



PLANNING REF: Ref 0176/23/HHO

DESCRIPTION: Householder application for proposed roof extension & alterations to existing dwelling (part retrospective)

ADDRESS: Tree Farm, Aveton Gifford, TQ7 4LH

LETTER OF OBJECTION FROM THE SOUTH HAMS SOCIETY

19th August 2023

The South Hams Society interest

For the last 60 years, the South Hams Society has been stimulating public interest and care for the beauty, history and character of the South Hams. We encourage high standards of planning and architecture that respect the character of the area. We aim to secure the protection and improvement of the landscape, features of historic interest and public amenity and to promote the conservation of the South Hams as a living, working environment. We take the South Devon Area of Outstanding Natural Beauty very seriously and work hard to increase people's knowledge and appreciation of our precious environment. We support the right development - in the right places - and oppose inappropriate development.

The Tree Farm property lies within the South Devon AONB and is outside the Aveton Gifford Settlement Area. Tree Farm was recently advertised for sale in July 2021 along with the surrounding land.



Tree Farm (2021)

<https://www.facebook.com/photo/?fbid=3372800522781034&set=pcb.3372801689447584>

Charity No 263985

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The bungalow is currently surrounded by bushes or trees but without a Tree Preservation order this could change. This is relevant as the Design and Access statement states the upstairs windows are to improve the view.

The purpose of the roof extension is for residential and office use.

It should be noted that previous planning permissions for this property (02/1616/88/1 and 02/1922/89/3) granted shortly after 14th September 1989 was conditional on the following and such conditions are still in force:-

- (d) *A garage or hardstanding and parking space for motor vehicles shall be provided and sited in accordance with details which previously shall have been submitted to and approved in writing by the Local Planning Authority and the dwelling shall not be occupied until these facilities and vehicular access thereto have been provided. **These facilities shall be kept permanently available for the parking of motor vehicles.***

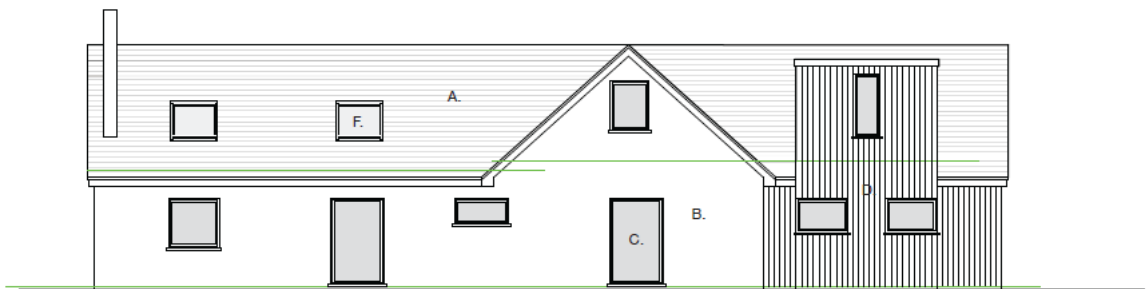
- (g) *The dwelling so permitted shall be occupied only by persons employed or last employed full time, locally in Agricultural or Forestry Work*

- (e) *The development shall take the form of a single storey dwelling and for the avoidance of doubt, a chalet type bungalow is unacceptable.*

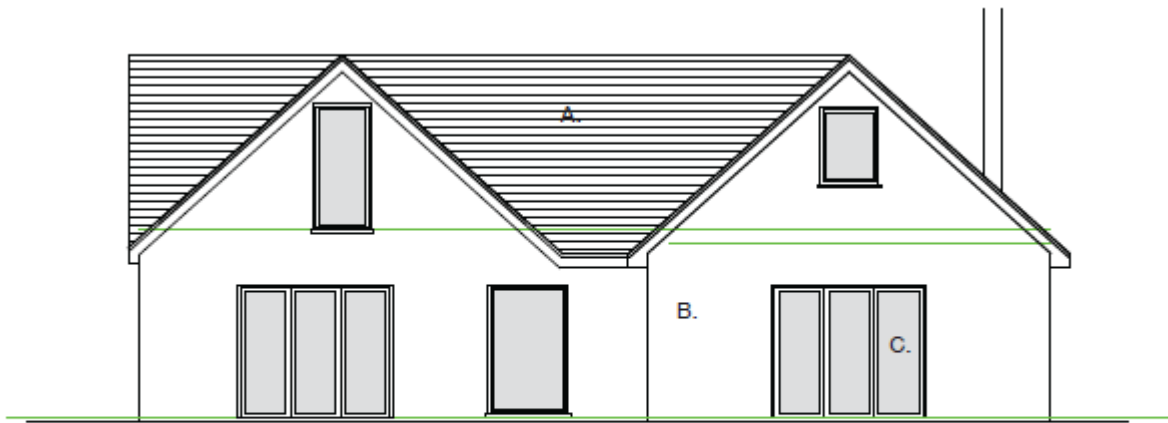
The elevations are shown below.



