

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

6 October 2017

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

Apologies: C Pannell, M Jeffery, J McInnes, M Simpson, D Webber

1247 Minutes of the meeting held on 1 September 2017

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

Mr Harper requested that it was recorded he had not voted during the meeting on 1 September 2017 as he had not yet had the Member Induction.

1248 Declarations of Interest and Contact

Members agreed to declare those interests set out in the matrix attached.

Mr Sanders stated that most Members had received emails regarding Items 0389/17 - Cedar House, Bridford and 0348/15 - Yennadon Quarry, Iron Mine Lane, Dousland.

Mr Gribble declared a personal interest in Item 0381/17 (Listed Building Consent) and 0380/17 - Cherrywood Cottage, The Village, North Bovey, due to having had a conversation with the applicant.

Mr Hill stated he had not received the email regarding Item 0389/17 - Cedar House, Bridford.

Mr Cooper and Mr Harper stated that they had not received the email regarding Item 0348/15 - Yennadon Quarry, Iron Mine Lane, Dousland.


1249 Items requiring urgent attention

None.

1250 Site Inspections

Members received the report of the Acting Head of Planning (NPA/DM/017/032).

The Chairman informed Members that despite there being two Site Inspections last month, application 0354/17 - Holne Park Farm, Ashburton will be deferred to a later meeting as the application needs to be looked at in more detail.

Signed..........

Date.....3-11-17.....

Item 1 – 0326/17 – Erection of agricultural building, Land at Ausewell Common, Ashburton

Speaker: Ms Siddall, Applicant

The Officer reminded the Members that the application is for a 122sqm agricultural building for the keeping of 100-200 chickens, once the business is certified. The site currently has a redundant sand school, and a stable block that is subject to a separate enforcement investigation. There are no buildings in the nearby landscape, its highly visible and a building in this location would be harmful to the landscape character. The scale and design of the building is contrary to policy as there is no demonstrable need for the building.

Ms Siddall stated to Members that in her opinion the building would not be visible from any viewpoints. There are 5 barns on adjacent fields and the proposed design is a lot smaller than the existing barns. The proposed barn is to expand the business and for haybale storage as 1/3 of the bales had been lost in the past. The applicant family had raised many different types of bird in the past and she hopes to continue this. The birds need an inside space as they would not survive the elements or predators in the exposed locations. There were alternative drawings submitted but they were disregarded by the Officer.

A Member questioned the large doors on the barn design, Ms Siddall informed Members that these were to enable the tractor to bring in hay bales for storage.

Two Members who were present on the Site Inspection agreed with the Officer recommendation.

The Officer confirmed that alternative drawings had been received but did not satisfactorily address the main issues and therefore were not accepted.

A Member stated that they applauded the applicant in what they are trying to achieve, but the barn would be too visible in the landscape.

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

Further discussion from the Members highlighted that the way decisions are made regarding embryonic businesses needs to be explored further in the local plan reivew. The Chairman reminded Members than it is always possible for the applicant to return with alternative scheme.

RESOLVED: That due to the reasons set out in the report, permission be REFUSED.

1251 Applications for Determination by the Committee

Members received the report of the Acting Head of Planning (NPA/DM/017/033).

The Chairman advised Members that Item 0394/17 Venton Farm, Drewsteigton – had been WITHDRAWN from the agenda.

Signed: 

Date: 3-11-17

Item 1 – 0381/17 – Construction of canopy and replacement door, Cherrywood Cottage, The Village, North Bovey (Listed Building Consent)

Speaker: Mr Williams, Applicant

The Officer informed Members that Cherrywood is a Grade II listed building connected to Littlegate Cottage. This is a retrospective application for a unauthorised additional porch over the single door and a replacement door. The unauthorised porch is situated higher than the first floor sills, going against advice in the Design Guide. The Officer took Members through historic photos of the dwelling that indicate a trellis over the doorway but no porch. The reasons for refusal are that the double porch over the doorway to the two cottages is the most important feature and the single porch draws undue attention to itself and it skews the understanding of how the cottage originally functioned. Secondly the porch canopy is higher than the sill level of the first floor windows contrary to the DNP Design Guide, it unbalances the appearance of the cottage and the new porch becomes the dominant feature. The Officer stated that there is no evidence to suggest the porch is necessary to maintain the cottage's use as a dwelling.

