

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

Friday 5 January 2018

Present: S Barker, J Christophers, A Cooper, G Gribble, P Harper, S Hill, P Hitchins,
M Jeffery, J McInnes, C Pannell, M Retallick, P Sanders, M Simpson,
D Webber, P Woods

Apologies: K Ball, W Cann, N Oakley, D Moyse

1260 Minutes of the meeting held on 1 December 2017

The minutes of the meeting held on 1 December 2017 were agreed and signed as a correct record.

1261 Declarations of Interest and Contact

Members agreed to declare those interests set out in the matrix of membership of other bodies.

Mr McInnes declared a personal interest having received an email, which was sent to all Members, relating to application 0530/17, Cranbrook Linnay Farm, Moretonhampstead.

Mr Retallick declared a personal interest, having been contacted by local residents, in relation to application 0568/17, Langdon Farm, North Bovey.

Mr Harper declared a personal interest in applications 0560/17 Aish Ridge, South Brent, 0568/17 Langdon Farm, North Bovey and 0552/17 Field opposite Brentor Inn, Brentor - as he is a customer of the applicant, Airband. However, Mr Harper confirmed that he would not personally benefit from any decisions taken.

Mrs Pannell declared an interest, due to Parish Council membership, in relation to application 0560/17, Aish Ridge, South Brent.

Mr Simpson declared a personal interest in application 0480/17 Land at Higher Sherwell, Poundsgate, due to knowing the applicant.

Mr Jeffrey declared a personal interest, having been contacted by local residents, in relation to application 0568/17, Langdon Farm, North Bovey.

Mr Barker declared a personal interest, having been contacted in relation to application 0556/17, Leat Orchard, Grange Road, Buckfast. He also declared a registerable interest in relation to applications 0560/17 Aish Ridge, South Brent, 0568/17 Langdon Farm, North Bovey and 0552/17 Field opposite Brentor Inn, Brentor as he is a member of the Connecting Devon and Somerset Board. He advised that he would withdraw from the meeting when these applications were discussed and determined.

Signed James P. Thomas Date 2-2-18

1262 Items requiring urgent attention

Mr Hart informed Members that the minute 1244, application 0328/17 from 1 September 2017 contained an incorrect resolution. The resolution should read:

“That, subject to the completion of a section 106 planning obligation in respect of tying the holiday let to the Pudsham Farm business as a farm diversification scheme and the conditions as set out in the report, permission be GRANTED”

Resolved that the minute be amended accordingly

The Chairman welcomed Mr Simon Clarey, legal advisor to the meeting.

1263 Site Inspections

Item 1 – 0480/17 Erection of general purpose agricultural barn with hardstanding (Full Planning Permission) Land at Higher Sherwell, Poundsgate

Members were informed that the application had been WITHDRAWN.

Item 2 – 0450/17 Partial Demolition of dwelling and erection of two storey extension (Full Planning Permission – Householder), Blackenstone Cottage, Moretonhampstead

The Chairman stated to Members that this was a good example of why site inspections are necessary. Members on the site inspection could understand the reasons for the applicant’s decision to rebuild part of the cottage, but there were some concerns raised regarding the design. It is understood that the Case Officer is obliged to bring it to Development Management Committee due to the conflict with adopted policy. It is important to preserve the old quarry manager’s building. The Chairman proposed that the item be DEFERRED for the applicant and architect to address the design issues, which was duly seconded.

RESOLVED: That the application be DEFERRED to allow the applicant and architect time to address design issues.

1264 Applications for Determination by the Committee

Mr Barker declared a registerable interest in relation to applications 0560/17 Aish Ridge, South Brent, 0568/17 Langdon Farm, North Bovey and 0552/17 Field opposite Brentor Inn, Brentor as he is a member of the Connecting Devon and Somerset Board.

Mr Barker withdrew from the meeting.