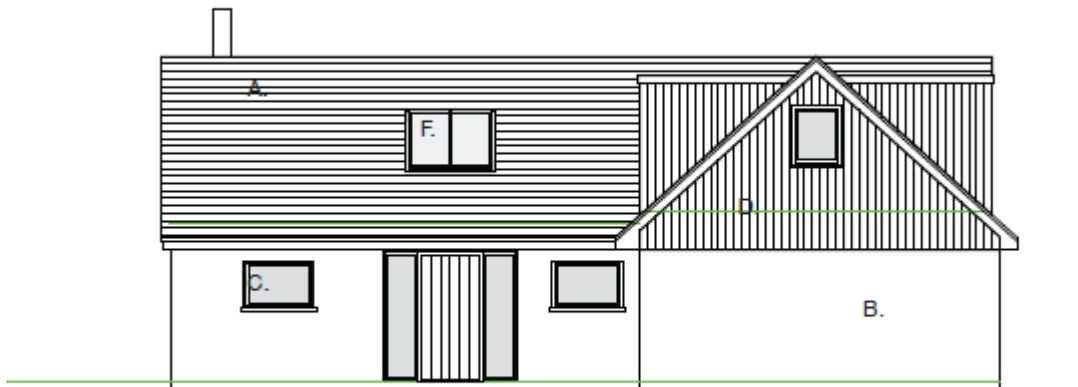
PROPOSED SOUTH WEST ELEVATION



PROPOSED NORTH EAST ELEVATION



PROPOSED NORTH WEST ELEVATION



PROPOSED SOUTH EAST ELEVATION

The Design and Access statement says:-

“The proposed roof extensions aim to create a more usable first floor with an appropriate head space and views out.”

The application submitted would lead to a breach of planning conditions if approved. There is a second floor and the creation of a chalet style bungalow. The Garage is proposed to be removed.

The appropriate route is to remove the planning conditions with a section 73 application and not to ignore them.

But it is also worth stating that the proposed dormer roof extensions are not supported by the JLP Supplementary Planning Document.

We include an extract from the JLPSPD page that illustrates acceptable Dormer windows.



Figure 29 Dormer windows

13.50 Dormer windows should relate well to the building with respect to materials, scale, shape and angle of roof. The front and sides of the dormer should be covered in a material that matches, or is in harmony with, that of the existing roof. The style and sub-division of windows should relate to those that exist elsewhere on the building.

13.51 The positioning of dormer windows is important. They should not appear squashed towards any of the roof edges, and should be proportionate to the existing windows below.

13.52 Dormer windows are only acceptable on the front roof of a property if this is a feature of nearby properties and if they are sensitively designed and located.

13.53 Dormer windows on side roofs are particularly sensitive because of their prominence and impact on the symmetry of a building. Side dormers that unbalance the symmetry of a building are generally unacceptable. Only small, appropriately designed and positioned dormers are likely to be acceptable.

13.54 Dormer windows are generally more appropriate at the rear of a property providing they are located below ridge height and are sympathetically designed. Where the rear of the building is very prominent, such as at the end of some terraces, design criteria will be stricter.

13.55 It is particularly important to ensure that the positioning of dormer windows does not cause harm to the privacy of neighbouring properties and conditions may be added to planning applications with regards to obscure glazing and non-opening windows.

We also note that at this property there is a new track from the entrance of the bungalow to the rear of the adjacent barn.

