing 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 materials shall be used in the development.
4. 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, the building hereby permitted shall only be used for agricultural purposes reasonably necessary on the holding to which it relates. Upon it becoming redundant for such purposes, the building shall be removed and the land reinstated to its former condition within a period of six months, unless the Local Planning Authority shall grant planning permission for an alternative use of the building.
5. Prior to the commencement of the development hereby permitted, details of the proposed soakaway to serve the development shall be submitted to and approved in writing by the Local Planning Authority. Implementation of the soakaway shall be strictly in accordance with the approved details.
6. Any animal waste arising from the clearing of the building hereby approved shall be stored in excess of 200m away from the nearest residential dwelling.

Introduction

The application site comprises a portion of agricultural land located adjacent to Hele Farm and approximately 2km west of North Bovey. The applicant's land holding in this area comprises approximately 42 hectares and until recently was associated with Hele Farm adjacent.

Hele Farm is a historic farmstead with grade II listed farmhouse.

The application is reported to committee by request of Mr Jeffreys who considers the impact

on the local area warrants consideration by the DM Committee.

Consultations

Environment Agency:	Flood zone 1, standing advice applies.
Teignbridge District Council:	Do not wish to comment.
County EEC Directorate:	No highway implications.
DNP - Archaeology:	No archaeological implications.
DNP - Building Conservation Officer:	No objection. The Grade II listed Hele Farm has a formal elevation that looks out to the north-east, away from the farm buildings. The proposed large new farm building would be sited away from this frontage and no impact on its setting is identified, although some of the curtilage listed farm buildings would be closer to the development site.
DNP - Trees & Landscape:	No objection, subject to a condition requiring the site to be enclosed with a bank planted with a mixed native hedgerow.
Teignbridge District Council (EHO):	Concerned the proximity of the proposed building may lead to complaints of noise and odour nuisance being received. Recommend conditions controlling storing of animal waste in excess of 200m away from the nearest residential dwelling, sound levels of any generators, and prevention of noisy works during sensitive hours.
Historic England:	No comment received

Parish/Town Council Comments

North Bovey PC: No objection

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR4 - Design and sustainable development principles

DMD1a - Presumption in favour of sustainable development

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

DMD34 - Agricultural and forestry

DMD4 - Protecting local amenity

DMD5 - National Park Landscape

DMD7 - Dartmoor's built environment

DMD8 - Changes to Historic Buildings

Representations

9 letters of objection

The objectors primary source of concern is the proximity of the building to the residential dwelling at Hele Farm and the likelihood of farm practices impacting on amenity. The impact of the building on local landscape character and historic significance of listed buildings on Hele Farm and the nearby scheduled monument are also cited as reasons for the application to be refused.

Observations

PROPOSAL

The application proposes to erect an agricultural building on the western boundary of this pastoral field in close proximity to, but on the opposite side of the highway to Hele Farm. The building will be sited on an area of land which has previously been levelled and is currently used for the stacking of haylage bales. Access will be achieved from an existing field access.

AGRICULTURAL NEED

At 42 hectares, the applicant's land holding in this area is significant and does not currently include any buildings. The applicant's current stock on this holding includes 230 breeding ewes which is anticipated will increase to 250 over the next three years. The applicant also supplements grazing with 20 Belted Galloway steers. The applicant has further stock on other landholdings which are not being used to justify this building. There is a clear need for an agricultural building on a holding of this size. The applicant sets out the building's use will be for general agricultural purposes, including sorting, treatment, loading and unloading of livestock, shearing sheep, storage of haylage bales and agricultural machinery.

DESIGN

The proposed building is a typical modern open fronted agricultural building with a footprint of 18.3m x 12.2m. Proposed materials include horizontal and vertical timber cladding, and a fibre cement roof. An associated hardstanding is also proposed and the development site will be bounded by a mixed native hedgerow.

LANDSCAPE IMPACT

The local field system is likely to be of mid to late medieval origin. In the wider area some historic field boundaries have been removed to create larger fields. The land immediately surrounding the site is undulating agricultural land. There is a sparse settlement pattern and isolated buildings do not feature in this landscape.

The proposed building and hardstanding will have strong links to the adjacent farmstead. As required by Policy DMD34 the development will relate well to existing development and local landscape features. The building will be partly screened by the adjacent roadside hedges, but will be visible from the adjacent highway and seen in association with the existing farmstead.

In assessing the scheme Officers have considered whether an alternative location which meets the needs of the applicant and poses no amenity issues is available, but do not believe this could be achieved without creating an isolated building which would have a harmful and unacceptable impact on local landscape character. The Authority's Landscape Officer states 'given the need for an agricultural building of this size on this holding, in landscape terms this is the best location for it'.

HISTORIC BUILDINGS

Hele Farm is a historic farmstead which includes a Grade II listed farm house and associated granite dutch barns which are curtilage listed. An extension to the historic farmstead extends immediately to the north and includes a cluster of modern agricultural buildings.

The grade II listed farmhouse is the most sensitive building in this cluster, its principal

elevation presents to the road and is fronted by a garden. The proposed new agricultural building will be sited to the north away from this sensitive elevation and will be seen in association with the curtilage listed dutch barns and modern agricultural buildings to the north where it would not harm the farmhouse's historic significance. The building's agricultural character is consistent with that of the other agricultural buildings on this farmstead.

An ancient cross, designated as a listed scheduled monument, is located at the road junction 60m south of the application site. The cross is seen in association with the listed farmhouse which contributes to its setting. The proposed agricultural building's location is sufficiently distant to ensure the building will only be partially visible from the junction and will have no material impact on the setting or significance of the monument. The Authority's Building Conservation Officer has no objection to the proposal.

AMENITY

Amenity concerns have been raised by objectors due to the building's proximity to the residential dwelling at Hele Farm which is under different ownership.

Environmental Health have recommended a number of conditions which seek to control noise and odour. These conditions require animal waste arising from the clearing of the building to be stored in excess of 200m from the nearest residential dwelling. It is also recommended to prevent vehicle movements, loading/unloading of animals and any other works likely to give rise to significant levels of noise during sensitive hours.

Officers have carefully appraised the reasonableness of these recommended conditions against the statutory tests set out in the NPPF. Officers consider controlling the building's hours of operation fails the test of reasonableness. The building is located adjacent to vacant farm buildings with no controls over hours of operation. Ownership of these buildings is not a material planning consideration as they could be sold and used by another party. The proposed building will have no greater impact on amenity than those which already exist and is to be reasonably expected for a farm building located on a farm in a working landscape.

The applicant has confirmed no generator is to be used on the site. Electricity will be brought in from the existing overhead power lines located immediately north of the site. The presence of overhead cables further supports this site as an appropriate location for an agricultural building.

The building is located over the crest of a hill and on land which will drain away from the nearest residential dwelling. A soakaway is proposed to manage surface water drainage. The applicant intends to use a straw bedding system to manage waste and foul water. Given the applicant does not propose to use the building for intensive housing of livestock year round, this is considered proportionate and acceptable.

CONCLUSION

Following careful appraisal the scheme is considered to comply with the Authority's adopted policies which give substantial weight to the protection of Dartmoor's landscape character and historic built environment. In landscape terms the building is located in the most appropriate location, clustered with the farmstead to which this land would have been originally associated. It is therefore recommended planning permission be granted, subject to appropriate conditions.

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

03 February 2017

APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Report of the Head of Planning

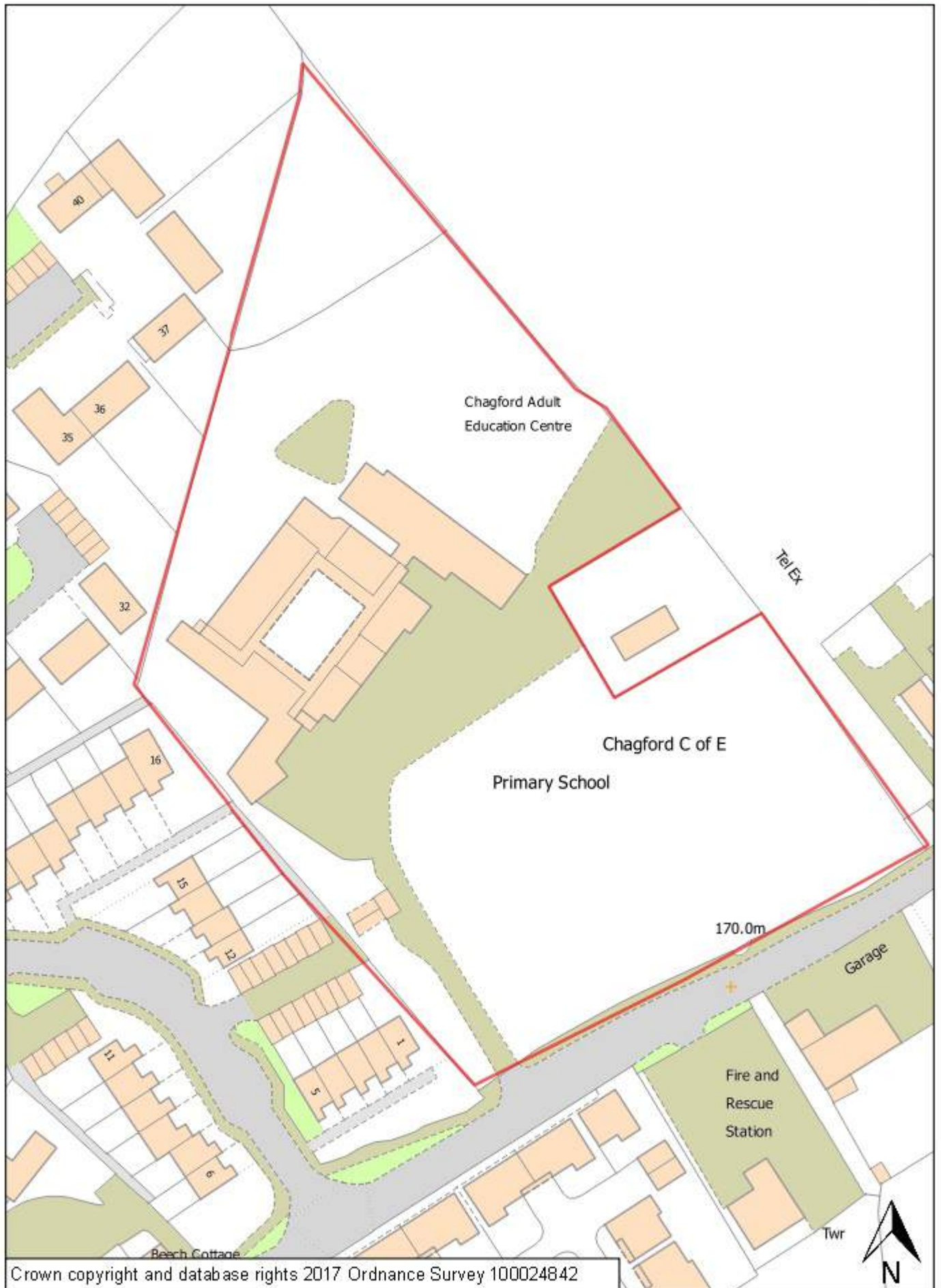
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Chagford School - 0627/16



Scale 1:1,000



1. Application No: **0627/16** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Chagford**
Grid Ref: **SX702879** Officer: **Jo Burgess**

Proposal: **Construction of new primary school on existing school playing field and demolition of existing school buildings**

Location: **Chagford C of E Primary School, Chagford**

Applicant: **Kier Construction**

Recommendation **That, subject to Sport England withdrawing their holding objection and consideration any comments in respect of the of amended plans, planning permission is GRANTED**

Condition(s)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. No development shall take place until a Construction Method Statement to include details of :-
 - 1) parking for vehicles of site personnel, operatives and visitors
 - 2) loading and unloading of plant and materials
 - 3) storage of plant and materials
 - 4) programme of works (including measures for traffic management and phasing of development)
 - 5) provision of boundary hoarding behind any visibility zones
 - 6) provision of welfare facilitieshave been submitted to and approved in writing by the Local Planning Authority. The works shall, at all times accord with the agreed details unless otherwise agreed in writing by the Local Planning Authority.
3. Prior to the commencement of any works, demolition or development on the land, all existing trees, shrubs and hedges to be retained shall be protected by fences or suitable barriers erected beyond their dripline in accordance with a Tree Protection Plan submitted to and approved in writing by the Local Planning Authority. 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.
5. No works to construct the new school building shall be carried out until the access, visibility splays, turning area and access drainage have been laid out in accordance with drawing number 2100_P02.

