

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

Friday 2 May 2014

Present: K Ball, G Gribble, P Harper, P Hitchins, J Hockridge, M Jeffery, J Kidner, D Lloyd, C Marsh (Deputy Chairman), J McInnes (Chairman), Dr I Mortimer, D Moyse, J Nutley, N Oakley, M Retallick, P Sanders, P Vogel, D Webber

Apologies: J Shears, S Barker

1471 Minutes of the meeting held on 4 April 2014

The Minutes of the meeting held on Friday 4 April 2014 were signed as a correct record:

1472 Declarations of Interest & Contact

The Chairman noted that Members had received communication in connection with Items 0136/14 (planning permission) and 0137/14 (Listed Building Consent) – alterations and extension to existing dwelling – 24 North Street, Ashburton, and 0117/14 – alterations to existing dwelling including side and rear extensions – Harlyn, South Tawton.

Mr McInnes declared a personal interest, be reason of contact, in Items 0136/14 (planning permission) and 0137/14 (Listed Building Consent) – alterations and extension to existing dwelling – 24 North Street, Ashburton, and 0117/14 – alterations to existing dwelling including side and rear extensions – Harlyn, South Tawton.

Mr Nutley declared a personal interest, by reason of contact in Items 0136/14 (planning permission) and 0137/14 (Listed Building Consent) – alterations and extension to existing dwelling – 24 North Street, Ashburton, and 0117/14 – alterations to existing dwelling including side and rear extensions – Harlyn, South Tawton.

1473 Items Requiring Urgent Attention


None.

1474 Applications for Determination by the Committee

Members received the report of the Director of Planning (NPA/DM/14/025).

Item 1 - 0136/14 – Alterations and extension to existing dwelling – 24 North Street, Ashburton

Speaker: Mr Alaric Spendlove, Applicant

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The Case Officer advised Members that 24 North Street, is an 18th century mid-terrace, grade II listed building, situated within the medieval burgage plots in the conservation area of Ashburton. The accommodation consists of a shop with a dwelling above. The proposal was for the restoration of the outbuilding to a two storey structure and the creation of an additional living area at first floor level, in addition to a kitchen extension to link the house to the outbuilding.

The recommendation for refusal related to the proposed kitchen extension. Officers had requested that the extension be stepped back from the building line of the historic outbuilding in order for it to be a subservient link between the two original buildings. It was felt that the extension would become a dominant feature and would interrupt the relationship between the dwelling and the outbuilding. However, the applicant had stated that the additional space was needed and had requested that the Committee made its decision based on existing plans. The Case Officer advised that a smaller, more contemporary link would be acceptable.

Mr Spendlove advised Members that the proposals would provide the minimum amount of additional space that he and his family would need to remain in their home above the business. In addition, they also reflected the continuing development of rear extensions to surrounding properties in North Street and, he felt, had been sympathetically designed to complement them.


He advised that there had been no objections from neighbours; the works would not be visible from any public vantage point. From discussions with the Case Officer and the Historic Buildings Officer, it was his understanding that neither of them had any problems with the proposed creation of a new room and entrance over the existing building; the issue was the proposed kitchen link building. The Case Officer confirmed that the reason for the recommendation for refusal related to the form, scale, materials, lack of alignment and subservience of the proposed kitchen extension and the anticipated harm that would be caused to the grade II listed building.

Some Members, having heard the application and presentation, commented that the development, in consideration of its location, would not cause any visual harm; the proposed works would not cause damage to the listed building; there would be social and economic benefits to the granting of permission, and the precedent had already been set with regard to the extension of properties on North Street.

The Director of Planning reminded Members that NPA policies specifically related to character, regardless of whether the works could be seen. With regard to CO₂ reduction – a condition could not be imposed linking the application to the business use.

Mr Nutley accepted the advice offered by the Director of Planning, but stated that he could see no reason to refuse planning permission. He duly proposed that permission be granted on the grounds of there being no adverse impact on the area, which was seconded by Mr Vogel.

The Case Officer gave details of proposed conditions should permission be granted:

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1. Standard three year time limit;
2. Sample of single ply membrane for kitchen roof;
3. Natural slate sample outbuilding roof;
4. Traditional nail slate fixings;
5. Ridge tile sample;
6. Rooflight details;
7. Flue to be finished in black;
8. Details of external cladding and finish, eaves and fascia boards;
9. Galvanised steel rainwater goods unless otherwise agreed in writing by the Local Planning Authority;
10. Details of proposed powder coated aluminium doors;
11. Details of proposed new external timber door;
12. Details of Juliet balcony;
13. All new stonework laid and pointed in a traditional manner to match stonework on existing building

RESOLVED:

That, for the reasons and conditions as stated above, permission be GRANTED.