Item 1 – 0560/17 Installation of mobile telecommunication and ancillary equipment involving the erection of 6m high telegraph pole with four consumer antennae and three backhaul radio antennae and associated radio housing and trenching

Speaker: Mr Palmer – Airband Community Internet

Signed  Date 2.2.18

The Case Officer informed Members that this is the first of three Airband applications on the agenda. This application is for a 6m high wooden pole with telecommunications equipment, to serve the Airband Broadband system. 360m of trenching is proposed for the underground electricity feed required by the installation. The Archaeologist had no concerns with this site, the Landscape Officer suggested that the application should be refused due to the visual impact on the character of the landscape which is contrary to policy COR1 (h) and COR3. It would not enhance the landscape character and would harm the wider landscape. The Parish Council supports the application.

The pole would be situated in open moorland, within a grazed field and would break the skyline.

Mr Palmer stated to Members that Airband had been contracted to connect high speed internet to rural communities. The signal is created through line of sight and therefore the post needs to be in a visible position. The application site is the fourth attempt to find a suitable site in this location. 54 households would be supplied with 30mbps (it is currently 1mbps). The pole would stand lower than a standard telegraph pole and would blend into the background. The sites are limited as the pole needs to have straight line of sight to the receivers.


In response to Member questions Mr Palmer stated that the only other options for high speed internet in remote locations would be fibre optic cables, which would be very expensive and companies would be unlikely to do this, another alternative would be satellite internet which is equally expensive and unreliable. He reiterated that the pole would be comparable to an electricity pole.

Members discussed the necessity for high speed internet for local business and homes; all businesses need access to the internet and without the connectivity the rural communities will be held back. One Member stated that Airband poles had been erected in another location and not been noticed by the local residents.

Mr Harper proposed that permission be granted, which was seconded by Mr Christophers, for the reason that the social and economic benefit will outweigh the identified harm to the landscape.

The Case Officer outlined the conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of the permission.
- 2 Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be carried out strictly in accordance with the approved drawings.
- 3 The telecommunications mast and equipment shall be permanently removed upon redundancy and the land reinstated to its former condition within a period of six months unless otherwise agreed in writing with the Local Planning Authority.
- 4 The equipment attached to the pole hereby approved shall, unless otherwise agreed by the Local Planning Authority in writing, be painted in saddle brown not later than 30 days after the substantial completion of the development.

Signed  Date 2.2.18

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

Item 2 – 0568/17 – Installation of mobile telecommunication and ancillary equipment involving the erection of 6m high telegraph pole with four consumer antennae and two backhaul radio antennae and associated radio housing and trenching - Langdon Farm, North Bovey

Speakers: Cllr Keesom – North Bovey Parish Council
Mr Palmer – Airband Community Internet

The Case Officer stated to Members that the application is for a 6m pole with four antennae at the top of the mast and two backhaul radio antennae at 5m. 160m of trenching is proposed for the underground electricity feed to the installation. The Parish Council supports the application.

The Archaeologist stated that the site is within a Medieval field system which is recorded on the Historic Environment Register, there are also indications of Middle Bronze Age reave system covering Easdon Down. Systems such as these form a characteristic part of Dartmoor's historic landscape. Experience has shown them to have considerable evidential value due to the potential of buried heritage assets. The proposed development would have an impact on the evidential value of the field system due to the potential presence of buried heritage assets. In the vicinity and within sight of the proposed development there is an Early Bronze Age cairn which is 100m east of the site. Both the reave system and cairn are included on the DNPA Nationally Important List and could be scheduled monuments in the future. The proposed development would have a harmful effect on the setting of both these monuments.

Due to the adverse effect on the setting, the proposed development fails to conserve and enhance Dartmoor's historic environment, contrary to policies COR1, COR3 and COR6. If the application is approved a watching brief should be put in place.

The Landscape Officer stated that the proposed development would be visually intrusive and have a detrimental impact on the character of the landscape contrary to policy COR1(h) and COR3.