6. No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of construction has been submitted to and approved in writing by, the Local Planning Authority. This temporary surface water drainage management system must satisfactorily address both the rates and volumes, and quality of the surface water runoff from the construction site.
7. No demolition of the existing school buildings shall take place until a full building recording survey has been carried out by a qualified historic buildings specialist at the applicant's expense. A full report shall be submitted to the Local Planning Authority within six months of the occupation of the new school, unless otherwise agreed in writing by the Local Planning Authority.
8. No works shall be undertaken on the site other than between the hours of 08.30 - 18.00hrs Monday - Friday and 08.30 - 13.00hrs Saturday. There shall be no working on site on Sundays or Bank Holidays. Deliveries to the site must not be made between 08.00 - 09.00hrs and 14.45 - 15.45hrs Monday - Friday (school drop off and pick up times).
9. No development shall take place until an Ecological Method Statement setting out all of the relevant recommendations and requirements specified in the bat survey report and ecological appraisal has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements of the approved Ecological Method Statement.
10. The slate roof on the building hereby approved shall be covered in natural slate, sample(s) of which shall be submitted to the Local Planning Authority for approval prior to the commencement of any roofing work. At all times thereafter the roof shall be maintained in the approved natural slate.
11. The low pitched roofs of the building hereby approved which are not slate shall be covered in anthracite coloured Marley Eternit 'Big 6' profiled roofing sheet. Unless otherwise agreed by the Local Planning Authority in writing, only the approved external roofing materials shall be used in the development.
12. A sample panel of the split face blockwork together with the mortar shall be prepared for inspection by the Local Planning Authority and no cladding of the hall shall be carried out until the sample panel has been inspected, and approved in writing by, the Local Planning Authority.
13. Prior to the building hereby approved being substantially complete and ready for occupation, the stonefaced hedgebanks to be constructed along the south east boundary of the land shall have been formed in accordance with the approved details and a sample section of new stone walling which has previously been inspected and approved in writing by the Local Planning Authority. The hedgebank shall be planted in accordance with the submitted details in the first planting season following the commencement of the development and the hedge shall be maintained for a period of 5 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.

14. Within three months of the commencement of the development hereby permitted, details of the proposed landscaping and planting scheme shall be submitted to the Local Planning Authority for approval. The landscaping and planting shall be carried out in accordance with the approved scheme within twelve months of the commencement of the development, or such longer period as the Local Planning Authority shall specify in writing. The landscaping and planting shall be maintained for a period of five years from the date of the commencement of the development, such maintenance shall include the replacement of any trees or shrubs that die or are removed.
15. All ventilation units, external windows and doors shall be finished in a dark grey RAL7012 unless otherwise agreed in writing by the Local Planning Authority.
16. The frames of all external windows and doors in the building shall be recessed at least 100mm in their openings unless otherwise previously agreed in writing by the Local Planning Authority,
17. All gutters and downpipes on the development hereby approved shall be of metal construction unless otherwise agreed in writing by the Local Planning Authority.
18. The development hereby permitted shall not be occupied until details of the surfacing and delineation of the parking space(s) for motor vehicles ('the parking') have been submitted to and approved in writing by the Local Planning Authority. The parking shall be constructed and finished strictly in accordance with the approved details. Thereafter the parking shall be made available for use and permanently retained for that use alone.
19. No external lighting shall be installed other than the lighting set out on drawing number 2096E-SD-EE-XX-DR-E-G76-3300 Reve P1 received 25 November 2016.

Introduction

Chagford School is located on the north side of Lower Street. The building was constructed in 1936. The school is in poor condition and following a feasibility study which considered refurbishment, the Education Funding Agency (EFA) concluded that the new build option offers the best value.

It is proposed to erect a new school towards the front of the site following the building line of the adjacent houses in Lamb Park. The old school will be demolished and replacement playing pitches provided to the rear.

This application is presented to Committee given the level of public interest.

Planning History

0403/09	Photo voltaic panels to the pitched roof of the south-east facing roof slope to the north-west wing of the 'Quadrangle' and to the flat roof of the single-storey extension to the south-west	Full Planning Permission	Grant Unconditionally	30 September 2009
0866/07	Replace outbuilding with store and bike shelter	Full Planning Permission	Grant Unconditionally	07 December 2007
3/08/306/97/03	Satellite dish to side of building	Full Planning Permission	Grant Conditionally	04 February 1998

Consultations

West Devon Borough Council:	Does not wish to comment
County EEC Directorate:	The proposals including a replacement vehicular access, have been the subject of pre application discussions and are acceptable subject to conditions being imposed. As the new access is to be used for construction purposes, it is recommended that it is fully provided prior to commencement of development.
Environment Agency:	Flood Risk Zone 1 - standing advice applies
DNP - Building Conservation Officer:	Chagford School is recorded on the Historic Environment Record and fulfils the criteria of an undesignated heritage asset. The school was put forward for listing in 2015 but deemed to have been altered too much. When it opened it was 'one of the most up-to-date in the West Country'. As the building is a undesignated heritage asset, in accordance with section 128 of the National Planning Policy Framework a Heritage Impact Assessment should have been provided. On the basis of the information available, the significance of the building warrants a full building recording survey to be undertaken by a suitably qualified specialist.
DNP - Trees & Landscape:	The proposed development will retain virtually all the trees on the site. A condition requiring a Tree Protection Plan and associated protective fencing is required
DCC Strategic Planning (Education):	Supports the construction of the new primary school
Devon County Council (Flood Risk):	No objections to the proposed surface water management strategy, however the applicant should clarify that South West Water are happy for the proposed connection to the public sewer at this location
Sport England:	Pre application advice was given because the site is considered to be a playing field. Para 74 of the NPPF states that playing fields should not be built on without an appropriate assessment of playing field loss and replacement. There is insufficient information to enable Sport England to adequately assess the proposal. The interim position is to submit a holding objection pending further information regarding the net loss/gain of playing field, playing field construction details, arrangements for the construction period, dimensions of the football pitch and maintenance.
DNP - Ecology & Wildlife Conservation:	An Ecological Appraisal and Protected Species Building Survey Report were submitted together with plans confirming the mitigation including replacement roost provision (for bats). A European Protected Species Licence will be required.
Devon & Cornwall Constabulary:	Many factors relating to designing out of crime have been incorporated into the current layout of the proposal but to ensure a consistent level of security throughout it is

recommended that the new school and associated works are carried out to meet the practices and principles of Secured by Design.

Parish/Town Council Comments

Chagford PC:	No objection - the Parish Council wish to confirm that the Hall and Sports facilities will be available for community use. Concerns are raised regarding traffic during school pick up and drop off and in response to an additional highways plan giving details of the new access and associated visibility, the Parish Council raised an objection because it will lead to a loss of granite wall and that visibility will be compromised by parked vehicles.
Throwleigh PC:	Object to the proposals on the basis of scale/massing of the building, layout (too close to and facing road) height of building (should be set into the ground – very dominant as shown) unimaginative design and unsympathetic use of materials (such as aluminium windows and use of concrete on elevations) contrary to policy COR4. The number of toilets for use by the children was questioned as to whether adequate and concern expressed about the loss of the playing field.
Drewsteignton PC:	Neutral view

Relevant Development Plan Policies

- COR1 - Sustainable Development Principles
- COR12 - Meeting the need for local infrastructure, community facilities and public services
- COR13 - Providing for high standards of accessibility and design
- COR17 - Promoting increased health and well-being
- COR2 - Settlement Strategies
- COR21 - Dealing with development and transport issues in a sustainable way
- COR4 - Design and sustainable development principles
- COR5 - Protecting the historic built environment
- COR7 - Providing for the conservation of Dartmoor's varied plant and animal life and geology
- COR8 - Meeting the challenge of climate change
- COR9 - Protection from and prevention of flooding
- DMD12 - Conservation Areas
- DMD14 - Biodiversity and geological conservation
- DMD15 - Renewable energy
- DMD19 - Sustainable Communities
- 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
- DMD39 - Provision of car parks
- DMD4 - Protecting local amenity

DMD41 - Parking provision - Non Residential

DMD45 - Settlement boundaries

DMD7 - Dartmoor's built environment

Representations

48 letters of objection 52 letters of support 2 other letters

Letters of support comment on the school no longer being fit for purpose with deficiencies in terms of the size of the hall and the kitchen, wasted space, the cost of maintenance and heating, issues regarding asbestos, reference is made to the feasibility study and the new school building resulting in an improved and more effective teaching and learning environment, being more safe and secure layout in terms of outdoor space and a more sustainable design.

Letters of objection refer to the arguments in favour of refurbishment as opposed to new build. The application is for the new school so the funding and options issues are not for consideration.

Reference is made to recent refurbishment, the importance of the school as a distinctive community building of the Inter-War period; the Sport England comments with respect to the location of the new building on the playing field; the aesthetics including the 'utilitarian' design which is not considered to be in keeping with Chagford and 'inappropriate in its architectural language' especially given the impact on the nearby Conservation Area, the scale and massing of the building (two-storey); a desire for the use of natural stone on the front elevation of the hall; siting issues including the elevated location at the front of the site, proximity to and overlooking of residential properties; the location of the car park and replacement playing field; space for dropping off and collecting of children, lack of screening. Other issues including lighting, safety issues, the merits of the existing building and sustainability arguments with respect to its retention and additional noise, pollution and distraction from learning resulting from the proximity to the road are also mentioned. Reference is also made to unresolved areas of the site especially the caretaker's house and issues relating to the construction period.

Observations

INTRODUCTION

The existing school is in poor condition and suffers from issues including poor thermal and acoustic performance of teaching spaces, poor ventilation, asbestos, inefficient existing fabric such as leaking pipes, antiquated heating, a kitchen and hall that are significantly undersized, vehicular access across the playground and non-compliance with the Equality Act 2010.

A feasibility study carried out by the Education Funding Agency (EFA) considered the options available given the school's requirements and constraints of the existing building and site. It was concluded that refurbishment would not deliver the required specification, performance standards or required life-cycle to meet the EFA requirements and that a new school building on the playing field would ensure minimum disruption to continuous education delivery, with long term access for separate vehicle and pedestrian routes with increased opportunity for community use of the main hall.

THE PROPOSAL

The application is for a one form entry (IFE) school with a proposed capacity of 210 primary places and a 26 place integral nursery. The proposal will provide a new site access point and more secure site.

The design will provide a highly energy efficient, flexible, robust and easily maintained building and a high quality learning environment.

The existing school will continue to operate while the new building is being constructed then the existing school building will be demolished and new playing fields provided in its place.

THE SITE

The school is on a site of 1.4 hectares and includes a significant amount of green space including a vegetable garden, forest area and amphitheatre. To the north and west the site is bounded by residential properties accessed via Lamb Park. To the east the site is bounded by fields and to the south the site is bound by the B3206. There are a number of trees within the site to be retained.

MAJOR DEVELOPMENT

The development is classed as major development because the site is over 1 hectare and has been advertised as such.

The NPPF sets out the policy principles for considering major development. It states that major development should only be granted in exceptional circumstances and where it can be demonstrated that it is in the public interest.

In this case the development is to serve local interest and a school has to be located within the community which it serves. Policy DMD2 which refers to major development not being allowed in the National Park is not considered to be relevant in this case for a number of reasons such as scale, location, proposed use and impact being very contained locally.

PRE-APPLICATION ADVICE

Advice was sought from the Authority and the Highway Authority resulting in the location of the access point slightly further south to allow for an adequate visibility splay. A meeting was held with the Parish Council and a public presentation event was held in May 2016. A full summary of the public consultation and stakeholder engagement process was included in a 'Statement of Community Involvement' submitted with the application.

DESIGN AND LAYOUT

Policies COR4, DMD3 and DMD7 are the critical policies.

The overall building area will remain similar to the existing school but within a reduced footprint due to the two-storey element. Bringing the building forward on the site enables the school to be constructed while the existing school remains operational and provides a new secure external area behind the school for teaching and play once the work is complete. A new car park will be provided for staff and visitors, allowing off street access for deliveries. This new car park will considerably ease local pressure from staff parking on nearby roads.

The building is aligned with the neighbouring building line, allowing for landscaping and

appropriate means of enclosure to separate it from the highway. The building has a slate roof with the gable end of the hall as a feature to reflect the 'status and community use of the hall'.

Pedestrian access to the school will either be via a new pedestrian path to the community entrance or to the side, enabling separate Foundation Stage access and level access.

The building has been designed to be two-storey and finished in white or off white render with a grey split faced textured block plinth with a natural slate roof. The gable fronted hall will be finished in the same block with the kitchen finished in cream coloured render. The doors and windows will have dark grey frames recessed into their openings. Grey profiled roofing will be used on the kitchen and on parts of the north elevation.

Internally the layout reflects the educational and practical needs of the school.

