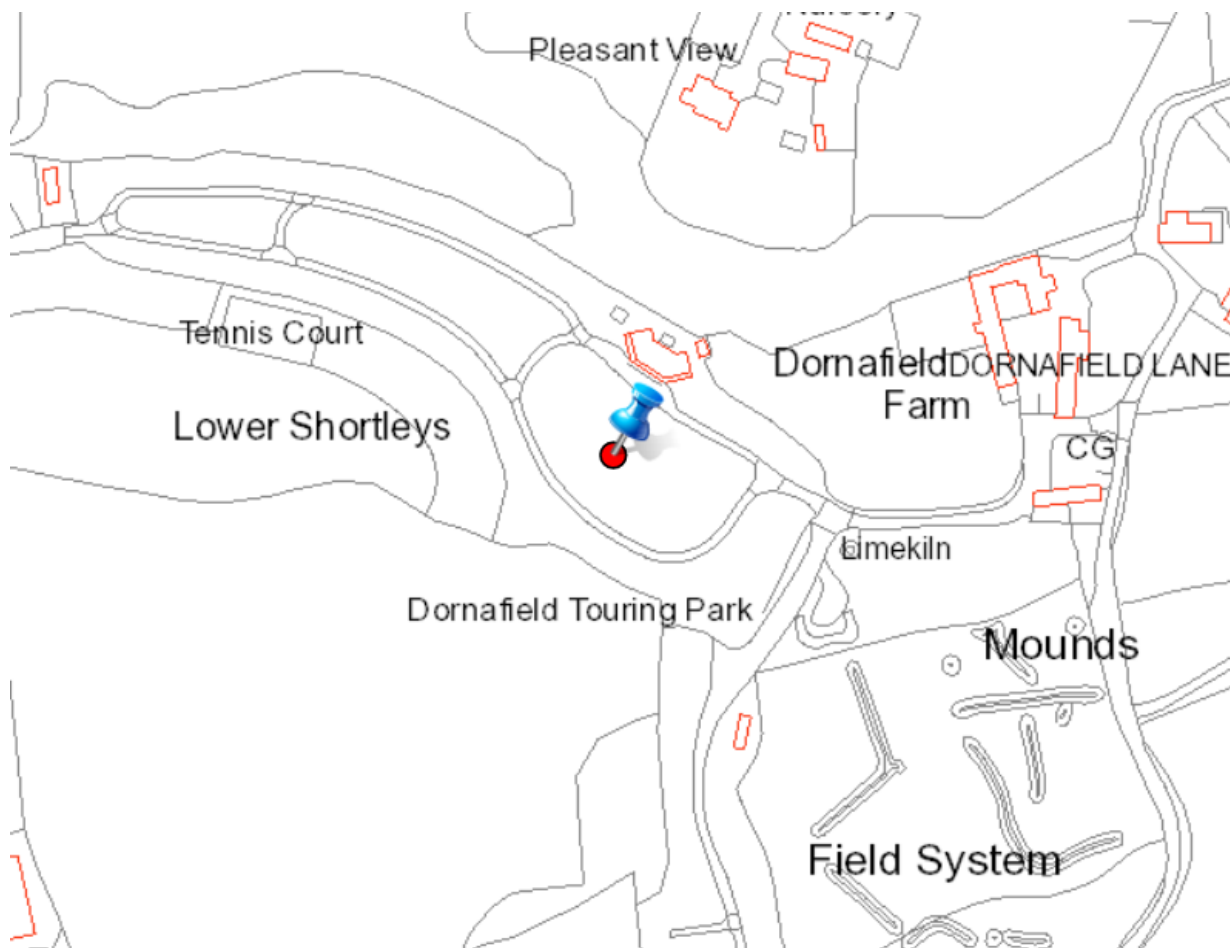


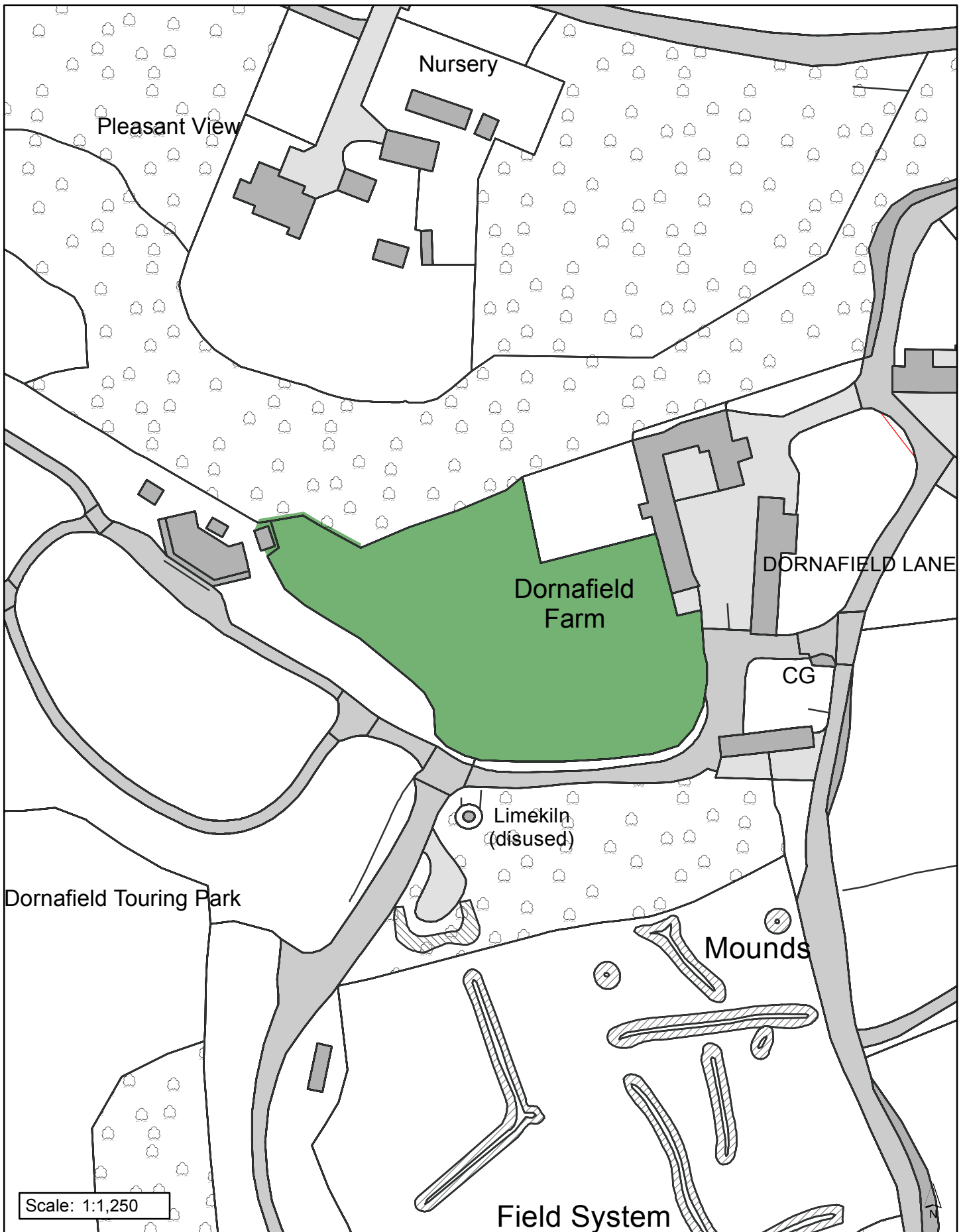
PLANNING COMMITTEE REPORT

CHAIRMAN: Cllr Mike Haines



APPLICATION FOR CONSIDERATION:	IPPLEPEN - 20/02194/FUL - Dornafield Caravan And Camping Site, Dornafield Farm - Construction of courtyard development of 9 holiday cottages together with access and parking	
APPLICANT:	Mr S Dewhirst	
CASE OFFICER	Taya Cotterill	
WARD MEMBERS:	Cllr Alastair Dewhirst	Ipplepen
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=20/02194/FUL&MN	





**20/02194/FUL - Dornafield Caravan And Camping Site,
Dornafield Farm, Dornafield Lane, Ipplepen
TQ12 6DD**

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1. REASON FOR REPORT

Councillor Dewhirst is a partner and director of Dornafield camping partnership, and is related to the applicant.