Mr Keesom informed Members that the Parish Council visited the site and fully support the application. The village requires the wireless broadband and the mobile communications. It will eventually lead to the existing telegraph lines being removed which will enhance the landscape. The Government have declared that all homes should have high speed broadband by 2020, so this is a necessary step forward. If refused, it is detrimental to locals and will restrict the growth of businesses and tourism. The need for this technology outweighs the landscape impact.

Mr Palmer informed Members that the antennae has the potential to provide 66 homes with high speed internet. Other sites have been looked into but withdrawn. The mast has been reduced in height to its minimum. Two other masts are dependent on this one to bounce the signal off to reach the recipients. In response

Signed James Palmer Date 2.2.18

to Members questions Mr Palmer stated that the company is more than happy to work with a watching brief and that similar situations have arisen on other sites.

In response to further questions from Members the Archaeologist stated that a 2' trench could disrupt archaeological findings and would cause damage to the field system and setting of Easdon Down. In previous experience, hut circles have been found close to the stone walls.

Members agreed that the technology is a necessity for the whole community; the site is not actually on Easdon Down and not on open moorland. The watching brief will be an assurance that any archaeological features will be protected.

Mr Retallick proposed to grant permission which was seconded by Mr Gribble. The reason for granting permission is that the social benefits outweigh the identified harm to the landscape and historic assets. The need for the technology is vital for the rural community.

Members noted that the applicant had researched all options and reduced the height of the pole as much as possible.

The Case Officer read through the proposed conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of the permission.
- 2 Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be carried out strictly in accordance with the approved drawings.
- 3 The telecommunications mast and equipment shall be permanently removed upon redundancy and the land reinstated to its former condition within a period of six months unless otherwise agreed in writing with the Local Planning Authority.
- 4 The equipment attached to the pole hereby approved shall, unless otherwise agreed by the Local Planning Authority in writing, be painted in saddle brown not later than 30 days after the substantial completion of the development.
- 5 Unless otherwise agreed in writing by the Local Planning Authority, no work shall commence on the development hereby permitted until the expiration of 28 days following the date that written notice has been received by the Local Planning Authority of the intention to commence the development. At all times thereafter, until the completion of the development on the land, access shall be afforded at all reasonable times to any archaeologist accredited by the Local Planning Authority. This access shall include the right to observe and inspect any excavation and to retrieve and record any items of interest and finds, to investigate and conserve the archaeological heritage of this part of the National Park.

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

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Item 3 – 0552/17 - Installation of mobile telecommunications and ancillary equipment involving the erection of 12m high telegraph pole with four consumer antennae and three backhaul radio antennae and associated radio housing and trenching –Field opposite Brentor Inn, Brentor

Speaker: Mr Palmer - Airband Community Internet

The Case Officer stated to Members that this application is for a 12m high wooden pole with telecommunications equipment for the Airband wireless broadband system. 30m of trenching is proposed to provide the underground electricity feed to the installation. The site is 550m north of Brent Tor and 1km from the centre of North Brentor.

The Landscape Officer's comments stated that the proposed telegraph pole would have minimal impact on the character of the area. The equipment should be painted dark brown to blend into the landscape, as a white antennae would be visually intrusive. The pole should be removed on redundancy.

The pole would be in line with the height of trees and other telegraph poles in the surrounding area and the Case Officer acknowledged the benefits of Airband, in this case, the Officers consider the social and economic benefits outweigh any harm to the landscape.

Mr Palmer informed Members that the mast in this application is taller than the two previous applications to be able to send the signal to 21 households and enable to links to other masts which serve an additional 120 households. This antennae will fill some of the gaps occurring in the signal within the village.

The Acting Head of Planning confirmed to Members that the temporary mast will be removed as there is currently no planning permission for it. Permission is being sought for further equipment to be retained elsewhere in the village.

In response to a Members question, Mr Palmer informed Members that the pole and equipment will be sprayed brown to blend in with the landscape.

Mr Harper proposed the recommendation, which was seconded by Mrs Pannell.

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

Mr Hill, Mr Simpson, Mr Christophers left the meeting.

Mr Barker re-joined the meeting.