Officers expressed concerns regarding the elevation of the building above the street and requested that the finished floor levels should be reduced; however the need to accommodate appropriate level access to the building is the main reason why lowering the floor level is not possible.

Officers also expressed concerns regarding the proximity of the new building to the street; however the need to accommodate the replacement playing field and secure outdoor play space behind the building means that a further set back cannot be accommodated without compromising outdoor space that offers education benefit.

With respect to the design the applicants have stated that the building has to have presence as a public building. The size and location of windows and doors and room heights are determined by prescriptive EFA criteria relating to natural daylight and ventilation of the different parts of the building determined by its' orientation.

Following a meeting held on 11 January when concerns were expressed regarding the horizontal emphasis of the front elevation, the applicant intends to introduce two masonry piers, some minor changes to the design of doors and clarify details in respect of guttering and reveals.

With respect to the wall of the hall a sample of the proposed cladding material has been provided. It will be presented as a regular block but officers are satisfied that it will be of an appropriate finish and subject to provision of the final mortar colour, appropriate for this important element of the building. The maintenance issues in respect of the render are an important consideration for the EFA and it has been confirmed that a high quality finish including anti-fungal treatment is proposed.

With respect to overhead wires, although these fall outside of the 'red line', the applicant has indicated their willingness to secure appropriate funds to achieve undergrounding of the cables. Any progress in this regard will be reported to Members at the meeting.

Plans have been provided showing a stone faced bank with a beech hedge on top across the whole site frontage with walls wrapping around the pedestrian and vehicular accesses and terminating in stone 'gate posts'. This is considered to be an appropriate treatment of the frontage and although a cotoneaster and group of five trees at the front of the site will be lost they have little amenity value and a beech hedge on a stone faced bank will be a more robust means of enclosure in keeping with the location that the fence originally proposed. General landscaping of the site can be dealt with later via an appropriate planning condition.

In summary, EFA and Building Control requirements dictate to a large extent the siting, dimensions and design of the building. Within the current scheme there is no further room for negotiation on design matters. The building will be sustainable in its construction and on balance it is considered that the building will conserve the character of the built environment, reflect the principles set out in the Design Guide and reinforce the qualities of the place. The location of the site opposite the recently constructed phase 1 scheme (Chagford Masterplan) has been taken into account, along with how the building reflects a general linear pattern of development within the nearby Conservation Area.

HIGHWAYS

The new access reflects the discussions with the Highways Authority and the proposals comply with contemporary design guidance for geometry and visibility and is therefore acceptable to serve the proposed development. As the access is to be used for construction purposes, it should be required prior to any other construction work being carried out in accordance with COR21. A construction method statement is also required.

CAR PARKING

A car park with separate access to pedestrians will be provided for visitors and staff in accordance with DMD39. It is not intended that the car park is used by parents for pick up or dropping off of children (other than when there are special needs).

The issue of on street parking in the bays outside the school is not within the remit of this application.

PLAYING FIELD PROVISION

There is a clear requirement within the NPPF that playing fields should not be built on unless they are surplus to requirements, the loss resulting from the development should be replaced by equivalent or better provision in terms of quantity and quality in a suitable location or the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

In this case the conclusion by the applicant that the quality, quantity and accessibility of the recreational facility on the site remain the same has been challenged by Sport England.

Discussions have taken place between the applicants and Sport England and a verbal update will be given to Members at the meeting.

RESIDENTIAL AMENITY

The school has residential properties on two sides and new properties opposite. The building will be two-storeys high as opposed to the existing single storey building. The re-positioning of the school building will increase the distance from the residential properties at the rear.

Representations raise concerns regarding additional noise as a result of the relocation of the playing field but this is not noise which is considered to have a detrimental impact on residential amenity. The rear of the site is also well screened by existing vegetation and if Members consider it to be necessary, additional landscaping of the south west and western boundaries can be required by condition.

To the west (south west) the elevation facing the gable end and gardens of properties in Lamb Park is over 21m from the boundary and there are only two first floor windows together with a landing window on a staircase facing south west. The west elevation is broken up by a variety of roof lines so it is not considered that the building will be overbearing and dominant or have a detrimental impact on the amenity of the Lamb Park residents most closely related to the site. It is therefore considered that the proposal accords with policies COR4 and DMD4.

To the north east (East) the nearest property is the old Telephone Exchange a former office with planning permission for use as a veterinary surgery. The proposed car park to the east of the proposed building and the building itself will not cause any harm to users of this building.

HERITAGE ASSETS

The Conservation Area is a designated heritage asset. Policies DMD7 and DMD12 require development to have regard to the setting of the heritage asset. Although Lower Street is the key approach road to the Conservation Area, the location of the building on the building line of Lamb Park and the Telephone Exchange, ridge height and presence of the new housing on the other side of the road mean that although the building will be prominent, the impact on the setting of the Conservation Area will be less than substantial.

The school is on the Historic Environment Record (HER) but in 2015 was assessed to be 'not sufficiently innovative or architecturally distinguished to justify statutory designation'. Notwithstanding that a Heritage Impact Assessment should have been submitted with the application the Building Conservation Officer has concluded that subject to a Historic Building Report being required by condition, there is no heritage objection.

FLOOD RISK

Although the site falls outside the 1 in 1000 year flood plain, the school has a Flood Risk Vulnerability Classification of 'More Vulnerable' and the site is more than 1 hectare so is classed as Major Development for Flood purposes. It is necessary for the applicant to demonstrate to the satisfaction of the Devon County Council Flood Risk Team that the site can be developed without any additional risk from the surface water drainage to existing properties downstream from the proposed development.

Subject to the detailed design of the proposed surface water drainage management system serving the development site for the full period of its construction being submitted for approval, the DCC Flood Risk team is satisfied that there are no surface water objections so the proposal is considered to be in accordance with policies COR8 and COR9.

BIODIVERSITY

A habitat survey of the site has been carried out together with a building inspection. Bats are using the building as a summer roost and new roosts will be required. These are shown on the drawings and subject to the necessary European Protected Species Licence and requirements of the report the Ecologist has confirmed that the proposal is in accordance with policies COR7 and DMD14. Details of external lighting are given and subject to a condition the requirements of DMD4 and the wildlife policies are met in this regard.

COMMUNITY USE

The layout has been designed to ensure separate community use of facilities is available outside school hours whilst enabling the security of the school to be maintained and minimising congestion associated with such use.

REPRESENTATIONS

On the basis of the representations received to date, the community is divided in respect of this application.

The questions regarding the refurbishment option falls outside the remit of the material planning considerations to be considered in respect of this planning application.

The Parish Council raises no objections but raises concerns regarding matters which fall outside the remit of this application as they relate to use of the highway by parents and buses. Concerns are also raised regarding the position and details of the access but these are not shared by the Highways Officer. There are no sustainable objections on highway safety grounds.

The design and layout issues raised by the public have been carefully considered and are understood, however it is clear that the constraints, especially with respect to playing field provision and EFA criteria in respect of the design of the school, are such that there is no further room for negotiation with respect to design, siting and layout of the development. The scheme architects have advanced cogent reasons in defence of the scheme proposed.

CONCLUSION

A school is an important 'civic' building and as set out in the plans before you, it is considered that it will make a positive contribution to the built environment of Chagford.

It will be a landmark building set behind a much improved means of enclosure when seen from Lower Street. It will be a sustainable building which meets the exacting requirements of modern school design, whilst maintaining open space and playing field provision within the site and improved pedestrian and vehicular access for staff and visitors to the site.

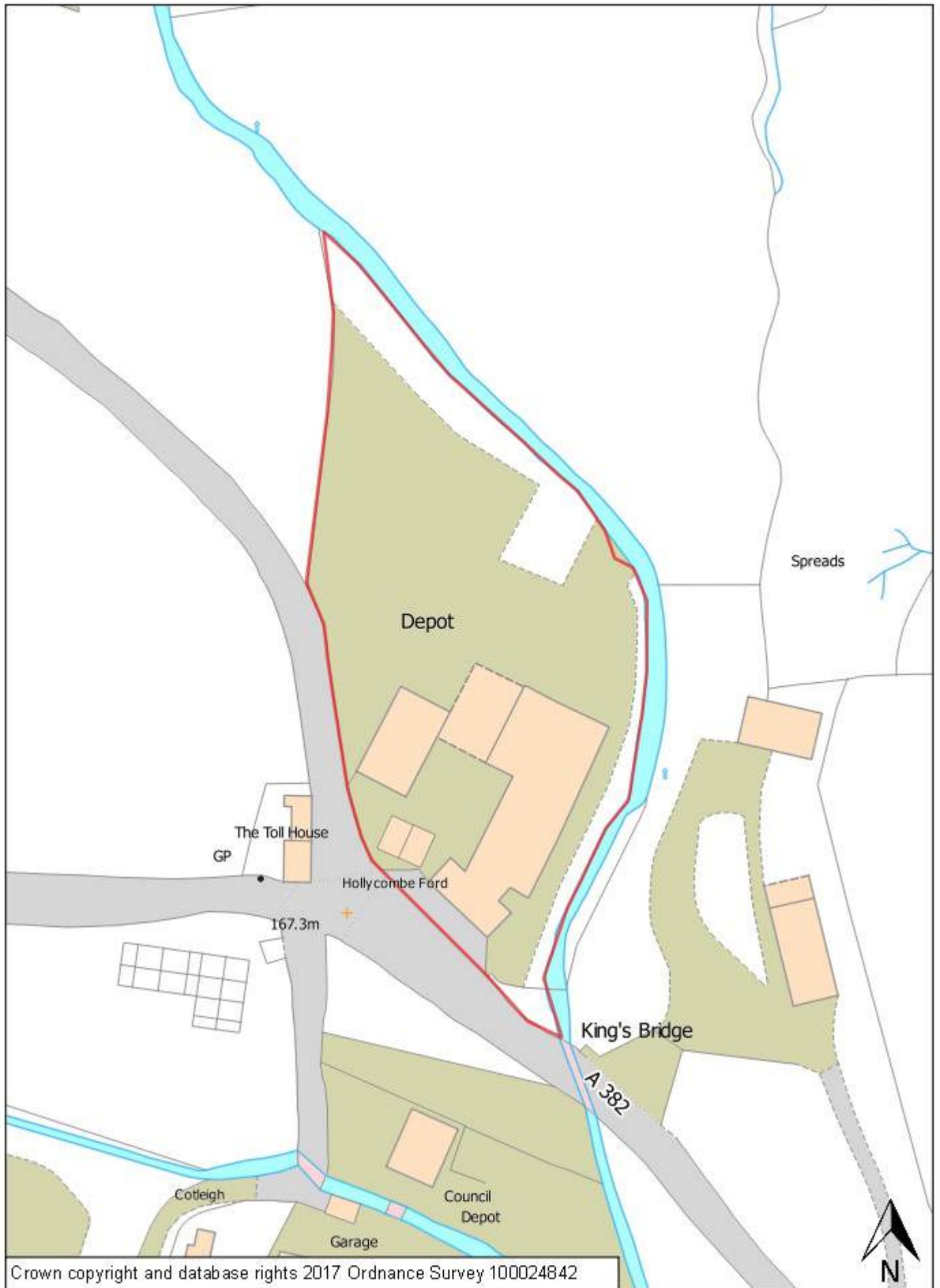
The loss of a school building: which when it was built was at the forefront of school design, is regrettable but it is clear from visiting the school, that it is no longer fit for purpose. Whether or not a refurbishment would be preferable to a new school falls outside the remit of this application.

It is therefore considered that provided confirmation is received from Sport England that playing field provision is acceptable and subject to any conditions Sport England recommends permission should be granted.

Bradfords Building Supplies - 0641/16



Scale 1:1,000



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2. Application No: **0641/16** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **Moretonhampstead**
Grid Ref: **SX759857** Officer: **Jo Burgess**

Proposal: **Demolition of two obsolete buildings and construction of a new portal frame extension and separate covered storage area**

Location: **Bradfords Building Supplies,
The Old Mill, Station Road,
Moretonhampstead**

Applicant: **Bradfords Ltd**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed extension by virtue of its inappropriate form, massing, design, materials, proximity to the designated heritage asset and relationship with the A382, would be detrimental to the setting of the heritage asset and fail to conserve or enhance the wider built environment, contrary to policies COR1, COR3, COR4, COR5, DMD1b, DMD3, DMD7 and DMD8 of the Dartmoor National Park Authority Development Plan and to the advice contained in the English National Parks and the Broads UK Government Vision, Circular 2010 and the National Planning Policy Framework 2012 and the Dartmoor National Park Design Guide.

Introduction

Bradford's Building Supplies on the southern edge of, but within the settlement boundary of Mortonhampstead. The buildings fronting the road are very prominent.

