

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

Friday 4 November 2022

Present: A Cooper, W Dracup, R Glanville, P Harper, G Hill, S Morgan, M Moyse, N Oakley, M Renders, L Samuel, P Sanders, P Smerdon

Officers: J Aven, Deputy Head of Development Management
O Dorrell, Planning Officer
J Rumble, Planning Officer
H Union, Solicitor (acting on behalf of Devon County Council)

Apologies: J McInnes, J Nutley, C Pannell, D Thomas, P Vogel, P Woods

The Chairman welcomed the registered speakers, Mr Rogers, and Mr Palmer

1508 Declarations of Interests and Contact

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

Mr Smerdon noted that the matrix had denoted that he was a County Councillor, he confirmed that this was not the case.

Mr Glanville declared that he was a member of the Parish Council for Item 2 – 1 New Cottages, Meavy, he had not partaken in the debate at the Parish meeting and therefore could partake in the item debate and vote.

1509 Minutes of Meeting held on 7 October 2022

The minutes of the meeting held on 7 October 2022 were AGREED as a true record. It was noted that there were a few minor spelling errors, these did not alter the meaning of the minutes.

1510 Items Requiring Urgent Attention

It was raised that the minutes from the 10 June 2022 Development Management Committee Meeting were found to be inaccurate and required urgent attention. The Chair of the Committee and the Chief Executive of the Authority were both in agreement that this matter required urgent attention.

Mr Sanders proposed that the issue of the minutes be addressed during items requiring urgent attention, which was seconded by Mr Smerdon.

RESOLVED: that the issue of the minutes from the 10 June 2022 Development Management Committee Meeting be addressed during items requiring urgent attention.

The Deputy Head of Development Management reported that an error had been noted in the minutes of 10 June 2022 meeting when application 0085/22, Land at Highlands, Horrabridge, was considered and resolved to be approved. The error needed to be corrected before the planning decision could be issued.

At its meeting in June 2022, the Development Management Committee resolved to grant outline permission, subject to the completion of a s106 legal agreement and a list of conditions. Unfortunately, the minutes did not record that the resolution included the completion of a s106 agreement and instead only referred to the planning conditions.

It was recommended that Members firstly agreed that their resolution on the application at their meeting on 10 June 2022 did include the completion of a s106 agreement, as set out in the officer recommendation in that report, and secondly that Members agreed to formally amend the minutes of that meeting accordingly.

The minutes from the 10 June 2022 read RESOLVED: That, subject to the conditions as set out below, permission be GRANTED. The Deputy Head of Development Management requested that this be amended to read RESOLVED: That, subject to the completion of a s106 legal agreement and the conditions as set out below, permission be GRANTED.

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

RESOLVED: That Members:

- (i) agreed that their resolution on the application at their meeting on 10 June 2022 did include the completion of a s106 agreement, as set out in the officer recommendation in that report; and
- (ii) agreed to formally amend the minutes of that meeting to read “RESOLVED: That, subject to the completion of a s106 legal agreement and the conditions as set out below, permission be GRANTED”.

1511 Applications for Determination by the Committee

Members received the report of the Head of Development Management (NPA/DM/22/012).

Item 1 - 0206/22 - Works to remove external shop sign and post office counter screen – The Stores, South Zeal

The Officer reminded Members that this application had been brought to the Committee meeting on 7 October 2022. At that meeting the decision was deferred for further consideration and clarification.

This Listed Building Consent application was for works externally to remove the signage and internally to remove post office counter screen. There were no other internal or external changes proposed.

The sign was not thought to be particularly old and was not considered that it exhibited any significant evidential, historical, aesthetic or communal value. It was proposed to remove the sign and make good the outer surface. The projecting blind above the main display window was not proposed to be removed or altered.

Internally, both the counter and the screen were modern additions, and it was proposed to remove the glazed security screen and make good the internal ceiling surfaces. The counter itself was not proposed to be altered or removed.

The only matter for consideration was whether the proposed works would conserve and/or enhance the significance of the listed building, having regard for Strategic Policy 2.7. The Authority's Building Conservation Officer had appraised the proposal and considered that the removal of the safety screen and shop sign would not have a material impact on the listed building and officers were satisfied that, due the minor nature of the works, the proposal would not result in harm to the significance of the building.

Following member questions, it was clarified that:

- the sign was a recent addition to the building, from 2001, prior to this the sign was in a different position.
- the history of the signage of the building prior to 2001 was unknown
- the proposal to remove the sign and post office counter screen was a stand-alone application for listed building consent for works to the building. It was required to be assessed separately from the planning application for the change of use of the building which was refused previously.
- the operation of the post office counter and any implications on insurance concerning this operation was not relevant to the assessment of the listed building consent application.

Mr Sanders Proposed the recommendation, which was seconded by Mr Harper.

RESOLVED: That, subject to the conditions detailed in the report, consent be **GRANTED.**

Item 2 – 0193/22 – Single storey side extension to dwelling for ancillary residential accommodation - 1 New Cottages, Meavy

Speakers - Mr Rogers, Agent
Cllr Palmer, on behalf of Burrator Parish Council

The officer explained that this application had been presented to the Committee on the 7 October 2022 but had been deferred for a site inspection.

1 New Cottages was one of pair of traditional stone and slate cottages sat within the Meavy Conservation Area and featured on the Historic Environment Record as undesignated heritage assets, they were not listed.

The application was for a single storey extension to the side of the dwelling to provide an additional bedroom, shower-room and office.

The extension involved a lean-to extension to the west side of the dwelling which, at the rear turned to dual pitch to create an 'M' profile with the existing rear extension. It was to be stone faced with brick detailing, a natural slate roof with terracotta ridge tiles, all to match the existing with the exception of the rendered side wall which faced the neighbours breeze block wall.