Item 4 – 0565/17 - Construction of an agricultural sheep handling enclosure/sand school with sheep pens/stables building with surrounding planted earth bank screen- Field east of Iron Mine Lane, Dousland

Speaker: Mr Bernard Heffernan

Signed James De Jesus Date 2.2.18

The Case Officer informed Members that the application is for sheep pens, stable and a sand school but with no access track. The access to the site would be across the common land through an existing gate.

Mr Christophers re-joined the meeting

The application did not make it clear what the sanded area would be used for, although it is assumed to be associated with the proposed stables. The Authority has a consistent view that sand schools have a negative impact on the landscape character.

Mr Hill and Mr Simpson re-joined the meeting.

Mrs Pannell left the meeting

Although there are buildings in the adjacent field the Case Officer stated that this development would have a detrimental visual impact on the character and appearance of the enclosed landscape.

Mrs Pannell re-joined the meeting.

Mr Heffernan stated to Members that his two sons are keen to farm on Dartmoor. He has taken the advice of DNPA Planning Officers to relocate the proposed development and this was the suggested location. The sand enclosure would be used to keep livestock off the grass in bad weather. They hope to have 20 sheep and 2-3 horses.

In response to Members questions, the sanded area would not be a sand school, it would be for livestock and the turnout area would be made of stone and therefore no alternative drainage would be needed.

Members expressed concerns regarding the construction of the development, due to the traffic movements required on the common.

Mr Harper proposed the recommendation for refusal.

The Case Officer stated that although no track had been proposed, it would be likely that one would be needed in the future.

The Acting Head of Planning stated that although the Authority likes to support farming enterprises, the size of the proposed development does not equate with the amount of livestock on the holding.

Mr Retallick seconded the proposal.

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

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Item 5 – 0556/17 - Change of use of annex to holiday let and ancillary use and provision of a flue – Leat Orchard, Grange Road, Buckfast

The Case Officer stated that the application is retrospective. The attached annex is being used as a holiday let and ancillary accommodation. It has its own entrance and no internal connection to the main dwelling. There is significant parking for this one bedroom annex. The wood-burning flue would meet the ridge height, there is extensive tree screening so therefore it would not be seen from the road.

One Member suggested there should be a condition to restrict the use of the private garden by the guests staying in the annex as complaints have been raised by neighbours.

Questions were raised about the location of the flue next to a window in the main dwelling. The Case Officer confirmed that the flue is situated further forward on the annex roof than indicated on the slides. The conditions indicate the flue should be painted black and to be no more than 2m above the roof.

In response to a Members question, the Acting Head of Planning and Legal advisor agreed it would be unreasonable to confine the use of the outdoor space and therefore no condition restricting the garden use would be placed on the annex.

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

RESOLVED: That, subject to the conditions as set out in the report, permission be GRANTED

Item 6 – 0515/17 - Erection of two extensions – The Coach House, Huccaby

Speaker – Mr Hibbert

The Case Officer stated to Members that the Coach House is a two storey detached annex in the grounds of Huccaby House, comprising of two bedrooms, a kitchen/ diner, bathroom and living room totalling 59sqm. The extension would provide an additional bedroom, larger bathroom, utility room and entrance lobby.

The Officer considers that the proposal is equivalent to a new dwelling in the open countryside and therefore contrary to policy. The size and bulk are inappropriate and unjustified in the rural location. The applicant uses the annex as a separate dwelling therefore a condition relating to the building being ancillary accommodation would not meet the applicant's needs. The building is outside of a settlement and therefore the extension is not acceptable.

Mr Hibbert informed Members that the extensions would total 18% of the living space of the building. The annex is used as a family home and the children have to share the bedroom. The main house is used totally separately, due to paying separate council tax. Mr Hibbert stated he was not aware the two buildings were considered as one. Records have shown it has been used as a separate dwelling and it has had extensions such as a garden room in the past.

