

**DARTMOOR NATIONAL PARK AUTHORITY**  
**DEVELOPMENT MANAGEMENT COMMITTEE**

**Friday 1 March 2019**

Present: K Ball, S Barker, W Cann, J Christophers, A Cooper, G Gribble, P Harper,  
P Hitchins, S Hill, J McInnes, D Moyse, N Oakley, C Pannell,  
R Parkinson, M Retallick, P Sanders, P Woods

Apologies: M Jeffery, D Webber

**1344 Minutes of the Meeting held on Friday 11 January 2019**

The minutes of the meeting held Friday 11 January 2019 were agreed and signed as a correct record.

**1345 Declarations of Interests and Contact**

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

All Members declared an interest in Items 0013/19 – Erection of single storey extension, new entrance and ground floor exhibition space, Dartmoor Park Visitor Centre, Postbridge, due to the Authority being the applicant, and 0657/18 – Erection of covered store, compost toilet and siting of two containers, Marsh Community Compost and Reuse Centre, Exeter Road, South Brent, due to the Authority owning the land.

Mr Cann declared a personal interest in Item 0646/18 – Replacement dwelling, Kenwyn, South Zeal, due to having received email communication from the applicant.

Mrs Pannell declared a personal interest in Item 0346/18 – Erection of 40 dwellings, including 14 affordable and associated infrastructure, land adjacent to Fairfield, South Brent, due to having received communication from South Brent Parish Council.

Mr Harper and Mr Cooper declared an additional personal interest in Item 0013/19 – Erection of single storey extension, new entrance and ground floor exhibition space, Dartmoor Park Visitor Centre, Postbridge, due to their having been members of the original working group.

**1346 Items Requiring Urgent Attention**

None.

**1347 Applications for Determination by the Committee**

Members received the report of the Head of Development Management (NPA/DM/19/006).

Signed James R NCT Date 13-4-19

**Item 1 – 0013/19 - Erection of single storey extension, new entrance and ground floor exhibition space, Dartmoor National Park Visitor Centre, Postbridge**

Speaker: Mr R Edwards, Architect

The Case Officer advised Members that the application proposed a 112sqm extension to the visitor centre, adding to the existing 98sqm at ground floor level. It is planned that the car park would have marked parking spaces for 60 vehicles, plus three disabled spaces and one for staff. The existing access to the footpath would be closed off and a new one introduced, following the removal of a tree, adjacent to a row of parking spaces along the southern boundary. The proposed extension would house the Whitehorse Hill exhibition, together with Bronze Age exhibits; it would also provide a better accessible entrance foyer and reception area.

Should permission be granted three additional conditions would be proposed as follows:

1. Prior to the commencement of any works, all trees, shrubs and hedges would be protected by fencing, the fencing to remain until completion of all works;
2. All works to be undertaken in strict accordance with instructions contained within the Ecologist's report and Bat Survey;
3. The proposed car parking scheme to be agreed by the Local Planning Authority prior to the works to the car park being undertaken.

Mr Edwards advised Members that he had attended the meeting in order to answer any questions they may have regarding the application.

In response to Member queries, Mr Edwards advised the following:


- The small area of flat roof will not cause problems with regard to rainwater gathering. It is designed to look like lead and will be easy to maintain.
- The stone facing will consist of material that matches, as much as possible, that which is on site already. Samples will be sourced and placed on site in order for informed choices to be made.
- With regard to the provision for wildlife, Mr Edwards confirmed that all recommendations made by the ecologist will be followed in full. The bats that roost in the existing building will continue to be protected.

With regard to the car parking issue, the Case Officer advised a Member that there was a proposed additional condition to ensure that proposals met with the Authority's approval.