The adjacent barn has been subject to the following planning applications and permissions:

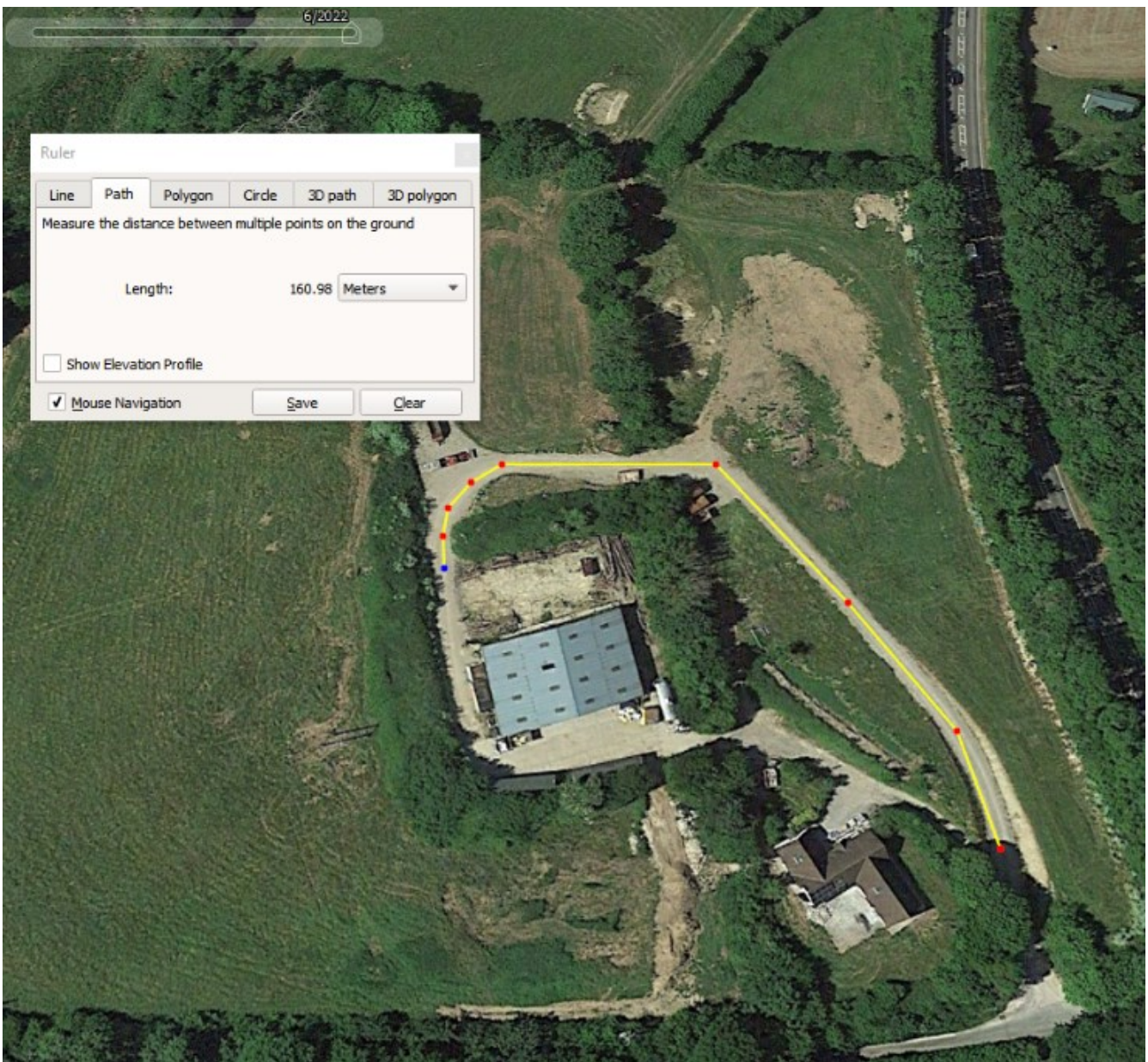
2085/18/PAU Notification for prior approval for proposed change of use of agricultural building to storage and distribution (Class B8) (Class R).

0142/19/PAU Class R prior notification for B1 (a) use - offices (flexible use under Class R).

1035/19/FUL Refurbishment of building to create offices.

The Society have reviewed these planning applications. Currently none of the conditions listed with the full application (1035/19/FUL) have had the required details submitted or approved.

No planning permission exists for this new track.



