

PLANNING COMMITTEE REPORT

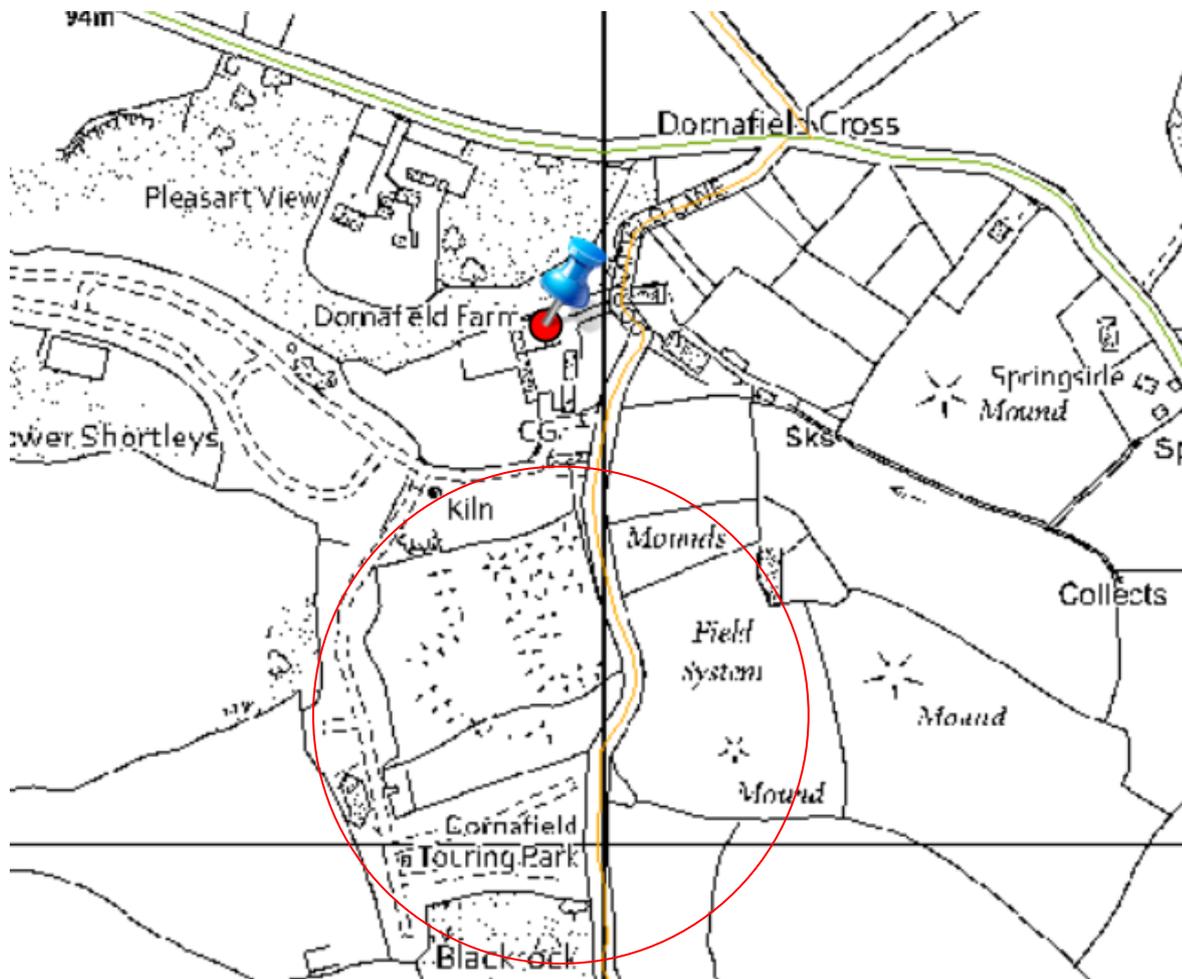
9 July 2019

CHAIRMAN: Cllr Mike Haines



Teignbridge
DISTRICT COUNCIL
South Devon

APPLICATION FOR CONSIDERATION:	IPPLEPEN - 18/02039/FUL - Dornafield Farm, Dornafield Lane - Agricultural storage building and new trackway and access	
APPLICANT:	Mr S Dewhirst	
CASE OFFICER	Eve Somerville	
WARD MEMBERS:	Cllr Dewhirst	Ipplepen
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=18/02039/FUL&MN	



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 REFUSED for the following reasons:

1. The proposed building and track would adversely affect the character and appearance of the historic landscape of the scheduled monuments, and the historic setting of the Grade II* listed building, Dornafield Farm contrary to Policies EN2A and EN5 of the Teignbridge Local Plan 2013-2033, the NPPF and section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990; and
2. Insufficient information has been submitted to confirm that the proposed grounds works would not result in damage to archaeology, and the known prehistoric field boundary contrary to Policies EN2A and EN5 of the Teignbridge Local Plan 2013-2033 and the NPPF.