Item 2 – 0137/14 – Alterations and extension to existing dwelling – 24 North Street, Ashburton (Listed Building Consent)

Speaker: Mr Alaric Spendlove, Applicant


The Case Officer advised Members that there were no additional points to raise; the recommendation remained one of refusal for the same reasons expanded on in the previous presentation. She added that, should consent be granted, the proposed conditions would be the same as those put forward for the planning application – 0136/14 above.

Mr Spendlove reiterated that his application proposed the creation of additional space to enable his family to continue to live, and run their business in Ashburton. The proposed kitchen extension was put forward following discussions with the Case Officer who had recommended a lightweight flat roofed structure. He re-confirmed that, in his view, the extension would be subservient to the other buildings.

Mr Nutley proposed that consent be granted, which was seconded by Mr Vogel.

A Member requested that applications for Listed Building Consent be dealt with prior to the planning application in future.

The Head of Legal and Democratic Services advised Members that applications for Listed Building Consent and planning permission are entirely separate and covered under different Acts of Parliament with different statutory criteria. Therefore, Members must give separate consideration and apply the correct test when considering each application.

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Some Members disagreed with the views of the Historic Buildings Officer, stating that all buildings evolve over time; they did not feel that the proposed works would cause substantial harm to the listed buildings.

The reasons given to grant consent were:

1. There would be no adverse impact on the Conservation Area;
2. The proposed design for the alterations and extension is considered acceptable;
3. The economic use of the building is supported;
4. No adverse impact on the character and setting of the Listed Building.

RESOLVED:

That, for the reasons and conditions as stated above, consent be GRANTED.

Mr Harper thanked the Case Officer for a good presentation, given the awkwardness of the location.

Item 3 – 0160/14 - Conversion of redundant waterworks to dwelling – The Waterworks, Bovey Cross, North Bovey

Speakers: Dr Hazel Jones, North Bovey PC
Mr Peter Rowan, Applicant's Agent


The Case Officer reported that the application proposed the conversion of a redundant South West Water treatment works into a dwelling. The site was located 1km from North Bovey in the open countryside and consisted of a single storey building with a network of underground water tanks. The property was not a vernacular building that contributed to the special qualities of Dartmoor. The objection to the application was on policy grounds as it proposed to convert the existing building into a 3 or 4 bedroom dwelling, together with a detached garage and study, a market dwelling which was a clear departure from policy.

In 2012 planning permission was granted for holiday accommodation in order to assist tourism spending in the local economy. This permission was not implemented.

The proposal incorporated the re-roofing of the building in zinc, new powder coated aluminium windows and insulation. In addition, a subterranean garage and study was proposed which would make use of an excavated area of former water tanks.

The Director of Planning advised Members that, in 2012, the Parish Council had objected to the application for holiday use, stating that a residential dwelling would be preferred. The issues relating to a holiday use and permanent dwelling were debated at the time.

Dr Jones reported that a number of parishioners had questioned the decision to grant permission for holiday accommodation in 2012. She stated that an open market dwelling would improve and enhance the site for locals. The property would offer good access to facilities and a home to a family which could join the local

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community. There were already too many holiday lets within the local area. The proposed conversion would improve the site visually, environmentally and socially.

Mr Rowan advised Members that prior to the purchase of the site the applicant had spoken to the Parish Council which supported the current proposal. The existing building did nothing to contribute to Dartmoor. The applicant wanted to convert the property into a family home and improve visual amenity.

Mr Rowan confirmed that the applicant had purchased the site after the previous planning application had been approved.

Dr Mortimer commented that he would prefer to see something positive done with the building. He added that he was prepared to go against officer recommendation and proposed that permission be granted, which was seconded by Mr Jeffery.

In response to a Member query the Case Officer advised that the officer objections related to policy; there was no objection to the proposed design. Should permission be granted, proposed conditions would cover the following:

1. Sample of zinc roofing;
2. Details of colour finish of powder coated aluminium windows and doors;
3. Lindab rainwater goods unless otherwise agreed in writing;
4. Removal of permitted development rights;
5. Details of finish of timber cladding;
6. Details of lantern light.

The Director of Planning stated that the Authority had a fundamental policy to prevent dwellings in the open countryside. In 2012 the economic benefits of a holiday use were considered. The building had no merit, therefore, had there not been a use for it, there would have been a preference for it to be removed. The Head of Legal and Democratic Services confirmed that a Section 106 Agreement relating to affordable housing contributions would not be possible. He advised that, as some Members had issues regarding the proposed design, amongst other things, there was another option to move to defer the application for a period of one month, particularly with regard to policy and design issues.