Mr Williams informed Members that he was not aware permission was necessary for the porch or the door and other residents of the village had suggested it would be ok. The old door had rotted and they were just trying to protect the building. The 1955 photo indicating the trellis detracts from the cottage more than the porch they have erected. It would be impossible to have the roof of the porch at sill level due to the slope of the hill the cottage is built on. All residents have shown support for the application and many hadn't even noticed it had been erected. It was put up as a solution to protect the doorway from the elements. In response to a Members question, Mr Williams reiterated that a lower porch roof would be in the way of the door entrance.

The Historic Buildings Officer highlighted to Members that the porches in the village tend to mimic each other, whereas this porch does not fit with the traditional features of the village. In response to a Members question he stated that the removal of the porch could be achieved without damage to the property.

Mr Hill proposed the recommendation which was seconded by Mrs Oakley.

RESOLVED: That due to the reasons set out in the report, consent be REFUSED.

Item 2 – 0381/17 – Construction of canopy and replacement door, Cherrywood Cottage, The Village, North Bovey (Full Planning Permission)

Speaker: Mr Williams, Applicant

The Case Officer stated that the reasons for refusal were the same as laid out in the Listed Building Consent application. There had been no objections from the Highways Authority.

Mr Williams had no further comments to make.

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

Signed  Date 3-11-17

RESOLVED: That due to the reasons set out in the report, permission be refused.

Item 3 – 0373/17 – Conversion of part of an existing barn to residential accommodation as a stand-alone dwelling, Woodlands Farm, Murchington, Chagford

Speaker: Mr Walker, Applicant

The Case Officer informed Members that the application is to convert a barn in to a two bedroom affordable dwelling measuring 95sqm within the Murchington Conservation Area. No parking area is proposed as there is on road parking adjacent to the barn. The application proposes the bedrooms and bathroom on the ground floor and the living space on the first floor. Due to the large garden and high quality finishes it is not considered to be deliverable as an affordable unit. The outlined costings do not offer robust evidence to allow the Officer to confidently recommend a departure from policies. There are concerns that whether this property could genuinely provide an affordable dwelling.

Mr Walker informed Members that his family has been living in the village since 1917 and he would like to continue to live there. He works in the Parish and is involved in the community. It would be too expensive for him to live further away and commute to work. He stated that he would like to convert the barn to create a modest home. In response to Members questions, Mr Walker stated that he believed the calculations for the costings of conversion were correct and that the garden and scheme could be scaled down to meet affordable housing requirements.

The Case Officer stated to Members that the correct measurements of the building was 95sqm, the applicant had declared 85sqm.

In response to Members questions, the Head of Legal Services reminded Members that future value is relevant. If a property is too big and too expensive to be affordable, an application can be made to remove a local occupancy condition.

Members discussed whether it is best for the barn to be converted for housing for a local person rather than letting it degrade. Members agreed that it would not be an affordable dwelling once completed.

Mr Ball proposed the recommendation, which was seconded by Mr Cooper. Mr Ball suggested that the Case Officer should work with the applicant to find a solution to make the scheme more affordable.

RESOLVED: That, due to the reasons set out in the report, permission be REFUSED.

Item 4 – 0404/17 – New dwelling and improved access to the highway, Braemar, Court Street, Moretonhampstead

Speaker: Mr Woolner, Applicant

Signed 

Date 3-11-17

The Case Officer stated to Members that the application is for a 1.5 storey, three bedroom, open market dwelling with a floor space totalling 197sqm to be built in the boundary of the existing house. The development is considered a development within garden land and the layout and orientation is inconsistent with the existing dwellings along Court Street. The principles of the Design Guide are not reflected in the proposal and it fails to meet the affordable housing requirements of the Local Development Plan.