3. DESCRIPTION

Site description

- 3.1 Dornafield Farm is a Grade II* listed building dating from the late 15th century. It is a particularly important building of more than special interest and national historic significance as Grade II* listing applies to only 5.5% of all listed buildings. The setting of this listed building includes the surrounding farm buildings, which are Grade II listed, the walled garden to the west, the grassed area known as The Orchard beyond the walled garden, and the wooded valley setting within which the farmstead nestles. The setting makes a very significant contribution to the historic character of Dornafield Farm, and has been identified within the previous application 17/01883/FUL by the Conservation Officer as "*an integral part of its significance*".
- 3.2 There are elevated views from and to the site to the scheduled monuments, across the green space of The Orchard towards the listed structures, which gives a particularly good understanding of the inter-relationship of various parts of the site, in particular the peaceful and secluded character of the immediate and wider setting.
- 3.3 The wider landscape is undulating, with the immediate site benefiting from surrounding views due to the prominent nature of the site. The subject field is bounded by well-established planting and timber stock fencing with trees within the site and access being taken from Dornafield Lane.

The proposal

- 3.4 The application seeks permission for an agricultural storage building and a new track leading from the building to a new access to be created to the west of the site which leads to existing caravan pitches.

Building

- 3.5 The proposed building is 18.8 metres in length, 7.5 metres in height and 13 metres in width, finished with steel cladding polycarbonate roofing over steel cladding and blockwork elevations and steel door. Non-opening roof lights are proposed, although the 3D image shows them opened. The building is intended to store waste from the caravan site, as identified within the application form and confirmed by the agent.

Track/Access

- 3.6 The track is to wind from the eastern extent of the field to the western, and overall cover approximately 1,074.19m² of land (inclusive of hard standing for the building). It would be finished with gravel. The new access leads to the existing caravan site, which would suggest that the layout of the caravans will need to be addressed. No access details have been submitted to suggest how this is to be finished, this does not form a reason for refusal as it is not considered to be a key element of the proposal.

Principle of the development

- 3.7 The application site is located within the open countryside and outside of any defined settlement limit as depicted in the Teignbridge Local Plan 2013-2033. Policies S1A, S1, S22 and EC3 of the Local Plan are permissive of agricultural buildings outside any settlement boundary, subject to policy criteria being met. Thus, the principle of development can be acceptable, subject to compliance with policy.
- 3.8 There may be in principle support for agricultural use within the open countryside, however, the proposed building is not considered to be for agricultural use due to the use being for the storage of waste for the caravan business. The meaning of agricultural building within planning clearly states "*agricultural building*" means a building...used for agriculture and which is so used for the purposes of a trade or business..." The use of the building for the storage of waste for the rural caravan site is not considered to comply.
- 3.9 In addition to the non-compliance with policy, it is not clear what agricultural use is being carried out on site, as the history of the business and locale is geared to the well-established tourist accommodation. No mention is made to the agricultural use.

There is also an imbalance between the scale of the building in context with the subject field and suggested existing agricultural enterprise.

3.10 Notwithstanding the proposed agricultural use, it would appear the building is intended to be used in connection with the existing established tourist use, for the storage of waste. Policy S22 supports development and investment within the open countryside, where it is “*attractive*”, and responds to the “*distinctive characteristics and qualities of the landscape character*”. Policy EC11 permits tourist development outside settlement limits where at least one of seven criteria are satisfied.

- a) Expand or improve existing tourist accommodation locations;
- b) Support expansion or improvement of an existing tourist attraction;
- c) Provide a new campsite or caravan site;
- d) Involve the appropriate conversion or change of use of a permanent and soundly constructed building which sensitively retain any historic interest and character;
- e) Part of a farm diversification scheme;
- f) Use a dwelling to provide bed and breakfast accommodation; or
- g) Provide innovative or unusual forms of accommodation which widen and enhance the tourist offer of the area.

3.11 Policies S22 and EC11 would suggest there could be support for tourist development. However, whether the building is intended to be used in connection with an agricultural enterprise or the existing tourist use, the proposed building in its current position, scale and design does not protect or enhance the landscape of the area, as it is not sympathetic to the conservation of the historical significance of the area, therefore cannot satisfy Policies S22, or EC11.

Conclusion

3.12 In summation, there is in principle support for agricultural buildings on agricultural land where there is an agricultural enterprise taking place. However, the proposed use is not considered to be agricultural, with no clear agricultural enterprise taking place, such as “*trade or business*” from the site. There is also principle support for tourist use, however, Policy S22 also advises that development cannot be supported where there is harm to the wider landscape and legally protected structures.