It is proposed to carry out works on the frontage in association with the demolition of redundant corrugated and timber buildings and erect a new covered storage area in the rear yard.

The application is presented to Members in view of the comments from the Parish Council.

Planning History

0097/04	Remove existing timber cladding and replace with box profile steel painted sheets		
	Full Planning Permission	Grant Conditionally	24 March 2004

Consultations

Environment Agency: While the majority of the site is located within Flood Zone 3 (high probability of flooding), the proposed development has been designed in accordance with guidelines on how to reduce flood risk to the development and third parties. There are no objections, however the applicant is advised to prepare a flood plan.

Teignbridge District Council: Does not wish to comment

County EEC Directorate: No highway implications

Devon County Council (Flood) No objection

Risk):

DNP - Ecology & Wildlife Conservation:

There is potential for nesting birds to be affected by the development so an appropriate condition is required

DNP - Trees & Landscape:

The development will have a minimal impact on the character of the local area. Details of security fencing along the road frontage should be agreed. The works to the trees and hedge are minor and will have a minimal impact on the character of the area. The grassed landscaping strips will improve the appearance of the road frontage.

DNP - Building Conservation Officer:

The proposed scheme would have a negative impact on the setting of the grade II listed tollhouse.

Parish/Town Council Comments

Moretonhampstead PC:

The Parish Council supports the application on the grounds that though a little utilitarian and ugly, it is in an industrial area, it improves on the existing buildings and site and increases employment and improves local facilities; unless there are well-based objections from the neighbours.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR18 - Providing for sustainable economic growth

COR18 - Providing for sustainable economic growth

COR2 - Settlement Strategies

COR3 - Protection of Dartmoor's special environmental qualities

COR4 - Design and sustainable development principles

COR5 - Protecting the historic built environment

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

COR8 - Meeting the challenge of climate change

COR9 - Protection from and prevention of flooding

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

DMD3 - Sustaining the quality of places in Dartmoor National Park

DMD4 - Protecting local amenity

DMD45 - Settlement boundaries

DMD8 - Changes to Historic Buildings

Representations

None to date.

Observations

INTRODUCTION

Bradford's Building Supplies is located on the site of a former timber sawmill on the outskirts of Mortonhampstead. The corrugated iron building dating from the early part of the twentieth century is the only remaining building from this time.

The site has been used as a building supplies site since 2003 (Industrial with ancillary retail); the company employing 11 people. It is therefore a well established employment site within the town.

THE PROPOSAL

It is proposed to remove redundant buildings including the single storey cabins and the saw mill building which is structurally unsound. It is proposed to extend the existing 'trade counter building' and alter the access arrangements. An open bulk storage building is also proposed at the rear.

POLICY

The site falls within the boundary of Mortonhampstead set out in the Development Plan. Policies COR2, COR18 and DMD45 set out that within Local Centres such as Mortonhampstead, it is expected that development is expected to cater for local requirements and those of the rural hinterland. Although the settlement boundary does not indicate that development will be acceptable in principle within the settlement boundary, policy COR18 states that controlled expansion and development of existing businesses is considered appropriate in Local Centres.

DESIGN

Policy DMD7 requires that new development will conserve and enhance the character of the local built environment. In this case the new development will be very prominent and dominant from the A382.

The Dartmoor Design Guide states clearly that the scale of any new commercial or industrial building is probably the most important factor in making sure the development is not alien or intrusive. It also states that on Dartmoor there is an attractive tradition of using corrugated metal profiles. The building to be demolished is an attractive and charming example of such a building and a local landmark.

The frontage of the site and its location in close proximity to the listed Toll House makes it an important gateway to the town. The removal of the timber buildings and proposed landscaping offers an opportunity to improve the setting of the site and the listed building, but there are few details of the landscaping and means of enclosure given. The new building at the rear has no significant impact on the wider built environment or wider landscape. so it is difficult to assess the overall visual impact of the whole scheme.

The proposed extension to the building at the front of the site will be of significantly greater bulk and massing than the building to be removed. The proposed use of timber cladding and extensive glazing on the south west elevation with metal profile roofing is considered to be inappropriate in this location and does not address the requirements of policy DMD7 or the Design Guide. Officers raised the following concerns and invited the applicant to amend the plans accordingly.

To reduce the bulk and massing the applicant was invited to extend the building at a reduced

height, with a mono pitch roof to match (or slightly lower than the existing building). With respect to the treatment of the south west elevation, the applicant was invited to replicate the simple utilitarian appearance of the existing building by means of a blank elevation, clad with vertical corrugated metal cladding. The option of tall narrow vertical openings to provide light was given and a preference was expressed for any shopfront to be on the north west elevation of the building.

The applicant has decided in light of the Parish Council support to have the application determined as originally submitted and not amend the plans as requested.

IMPACT ON HERITAGE ASSET

The Toll House immediately to the west of the development site is a grade II listed building and a prominent landmark when entering or leaving Moretonhampstead from the south on the A382. It commands the road junction, which when the tollhouse was constructed was effectively a crossroads, and stood as an isolated building for 100 years until the current corrugated iron shed was built 23m to the east - probably in the 1920s. The scale of this shed, its materials and position in the site means that it blends in with its surroundings and does not adversely impact on the setting of the tollhouse.

The proposed replacement building closest to the road would be an obviously modern addition that would come slightly further forward than the current shed. Unlike the shed, the scale, materials and position of this building would appear less in harmony with the surroundings. The main visual impact would be when viewed from the Moretonhampstead side, where the new building will be seen in juxtaposition with the tollhouse. When viewed from this direction it is likely to have a negative impact on the setting of the tollhouse.

The impact on the setting of the tollhouse could be lessened by an amended design to reduce the massing of the proposed building and by moving it further back in the site. The colour of the materials and signage are also important considerations.

DMD8 requires an assessment to be made of the potential impact on the setting of listed buildings. Although no information has been submitted in this regard, it is clear that any new building on the frontage of the site will have an impact on the setting of the Toll House.

FLOOD RISK

The applicant has satisfied the Environment Agency, South West Water and Devon County Council that although the site is in Flood Zone 3, the development has been designed to reduce flood risk to the development and down stream and that the increase in run-off due to a small increase in the impermeable area will be marginal. The tests of DMD8 and DMD9 are therefore satisfied.

OTHER MATTERS

Issues raised by the Trees and Landscape Officer and Ecologist could be dealt with by conditions if the development was considered otherwise to be acceptable.

CONCLUSION

The principle of supporting local business in sustainable locations such as Mortonhampstead is set in policies COR2 and COR18. However, the Parish Council acknowledges that the

building as proposed is 'a little utilitarian and ugly'.

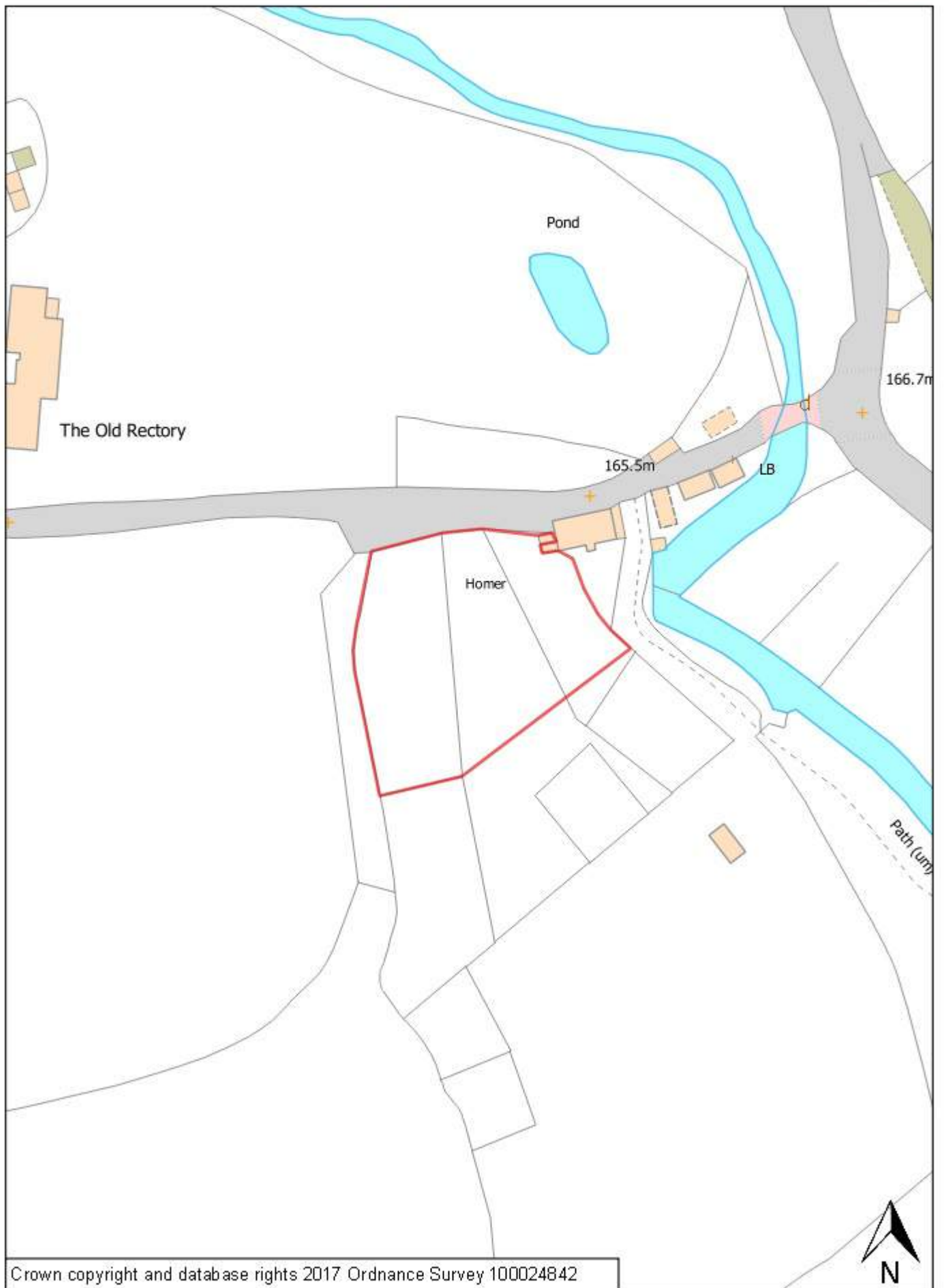
Although the separate covered storage area at the rear of the site is considered to be acceptable, officers consider that in light of the prominent location in the built environment on the frontage of the site and the proximity of the heritage asset, it is important that the design of the extension to the existing building to replace the corrugated saw mill building, is of an appropriate bulk, massing and design.

As it stands the bulk, massing and design of the extension is considered to be contrary to policy DMD7 and the advice in the design guide. It cannot therefore be considered to be sustainable development as is required by policy DMD1a and the NPPF or conserve and enhance the cultural heritage of the National Park as is required by DMD1b.

Homer, Mary Tavy - 0653/16



Scale 1:1,000



3. Application No: **0653/16** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Mary Tavy**
Grid Ref: **SX507788** Officer: **Jo Burgess**

Proposal: **Creation of new access drive and gate to agricultural fields including taking down of existing bank and hedgerow**

Location: **Homer, Mary Tavy**

Applicant: **Mr & Mrs A Cartwright**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed vehicular access by reason of the extent of the loss of an important hedgerow and hedge bank, the engineering works required and dimensions of the access as shown and as required by the highway authority, will have a harmful visual impact on and detract from the character and appearance of this part of the lane and the Mary Tavy Conservation Area. The proposal is therefore contrary to policies COR1, COR2, COR3, DMD3, DMD5, DMD12 and DMD38 of the Dartmoor National Park Authority Development Plan, to the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and to the National Planning Policy Framework 2012.

Introduction

Homer is a two-storey dwelling located within the Rural Settlement of Mary Tavy. It is also within the Conservation Area. Adjacent to the property are fields totalling 16 acres in the ownership of the applicant.

It is proposed to remove an existing earth bank and hedge in order to form a new vehicular access to the fields to the immediate west of the dwelling to gain access to the fields to the west of the Cholwell Brook.

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

Planning History

0306/08	Extension to provide garden room, new staircase and bedroom		
	Full Planning Permission	Grant Conditionally	06 June 2008
0071/08	Extension to provide garden room, new staircase and bedroom		
	Full Planning Permission	Withdrawn	20 March 2008

Consultations

Environment Agency: Flood Risk Zone 1 - standing advice applies

West Devon Borough Council: Does not wish to comment

County EEC Directorate: The proposed access is acceptable in principle from a highway point of view and provided with suitable geometry and visibility. However, the verge back to the fence forms part of the publicly maintained highway so the construction of the access within the limits of the public highway will

need to comply with the highway authority requirements and will need to be the subject of an appropriate licence from the highway authority. The electricity pole will also need to be relocated.