Mr Harper proposed to defer the application for a period of one month, which was seconded by Mrs Marsh.


Dr Mortimer confirmed that he was happy to defer the application.

RESOLVED:

That consideration of the application be DEFERRED for a period of one month in order to clarify policy and design issues.

Item 4 – 0189/14 – Construction of permissive footpath from hotel to National Park Visitor Centre, Haytor (part retrospective)

The Case Officer reported that the application was for the construction of a footpath between the Moorland House Hotel and café to the Haytor Visitor Centre. Part of

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the development would take place on Authority land; the route would link the hotel around the back of Haytor coach park and link in with the footpath to the visitor centre. The path would provide a fully accessible and safe route which would avoid the highway. The application was partly retrospective as the footpath had already been constructed within the hotel grounds. The consultation period had closed; no objections had been raised by the Highways Authority, South West Water or the Parish Council.

Mr Sanders proposed the recommendation, which was seconded by Mr Retallick. Members also recommended the construction of a barrier around the coach park edge of the path. Officers confirmed that this would be taken forward as part of any discussions outside the remit of the planning application.

RESOLVED:

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

Item 5 – 0081/14 – Construction of four extended timber camping pods – Broadmoor Farm, Peter Tavy

The Case Officer advised Members that the recommendation to refuse planning permission was stated within the report – the construction of the four proposed camping pods would result in holiday accommodation outside of the recognised settlement. Broadmoor Farm was marginal as an agricultural enterprise, and had had additional sources of income in the past to support it. However, justification for the camping pods as a farm diversification exercise had not been provided and the proposal could not, therefore, be supported.

Mr Sanders commented that the proposal was clearly not farm diversification and proposed the recommendation, which was seconded by Mr Harper.

RESOLVED:

That permission be REFUSED due to the reasons set out within the report.


Item 6 – 0117/14 – Alterations to existing dwelling including side and rear extensions – Harlyn, South Tawton

Speaker: Mr Dennis, Applicant

The Case Officer advised Members that Harlyn was a detached bungalow with a converted loft. The application proposed a side extension, replacement of the roof to extend the accommodation in the loft, the erection of an open porch and a decked terrace.

Policy was very clear in that only a 30% increase in floor area was permitted, whereas the application proposed a 64% increase.

Mr Dennis advised Members that the reason for his application was to create enough living space for his family. He added that other properties within the area had been altered/extended extensively and that, in his opinion, the design would enhance his property.

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The Director of Planning stated that, whilst he understood and sympathised with the applicant and the needs of his family, permission could not be granted on the grounds of personal circumstances.

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

RESOLVED:

That permission be REFUSED due to the reasons set out within the report.

1475 Monitoring and Enforcement

Members received the report of the Director of Planning (NPA/DM/14/026).

Item 1 – ENF/0209/13 – Change of use of land to domestic curtilage, Middle Venton Farm, Drewsteignton

The Planning Team Manager reminded Members that five out of six retrospective applications, which had sought consent for alterations to the Grade II* listed longhouse, had been refused at the Development Management meeting held on 7 March 2014. The case before Members related to the use of agricultural land as domestic curtilage. The ten year period after which the use would become immune was fast approaching, the use having commenced in 2005/6. The area of land in question was approximately 0.25ha. If allowed to continue, the permitted development rights would allow the owner to cultivate the land as domestic garden and plant ornamental plants and place garden chattels, play equipment, gazebos etc, on the land, which would have a significant impact on the character and setting of the group of buildings, as well as the wider area within the National Park. The parcel of land situated at the rear of the barn was accepted as domestic curtilage.

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

RESOLVED:

That the appropriate legal action be taken to:

1. secure the cessation of the use of agricultural land as domestic curtilage, and
2. restore the land to its former condition.

1476 Appeals

Members received the report of the Director of Planning (NPA/DM/14/027).

RESOLVED:

Members noted the content of the report.

1477 Applications Determined Under Delegated Powers and Applications Withdrawn

Signed James A. M. T. Jones
Date 6-6-14

Members received the report of the Director of Planning (NPA/DM/14/028).

RESOLVED:


Members noted the content of the report.

1478 Enforcement Action Taken Under Delegated Powers

Members received the report of the Director of Planning (NPA/DM/14/029).

RESOLVED:

Members noted the content of the report.

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Date 6-6-14