Mr Woolner informed Members that the scheme attempts to propose a modest house on the site. The mature trees would be unaffected and the access would be improved, making it safer for the current dwelling. The only view of the property would be from the road which is not pedestrianised. He stated that there has been no objections from Highways or the Parish Council. In response to a Members question he stated that he would be willing to plant a hedgerow to hide the dwelling from any view point.

In response to Members questions the Case Officer clarified that the development would be 17m from the existing dwelling.

The Acting Head of Planning reminded Members that this is a single dwelling and policy requires this to be an affordable dwelling. If a scheme were to be presented for an Open Market Dwelling, a commuted sum should be paid, which could then be put towards affordable housing in the community.

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

RESOLVED: That, due to the reasons set out in the report, permission be REFUSED.

Item 5 – 0389/17 – Erection of outbuilding to provide ancillary accommodation, Cedar House, Bridford

Speaker: Mr Gray, Applicant's Agent

The Case Officer apologised that the location plan in the committee paperwork is incorrect and should be disregarded.

The Case Officer informed Members that the application is for ancillary accommodation, to include a study, games room and utility room. The proposed building would have the same exterior dimensions as the previously approved stable block, with the stable doors changed to glazed doors and the internal configuration altered. The Case Officer stated that the ancillary building is in scale to the existing dwelling and has no adverse visual impact on the neighbouring buildings. The S106 would prevent the building being used as a separate dwelling.

Mr Gray stated to Members that the family have been living on the site for 10 years. The application has been brought to the Committee due to objection from the Parish Council. Its not visible as it is a secluded site and the size does not differ from the stable block in the previously approved application. It enhances that house and meets DMD25.

Signed James RCT Jones

Date 3-11-17

A Member clarified that the holiday let on the same site has separate access to the main dwelling.

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

RESOLVED:

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

Item 6 – 0348/15 – Extension of the working plan area of the existing active quarry, Yennadon Quarry, Iron Mine Lane, Dousland

Speaker: Mr Christopher Tofts – Objector
Ms Andrea Robertson – Applicant's Agent

The Chairman informed Members that the application would be dealt with in the following manner:

- The Case Officer to introduce the application
- Speakers
- The Head of Legal Services to brief Members on the question of Major Development
- Questions on Major Development
- Debate and resolution on Item (i)
- The Case Officer to brief Members on items (ii & iii)
- Questions, debate and resolution on items (ii & iii)

The Case Officer reminded Members that the site is a quarry producing building and walling stone iconic to the local area. The proposal applies to the whole site, not just the extension area, it will increase the area by 1/3, to approximately 3.2ha. The main benefit of the proposed scheme is that there will be some progressive backfilling and re-profiling of the current quarry area, which will be restored to form a bowl shape. The re-profiling will allow the area to revegetate. The area for the extension specified has been reduced by 1/3 from the previous application in 2014, which included a buffer to the boundary. The current application also makes a new proposal to reduce the existing bund.

Mr Tofts stated to Members that only 10% of the sales from Yennadon go to Dartmoor properties, which totals 500 tonnes of stone per annum. Major housing companies have been using Yennadon stone for developments outside Dartmoor National Park. He stated that it is a major development, there are no exceptional circumstances and there is no national need for the stone. The Application is contrary to many Local Plan policies and the extension to the quarry will not enhance the Dartmoor National Park. He confirmed he was acting on behalf of an objector and the local residents.

Ms Robertson stated that she was pleased to see the recommendation. In her opinion the extension is small scale. There is considerable evidence that the quarry provides economic benefits to the local area. It is an important source of stone used to enhance the local built environment, the longevity of the quarry is vital to continue this. The quality of the stone is better than the Cornish stone and no other

Signed  James Robertson

Date... 3 - 11 - 17

source provides Hornfels slate, having a supply of the stone helps to protect local historic assets. The S.106 will control the traffic to and from the quarry.