DNP - Building Conservation Officer:

No objection - no built heritage implications

DNP - Trees & Landscape:

The development will require the removal of a section of 'important' hedgerow. The new access will compromise part of a medieval field system and have a detrimental impact on the character of the narrow winding lane, which is identified as a valued attribute of this landscape type. The access will be visually intrusive in comparison to the existing historic boundary.

The development because of its scale, layout and design does not conserve or enhance what is special or locally distinctive of this part of the Dartmoor's landscape.

DNP - Ecology & Wildlife Conservation:

Works to proceed in accordance with the findings and recommendations of the Ecological Scoping and Hedgerow Assessment

Devon County Council (Flood Risk):

No objections from surface water drainage perspective.

Parish/Town Council Comments

Mary Tavy PC:

The Parish Council fully supports the application because current access is very poor. It is felt that the new access would help the small rural business which is run from the property and will have no detrimental effect on the surroundings or near neighbours

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

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

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

COR8 - Meeting the challenge of climate change

DMD12 - Conservation Areas

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

DMD3 - Sustaining the quality of places in Dartmoor National Park

DMD38 - Access onto the highway

DMD4 - Protecting local amenity

Representations

None to date.

Observations

INTRODUCTION

Homer is a dwelling with 16 acres of land attached on both sides of the Colley Brook. Access to the dwelling is via a 2.2m wide gate adjacent to the house and parking and garaging is located on a small triangle of land on the opposite side of the road.

There are field gates to the land east of Cholwell Brook and a gate is shown off the A386 to the fields to the south west of the dwelling.

The applicant states that access to the fields is proposed to allow convenient access for bringing animal feed, straw, hay and animals onto the land; however site inspection demonstrates that the access terminates within the extended domestic curtilage immediately to the side and rear of the dwelling.

THE PROPOSAL

It is proposed to create a new access point immediately to the west of Homer. The existing earth bank and small stone retaining wall will be removed across the full width of 16m along with the hedge above. The bank height above the road averages around 1.7m with the hedge an additional 1m. The field level is approximately 1.5m higher than the road and thus the bank and hedge are reduced on the field side.

The access drive will be 4m in width and slope up from the road at approximately 1 in 11. A new field gate will be set back 10m from the road to allow vehicles and trailers to pull off the road and thus avoid any interference with traffic flow. Vision splays of 20m are provided, sufficient for the 30mph speed limit as set out by Devon County Highways. These areas will be kept free of any planting and obstructions above 600mm.

The apron to the access will be concrete with a galvanised slot drain across the junction to prevent any surface water spillage onto the road. This will drain into the existing system running down the hill in front of the dwelling.

New timber post and rail fencing will be provided with a hedge planted in front and behind it. The mix of species will match the former hedge.

The access beyond the gate will be surfaced with stone chippings with a hammerhead to provide a turning area.

POLICY

COR1 requires development to respect or enhance the character, quality or tranquillity of the local landscape. COR3 requires development to conserve or enhance the characteristic landscapes and features that contribute to Dartmoor's special environmental qualities, including field boundaries, lanes, historic landscapes and features.

The site is in the Conservation Area where policy DMD12 is relevant.

Policy DMD38 applies to new accesses onto the public highway and states that new accesses

will only be granted where a safe access can be provided in a way which does not detract from the character and appearance of the locality. Particular attention should be given to the need to retain hedge banks, hedges and walls and roadside trees.

HIGHWAY SAFETY

The plans show an access that complies with highways and drainage requirements. It therefore complies with COR21.

IMPACT ON CONSERVATION AREA

Although the new access has no implications on the built environment, the lane is an important link between the Mary Tavy Inn and the old village surrounding the church. Stone banks in the Conservation Area make an important contribution to the rural character of enclosures throughout the village.

IMPACT ON HEDGEROW AND LANDSCAPE CHARACTER

The bank and associated hedgerow to be removed appear on the Mary Tavy Tithe map and as such the hedgerow is classed as important. Its removal and the creation of a very large engineered access splay not only has a detrimental impact on the historic hedgerow but also on the rural character of the lane. It will neither preserve or enhance the character and appearance of the Conservation Area or this part of the Dartmoor landscape.

The field system immediately around Homer is likely to be medieval in origin. The site is a small paddock associated with the dwelling which is now being described as a farmhouse. The surrounding landscape comprises medium sized fields enclosed with Devon hedge banks, the fields being used for grazing. Small narrow winding lanes link the settlements and isolated properties.

The Landscape Character Assessment valued attributes for 1D Inland Undulating Elevated Land include the strong medieval field pattern and scattered villages, hamlets and farmsteads linked by narrow lanes. Narrow lanes are a defining feature of this landscape and the proposed access, because of the size and scale of the engineering works, will have a detrimental impact on the character of the lane.

DMD5 is very clear that development should conserve and/or enhance the character of Dartmoor's landscape and this development will not do this because it does not respect the valued attributes of the landscape type. It will be very visible and although a new native hedge is proposed along the new internal field boundary, it will not retain the historical character of the landscape.

Reference is made to a new access at The Old Rectory 50m to the west, however this was permitted in 2000, prior to the Landscape Character Assessment and in this case an existing access was closed and there was no net loss of hedgerow.

CONCLUSION

It is acknowledged that the applicant has complied with highway and drainage requirements and attempted to mitigate the visual impact of the new access. It is also recognised that access to the rear of the dwelling and fields beyond is not straightforward especially when transporting bulk materials or stock.

However, the historic nature of the hedge and hedge bank mean that it contributes to the character and appearance of the lane, the character of the wider landscape and the Conservation Area. The creation of a large engineered access will not conserve or enhance what is special or locally distinctive of this part of Dartmoor's landscape and the proposal is therefore considered to be unsustainable development contrary to the policies set out and the advice in the NPPF.

Estrayer Park 0619-16



Scale 1:1,250



4. Application No: **0619/16** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Okehampton Hamlets**
Grid Ref: **SX568939** Officer: **Louise Barattini**

Proposal: **Conversion of three redundant barns to three holiday units**

Location: **Estrayer Park, Okehampton**

Applicant: **Mr & Mrs M & S Littlejohns**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed development, by reason of the alterations to barn 1, will fail to conserve or enhance the special characteristics of the building and detract from this historic farmstead contrary to the Dartmoor National Park Core Strategy Development Plan Document in particular policies COR1, COR2, COR3 and COR4, the Development Management and Delivery Development Plan Document in particular policies DMD1b and DMD9 and the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and National Planning Policy Framework 2012.

Introduction

Estrayer Park is an historic farmstead located beside the B3260, approximately 2km west of Okehampton. The historic farmstead comprises a cluster of traditional stone farm buildings and around a yard and associated farmhouse to the east. The site is recorded on the Historic Environment Record as an Historic Farmstead.

The farming operations carried out on this farmstead are in the process of being moved to Minehouse Farm and, as such, the buildings are surplus to requirements. The farmhouse at Estrayer Park is let as holiday accommodation to support the farming enterprise.

This application seeks permission for the conversion of 3 barns into further units of self-contained holiday accommodation.

The application was deferred from the January committee meeting to enable officers to clarify points on the applicant's farm diversification scheme and to present members with suggested conditions should they resolve to approve the application. An update is provided at the end of the report.

Planning History

0160/16	Conversion of three redundant barns to two residential units (for applicants' children) and one holiday unit		
	Full Planning Permission	Refused	07 June 2016

Consultations

Teignbridge District Council:	Does not wish to comment
County EEC Directorate:	No highway implications
Environment Agency:	No objection - Flood zone 1 (low risk)
DNP - Building Conservation	Estrayer Park is recorded as an historic farmstead. The

Officer: buildings appear to be late 19th and early 20th Century and are of traditional construction and appearance having some heritage value as a group. The farm may have been part of a larger estate as barns 2 and 3 have animal keystones above the doors which is an unexpected decorative finish.

The revised scheme is an improvement over the previously submitted application but does contain elements that are less than ideal.

The main issue is the treatment of barn 1. This barn is not of such good quality as the others, and, according to map evidence, is later in date and while making a contribution to the group, individually has less heritage value. The proposed north east, while better than the previous scheme, loses the agricultural simplicity of the existing building and is visually unbalanced. The difficulty of finding an acceptable design for this building must call into question its suitability for domestic conversion.

DNP - Ecology & Wildlife Conservation: Recommendations of wildlife survey to be followed

DNP - Archaeology: No archaeological concerns

Parish/Town Council Comments

Okehampton Hamlets PC: The Parish Council supports the application as it will preserve traditional farm buildings, represents a good farm diversification scheme and could potentially bring income into the area.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR18 - Providing for sustainable economic growth
COR19 - Dealing with proposals for tourism development
COR2 - Settlement Strategies
COR20 - Providing for agricultural diversification
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
DMD13 - Archaeology
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD3 - Sustaining the quality of places in Dartmoor National Park
DMD4 - Protecting local amenity
DMD44 - Tourist accommodation
DMD5 - National Park Landscape

DMD7 - Dartmoor's built environment

DMD8 - Changes to Historic Buildings

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

Representations

None to date.

Observations

PLANNING HISTORY

Planning permission was refused for the conversion of these 3 barns into 2 dwellings and one holiday let in June 2016 (ref: 0160/16). The proposal was refused on grounds of (i) unjustified dwellings in the open countryside contrary to the Authority's housing policies and, (ii) the proposed design, incorporating sub-division of the farmyard, substandard accommodation and loss of historic fabric, failing to conserve or enhance the special characteristics of the buildings at this historic farmstead.

PRINCIPLE OF HOLIDAY ACCOMMODATION

Policy DMD9 supports the principle of converting traditional buildings into holiday accommodation in the open countryside where there is reasonable access to local services and facilities preferably by a variety of means of transport.

Policy DMD44 accepts the principle of holiday accommodation within the National Park where it will be provided as part of an acceptable farm diversification exercise.

Policy DMD35 states that where farm diversification schemes are approved, planning agreements or conditions will be used to ensure that the development remains ancillary and tied to the farm enterprise. Policies COR20 and DMD35 set out that farm diversification should help to maintain (and not supplant) the core agricultural business and conserve/enhance the wildlife, natural beauty and cultural heritage of the Park.

Minehouse Farm is a 450 acre beef and sheep enterprise (with some contracting and haulage) run by Mr & Mrs Littlejohns and their daughter. They have an existing large holiday let at Estrayer Park (which amounts to approximately 20-25% of the farm income) and they are proposing 3 additional holiday units to further diversify their farm. The buildings are away from the main farm operation at Minehouse and are no longer used for farming.

DESIGN AND HERITAGE POLICY

Policies COR1, COR3, DMD8 and DMD1b establish the requirement for the conservation and enhancement of Dartmoor's cultural heritage.

The National Planning Policy Framework (NPPF) is explicit that great weight should be given to the conservation of cultural heritage within National Parks and the need to sustain and enhance the special interest and significance of heritage assets. This is emphasised in policy DMD1b of the Local Plan which sets out National Park Purposes and establishes that the conservation and enhancement of cultural heritage of the National Park will be given priority over other considerations in the determination of development proposals.

Policy DMD8 of the Local Plan is concerned with the conservation and enhancement of

designated and undesignated heritage assets. It requires an assessment of the impact of development proposals on the significance (special heritage interest) of heritage assets to be made, taking into account to what extent the works will detract from the original scale, significance, form, quality and setting of the building and impact on its architectural; or historic interest. The policy requires a balanced judgement having regard to the scale of any harm or loss and the significance of the building or asset.

Policy DMD9 states that proposals for the conversion of non-residential buildings should (i) be historic buildings that demonstrate a form, structure or history that traditional to Dartmoor, (ii) be capable of conversion without need for substantial alteration or significant changes in the relationship with existing ground levels, (iii) demonstrate conversion works that are in-keeping with local building styles and materials and not adversely impact rural character, (iv) retains significant historic or architectural elements and (vi) sustains the setting of the building.

The Design Guide sets out that successful conversions should respect and reflect the original function of the building and maintain the agricultural character and historic elements on the outside and inside. It specifically identifies that it may not be possible to convert some types of farm buildings such as shippens and linhays and that making new windows in walls is not usually acceptable.

THE PROPOSAL & HERITAGE CONSIDERATIONS

Estrayer Park is an historic farmstead appearing on the c.1840 Tithe Map. The barns in question look to date to the 19th and early 20th Century and form part of a complex of traditional buildings grouped around a farm yard.