Recently the farmland has been sold off into four different plots, we would therefore question whether the agricultural tie, which is still in force, is being maintained.

The definition of agriculture within the Town and Country Planning Act 1971 Section 290:

"agriculture" includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and "agricultural" shall be construed accordingly;

The same definition is retained in the Town and Country Planning Act 1990 Section 336.

The owner of the property is one of the two registered directors of the company Umami Food and Farming LTD. The barn is owned by Umami Food And Farming Ltd of Umami House, Devonia Estate, Mardle Way, Buckfastleigh TQ11 0AG. This is the base for Westcountry Spice Company Ltd.

Umami Food And Farming Ltd is one of two shareholders of Westcountry Spice Company Ltd

'Westcountry Spice is a leading innovator and distributor of award winning, high quality, all organic and Free from products in the UK, Europe and Asia and is trusted by leading restaurants, retailers and catering organisations to deliver the finest quality organic cooking pastes, sauces and ingredients'.

'Foodservice

As manufacturers of organic and Free from products, our growing range now includes pastes, relishes, chutneys, sauces, condiments and blended dry and wet goods. Westcountry Spice operates from a 12,000-square foot factory and distribution centre in the heart of the Devon countryside'.

It is therefore far from obvious that the agricultural tie is being maintained as required by planning condition (g) of planning permission 02/1616/88/1.

The South Hams Society objects to this application due to the intended breach of planning condition and failure to follow the local development plan guidance.

We are also concerned with unauthorised track creation at this site thereby breaching planning condition 2 of planning permission 1035/19/FUL. None of the planning conditions attached to that permission requiring further information to be submitted have been satisfied.

Additional Note

The Society also note that this building is recorded as a listed building both by Devon County Council and Historic England. The Society believe this be a listing error but this should be resolved prior to any subsequent planning approval.

Richard Howell – Chair

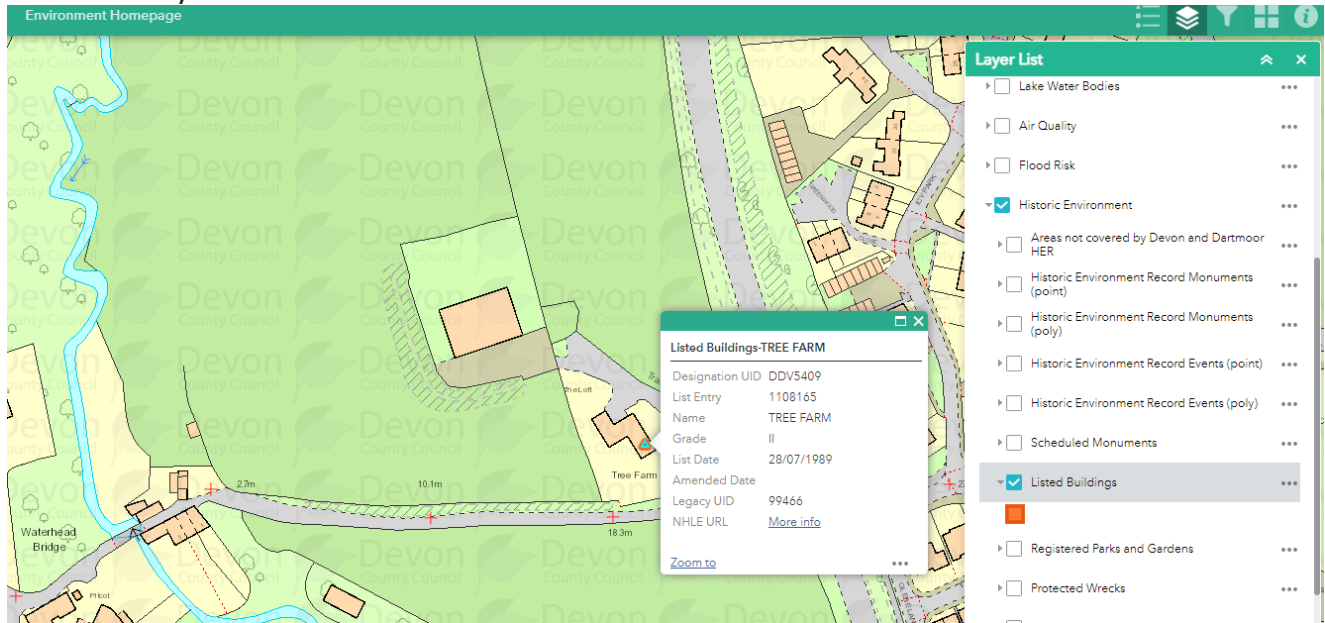
For and on behalf of the South Hams Society.