A Member questioned the speaker regarding flood water. Ms Robertson stated that the flood water experienced in the past was run off directly from the moor and did not flood any homes. In response to a further question, Ms Robertson confirmed that there is never blasting at Yennadon Quarry, a pecker is used below surface level. She stated that employment rates will stay the same, should permission be granted.

Recommendation (i)

The Head of Legal Services briefed Members on the question of Major Development. In order to have a Major Development within a National Park, exceptional circumstances must apply and there must be consideration of the overriding public interest. It is a decision that only the Members can make. There is not a standard set of criteria, test or check list, but the points to be considered are:

- The ordinary (non-technical) meaning of the words "Major Development" (laymans terms)
- The location of the application site and the local context (the existing quarry)
- The nature of the development (mineral extraction)
- The area of the proposed extension (significance to the current/overall scheme)
- The quantity of material proposed to be extracted from the site each year (current allowed is 14,000 tonnes, in practice only 5000 tonnes are extracted. The Conditions suggest 7500 tonnes).
- The size of the current quarry operation.

Members were advised that if the application does not constitute major development, a determination could be made without reference to the exceptions test and overriding public interest. However any such determination could be subject to legal challenge in the High Court.

Members discussed the area of extraction and the tonnage extracted compared to other quarries in National Parks and AONB and the value of the stone to local developments.

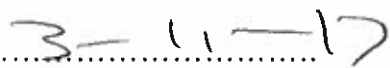
Mr Retallick proposed the recommendation which was seconded by Mrs Oakley.

RESOLVED: Members unanimously agreed that the proposed scheme constitutes Major Development.

Recommendation ii & iii

The Case Officer stated to Members that the slate has a certain characteristics, colour and tone which plays an important part in the keeping of the character in the local area. It is used on Grade II listed buildings and restoring buildings at risk when local stone needs to be matched. The significant benefits will be the reduction in height of the bund by 3m and the improved appearance of restored areas. The Quarry has 27 full time employees and benefits others people working for the haulage firms and other local businesses. The proposal reduces the amount

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Date.....

to be extracted by nearly 50% and also proposes a reduction in the number of lorry movements. Officers agree that there is a need for Yennadon stone to preserve the characteristics and cultural heritage of the area and protect the heritage assets. The quarry itself creates low visual harm on the landscape and has many economic benefits. The application meets the criteria in the NPPF and the Local Plan, extensive conditions are detailed in appendix 1 and 2 of the report.

The Head of Legal Services informed Members in his view it would not be a proper use of ROMP provisions to impose new conditions on progressive restoration and Bund reduction.

Members questioned whether alternative stone is available in other locations. The Case Officer stated that the stone quarried from Yennadon is unique and the Cornish stone is not the same colour, tone, strength or quality. The Yennadon stone make better dimension stone for building and it is important for conserving local buildings. In response to a Members question, the Case Officer informed Members that planning permission for the whole site expires in 2026. This application would ensure that a new, more modern set of conditions were applied to the whole site.

One Member questioned the noise levels from the quarry. The Case Officer stated that the Environmental Health Officer did not raise any concerns and there is no record of complaints from local residents in recent years. It was also confirmed that there is a condition restricting the number of traffic movements from the site.

Mr Harper proposed the recommendation for items ii & iii, which was seconded by Mr Cann.

A Member raised a query regarding the protection of the old tramway. The Case Officer confirmed that the quarry boundary did not reach the tramway and it would remain unaffected.

Members continued the discussion and stated that the use of local stone is in the Design Guide and it would make the liability of local development harder if the quarry closed. It is also a valuable local business, employing local people and contributing to the local economy. One Member raised the query about the future use of the quarry and wanted it to be confirmed that it would not be available for landfill. The Head of Legal Services informed Members that as the waste planning authority, the National Park would be responsible for determining any such application.

RESOLVED: That, subject to the conditions set out in Appendix 1 and the execution of a satisfactory S106 planning obligation agreement in the terms outlined at Appendix 2 of the report, permission be GRANTED.

1252 Appeals

Members received the report of the Acting Head of Planning (NPA/DM/17/034).

RESOLVED:

Members NOTED the content of the report.

Signed.....

Date.....