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

**RESOLVED:** That permission be GRANTED, subject to the following conditions:

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 approved, samples of all proposed surfacing, external facing and roofing materials shall be submitted to the Local Planning Authority for approval; thereafter unless otherwise agreed by

Signed  Date 5-4-19

- the Local Planning Authority in writing, only approved surfacing, external facing and roofing materials shall be used in the development.
3. The development hereby permitted shall be carried out in accordance with the following approved drawings numbered: 2561.D.304 Rev A received 18 January 2019, 2561.D.300, 2561.D.303 and DR-M-90-101 Rev PO received 11 January 2019.
  4. 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. 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. Works shall proceed in strict accordance with the approved drawings and recommendations (Section 6 and Appendix 1) in the bat and nesting bird survey report (George Bemment Associates, 21/9/18). The consultant ecologist shall confirm in writing to the Authority that the recommendations have been implemented.
  6. A scheme showing the proposed parking layout and programme of works shall be submitted to and approved in writing by the Local Planning Authority and implemented within 12 months of substantial completion of the extension hereby approved.

**Item 2 – 0665/18 – Alteration to existing rear dormer window to create doorway and balcony area, The Post Inn, Exeter Road, Whiddon Down**

The Case Officer advised Members that the application was for the alteration to the roof of the rear of the cottage to form a first floor terrace and an external staircase. The cottage adjoins the Inn and is distinguishable by its slightly lower ridge height. The proposed staircase and balcony would only be seen from the land to the rear of the building. The staircase would be constructed of black metal; the balustrade/ supports would be black metal barley twist spindles. In response to a Member query, the case officer confirmed that the proposal is for additional amenity space.

The Inn immediately adjoins the northern boundary of the National Park and is recorded on the Historic Environment Record as an undesignated heritage asset.

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

Some Members felt that the application would assist with the sustainability of the business and that, therefore, the proposals should be supported. Others were of the opinion that it was in the interests of the applicant to achieve the best possible outcome as the staircase and balcony would be seen by everyone using the beer garden; the current proposals were not felt to be of an appropriate or acceptable design.

Mr Barker proposed that permission be GRANTED on the grounds that the application would not have an excessive negative impact on the building or the surrounding area. The proposal was not seconded. No vote was taken.

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The Head of Development Management stated that he was pleased to hear support for the officer's recommendation. He reminded Members that the property is on the Historic Environment Record, playing an important part in the settlement of Whiddon Down. Members were being asked to determine whether the design was acceptable. Officers would want to encourage the applicant to put forward a better design for determination.

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

**RESOLVED:**

That permission be REFUSED for the reason as set out in the report.

Members recommended that further discussion with the applicant should be encouraged.

**Item 3 – 0604/18 – Change of use to dental practice, 1 Station Road, Moretonhampstead**

The Case Officer advised Members that the site is that of the former Lloyds Bank within the centre of the village of Moretonhampstead; the application is for the change of use, from A2 financial to a dental surgery (class D1). No external changes to the building are proposed.

It is accepted that policy encourages retention of a range of services. Although a period of marketing has not taken place in this instance, the application is seen as an opportunity for the dental practice to take on a larger practice which would provide a positive use of the vacant premises and help support the local economy.

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

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

**Item 4 – 0657/18 – Erection of covered store, compost toilet and siting of two containers, The Marsh Community Compost and Reuse Centre, Exeter Road, South Brent**

The Case Officer advised Members that the site lies on the south side of Exeter Road in the Centre of South Brent; the land is owned by the Authority. The facility is a small community operation, run by a group of volunteers, which is open to the public on a Sunday for deliveries of garden waste.

The proposals would allow for a better use of space on site and provide covered storage for wood and welfare facilities for the workers.

In response to Member queries regarding effluent/water run-off, the Case Officer advised that the site has been running since 2011; the Environment Agency had no issues then, nor has it since. The site is well managed; any increase in water run-off

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would be minimal. In addition, there is no intention to increase the use of the site, or use it more intensively.

A Member advised that the site had previously been a Devon County Council Highways depot; the site had been used in one way or another for 20-30 years. Any risks involved with the site would have already been determined.