Signed  Date 2.2.18

The Acting Head of Planning confirmed that the two buildings should be considered as one planning unit even if they have been used separately. A Certificate of Lawfulness should be applied for before the extensions to the ancillary unit are considered if the applicant wishes to clarify the claimed use.

In response to Members questions the Case Officer explained that the 18% extension has been calculated using just the living space, not the garage space underneath the unit. The total floor space would equal 96sqm, a modest 3 bed affordable unit is 80sqm. The extension would create a large house.

The Members agreed that the applicant would be wise to apply for a Certificate of Lawfulness. Mr Cooper proposed the recommendation which was seconded by Mr Gribble.

The Acting Head of Planning confirmed that the reasons for recommending refusal are 1) unjustified accommodation and 2) design and scale massing issues as set out in the report.

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

Item 7 – 0516/17 - Raising the walls and the roof to form a room within the roof space, 20 Ashburn Close, Ashburton

Speaker – Mrs Tinnyant, Applicant

The Case Officer informed Members that the proposal is to raise the roof by 1m in height on the end terrace property. Although the proposal is within the 30% extension limit, the terrace has no stepped roofs and would affect the look of the terrace, therefore does not adhere to the principles contained in the design guide.

Mrs Tinnyant stated to Members that Ashburton is not a linear town and many terraces have the stepped roof. The roof line will be the same as the next roof in the adjacent terrace. The materials used will match the property and will not be noticeable from the road. The applicant had considered boxed dormer windows, but did not like imposing on neighbours. All the neighbours are in support of the application as is Teign Housing and the Parish Council.

Mr Barker stated that he disagreed with the recommendation as the appearance would be the same as the adjacent block, and the scale, massing and design does not detract and it is not against policy. He proposed that Planning Permission be granted. Mr Hill seconded the proposal.

The Case Officer listed the proposed conditions as follows:

- 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 the approved drawings.
- 3) The materials to be used in the finishing of the external walls of the development hereby approved shall, unless otherwise previously agreed by the Local Planning Authority in writing, match those used on the existing building.

Signed James DeTina Date 2.2.18

- 4) Works to proceed in strict accordance with the recommendations in the preliminary ecological assessment bat and nesting bird survey report including mitigation strategy (George Bemment Associates 20 September 2017).

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

Item 8 – 0531/17 - Extension to provide accommodation - Beara Farm Bungalow, Moretonhampstead

Speaker – Mr Pollintine – Applicant’s Agent

The Case Officer advised Members that the proposed extension to the existing bungalow is under the 30% limit but is considered inappropriate in its scale, massing and design as it will overwhelm the current dwelling. The property is highly visible from the adjacent footpath, road and the wider landscape.

Mr Pollintine stated the proposed extension is within the 30% requirement, therefore meeting planning policy. The change in the property is a remodelling rather than an extension. It is a visually sensitive design. Modifications have been made after receiving officer’s advice. The footpath is rarely used.

Members discussed the scale, mass and design of the proposed extension. They agreed the materials look high quality and the timber cladding would look less harsh than the existing white walls. The Case Officer reminded Members that conditions could be placed on the materials used.

Mr Christophers proposed to Grant planning permission, which was seconded by Mr Jeffery due to the fact the extension is below the 30% limit and it provides a sustainable housing option.

The Acting Head of Planning stated to Members that they have to consider if the design is locally distinctive to Dartmoor and if this is the best design achievable in a very prominent location.

Members discussed further the suitability of the design of the extension for the location.

The Chairman took the vote for the proposal to Grant, which was not carried.

Mr Hitchins proposed the recommendation contained in the officer’s report, which was seconded by Mr Sanders

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

Signed James A. H. Jones Date 2.2.18

Item 9 – 0534/17 - Erection of agricultural building - Land at Newcott Farm Cottages, Poundsgate

Speaker – Mrs Weymouth - applicant

The Case Officer stated to Members that the proposed agricultural building is recommended for refusal due to its impact on the setting of the adjacent listed buildings and the character of the landscape. The location is restricted due to powerlines and other options have been considered but none were acceptable. The building could be seen from the road, depending on the height of the hedge. The Case Officer stated that the recommendation for refusal is due to the significant harm this development would have on designated heritage assets and although the applicants business contributes significantly to Dartmoor's economy it does not outweigh the harm on the setting.