2. RECOMMENDATION

Permission be granted subject to conditions covering the following matters

1. Standard time commencement
2. Accord with plans
3. External lighting
4. Scheme of bat roost features
5. Surface water drainage scheme
6. Archaeological Written Scheme of Investigation
7. External materials (Including solar panels)
8. Hard and soft landscaping works
9. Holiday occupancy
10. Access and parking arrangements
11. Works to listed stone walls
12. Commissioning of solar panels

3. SITE DESCRIPTION

3.1 Dornafield Farm lies in open countryside to the north of Ipplepen. Dornafield Camping and Caravan site is a long established tourist accommodation facility and has benefited over the years from a range of planning permissions for use of the land for tents and touring caravans along with associated facilities. The site is set in and around the immediate setting of a Grade II* listed farmhouse and its associated outbuildings.

3.2 Dornafield Farm is a Grade II* listed building dating from the late 15th century. The setting of this listed building includes the surrounding farm buildings (some listed in their own right), the walled garden to the west, the grassed area known as The Orchard beyond the walled garden (on which the proposed development would be located), and the intimate wooded valley setting within which the farmstead nestles.

4. PROPOSAL

4.1 This application seeks full planning permission for the provision of 9 holiday cottages in the area known as The Orchard. The Orchard is approximately 0.40 hectares and is currently set to grass with simple stone clad hook-up points. The application proposes the construction of a 'U'-shaped building set around a central courtyard immediately to the west of the walled garden. The northern flank of the building, which would be slightly longer than the southern side, would sit three metres from the stone wall which encloses the walled garden. Access would be gained through an existing field gate and a new hardened track with grass centre would be laid and would lead to a 13 space car park. This would be set against the southern boundary of the walled garden. The parking area would be enclosed by the provision of a planted bank and beech hedge. Within the car park would be a communal refuse store. Between the car park and the western elevation of one of the existing

outbuildings it is proposed to create a paved terrace, which is apparently to serve a possible future café/bar.

4.2 The main block of accommodation would comprise the 9 holiday cottages of one and two bedrooms. Those along the northern flank of the building would have small enclosed amenity areas fronting into the central courtyard. Those along the western and southern sides would have private amenity space fronting out into the remaining orchard area and these are shown to be enclosed by rough grass banks. The southern flank would sit at a lower height than the western arm with the western arm sitting lower than the northern extent. All wings would be set under slate pitched roofs that would include solar panel inserts and rooflights. Walls would be local rubble stone, rendered blockwork and weatherboard panels. All windows and doors would be stained timber.

4.3 It should be noted that this application effectively seeks to renew the expired permission 16/00103/FUL, allowed on appeal and granted permission on 28 July 2017. The proposed development sought in this planning application is identical to the proposal permitted under 16/00103/FUL.

5. SITE HISTORY

5.1 The site has had an active planning history as the business has grown and the owners have sought to improve the facilities available. It is not proposed to set out the entire site history but there are a couple of historic planning permissions which provide a useful context for the considerations of this application although they carry little weight as material planning considerations.

5.2 In 1989 under planning reference 89/00253/FUL permission was granted for a range of works at the site, these included: change of use of land for touring caravans, conversion of existing outbuildings to form a shop/store, swimming pool and the provision of 7 detached log cabins. These log cabins were to be positioned within The Orchard along with the swimming pool. Some but not all elements of this permission were implemented, safeguarding the remainder of the permission.

5.3 In 2010 planning application 10/02773/FUL was granted planning permission at Committee for nine holiday cottages.

5.4 In July 2017, planning application 16/00103/FUL, for 9 holiday cottages, was refused planning permission at Committee due to the significant change in policy circumstances as a result of the publication of the NPPF and the Adoption of our Local Plan. This was though allowed at appeal (APP/P1133/W/17/31738). This scheme is identical to the one which Members are presented with today. The current application is a re-submission.

6. KEY CONSIDERATIONS

6.1 The application seeks full planning permission for the construction of a courtyard development of 9 holiday cottages together with access and parking. The key issues in the consideration of the proposed development are as follows:

- Principle of the development;
- Impact upon the setting of a listed building;
- Impact on biodiversity; and
- Highway safety.