Charity No 263985

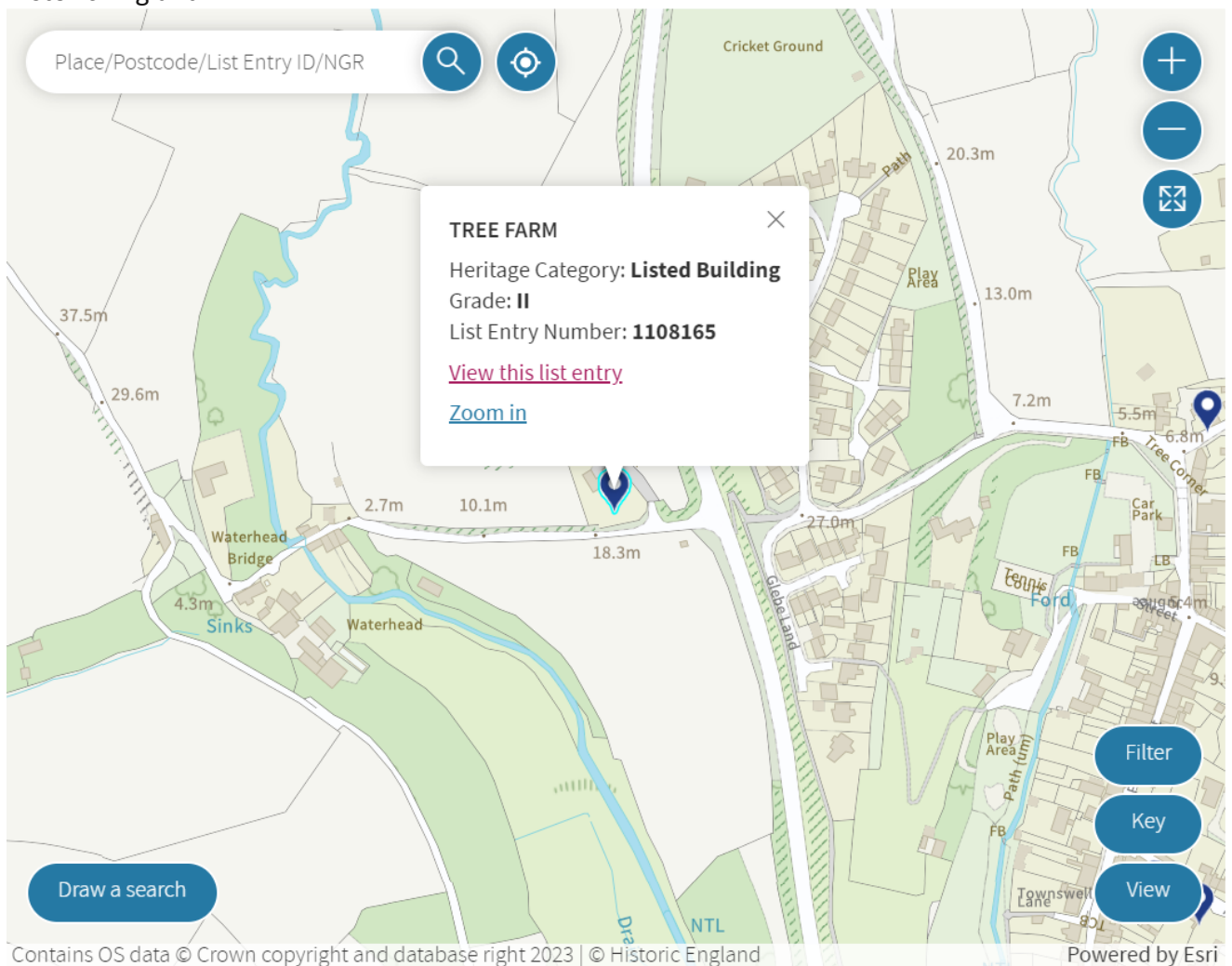
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Listed Building Status.

Devon County Council



Historic England



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