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

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

**Item 5 – 0346/18 – Erection of 40 dwellings, including 14 affordable and associated infrastructure, land adjacent to Fairfield, South Brent**


Speakers: Cllr Glyn Richards, Representative for South Brent Parish Council  
Cllr Peter Smerdon, District Council Ward Member for South Brent

The Case Officer advised Members that the application site is in the centre of South Brent and forms part of the allocated site SBR1 as set out in the Development Plan. The site is surrounded by firstly vegetation and then houses on all sides, with access to the site via Fairfield. 40 dwellings, including 14 affordable rental units, equating to 35% affordable housing, are proposed for the 1 hectare site. The mix of housing sizes is as follows: 14 affordable units – six one-bedroom flats, six two-bedroom houses and two three-bedroom houses; 26 open market units – two two-bedroom dwellings, 18 three-bedroom dwellings and six four –bedroom dwellings. The mix is deemed to be appropriate based on the evidence set out in the Local Housing Needs Survey report, and is supported by the Housing Officer.

The choice of materials throughout the development would be predominantly render, natural stone and horizontal timber weatherboarding; all buildings would have slate roofs.

The Parish Council has objected to the application, with particular concerns relating to:

- Highways – the Parish Council would like to see a crossing point on the Exeter Road. The Highways Officer has advised that this is not considered to be justified and therefore cannot be considered;
- Open Space and Affordable Housing – the request from South Hams District Council for a contribution of £135k towards Open Space Sport and Recreation was received late on in the application process. The viability assessment was underway at the point and, therefore, the viability of the application was assessed without this contribution. Should the Authority now pursue this contribution, there would be a direct impact on the viability of the scheme and the affordable housing provision within it. The assessment has found that a commuted sum is not viable in this development and officers consider the percentage offer of affordable housing to be the more important in this development. Should Members be minded to include the requested contribution in any planning permission/section 106 legal agreement then it is likely that the viability of the scheme would have to be re-assessed

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The Case Officer asked Members to note the following amendments to conditions:

Condition 2 – should include “...1312\_334D and 1312\_335D ...” – not C;

Condition 10 to be updated as follows: *“No development shall take place until a Construction Ecological Management Plan (CECoMP) is submitted and approved in writing, and carried out in accordance with the timetable for implementation as approved. Prior to first occupation of any dwelling a Landscape and Ecological Management Plan (LEMP) shall be submitted and approved, in writing and carried out in accordance with the timetable for implementation. The LEMP should set out ...”*

Condition 16 – should read “... no material alterations to the external appearance of the affordable housing units (unit nos.5, 6, 7, 8, 9, 10, 32, 33, 34, 35, 36, 37, 38 and 39) hereby approved ...”

Cllr Richards stated that the Parish Council had concerns over the building of 40 dwellings within one hectare and felt that this would equate to high intensity. He added that it was also the Parish Council's opinion that the housing need was for 'social rent' not 'affordable rent'. Concern was also expressed at the lack of a safe crossing point across Exeter Road; a traffic light controlled, pelican crossing was not required but an uncontrolled, raised 'table top' Zebra crossing would be appreciated. With regard to a contribution to Open Space, Sport and Recreation facilities in the Parish this was requested as there was no provision for this within the development.

Cllr Smerdon advised Members that he was speaking as a District Council Ward Member for South Hams, not on behalf of South Hams District Council. Neither the concept nor the design of the site was an issue. However, there was concern that the Authority was not able to include the contribution, recommended by South Hams District Council, in the s.106 legal agreement proposed to accompany any planning permission. He had hoped that a similar contribution would have been forthcoming with regard to this phase of the development. He drew Members' attention to page 30 of the committee papers where District Council's situation was set out. He added that he felt the offer of 35% affordable housing was commendable. The provision of a dedicated safe crossing had the full support of South Hams District Council and should, he stated, be considered a priority, considering the increased frequency of the A38 being closed between Marley Head and Carew junctions, with traffic diverted through South Brent.

At the request of the Chairman, the Case Officer addressed the issues raised. The proposal for 40 dwellings on the site is not considered to be 'high density'. The number is slightly higher than the 2014 Cavanna Homes development; however, it is in line with government guidance which promotes development at an average density of 45 dwellings per hectare. With regard to the crossing point, the Authority is unable to take this into consideration as Highways Officers have stated that an additional crossing is not justified.