Principle of Development

6.2 The site lies beyond any defined settlement limits and within the open countryside. The NPPF and the Teignbridge Local Plan provide support for rural businesses and in particular Policies S22, S12 and EC11 looks to support the expansion and positive growth of established tourist accommodation sites. In addition, the site has a number of planning permissions for the expansion of tourist facilities at the site.

6.3 Against the backdrop of the 2017 permission, it is not considered that there have been significant “in principle” changes to the policy framework or additional case law that would change the position since 2017.

Impact upon setting of Listed Buildings

6.4 Policy S1A of the Teignbridge Local Plan 2013-20331 sets out the Council’s approach to determining planning applications which, in accordance with the National Planning Policy Framework applies a presumption in favour of sustainable development. Policy S1 sets out a number of criteria against which proposals will be assessed including the maintenance and enhancement of the character, appearance, and historic interest of, amongst other things, landscapes, buildings and open spaces. Furthermore, Policy S2 requires new development to integrate with and, where possible, enhance the character of the built and natural environment, particularly where it affects heritage assets.

6.5 Policy EN5 seeks to protect and enhance the area’s heritage by taking into account the significance, character, setting and local distinctiveness of designated heritage assets. It requires development to respect and draw inspiration from local historic environment responding positively to the character and distinctiveness of the area. Furthermore, the NPPF indicates that great weight should be given to conserving heritage assets including their setting and that any harm or loss should require clear and convincing justification.

6.6 The application proposal would involve the erection of a single ‘u’ shaped structure consisting of 9 units of holiday accommodation in the Orchard, an open field which currently hosts a number of camping pitches along with a number of electric hook ups. It is considered that the sensitive design and use of traditional materials help to integrate the building within its surroundings and would not appear out of keeping with the rural surroundings.

6.7 In view of its location in close proximity to the Grade II listed heritage assets, it is considered that it would have some impact (harm) on their setting. It is important to note the planning history on the site when coming to a conclusion on the impact on the setting of the listed building.

6.8 In the 2017 appeal decision, the Inspector references Planning Permission Ref 89/00253/FUL which permitted a range of works including the erection of 7 detached log cabins on the site of the current proposal. Although the log cabins have not been erected to date, at that time, parties agreed that enough of the 1989 Permission was implemented to safeguard this aspect of that permission. The Inspector concluded that the harm resulting from the 1989 permission would be substantial and found the 2017 appeal scheme to be preferable to that alternative. In addition, it was considered that the 2017 scheme would result in a positive public benefit in that it would be capable of outweighing

the harm which would have resulted from the 1989 proposal. Overall, the Inspector considered the overall impact of the scheme to protect and enhance the area's heritage.

6.9 Whilst the Conservation Officer's comments are noted, it is also acknowledged that there have not been any subsequent changes to Local Plan Policy or the NPPF since the 2017 permission, or any known case law, to have altered the policy basis upon which this application should be determined. Therefore, it remains the case that the cumulative impact of the 1989 permission on the listed building were it to be fully implemented, would be greater than the development as proposed. This argument would, of course, diminish as more time passes as whilst the fallback may exist, it becomes more apparent that the proposal is not desirable commercially or in other terms.

Impact on biodiversity

6.10 The subject application was not accompanied by an Ecological Survey. However, an up to date survey was submitted as part of the 16/00103/FUL planning application and concluded that it was *'not anticipated to have any direct significant impacts on protected species such as cirl bunting, badgers, dormice or reptiles...'* this was aside from bats. Given the current use and character of the site, the Biodiversity Officer is comfortable that there have been no changes in site circumstances since this time to warrant a new ecological survey to be undertaken.

6.11 The site is located within the Landscape Connectivity Zone of the South Hams Special Area of Conservation. The greater horseshoe bats for which the SAC is designated are very light-averse. Planning conditions restricting the types of external lighting to be used and incorporating enhancement measures would be attached to any permission. The proposal is not considered to have a Likely Significant Effect on the SAC and has consequently not been subject to Appropriate Assessment.

