

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

Friday 5 January 2024

Present: Mr A Cooper, Mr W Dracup, Mr G Gribble, Mr P Harper,
Mr M Jeffery, Mrs G Hill, Mr J McInnes, Mrs S Morgan,
Mrs C Mott, Mr M Owen, Mr G Pannell, Mrs L Samuel,
Mr P Sanders, Mr P Smerdon, Mr M Williams, Ms P Woods

Officers: Mr D Kinsella, Director of Spatial Planning
Mr J Aven, Principal Planning Officer
Mrs S Walford, Solicitor (Devon County Council) via Teams
Ms N Hand, Planning Officer

Apologies: Mr J Nutley, Mr M Renders

Non attendance: Mr D Thomas

The Chairman welcomed the registered speaker, Mrs Walford, the Solicitor acting on behalf of Devon County Council and Mrs Farrell, the Authority's Independent Person.

1560 Declarations of Interest and Contact

Members agreed to declare those interests set out in the matrix attached to the Agenda (Membership of other Council).

There were no other declarations of interest.

1561 Minutes of the meeting held on 1 December 2023

The Minutes of the meeting held on 1 December 2023 were AGREED and signed as a true record.

1562 Items requiring urgent attention

None.

1563 Applications for determination by the Committee

Members received the report of the Head of Development Management (NP/DM/24/001).

Item 1 – 0413/23 – Side extension to house a new staircase and rear single storey lean-to extension – Yellowmead Farm, Princetown.

Speaker: Mr P Scott, Applicant

The Case Officer reminded Members that the application had been deferred at the Development Management Committee meeting on 1 December 2023 in order that Members could undertake a Site Inspection. This was undertaken on 15 December 2023.

Yellowmead Farm was a former working farm situated between Foggintor Quarry and Princetown. It is considered a non-designated heritage asset and features on the Historic Environment Record. The application was recommended for refusal and had been called in by Mr Sanders due to potential impact on the surrounding area.

The Chair reminded Members and any listening members of the public that a 'calling in' of an application by a Member does not mean that a Member has pre-determined the way in which they will vote. A Member can only call in an application if they have a material planning reason for doing so.

The application was for two extensions – a two storey side extension to house a staircase, and a single storey extension at the rear of the property. Cumulatively, with earlier extensions, the proposed development would amount to a 57% increase in habitable floorspace which is contrary to Policy 3.7.

The applicant's agent had claimed that the applicant would have a 'fallback' position in that a single storey rear extension could be constructed under Permitted Development Rights should this application be refused. An internal fitted staircase was approved as part of an earlier extension to provide access to a first-floor mezzanine but that part of the development was never implemented, and a fold out staircase was installed instead. The suggested 'fallback' position would not provide the alternative access to the mezzanine floor which the applicant sought as part of this application and as such, Officers were not convinced that this proposal represented a true fallback position.

Mr Scott stated that during the site visit and in discussions that followed the planning officers advised that the impact of the development in terms of its physical size, scale and design was not the significant factor in the recommendation for refusal, rather the breach of the policy that restricts extensions to 30%. He added that his fallback position, under permitted development rights, would allow him to build a larger extension; although this would not provide access to the mezzanine floor, it would provide him with compensatory, usable floor space. He advised that it was his intention to go ahead should planning permission be refused. No objections have been received; he stated that he had received several letters of support as well as support from the Parish Council.

The Case Officer advised Members that a colleague had attended the Site Inspection with her as this had been her first one since becoming a Planning Officer.

Members raised questions and commented as follows:

- Would Permitted Development Rights be removed should planning permission be granted?
- The Authority's Design Guide sets out requirements for external designs. With regard to the Guide, the proposed two-storey extension should have a lower ridge line in order to show subservience to the main building. This does not appear to have been applied within this application;
- The original permission included a staircase; were there any rule/conditions within that application that stated what form the staircase should take?

Officers confirmed to Members that, should permission be granted, they would seek to remove Permitted Development Rights; the farmhouse is of traditional design, and the proposed additional extensions would, in their opinion, overshadow the original building. The application for the two-storey extension to the side of the property to house a new staircase had been made in order that no additional space would be taken up within the dwelling.

The Principal Planning Officer stated that replacement of the fold away staircase with that already approved would have limited impact on internal space.

With regard to the Authority's Design Guide, previously referred to, the Principal Planning Officer advised that the section on domestic extensions states that:

"... scale is a major issue with all extensions to existing properties ... buildings that have been extended previously can reach a point where further extensions dominate the original dwelling to the point of being inappropriate to the site and a building ..."

He suggested that even without the current proposed extensions, the original dwelling was already barely recognizable. The proposed additional extensions to the rear and to the side would detract further and do not comply with the Design Guide.

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

A Member, who had attended the Site Inspection, stated that, in their opinion, both proposed extensions would be well screened, adding that the proposed side extension would be subservient to the original building as it was planned to sit to the side of the first extension which was already subservient to the main dwelling. They also commented that with regard to the stated fallback position, this would potentially increase the size of the property by around 80%, adding that it would make better sense to approve the application whilst, at the same time, removing all future permitted development rights. The Case Officer confirmed that additional screening could be conditioned.

A Member commented that the initial extension, built in the form of an orangery, would be spoiled by the addition of another two-storey extension to the side of it.

The Director of Spatial Planning introduced himself to Members. In order to help the debate he clarified the situation regarding the application as follows:

He agreed with Members that this was a complex and complicated area, especially when there was a possible 'fallback' position for the applicant. The officer's report was very clear on this issue and confirmed that there was a conflict with policy. The national guidance and advice is that where there is conflict with the Local Plan, planning permission should not be supported; it should be refused unless there are material considerations that indicate otherwise. In this instance, material considerations have been put forward – a fallback position which would allow for a lean-to type extension to the rear of the property that could be larger than that applied for. The applicant has stated that he would use the permitted development rights to have an extension constructed; case law states that this should be taken into consideration. Members should also consider whether this would be any better or any worse than the application before them. Officers were of the view that while they questioned whether the fallback position was a genuine alternative as it would not give the applicant specifically what he required, the impact would be neutral as it would be no better or worse than the current application.

He added that there had been some good debate regarding the design of the property. Officers' views are that there would be some harm caused by those extensions proposed, in terms of their design and how they would sit with the existing property and, therefore, there is some conflict. This weighed against the granting of planning permission. Even with the possible fallback position, the recommendation is that permission is refused in order to stay within the policies in the Local Plan.

A Member thanked the Director of Spatial Planning for clarifying the situation, adding that, in his view, the front facia of the building was extremely visible. The back of the building is shielded by the hill and hillside. He agreed with other Members that the proposed side extension would detract from the current front aspect of the dwelling.

RESOLVED: That, for the reasons set out within the report, permission be REFUSED.

1564 Appointment of Site Inspection Panel and Arrangement for Site Visit

No Site Inspection required.