The Highways Officer advised Members that research has shown that an under-used crossing point would create its own problems; drivers would simply drive through it. The application is for phase 2; the uncontrolled crossing point was provided at phase 1; therefore, as far as Highways are concerned, this issue has been dealt with. In response to a Member query, no notable traffic incidents/issues have been reported

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along the length of road (recorded over a five year period). Another Member commented that the Parish Council had never asked for a light controlled crossing, simply a zebra crossing. Currently, dropped kerbs are the only provision.

With regard to the 35% affordable housing provision within the application, it was noted that this figure does not meet policy requirements; however, the viability assessment supports this figure. A Member commented that social rented housing was needed but that there was also a need for affordable rented units.

Some Members questioned the use of the access route for construction vehicles through the Fairfield site, to get to the site in question, rather than the north-eastern access. The Highways Officer advised Members that Fairfield had been designed to serve the additional traffic; additional numbers would not create a significant increase – around 35-40 additional traffic movements. He added that Highways would not have any issues with either of the access routes.

A Member stated that he felt that Members did not have enough information before them to enable an informed decision, eg., there were no photographs of Fairfield provided.

In response to a Member query the Head of Development Management advised that the Authority does not have a specific policy with regard to open space provision; District Councils may have policies in place for set contributions. Members would need to determine what is most important with regard to this application.

Following an invitation from the Chairman, the Housing Officer from South Hams District Council confirmed that the proposal before Members did meet the housing need within South Brent, in accordance with the Housing Needs Survey of 2014. The data would still be considered viable; however, the survey data is not an exact science and should be used as a guide only.

The Head of Development Management commented that this application was never going to be a simple one to determine. The site has been allocated in the Development Plan for some time now. It cannot be compared to the Cavanna site as it is 'of its time'; times have moved on. The viability assessment has been checked thoroughly, plus an independent assessor has considered its contents; it has also been challenged by officers of the Authority. The contribution request did come late in the day; officers had been considering the application for a long while prior to November 2018 when the request was received. If Members were minded to request a contribution this would have a significant impact on the affordable housing offer which is within the current proposal. He reminded Members that, as per the Highways Officer's comments, there was no justification for the crossing, even though it may be desired. This could not be conditioned under the planning permission as a crossing was implemented under phase 1. The access route through Fairfield was assessed at the beginning, prior to the commencement of phase 1, and was seen to be a safe and useable access to the phase 2 site.

Mr McInnes advised that the amount of work that had been undertaken so far was appreciated but felt that there were still questions to answer. He supported further consideration of the following points:

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- The consequences of considering a larger proportion of social rent affordable units on the overall number of affordable dwellings;
- Further information as to where any commuted sum for open space/play provision would be spent and how this would impact on the number of affordable dwellings.

In response to a further Member discussion, Mr McInnes proposed that the matter be DEFERRED in order for a SITE INSPECTION to be undertaken which was seconded by Miss Moyse.

A Member questioned what a site inspection would achieve as only one access is offered within the planning application.

The vote for the site inspection was NOT CARRIED.

Mr McInnes proposed that the matter be DEFERRED in order to give officers adequate time to determine the best possible solution regarding the mix of social rented and affordable rented housing, as well as open space provision; the matter to be brought back to Members for determination, which was seconded by Mrs Pannell.

**RESOLVED:** That the matter be DEFERRED in order to give officers adequate time to determine the best possible solution regarding the mix of social rented and affordable rented housing, as well as open space provision, the matter to be brought back to Members for determination.

Mr Gribble left the meeting.

Members stated that they would like to see a statement of implications within the officer's report. In addition, the report should include detailed explanations of investigations and alternatives.

Mr Gribble returned to the meeting.