Highway Safety

6.12 The roads leading to the site are narrow in width and there is poor forward visibility in places although there are passing places. It is noted that the Highways Officer has raised no objections but has advised that the units should be restricted for holiday purposes only. This has been secured with a planning condition and is fundamental to the acceptability of the proposals in any event.

Climate and Sustainability

6.13 Policy S7 Carbon Emission Targets of the Local Plan states that the council will work proactively with partners and through public and private investment and the management of development, will seek to achieve reductions in carbon emissions per person arising within Teignbridge of about 48% from 2017 levels by 2050. Policy EN3 Carbon Reduction Plans of the Local Plan details that development proposals should seek to minimise their carbon footprint both during construction and in use, to achieve the carbon emissions target in Policy S7. Due regard must be given to Local Plan policies S7 and EN3 when determining planning applications. Whilst the proposal is not considered 'major' development and therefore a carbon reduction plan is not required, the following matters have been taken into consideration:

6.14 The expansion and diversification of the accommodation offer at Dornafield Farm would encourage more visitors to remain local for a 'staycation' rather than flying abroad for their holiday, reducing carbon mileage. In addition, whilst it may be unlikely that visitors would use the local bus routes to access the site, it is less than

four miles from Newton Abbot Railway station and a journey using the train and a taxi is available. This is more viable for a cottage based holiday than other forms of accommodation at the site.

6.15 The construction of new buildings presents the opportunity to incorporate sustainable design and current building regulations set out the requirements for energy efficiency for new buildings. It is considered that the modern design of the proposal will help to achieve these requirements in the long term.

6.16 There are two existing biomass boilers on the site which provide hot water to the shower blocks at Dornafeld Farm Caravan Site by renewable energy sources and are helping with the transition to a low carbon future. Solar panels are indicated on the roofs of the subject buildings and their commissioning is secured through condition.

6.17 It is therefore considered that S7 and EM3 have been given consideration in the proposal.

7. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033

S1A Presumption in Favour of Sustainable Development

S1 Sustainable Development Criteria

S2 Quality Development

S12 Tourism

S22 Countryside

EC1 Business Development

EC11 Tourist Accommodation

EN5 Heritage Assets

EN8 Biodiversity Protection and Enhancement

EN9 Important Habitats and Features

EN11 Legally protected and Priority Species

National Planning Policy Framework

National Planning Practice Guidance

Listed Buildings and Conservation Areas Act, 1990

8. CONSULTEES

Conservation Officer

The Conservation Officer's comments from the 16/00103/FUL application have not changed in that:

At present the application site – The Orchard – is used for camping and/or grassed vehicle or caravan pitches. It acts as a green “belt” separating the historic farmstead from the caravan park to the west and south. In my view this is an appropriately low-intensity use for this area of land, allowing the owner to derive income from the land while minimising impact on the surrounding historic environment.

The caravan park as a whole has been sensitively planned and laid out until now to avoid harmful impact on the setting of the listed farmstead, the historic lime kiln and the archaeological features to the south of the farmstead. The applicants have clearly worked hard over many years to develop the site in a way that respects and responds to the historic environment, and in doing so have created an attractive and characterful site, which is clearly popular with visitors.

In my view any permanent construction as proposed on the grassed area known as The Orchard would harm the setting of the listed buildings. Paragraph 132 of the NPPF states that, "Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification."

Paragraph 134 states, *"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."*

I am afraid that in my view the level of harm, while not reaching the threshold of "substantial harm" in the context of the NPPF, would be significant and would need very clear and convincing justification and a high level of public benefit to over-ride the presumption against harm to the significance of a heritage asset.

I note that English Heritage's comments on the 1989 application included the following paragraph in relation to development on The Orchard:

"The final part of the scheme directly affecting the listed buildings and their setting is the proposal to build 9 pine log holiday cabins in the meadow immediately south west of the barn and cider shed. The field is at present used for caravan parking and is therefore free of any permanent building, retaining the open setting of the farmhouse and its associated group of farm buildings, which is seen at its best from the south west. The erection of 9 permanent holiday cabins would clutter the immediate setting of the farm group, leaving it no space in which to breathe, in a manner which is alien in form and in layout... in this location they would not be acceptable in principle."