3.13 There was pre-application discussion regarding this proposal, which raised concerns regarding the impact upon the landscape, heritage assets and archaeology.

Overall, the proposal is not considered to comply with the relevant Policies.

Design and impact upon the character and visual amenity of the area

- 3.14 In assessing the design of the proposal, the existing landscape character and materials should be taken into consideration to ensure that the proposal harmonises with that of the existing locale.
- 3.15 The site lies within an area of narrow lanes and historic farmsteads with a great feeling of time depth and strong vernacular character. These characteristics are particularly pronounced around the site where the development will be experienced within the context of the scheduled monument and the approach to Dornafeld Farm, a Grade II* listed building. In coming to this decision the council must be mindful of the duty as set out in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed building, its setting and features of special architectural or historic interest which it possesses, and have given it considerable importance and weight in the planning balance.
- 3.16 The site also lies within the Denbury Down Landscape Character Area, a sensitive landscape recognised by Teignbridge as a landscape with many cultural attributes and for which there are strategic guidelines to:
- “Ensure the sensitive location of new development, avoiding prominent hilltops and slopes”, and “conserve the settlement pattern of scattered farms and hamlets and nucleated villages and ensure that new development reflects vernacular character”.*
- 3.17 The proposed development is also considered to represent harm to the nearby listed structures, which are protected. Although, no heritage statement has been submitted with the application, to indicate that the applicant has fully assessed the visual impact and to ensure that the scheduled monuments and listed buildings have informed the design, setting and works. Although, following discussion with the agent, it would appear that no assessment has been considered necessary or carried out.
- 3.18 Whether the building is intended to be used in connection with an agricultural enterprise or existing tourist use; the proposed building in its current position, scale and design does not protect or enhance the landscape of the area, as it is not sympathetic to the conservation of the historical significance of the area.
- 3.19 The track and creation of a new access sees the loss of valuable landscape and potentially archaeological interest, which is not supported by policy, or the overall ethos of Ipplepen which, as a village, has taken extensive steps to preserve the village’s historical features.

Conclusion

- 3.20 In summation, there have been insufficient details submitted in relation to the impact upon the listed buildings and scheduled monuments. Officers however consider that the proposed works as a whole are considered to have a detrimental impact upon the immediate and wider historical character of the area.

- 3.21 The proposal would have certain benefits, chiefly in resulting in an incremental addition to the everyday running of the caravan site, supporting employment during construction and by generating trade for local waste services and facilities. However the benefits of the building would inevitably be modest.
- 3.22 For the above reasons, having considered the development plan as a whole, the approach in the NPPF, and all other relevant considerations, we conclude that the application should be refused.

4. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033

S1A (Presumption in favour of Sustainable Development)

S1 (Sustainable Development Criteria)

S2 (Quality Development)

S22 (Countryside)

EC3 (Rural Employment)

EN2A (Landscape Protection and Enhancement)

EN5 (Heritage Assets)

Listed Buildings and Conservation Areas Act 1990

Subsection (I) are the planning Acts and Part I of the Historic Buildings and Ancient Monuments Act 1953

National Planning Policy Framework

National Planning Policy Guidance

Denbury Down Landscape Character Area

5. CONSULTEES

Landscape Officer - The scale and character of the proposed would erode the historic landscape character of the scheduled monument and the historic vernacular setting of a Grade II* listed building. Mitigation measures have been suggested, however, these are not considered to minimise the harm to the scheduled monuments.

Historic England - The proposal to erect a large agricultural building on archaeologically sensitive ground containing potentially nationally important remains cannot be supported and fails to meet the requirements of the National Planning Policy Framework. There has been no attempt to consider the direct or indirect (setting), impact of the development on buried archaeology on site and the adjacent Scheduled Monument.

The application is supported by a geophysical survey undertaken in 2016, which identified and confirmed the existence of buried archaeological remains, however, the results of this survey would indicate the need for further archaeological investigation as only one method of survey was used and the results were not either augmented with a resistivity survey or ground truthing. We would note that this geophysical survey report is *not* an archaeological report as stated in the supporting statement.

Conservation Officer - I concur with Historic England.

Tree Officer - No objections

Devon County Archaeology - I am concerned that the application involves a greater impact on heritage assets than was discussed.

Devon County Minerals - No objections

6. REPRESENTATIONS

The application was advertised by way of a site notice on 31 January 2019, no letters of representation have been received.

7. PARISH COUNCIL'S COMMENTS

- a. There is no substantive information to prove that there is an agricultural need for the proposed storage building.
- b. No consideration has been given to vision splays at each of the proposed entrances off the highway.
- c. No Design and Access Statement has been provided as to the reasons for the application

8. 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.

9. 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