The existing floor area extended to 99.4sqm and the proposal added an additional 28.5sqm. This was an increase in floor area of 28.6%, within the 30% indicated by Policy 3.7.

Two additions to the conditions were suggested: an Archaeological Watching Brief during development and the protection of the oak tree root area during construction from materials and storage.

Mr Rogers stated that the proposal was in accordance with adopted policies, acknowledging that the property was within the Meavy Conservation Area and that the proposed extension had been designed with this in mind.

He commented that the cottages were not affordable dwellings and that symmetry to the adjoining property had been considered during the design stage, this was why the extension was proposed to be set back from the front of the property and the roof line had been designed to follow the existing rear of the property. The property extension would not be visible from the road to the front of the property or from any public vantage point.

Following member questions, it was clarified that the study in the extension would be 2.6m by 2.4m.

Cllr Palmer commented that previous application had been submitted for the property, which had been refused three times, twice by the authority and once by the planning inspectorate.

He questioned how the symmetry of the properties would be affected by the proposed extension and noted that the DNP Building Conservation Officer had said the proposal infills the gap between the boundary line significantly reducing the gap between the property and the new dwelling, causing harm. The multiple roof forms and materials, and compressed nature of the accommodation and the parking had a further a negative impact on the setting

of the non-designated heritage assets and on the character and appearance of the designated heritage asset.

He reiterated that the Parish Council had objected to this application and was concerned that approving this application would set a precedent for similar applications in the future.

There were no member questions for Cllr Palmer.

The members who had attended the site visit raised the following points:

- the extension site had been taped out for viewing and was smaller than anticipated, when seen in situ
- no privacy issues were seen on site, although the windows were visible, there was no clear line of site into the next-door property
- the proposed extension would be very close to the boundary with little to no room between the extension wall and the breeze block wall already in place

Following member questions, it was clarified that:

- the proposal was contained within the red line on land owned by the applicant
- the previous applications which were refused were considered using the former Development Plan policies, which had been superseded by the new Dartmoor Local Plan adopted in December 2022
- the extension was within the 30% indicated by Policy 3.7
- precedent would not be set by approving this application, extensions to other properties had already been allowed on other properties within conservation areas, furthermore, each application would be assessed on its own merits
- the gap between the extension and the wall was not a planning consideration

Mr Sanders Proposed the recommendation seconded by Mr Harper.

RESOLVED: That, subject to the conditions detailed in the report, and the addition of the conditions for an archaeological watching brief and the protection of the oak tree root area during construction from materials and storage, permission be **GRANTED**.

Item 3 - ENF/0095/20 – Unauthorised siting and residential use of shepherd's hut – Land at New Glebe Stables, Buckland in the Moor

The officer explained that concerns had been raised regarding the unauthorised siting and residential use of a shepherd's hut at what was known

as New Glebe Stables, Buckland in the Moor. It was believed that the property had recently changed its name to Beech Court Farm.

The officer apologised as the word 'shepherds' was missing from the description on the agenda; however, it had been mentioned many times throughout the report.

In July 2021, the Authority received a report that a campervan had been sited on the land at New Glebe Stables and that this was in residential use.

A retrospective application was submitted in August 2021 for the 'Siting of a campervan for use as a temporary rural workers dwelling, replacement stables and associated works' (ref 0452/21) but this was refused under delegated powers in December 2021 as Officers were not satisfied that there was sufficient evidence of a functional need for a temporary, or a permanent, dwelling on the land. Furthermore, the accommodation proposed would not conserve or enhance the character and appearance of this part of the National Park.

A site visit in January 2022 revealed that a shepherd's hut had also been brought onto the land which was also being used for residential accommodation. A recent site visit confirmed that the campervan had been removed, but that residential use of the shepherd's hut continued without the necessary permission.

Welfare forms had been issued to, and returned by, the landowner. The forms stated that there was only one person living on the land, who did not have any health issues or educational requirements. Also, that they did not require any Social Service assistance.

The landowner stated on the forms that it was essential to be on-site for the health and welfare of her ponies and for security reasons. She further stated that if she was forced to move off site she would lose her home and her livelihood.

Paragraph 3.8 and Policy 3.9 in the report both stated that no further application had been submitted asking the Authority to consider the retention of the shepherd's hut for a justified need associated with an agriculture or rural business. However, an application was received on the 2 November 2022 to retain the shepherds hut as a temporary rural worker dwelling, in which the landowner's agent sought to resolve the previous reasons for refusal.

The agent had requested that this enforcement item be deferred pending the determination of this new application, but this was not considered necessary. The application had not yet been validated and as such, its merits had not yet been considered.

The officer asked that Members resolved to agree the recommendation as set out so that the necessary authorisation was in place should it be required, but in the event that the new application was found to be currently valid, the

Authority could withhold taking any legal action for a period, to allow the application to be determined.

Following member questions, it was clarified that:

- the track shown in the photographs was part of the approved application for replacement stables, ref. 0053/22
- the distance between the shepherd's hut and the stables was approximately 160 metres

Mr Sanders Proposed the recommendation seconded by Mr Renders.

RESOLVED: That, the appropriate legal action be authorised to:

1. Secure the cessation of the residential use of the land, and
2. Secure the removal of the shepherd's hut and any incidental domestic structures and paraphernalia.

In the event that the new application received on the 2 November 2022 was found to be currently valid, the Authority could withhold taking any legal action for a period, to allow the application to be determined.

1512 Appointment of Site Inspection Panel and Arrangements for Site Visits

None required.