The barns do not easily lend themselves to conversion. The existing first floor loft area has limited head height and as such the proposal seeks to reconfigure the roof and first floor levels to enable living accommodation within. The proposal will not provide good quality living environments when considering the percentage of low headroom living space against DCLG Technical Housing Standards, however this is of a lesser concern for holiday accommodation than a permanent residence. The changes will be largely internal, however the Design Guide stipulates that successful conversions respect and reflect the buildings original functions and maintain the agricultural character and historic elements on the outside and inside.

The internal layout has been revised from the previous application and reduces the extent of new window openings from 7 to 2 and these will be confined to roof lights. An external flue is proposed on the north east elevation which represents a poor design arrangement, however, a requirement could be made for this to be an internal flue by condition and termination details through the roof to be agreed. Furthermore, the amendment to the historic window opening to the south west elevation of barn 2 will detract from the original character and function of this traditional building and a condition could be imposed to secure the retention of the existing aperture of this loft opening for the new window insert.

The previous application incorporated the subdivision of the farmyard with fencing and breaking up of the concrete slab to create private amenity space for each of the new residential units. The new scheme is for holiday units and shows no subdivision or domestic curtilage.

Whilst the proposal will involve some substantial reconstruction internally to facilitate the proposed end use, the overall external appearance and setting would be maintained and therefore on balance, the proposed conversion of barns 2 and 3 into holiday accommodation

to help diversify the farm is considered acceptable.

Of greater concern, however, is the proposed conversion works to barn 1. This barn has a simple form consistent with a linhay farm building type.

The application proposes new windows in the south east and south west elevation of this building at ground floor level and a first floor window in the north east elevation which are inconsistent with the function and character of this vernacular farm building. These proposed alterations, in tandem with the proposed flue, rooflights, and fenestration at ground floor in the open storage area, will have a harmful impact on the character and appearance of this farm building type. Policy DMD9 states that proposals for the conversion of non-residential buildings should be capable of conversion without need for substantial alteration, demonstrate conversion works that are in-keeping and retain significant historic or architectural elements. The Design Guide repeats the above advice and identifies that it may not be possible to convert lincays and that making new windows in walls is not usually acceptable. The proposed conversion is contrary to policy and Design Guide advice and therefore officers are unable to support this element of the scheme.

The proposals will have a harmful impact on the simple character of this farm building type. The farm already has one large holiday unit, and if this was to be combined with the two additional holiday lets would provide a substantial diversification income for the farm. The existing holiday rental on Estrayer Park House already provides 20-25% of the farm income. To convert this additional unit (effectively the 4th holiday unit) would be harmful to this historic farmstead and is not justified.

The applicants were asked if they would consider a lesser scheme for 2 holiday units to enable a positive recommendation from officers, however, they state that it would not be financially viable to convert only 2 of the units and therefore respectfully request that the scheme is considered on its merits. No information on viability has been submitted.

There is no objection to barn 1 being incorporated into the scheme for low key ancillary uses, such as a bike store or games room, to support the other holiday lets.

WILDLIFE CONSIDERATIONS

A protected species survey has been submitted with the application and no evidence of bats or barn owls were recorded. Evidence of previous nesting birds was noted. The recommendations of the report are to be followed to ensure that protected species are not adversely affected in accordance with policies DMD14 and COR7.

RESIDENTIAL AMENITY

Policy DMD4 deals with protecting the residential amenities of neighbouring properties. The proposed development will, in the main, present a satisfactory relationship with the adjacent dwelling, Estrayer Park. The proposed bedroom window on the north east elevation will, however, look directly at windows on this neighbouring dwelling at a distance of 12m away. This could, however, be dealt with by condition requiring the obscure glazing of this window.

HIGHWAY SAFETY

No objection is raised to the proposed holiday units having regard to the existing access arrangements and historic use of the site. The proposal will therefore not conflict with policies

COR21 and DMD40.

CONCLUSION

The proposed conversion schemes to barns 2 and 3 are, on balance, considered to be acceptable. The proposed conversion works to barn 1 will have a harmful impact on the simple character of this building type and the historic farm group and fails to meet the tests for conversion under policy DMD9. There is no objection to barn 1 being incorporated into the scheme for low key ancillary uses, such as a bike store or games room, to support the other holiday lets.

The applicants were asked if they would consider a lesser scheme for 2 holiday units to enable a positive recommendation from officers, however, they state that it would not be financially viable to convert only 2 of the units and therefore respectfully request that the scheme is considered on its merits. No information on viability has been submitted.

The farm already has one large holiday unit (which provides 20-25% of the farm income) if this was to be combined with a further two additional holiday lets could provide a substantial diversification income for the farm. To convert this additional unit (effectively the 4th holiday unit) would be harmful to this historic farmstead and is not considered to be justified.

UPDATE FOR FEBRUARY COMMITTEE MEETING

The application was deferred from the January committee meeting to enable officers to clarify points on the applicant's farm diversification scheme and to present Members with suggested conditions should they resolve to approve the application.

The applicant has confirmed that the farm business is owned and operated by Mr and Mrs Littlejohns (applicants) and his daughter Katie Littlejohns. They all live and work full time for the agricultural enterprise at Minehouse Farm. The applicant confirms that Mr and Mrs Littlejohns and his daughter Katie Littlejohns will all be involved in the running and management of the proposed new holiday business which they will operate from Minehouse Farm where they will continue to reside.

The applicant explains that the Massage Room shown on the proposed first floor plan on Barn 1 is a portable massage table which will be used 'wherever'. The applicants are not seeking to set up a physio/massage room/business. The proposal is for the conversion of the barns into 3 self-contained holiday cottages. If Members resolve to grant permission, officers would recommend the permission be limited to this use only to accord with policy DMD44.

Whilst officers maintain their original recommendation of refusal, the following conditions are presented to Members for their consideration should they resolve to grant permission. Any permission should however be dependant on the completion of a S106 agreement to ensure the barns remain as part of an overall farm diversification scheme.

PLANNING CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted is for the conversion of the existing structure and does

not authorise any works involving the demolition and rebuilding of the structure, or any part of it, apart from those works identified on the approved drawings.

3. The development hereby permitted shall not be used or occupied other than for the provision of short let holiday accommodation. No person, couple, family or group shall occupy or use the accommodation hereby permitted for a single period or cumulative periods exceeding 28 days in any calendar year. A register of the names and addresses of all occupiers shall be maintained and made available to the Local Planning Authority upon request.

4. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be implemented strictly in accordance with the recommendations of the bat, barn owl and nesting bird survey report by John J Kaczanow dated 29 February 2016.

5. Large scale section drawings of all new external joinery (windows, doors and cladding), to include details of finish, shall be submitted to the Local Planning Authority prior to their installation. Thereafter, the development shall be carried out in accordance with the approved details.

6. Unless otherwise previously agreed in writing by the Local Planning Authority, the frames of all external windows and doors in the building shall be recessed at least 100mm in their openings.

7. Notwithstanding the drawings hereby approved, details of the proposed external flue pipe to serve barn 3, to include details of termination through the roof, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking and re-enacting that Order with or without modification, no material alterations to the external appearance of the building(s) shall be carried out and no extension, building, enclosure, structure, erection, hard surface, swimming or other pool shall be constructed or erected in or around the curtilage of the dwelling hereby permitted, and no windows or roof lights other than those expressly authorised by this permission shall be created, formed or installed, without the prior written authorisation of the Local Planning Authority.

9. Unless otherwise agreed in writing by the Local Planning Authority, all gutters and downpipes on the development hereby approved shall be of metal construction and round or half-round in section.

10. The flue pipes serving the development hereby approved shall, unless otherwise agreed by the Local Planning Authority in writing, be painted black not later than 30 days after the substantial completion of the development.

11. Prior to the installation of any rooflight in the development hereby approved, details of the proposed rooflights shall be submitted to the Local Planning Authority for approval; thereafter, unless otherwise agreed by the Local Planning Authority in writing, only approved rooflights shall be used in the development.

12. All existing timber verges and fascia boards on the development hereby approved shall be retained or replaced on a like-for-like basis unless otherwise agreed in writing by the Local

Planning Authority.

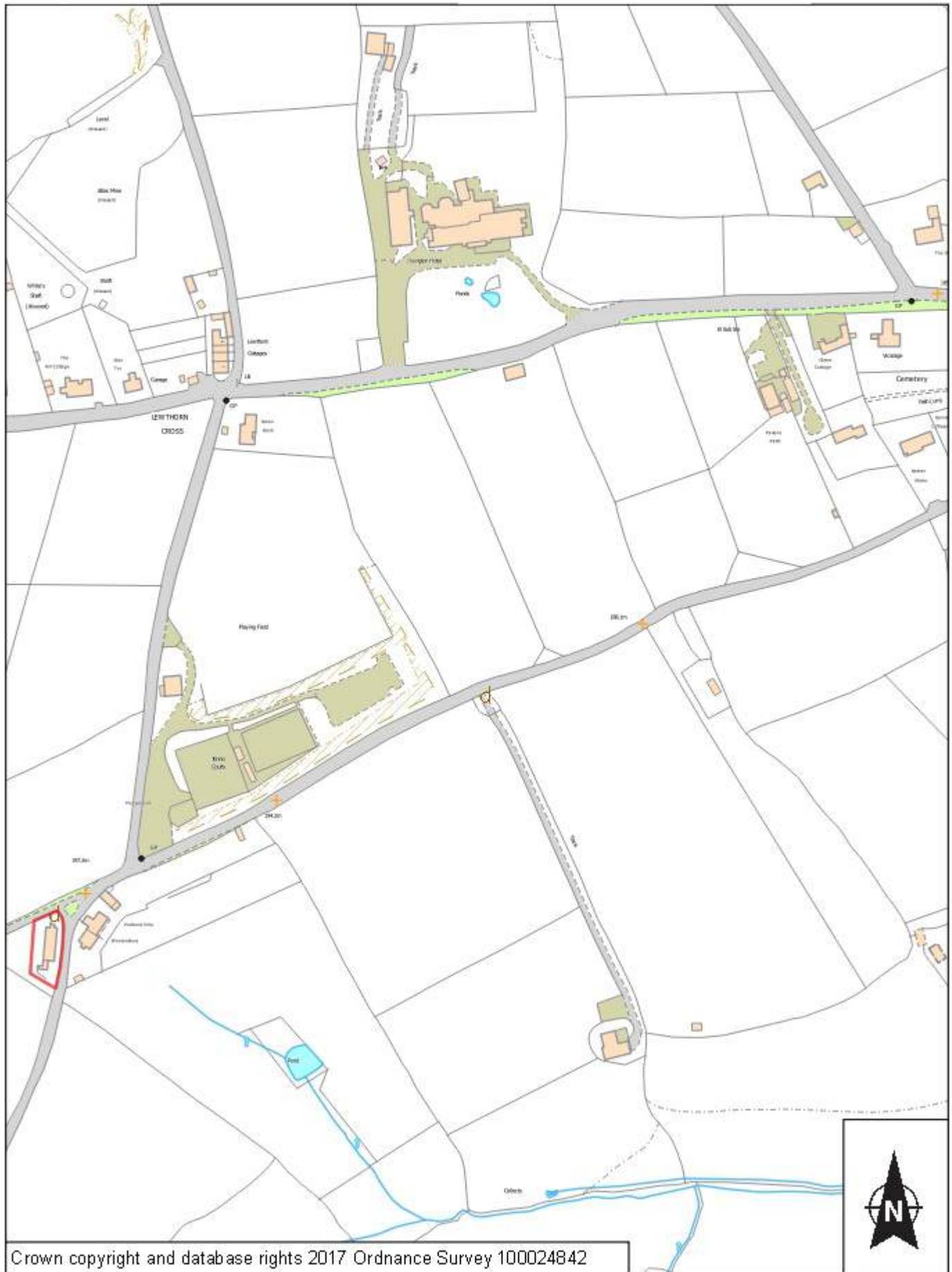
13. Any re-roofing (replacement of slates) on the development hereby approved shall be carried out in a natural slate, a sample of which shall be submitted to the Local Planning Authority for approval prior to the commencement of any re-roofing (replacement of slates). At all times thereafter the roof shall be maintained in the approved natural slate and shall be nail fixed unless otherwise previously agreed by the Local Planning Authority.

14. Any repointing of the building shall be completed using traditional techniques and materials (lime mortar).

LEGAL AGREEMENT

Planning policy DMD35 (Farm diversification) is explicit that farm diversification projects remain ancillary and tied to the farm enterprise through the use of a planning agreement or planning condition.

In order to secure that the ownership, management and control of the holiday units is undertaken from Minehouse Farm, and to ensure that the income supports the core farming enterprise in line with policy, legal advice is that this matter should be dealt with by a s106 legal agreement.