I am therefore reassured that my assessment of the site is in accordance with previous heritage assessments of the site. What has changed, however, since the previous assessments is a clarification (through development in case law) of the Local Planning Authority's duty to give considerable importance and weight to the desirability of preserving the listed building and its setting when considering the planning balance.

I am aware that the applicant has stated that their 1989 consent is still live and the construction of log cabins in this location could be implemented. While I leave it to the judgement of the planning officer to assess the status of the 1989 application, it is clear that the scheme has not proved sufficiently attractive to the applicant in the past 27 years for them to implement it. I do not think it would be justified for the LPA to grant a consent which is considered by internal and external heritage advisers to be harmful to the setting of a Grade II* listed building simply on the grounds that the applicant may change their mind and implement a scheme that has not been attractive to build in 27 years.

Turning to my specific objections to the present application:

The footprint of the building is similar to the entire footprint of the listed farmhouse and attached range of historic farm buildings. As a modern two storey building it may well have an eaves and ridge height greater than the majority of the listed buildings on site. I am very

concerned that a building of this size and extent will compete for dominance with the listed buildings, particularly when viewed from the south and south-west.

The creation of a permanent driveway and parking area alongside the proposed building will result in very significant loss of the green space which currently makes such a positive contribution to the setting of the listed buildings. The creating of barbecue and sitting-out areas on the south and west elevations would further result in loss of green space and harm to the setting of the listed buildings, wholly changing the character of this space.

The creation of a new paved terrace for a future bar/cafe adjacent to the parking area will increase the intensity of development and use in this small area. Likely to lead to very significant loss of the sense of seclusion and tranquility that currently forms the setting of the walled garden – not least because of the likely desire for night time lighting, canopies, etc., that usually comes with a camp site bar area. Also assumes a potentially considerable change of character if the listed farm building range is intended to be converted to a bar from its current grounds maintenance function.

Solar PV panels on the south roof slopes will be an additional intrusive element into the setting of the listed buildings.

The remaining spaces created by the construction of the new building and associated hard and soft landscaping relate poorly to the overall layout and historic character of the farmstead. The green space will be carved up into incoherent spaces that do not work with the layout and character of the farmstead.

In my view the optimum viable use for this site is its present use as camping pitches. The planting of local varieties of fruit trees would be welcome and would make a positive contribution to the setting of the listed building; however, their introduction would not be sufficient to mitigate the clear harm that would result from the proposed development.

It is difficult to give advice on a permanent-build construction here that would be acceptable in heritage terms. The only advice I feel able to give at this stage is that it would be advisable for the applicant to consider re-developing an existing area of permanent hardstanding (perhaps the present toilet and shower block to the west and the “terrace” of caravan pitches immediately to its south-east?) to provide the desired accommodation type. Because of the likely need for surfaced driveways, parking areas and wheelchair-friendly hard surfacing around accommodation of the type proposed, I am afraid I do not see how this type of accommodation can be provided in the present application site without significant harm to the setting of the listed buildings.

Biodiversity Officer

Received 4 January 2021

The site is within the Landscape Connectivity Zone of the South Hams Special Area of Conservation. The greater horseshoe bats for which the SAC is designated are very light-averse. They use linear features such as hedges and woodland edges to navigate the countryside. There is an Unconfirmed Wildlife Site of broadleaved woodland and other habitats immediately to the north of the proposed location for the holiday units, which may be used by GH bats and other light averse species.

I welcome the very limited extent of fenestration proposed on the northern elevation of the holiday units, as this will help minimise light spill onto the woodland edge. In addition, please could a light-control condition be applied.

Devon County Council Highways Officer

Received 8 January 2021

The site is accessed via an unclassified road from a C Classified County Route which is subject to the national speed limit, for a single carriageway, of 60 MPH. No personal injury collisions have been reported to/by the police in this area of the site between 01/01/2015 and 31/12/2019. The proposal makes use of an existing access. The number of trips likely to be generated is unlikely to have a severe impact on the existing Highway network. Therefore the County Highway Authority has no objections, although would suggest a condition to ensure these cottages were kept as holiday use only, for perpetuity.