Mrs Weymouth informed Members that from the location of the proposed barn, Higher Uppercott cannot be seen. The corner of the field cannot be seen from the Two Moors Way as suggested by the Case Officer. The proposed location is the only option and there have not been any objections from the owners of the near dwellings. The applicant's family have been working on Dartmoor for five generations and the current business has been functioning for 10 years. They currently rent a building for the livestock, which may be lost in the near future.

Members sympathised with the applicant's need for the barn but discussed the harm it would have on the listed buildings and wider setting.

Mr Harper proposed the recommendation, which was seconded by Mr Cooper.

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

Mr Barker and Mr Christophers left the meeting


Item 10 – 0528/17 - Change of use of agricultural land in association with construction of new access road – Higher Lake Farm, Dousland

The Case Officer stated that the application is for a separate access to an agricultural building which has the benefit of a Certificate of Lawfulness for residential use. The access would be 3m wide and constructed with chippings and crushed stone. There have been no highway objections to the application. The Landscape Officer has stated that the appearance of the landscape has already been compromised, therefore has no objections. The plans indicate a fence, but the applicant agreed that a condition for a hedgebank is reasonable for a more traditional Devon lane. The Parish Council objects to the proposal.

The Members discussed the potential problem of drainage on the proposed track and agreed a drainage condition would be necessary.

Mr Harper proposed the recommendation, which was seconded by Mr Hill.

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

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4 - Prior to the commencement of the development hereby approved details of the drainage of the access road hereby approved, to confirm that no additional water will enter the highway, shall be submitted to the Local Planning Authority for approval. The drainage provision shall be provided in accordance with the approved details and maintained thereafter unless otherwise agreed by the Local Planning Authority in writing.

Item 11 – 0532/17 - Resurfacing of car park and extension to stable block – Brentor Inn, Brentor

The Case Officer informed Members that the application is in two parts; firstly the resurfacing of the car park, which the Parish Council is in support of, and secondly, the extension of the stable block, which the Parish Council objects to. The Brentor Inn is currently closed and the car park and building are in a state of disrepair. The proposed changes would improve the appearance of the area. The applicant has one horse and two ponies using the stables and requires an extension. This meets with DMD33 as the 2.5 acres of land is already used for equine related activities.

Mr Barker re-joined the meeting.

Members agreed that the area needs improvement and this is a welcome proposal.

Mrs Pannell proposed the recommendation, which was seconded by Mr Hitchins.

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

Item 12 – 0530/17 - Change of use of land for the siting of a caravan for an agricultural worker – Cranbrook Linnay Farm, Moretonhampsted

Speaker – Mr Barrett – on behalf of the applicant

The Case Officer informed Members that the application is for a farm worker's caravan, which would be placed near to two new farm buildings (application 0529/17). An independent agricultural consultant has stated that the needs of the farm meet the requirements to have a worker's caravan on site. The caravan would be placed higher than the farm buildings and therefore more prominent in the landscape.

Mr Barrett stated that the proposed barns have been supported and the position of the caravan is dictated by the sloping land. It is on a plot of land that is next to other buildings which are also visible. The family are keen to help preserve Dartmoor and feel that they have proposed the best option.

In response to Members questions, Mr Barrett stated that there will be a grass track beside the hedge leading to the caravan. The positioning of the caravan makes sense to place it with the new farm buildings. Members expressed their understanding for the need for a farm worker's caravan but felt that the proposed

Signed James Barrett Date 2.2.18

location was unsuitable. The Members encouraged the applicant to work with the Case Officer to find an alternative solution.

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


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

1265 Appeals

Members received the report of the Acting Head of Planning (NPA/DM/18/003).

RESOLVED:

Members NOTED the content of the report.

Signed  Date 2.2.18