5. Application No: **0580/16** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **Ilington**
Grid Ref: **SX778757** Officer: **Louise Barattini**

Proposal: **Change of use from former Methodist Chapel to single dwelling**

Location: **Ilington Methodist Church,
Honeywell Lane,
Ilington**

Applicant: **Mr & Mrs M Russell**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposal would result in an unjustified open market dwelling contrary to the Dartmoor National Park Core Strategy Development Plan Document in particular policies COR2 and COR15, the Development Management and Delivery Development Plan Document in particular policy DMD23 and the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and National Planning Policy Framework 2012.
2. In the absence of a detailed appraisal of the feasibility or viability of alternative business or short stay tourist accommodation, the re-use of this chapel building for sequentially preferable uses has not been demonstrated and the proposed dwelling, by reason of its anticipated market value, would not meet the requirements of the Authority's intermediate affordable housing model and result in an unjustified dwelling in the open countryside. As a consequence, it would be contrary to policy COR15 of the Dartmoor National Park Authority Core Strategy Development Plan Document and policies DMD9 and DMD23 of the Dartmoor National Park Authority Development Management and Delivery Development Plan Document.

Introduction

Ilington Methodist Chapel dates to 1852 and is registered on the Historic Environment Record. It is located approximately a 750m from Ilington village centre in the open countryside to the west of the village.

The chapel closed as a place of worship in May 2015 and the application proposes the conversion of the building into a 3-bed open market dwelling.

The application is presented to Members in view of the comments received from the Parish Council.

Consultations

Environment Agency:	No objection - Flood zone 1 standing advice only
Teignbridge District Council:	Recommend unexpected contamination condition
County EEC Directorate:	No highway implications
DNP - Building Conservation Officer:	No objection subject to permitted development rights being removed

DNP - Ecology & Wildlife Conservation: Works to accord with the recommendations of the wildlife survey
DNP - Archaeology: No archaeological concerns

Parish/Town Council Comments

Ilington PC: The Parish Council supports the application which makes good use of an un-used building

Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR15 - Providing for limited new housing to meet local needs
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
DMD13 - Archaeology
DMD14 - Biodiversity and geological conservation
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
DMD4 - Protecting local amenity
DMD40 - Parking provision - Residential
DMD5 - National Park Landscape
DMD7 - Dartmoor's built environment
DMD8 - Changes to Historic Buildings
DMD9 - The re-use and adoption of historic buildings in the countryside

Representations

3 letters of support

The letters of support welcome new life being brought into the building and its use as a family home. They state that a business use or community use is unlikely.

The minister of Ilington Methodist Church states that the closure was known about locally and he had no contact from a business or community group expressing an interest in it.

Observations

THE PROPOSAL

The application proposes the conversion of the chapel into a 3-bed market dwelling. The proposed dwelling would retain the existing vehicular access and parking arrangement and incorporate a stone wall extension to delineate the proposed curtilage to the south of the building. The application site excludes the graveyard which would be retained separately and

accessed via the existing gateway to the east. The internal floorspace of the main building measures approximately 140sqm with a small kitchen extension adding another 15sqm.

PRINCIPLE OF CONVERSION

Policy DMD9 supports the conversion of traditional redundant rural buildings into appropriate new uses in the open countryside where the new use and works will conserve the special heritage of that building, its setting and the contribution that it makes to the local landscape.

This policy is explicit that conversion will be permitted in principle where the proposal comprises business uses and short stay tourist accommodation or provide a local community service or facility.

Only in cases where the business or community use has been shown not to be viable or feasible, will affordable housing for local persons or a dwelling to support the demonstrated need of a rural worker be considered.

The policy makes no provision for the conversion of the building into a market dwelling, this accords with the housing policies of the Development Plan (policies COR15, COR2 and DMD23).

VIABILITY OR FEASIBILITY OF BUSINESS USES/HOLIDAY ACCOMMODATION

The applicants, who live in Bristol but have local connections to the area, are seeking to purchase the property with a view to conversion into a market dwelling for their personal use (for friends and family use also). The building is understood to be under offer. The application form shows the building is in the ownership of Perry Bishop and Chambers, Land and Development, Cirencester.

A letter from the marketing agents explains that the closing service of the chapel took place in May 2015. The property was then marketed from the 11 January 2016 to the 31 March 2016 (less than 3 months). They circulated sales particulars to those on a register of interested parties for church buildings, posted details on their website, Right Move and On the Market. Advertisements were also placed in the Western Morning News and Western Daily Press. The property was open for viewings on 3 dates in March 2016 and the property was offered for sale by a process of sealed bids which ran to the 31 March 2016. The marketing particulars advertised the property as planning use class D1 and make reference to potential for conversion into a dwelling/holiday home subject to the appropriate planning permission being sought.

The property was marketed for less than 3 months and it is not explicit that the agents have specifically targeted business markets/press. In that short period they explain that no commercial enquiries were received. The 3 formal sealed bid offers they received were for residential use only.

The agents state that it is unsurprising that no commercial offers were received due to the accessibility and parking difficulties (for both staff and deliveries). They state that a continued community or economic use would increase traffic along narrow lanes and that it's hard to envisage an alternative use coming forward in this location.

The architect has submitted a statement outlining why they deem holiday accommodation to be unviable, citing the following points (i) the availability of 21 holiday rentals in the parish and

availability for a number of bookings from January to March, (ii) conflict with the adjacent graveyard and overlooking, (iii) provision of 1 on site parking space for a potential 3 bed accommodation, (iv) the difficulty of the applicant to obtain a buy-to-let mortgage without an authorised permission for a residential use, (v) conflict with bat breeding colony in the roof void and (vi) that it would not be a viable enterprise.

The building appears to be structurally sound. A short marketing exercise has been undertaken and officers are not aware of a specific targeted effort for business use. No detailed professional appraisal has been undertaken on the feasibility or viability of alternative uses under policy DMD9.

The application does not include information on the potential need for business use in this location. No information has been provided on the existing value of the property and the likely rental return as a business unit to understand if the building would be a profitable concern. No information has been provided on the works necessary to bring the building up to specification for business use.

With regard to a holiday use, no information has been provided on the minimum works required and the likely return for different levels of accommodation provided and whether this would be sufficient to cover the cost of the building over a reasonable period. Whilst the building would not be serviced/managed by an adjacent dwelling it would be within walking distance of Ilsington where a person could be employed to undertake the cleaning/change over.

MARKET DWELLING

Notwithstanding the above lack of evidenced justification to demonstrate that holiday accommodation or business use would be unfeasible or unviable, the applicant proposes conversion to a market dwelling which is a departure from policies DMD9, COR15 and DMD23 of the Development Plan.

The architect has submitted an estimate for the conversion works proposed (based on other recent construction tenders). If the first part of the DMD9 test could be satisfied, based on the anticipated market value of the converted building as 'a dwelling' and the estimate of conversion works provided, it may be that an affordable dwelling would be inappropriate (however, this has not been vigorously tested). If this was deemed to be the case then consideration would need to be given to whether a market dwelling was acceptable and whether appropriate commuted sums could be extracted toward affordable housing elsewhere within the parish. There is a need for affordable housing within the parish.

In order to follow this approach, the Authority would need to be clearly satisfied that the first test of policy DMD9 was clearly satisfied (i.e. a proven case that a business use or holiday let was unviable or unfeasible). Officers are not satisfied that this part of the test has been clearly met and there are not considered to be exceptional circumstances to depart from policy.

DESIGN AND IMPACT ON HERITAGE ASSET

Ilsington Methodist Church is typical of a modest mid-19th century rural non-conformist chapel. While it has no architectural pretensions, it nevertheless has evidential, historical and communal values and therefore possesses heritage significance. It also makes a positive contribution to its landscape setting.

The building is worthy of preservation and is considered to be a local (un-designated) heritage asset. It is regrettable that some of the internal features, notably the pews, have been removed. The conversion scheme itself is considered to be sympathetic to the building, however, a historic building report should be undertaken prior to any conversion to include a photographic record.

Clearly the building has value and it is appropriate to find an alternative use, however, the significance (special heritage interest) of the building is not sufficient to justify a departure on heritage grounds from policy DMD9 and the Authority's housing policies.

HIGHWAY SAFETY

The proposal makes use of a redundant site with an authorised D1 use . No objection has been raised by the Highway Authority on highway safety grounds.

RESIDENTIAL AMENITY

The Methodist Chapel is close to existing residences to the east. Having regard to the authorised use, the nature of the proposal and the relationship between buildings, it is not considered that the proposal would harm the residential amenity of neighbouring occupiers.

BIODIVERSITY

A wildlife survey was submitted with the application and reveals evidence of long term and regular use by a breeding colony of whiskered bats giving the building a medium conservation status. The report makes a series of recommendations to ensure that the protected species are safeguarded in line with policies COR7 and DMD14.

CONCLUSION

The building was marketed for less than 3 months under a sealed bids process. This is short of the standard 12 month marketing period that the Authority would expect to demonstrate a reasonable test of the market and follows the advice given to the applicants at pre-application stage. The applicant was also advised about the requirements of policy DMD9 and the difficulties of securing a conversion into residential use and potential departure from policy.

Officers are also not satisfied that a detailed appraisal of the feasibility or viability of alternative business or short stay tourist accommodation has been provided and therefore the re-use of this chapel building for sequentially preferable uses has not been demonstrated.

The applicants are proposing conversion into a market dwelling which is in conflict with policy DMD9 and the Authority's housing policies. The proposed dwelling, by reason of its anticipated market value, is also unlikely to meet the requirements of the Authority's intermediate affordable housing model and would result in an unjustified dwelling in the open countryside.

Members are reminded that decisions should be made in accordance with the provisions of the Development Plan unless other material considerations indicate otherwise. Neither should any personal circumstances such as the applicant's historic connection to the area be given any weight. Planning permission goes with the land and can be sold on after any permission is granted. Other recent chapel conversions granted planning permission have been within rural settlements rather than in a countryside location as is the case here.



6. Application No: **0637/16** District/Borough: **South Hams District**
Application Type: **Full Planning Permission - Householder** Parish: **South Brent**
Grid Ref: **SX702598** Officer: **Helen Herriott**
Proposal: **Demolition of existing conservatory on side elevation and erection of two storey extension**
Location: **4 Higher Green, South Brent**
Applicant: **Mr G Rapson**
Recommendation **That permission be GRANTED**

Condition(s)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The proposed development shall, in all respects, accord strictly with drawings HG010, HG014, HG012 and HG011
3. The materials to be used in the finishing of the external walls and roof of the development hereby approved shall, unless otherwise previously agreed by the Local Planning Authority in writing, match those used on the existing building.
4. The proposed en-suite window on the first floor of the south west elevation shall be fitted with obscure glazing and shall be permanently retained in that condition thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Introduction

SITE DESCRIPTION

No. 4 Higher Green is a detached property at the entrance to a modern cul-de-sac within the settlement boundary of South Brent. The properties at Higher Green are set back from the highway boundary and comprise a mix of two-storey, detached and semi-detached buildings. No. 4 is orientated at right angles to the highway and accessed off a shared drive with No. 2 Higher Green.

A two-storey side extension is proposed to provide additional living accommodation. The application is presented to Members in view of the comments made by the Parish Council.

Consultations

Environment Agency:	Does not wish to comment
South Hams District Council:	Does not wish to comment
County EEC Directorate:	No highways implications
DNP - Ecology & Wildlife Conservation:	Existing conservatory is unlikely provide any bat opportunities. Proposed extension ties into existing roof. Type of property and location indicates low risk of bats or nesting birds, as judged from photos and therefore a survey is not required.

Parish/Town Council Comments

South Brent PC:

The Parish Council objects to this application as the windows on the south west elevation are detrimental to the amenity of the adjacent properties.

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR2 - Settlement Strategies

COR4 - Design and sustainable development principles

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

DMD24 - Extensions and alterations to dwellings

DMD7 - Dartmoor's built environment

Representations

1 letter of objection

The proposed first floor windows will directly overlook the rear of the house to the south west, specifically into the main living room, kitchen and one of the bedrooms. This unacceptable feature would be made the more obvious as the flank wall of 4 Higher Green would be nearly 2 metres closer than it is at present, and built right on the boundary between the two properties. These issues were noted by and photographed by the Dartmoor planning officer who visited on 13 December 2016.

Observations

PROPOSAL

This application proposes the replacement of the existing single storey conservatory on the south west elevation with a two-storey extension to provide a study, utility room on the ground floor and an enlarged bedroom and en-suite on the first floor. The proposed materials are to match the existing property, with white PVCu windows, rendered walls and a concrete tiled roof.

DESIGN & SCALE

The design and scale of the extension correctly follow that of the existing dwelling and adjacent development and are considered acceptable in design terms. The proposed extension would fall within the permitted 30% increase in habitable floor space set out under policy DMD24 (comprising a 14% increase).