Devon County Council Historic Environment Officer

Received 14 January 2021

I refer to the above application and your recent consultation. The proposed development lies in an area of high archaeological potential with regard to known prehistoric activity in the form of several funerary monuments in the immediate vicinity of the proposed development. As such, groundworks for the construction of the proposed development have the potential to expose and destroy archaeological and artefactual deposits associated with these heritage assets. The impact of development upon the archaeological resource here should be mitigated by a programme of archaeological work that should investigate, record and analyse the archaeological evidence that will otherwise be destroyed by the proposed development.

The Historic Environment Team recommends that this application should be supported by the submission of a Written Scheme of Investigation (WSI) setting out a programme of archaeological work to be undertaken in mitigation for the loss of heritage assets with archaeological interest. The WSI should be based on national standards and guidance and be approved by the Historic Environment Team.

If a Written Scheme of Investigation is not submitted prior to determination the Historic Environment Team would advise, for the above reasons and in accordance with paragraph 199 of the National Planning Policy Framework (2019) and with the supporting text in paragraph 5.17 of the Teignbridge Local Plan Policy EN5 (adopted 2013), that any consent your Authority may be minded to issue should carry the condition as worded below, based on model Condition 55 as set out in Appendix A of Circular 11/95, whereby:

'No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority.'

Reason

'To ensure, in accordance with paragraph 199 of the National Planning Policy Framework (2019) and the supporting text in paragraph 5.17 of the Teignbridge Local Plan Policy EN5 (adopted 2013), that an appropriate record is made of archaeological evidence that may be affected by the development.'

This pre-commencement condition is required to ensure that the archaeological works are agreed and implemented prior to any disturbance of archaeological deposits by the commencement of preparatory and/or construction works.

I would envisage a suitable programme of work as taking the form of a staged programme of archaeological works, commencing with the excavation of a series of evaluative trenches to determine the presence and significance of any heritage assets with archaeological interest that will be affected by the development. Based on the results of this initial stage of works the requirement and scope of any further archaeological mitigation can be determined and implemented either in advance of or during construction works. This archaeological mitigation work may take the form of full area excavation in advance of groundworks or the monitoring and recording of groundworks associated with the construction of the proposed development to allow for the identification, investigation and recording of any exposed archaeological or artefactual deposits. The results of the fieldwork and any post-excavation analysis undertaken would need to be presented in an appropriately detailed and illustrated report, and any finds and archive deposited in accordance with relevant national and local guidelines.

I will be happy to discuss this further with you, the applicant or their agent. The Historic Environment Team can also provide the applicant with advice of the scope of the works required, as well as contact details for archaeological contractors who would be able to undertake this work. Provision of detailed advice to non-householder developers may incur a charge. For further information on the historic environment and planning, and our charging schedule please refer the applicant to:

<https://new.devon.gov.uk/historicenvironment/development-management/>.

Teignbridge District Council Drainage Engineer

Received 22 January 2021

The applicant has not provided any information in relation to the disposal of surface water from the site to enable me to make observations on the proposal. The applicant must therefore submit a surface water drainage management plan which demonstrates how surface water from the development will be disposed of in a manner that does not increase flood risk elsewhere, in accordance with the principles of Sustainable Drainage Systems. The applicant is therefore advised to refer to Devon County Council's Sustainable Drainage Design Guidance, which can be found at the following address:

<https://new.devon.gov.uk/floodriskmanagement/sustainable-drainage/>.

Historic England

Received 22 January 2021

On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals.

9. REPRESENTATIONS

No representations have been received during the determination period.

10. TOWN / PARISH COUNCIL'S COMMENTS

Ipplepen Parish Council

Received 7 January 2021

Ipplepen Parish Council have no objection to the application; if approval is granted the properties are to remain as holiday cottages in perpetuity and the conditions as outlined in the Planning Inspector's decision apply.

11. COMMUNITY INFRASTRUCTURE LEVY

The proposed gross internal area is 856.04m². The existing gross internal area in lawful use for a continuous period of at least six months within the three years immediately preceding this grant of planning permission is 0m². The CIL liability for this development is £238,545.03. This is based on 856.04 net m² at £200 per m² and includes an adjustment for inflation in line with the BCIS since the introduction of CIL.

12. ENVIRONMENTAL IMPACT ASSESSMENT

Due to its scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA Development.

13. HUMAN RIGHTS ACT

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Business Manager – Strategic Place