**Item 6 – 0646/18 – Replacement dwelling, Kenwyn, South Zeal**

Speaker: Mr J Woodward, Architect

The Case Officer advised Members that Kenwyn was located within the settlement of South Zeal, on the north east edge. The application proposed the replacement of the existing 1940s bungalow with a three bedroom 1.5 storey dwelling. Whilst the proposal was for a traditional front, officers were concerned with the design of the proposed rear extension which was bulky in appearance, to be part clad in metal and partly in timber with a slate and standing seam metal roof, which would not conserve or enhance this part of South Zeal or the wider National Park. The proposed replacement dwelling would represent a 22% increase in volume compared to the existing bungalow.

Officers felt that there was a solution to the design issue and that a simpler, single storey extension with less complex materials would be more suitable for the main dwelling.

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Amended plans had been submitted late on in the process of this application. The amendments did not address the concerns which officers had raised; in addition, there was not enough time for further consultations to take place, therefore, the drawings were not accepted. Members were requested to determine the application based on the drawings before them.

The principle of replacing the building was acceptable; however, there were no material considerations that support the application. The application for the replacement dwelling should adhere to the guidance regarding size, good design, neighbour amenity and clear justification for the increase in size.

Mr Woodward advised Members that the existing bungalow is not suitable for habitation and must be replaced. He felt that the design and scale of the proposed replacement dwelling was suitable; the proposed footprint is slightly smaller than that currently occupied by the bungalow. He stated that, in his opinion, the proposed replacement would be an enhancement to the local area and did not agree with officer opinion that the property would be incongruous in this location. He added that, with regard to policy, he was of the understanding that the proposed 22% increase would not present a problem. He had worked hard with the applicants and had made changes to the proposals to bring it in line with officer requirements and felt that there was no reason to refuse the application.

In response to Member queries, the Head of Development Management clarified the Authority's position regarding the revised plans which had been submitted. He advised Members that the revised plans had been received at the time the officer was writing her report for committee. It is a requirement that amendments are sent out for further consultation; consultees (Parish Council/neighbours etc) should be given 14 days in which to respond. With this in mind, plus the fact that in the opinion of officers the revisions were still not acceptable and would have made no difference to the recommendation, it was determined that the application should be determined based on the original plans. The Authority is not obliged to defer a planning application at the request of the applicant.

Mr Christophers proposed that permission be GRANTED on the grounds that the increase in space could relate to 'liveable floor space' which allows for better insulation etc. This was seconded by Mr Barker, on the condition that materials to be used could be specified by the Authority prior to any works.

The Head of Development Management clarified policy issues. The property is within a settlement and therefore the 15% enlargement rule does not apply in this case. The 30% increase relates to extensions, not replacement dwellings.

With this proposal in mind the Head of Development Management considered the following conditions should be attached to any grant of planning permission:

1. Development to be begun before the expiration of three years from the date of the permission;
2. The proposed development to accord strictly with drawings before Members;
3. All materials and finishes to be submitted to and approved in writing by the Local Planning Authority;
4. Following the demolition of the existing dwelling, all materials to be safely removed from site and disposed of;

Signed James De I mas Date 5-4-19

5. Removal of Permitted Development Rights.

The vote to GRANT planning permission was NOT CARRIED.

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

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

**Item 7 – 0659/18 – Removal of 2.69m of existing stone wall to fit 2.4m timber access gate, paddock opposite Peter Tavy Garage, Peter Tavy**

The Case Officer advised Members that the application proposed the removal of 2.69m of wall to fit a 2.3m access gate and associated posts into a paddock, to allow the movement of animals and the emptying of a septic tank. A traditional five-bar gate is proposed and it is not felt that the street scene would be adversely affected. The Parish Council had raised concerns regarding possible flood risk; however, the Environment Agency has advised that the development may in fact improve or alleviate any potential flooding situation.

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

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

**1348 Appeals**

Members received the report of the Head of Development Management (NPA/DM/19/007).

**RESOLVED:** Members NOTED the content of the report.

**1349 Enforcement Action Taken Under Delegated Powers**

Members received the report of the Head of Development Management (NPA/DM/19/008).

**RESOLVED:** Members NOTED the content of the report.

Signed James D. McInnes Date 5-4-19