Given the character and appearance of the existing estate, and the set back of the building at right angles from the main street scene, it is considered on balance that the proposal would not undermine the visual amenities of the area in line with the objectives of policies COR1, COR4, DMD1, DMD7 and DMD24.

NEIGHBOUR AMENITY

Having regard to scale and design of the proposed extension, together with the distance and staggered relationship with the neighbouring dwelling to the south (West Bank, Kerries Road which is approximately 21m from the development) the windows on the south-west elevation are not considered to have an overbearing impact on the neighbouring amenity.

The ground floor windows will be obscured by the existing established Devon hedgebank along the South West site boundary. The first floor bedroom windows are predominantly hidden by a large bush within the garden of West Bank.

Furthermore, it is a right and proper purpose for the planning system to protect principal habitable room windows from material loss of daylight, sunlight or overlooking caused by a proposed development. Habitable rooms are defined as those rooms used for dwelling purposes but do not usually include rooms solely used as kitchen, utility room, bathroom, cellar or sanitary accommodation.

The conservatory of West Bank is located approximately 21m from the proposed development. The Dartmoor National Park Design Guide (2011) states that privacy can be maintained by retaining an appropriate distance between main habitable rooms of facing properties – usually 21m of separation, the proposed development accords with this requirement. The properties are not directly aligned and the staggered sightlines will decrease the opportunity for overlooking or loss of daylight or sunlight.

It is the Officer's view that the extension will not lead to any new or more intensive overlooking opportunities than occur currently and the extension will have no material impact on privacy or loss of light. Therefore it is not considered that the proposed development would have a harmful impact on the residential amenities of neighbouring occupiers.

The proposal will therefore not conflict with the objectives for neighbourly development set out in policy DMD4. However, it is recommended that a condition be placed on the consent to ensure the first floor en-suite window is obscure glazed.

CONCLUSION

The proposal is therefore considered to comply with policy objectives COR1, COR2, COR4, COR5, DMD1, DMD4, DMD7 and DMD24. It is recommended that planning permission be granted, subject to appropriate conditions.

STEPHEN BELLI

NPA/DM/17/008

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

03 February 2017

MONITORING AND ENFORCEMENT

Report of the Head of Planning

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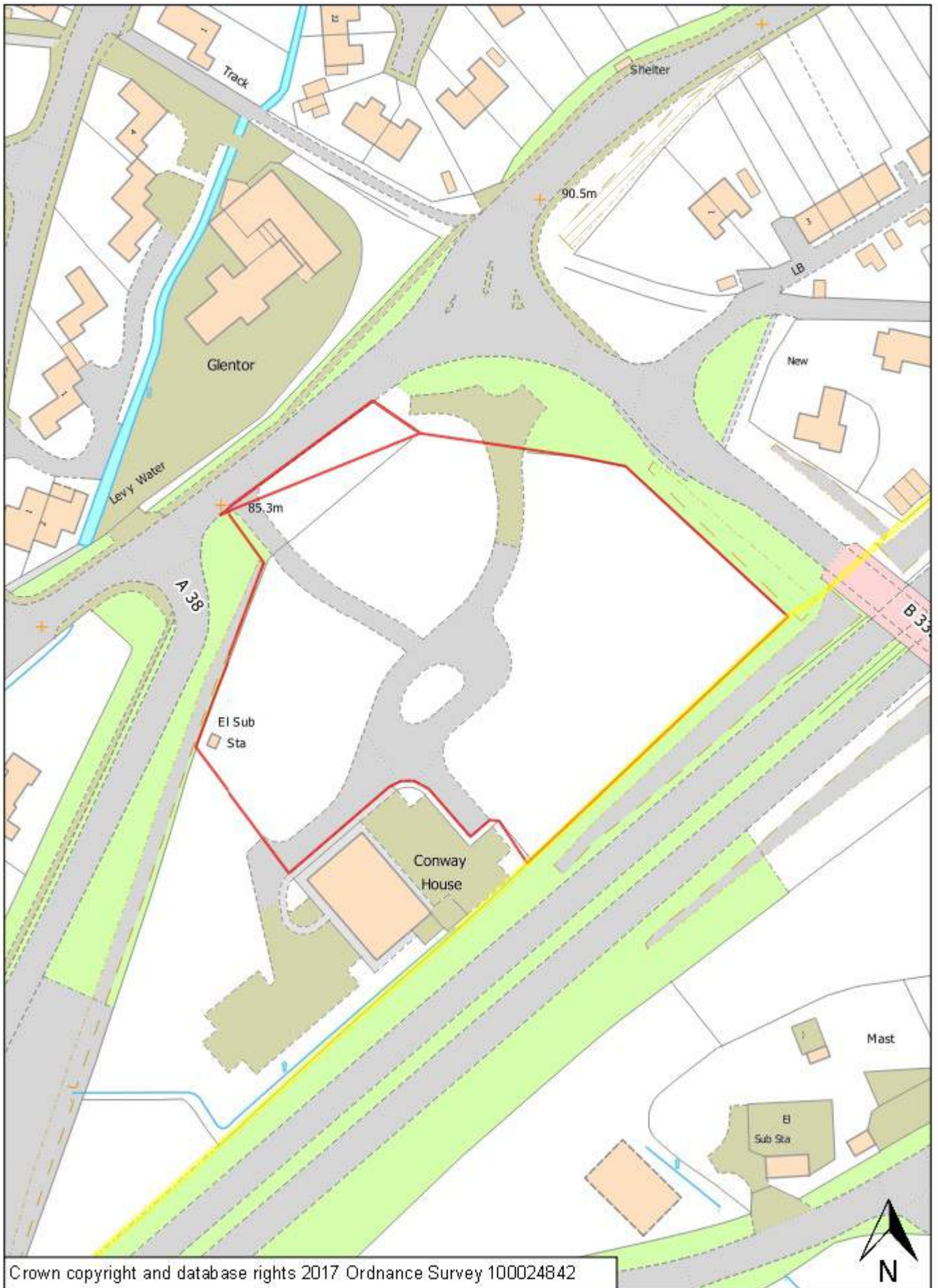
Item No. **Description**

1. ENF/0103/14 - Untidy site, Dolbeare Meadow, Ashburton

Dolbeare Meadow - ENF/0103/15



Scale 1:1,250



1 Enforcement Code: **ENF/0103/14** District/Borough: **Teignbridge District**
Grid Ref: **SX763704** Parish: **Ashburton**
Officer: **Nick Savin**

Description: **Untidy site**

Location: **Dolbeare Meadow, Ashburton**

Land owner: **Poppy Properties Ltd**

Recommendation **That no further action be taken in respect of the condition of the land.**

Relevant Development Plan Policies

DMD1a & COR1 - Sustainable Development
DMD1b & COR11 - Dartmoor's Special Qualities
COR2 - Development outside settlements
COR14 - Infrastructure
DMD3 - Quality of Places
DMD4 - Local Amenity
DMD5 & COR3 - Landscape
DMD38 - Access onto the Highway
DMD41 - Non Residential Parking Provision

Representations & Parish/Town Council Comments

The Town Council has written to the Authority on a number of occasions stating that it does not accept the Authority's view that the appearance of the site is satisfactory and that no action should be taken. The Council points out that the site is located at the gateway to Ashburton and one of the first things visitors see. The Council states that the towns residents have had to look as what it describes as a blight on the landscape for a number of years and that Councillors are being asked when they are going to do something about this "eyesore". The towns Leet and Baron Courts have also condemned the appearance of the site. The Council states that the partly constructed roundabout on this site will never be completed, would never have worked if it had, and should now be removed and the area landscaped. The Town Council has requested that the Authority take immediate legal action against the landowner to carry out appropriate remedial works.

Observations

Dolbeare Business Park is located at the eastern entrance to Ashburton adjacent to the B3352 and close to the Linhay junction of the A38 Devon Expressway. The site is partly developed following the initial outline permission granted in 2003 with permission granted for the detailed approval of buildings in 2009. An extant permission for seven industrial/office units has been implemented with the construction of the police station building. This is currently the only building on the site and no further development has taken place since then, other than arrangements for a temporary access road to serve the police building.

This report is presented to Members because of the comments from the Town Council requesting the Authority take legal action to remedy what they consider to be the unacceptable state of the land.

After the initial works on the land to provide one of the units and some of the access works, various amounts of unused building materials, timber pallets, plastic pipes, rubble and general builders waste were left on the land. The landowner has removed some of this material and has tried to fence the site with varying degrees of success. He has also undertaken works to trim the

vegetation on the site.

Despite these attempts to tidy the land, the Town Council remains of the opinion that the land is untidy and has a detrimental effect on the amenity of the area. Accordingly the Authority has re-engaged with the landowner and requested further remedial works to improve the overall appearance of the land. Agreement was reached with the landowner in May 2016 to undertake the following works which have since been completed;

- Clear the vegetation around the materials storage area
- Remove the remaining timber pallets and planks
- Removal of loose kerb stones, bricks and drainage pipes
- Remove by skip the plastic and polythene that could not be recycled
- Level over the piles of aggregate on the land

In October 2015, temporary permission was granted to the Devon and Cornwall Constabulary for the retention of the access road until October 2018, pending the proper build-out of the site. The proposal presented an opportunity to further enhance the site with the realignment of the internal footway and a proper pedestrian link across the main road. The inclusion of new screen fencing and landscaping will further enhance the entrance.

In 2016 Officers secured significant improvements to the site and an undertaking from both the landowner and tenant to maintain the land in a tidy state.

It is open to the Authority to issue a Notice under Section 215 of the Town & Country Planning Act 1990 requiring the owner of land to remedy the condition of the land. However, a Notice under Section 215 may only be issued when it appears to the Authority that the condition of the land in question “adversely affects the amenity of the area”.

The use of Section 215 is discretionary and it is therefore up to the Authority to decide whether the service of a formal Notice would be appropriate, taking into account all the circumstances of the particular case.

The Office of the Deputy Prime Minister (ODPM) published guidance on the use of Section 215 powers for local authorities in January 2005. The guidance encouraged local authorities to make greater use of Section 215 Notices in tackling untidy sites and securing improvement in the built environment. The guidance advised that Section 215 powers have been effectively used on large vacant industrial sites, town centre street frontages, rural sites, derelict buildings, and semi-complete development as well as the more typical rundown residential properties and overgrown gardens.

The scope of works that can be required in Section 215 notices is wide and includes planting, clearance, tidying, enclosure, demolition, re-building, external repairs and repainting.

A land owner served with a Section 215 Notice has a statutory right of appeal against the Notice and any of its requirements. Unusually in planning matters, the appeal lies not to the Planning Inspectorate, but to the local magistrates’ court. This means that any appeal against a Section 215 Notice is likely to be heard by a panel of lay magistrates with no training in planning issues.

Officers agree that the unfinished roundabout and unfinished development site do not provide a good gateway to Ashburton. However, once lawfully commenced, there is no legal duty to continue with a planning permission and it is not a breach of planning control to leave a development incomplete. It must also be taken into account that the site is in close proximity to the A38 and

while the unfinished site is not in keeping with its surroundings, it is not possible to say that it has a significant or substantial adverse impact upon amenity. It is also difficult to see what further steps could be required in a Section 215 Notice which would be reasonable and capable of compliance. Officers do not believe that it would be reasonable to require the demolition / remediation of the incomplete roundabout and access road, nor to require further landscaping and planting.

On balance, Officers are of the view that the condition of the site has been improved over the past 12 months to a point when it does not justify further intervention. For these reasons, it is recommended that no further action be taken and the case be closed.

STEPHEN BELLI

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

03 February 2017

APPEALS

Report of the Head of Planning

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

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

1 Application No:	C/16/3162612	District/Borough:	Teignbridge District
Appeal Type:	Enforcement Notice	Parish:	Christow
Proposal:	Construction of large semi-circular shaped building		
Location:	Land at Hyner Vale, Lower Ashton, Christow		
Appellant:	Teign Valley Cars		

STEPHEN BELLI

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

03 February 2017

ENFORCEMENT ACTION TAKEN UNDER DELEGATED POWERS

Report of the Head of Planning

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

(For further information please contact James Aven)

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

1 Enforcement Code: ENF/0085/16	District/Borough: West Devon Borough
Grid Ref : SX591734	Parish : Dartmoor Forest
Breach : Not built as approved	
Location : Wesley House, Twobridges Road, Princetown	
Action taken / Notice served	No further action taken

2 Enforcement Code: ENF/0104/15	District/Borough: Teignbridge District
Grid Ref : SX814887	Parish : Dunsford
Breach : Unauthorised works to a set of barns - new roof, gable and walls.	
Location : Buildings at Meadhay, Dunsford	
Action taken / Notice served	No further action taken

STEPHEN BELLI