

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

**Friday 31 July 2020**

Present: A Cooper, G Gribble, P Harper, G Hill, J McInnes, S Morgan, D Moyse,  
J Nutley, N Oakley, C Pannell, M Renders, P Sanders, P Smerdon, P Vogel,  
P Woods

Officers: L James, Solicitor (acting on behalf of Devon County Council)  
C Hart, Head of Development Management  
N Turner, Planning Officer  
S Williams, Planning Officer

N White, Monitoring Officer  
P Townsend, Highways Officer (Devon County Council)

Apologies: S Barker, D Webber

The Chairman welcomed the public, Independent Persons, Laura James Legal Representative and William Dracup, newly appointed Secretary of State Member of the Authority. He added that Mr Dracup would be observing the proceedings as he is not permitted to take part until he has received relevant training.

Members were reminded of the meeting protocol and that the meeting would be recorded. Members were requested to ensure that they referred to relevant page or slide numbers when making a comment or raising a query.

Members were also reminded that when voting, consistent language should be used i.e., *For the motion, Against the motion or Abstain.*

**1418 Minutes of the Meeting held on Friday 26 June 2020**

Save for the amendment as detailed below, proposed by Mr Sanders and agreed by Members, the minutes of the meeting held on Friday 26 June 2020 were agreed and signed as a correct record:

Minute No. 1417, Item 4, 0152/20 – Erection of office, The Old Fire Station, Manor Road, Chagford. The resolution to be amended to read:

*'Members agreed to DEFER a decision to refuse the application to allow for the full consideration of any reasons for refusal at a future committee'*

**1419 Declarations of Interest and Contact**

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

All Members declared an interest in Item 0251/19 Land at Dolbeare Business Park, Eastern Road, Ashburton, having received correspondence, in support of the application, from Whitbread.

Mr Gribble, Mr McInnes, Mrs Morgan, Miss Moyse, Mrs Pannell, Mr Renders, Mr Sanders, Mr Smerdon, Mr Vogel, Ms Woods and Mr Ball declared a personal interest, having received email correspondence, in Item 1 – 0152/20 The Old Fire Station, Manor Road, Chagford.

Mrs Hill declared a personal interest, due to being a member of the Parish Council, in Item 1 – 0152/20 The Old Fire Station, Manor Road, Chagford.

Mrs Oakley declared an interest in Item 1 – 0152/20 The Old Fire Station, Manor Road, Chagford. She advised that due to pre-determination she would disconnect and take no part in this part of the meeting.

Mrs Morgan, Miss Moyse, Mrs Oakley, Mrs Pannell, Mr Renders, Mr Sanders, Mr Smerdon, Ms Woods and Mr Ball declared a personal interest, having received correspondence, in Item 3 – 0251/19 Land at Dolbeare Business Park, Eastern Road, Ashburton.

Mr Harper advised the Chairman and Officers that he would disconnect from the meeting and take no part in the determination of Item 1 - 0152/20 The Old Fire Station, Manor Road, Chagford. He also declared a pecuniary interest in Item 3 – 0251/19 Land at Dolbeare Business Park, Eastern Road, Ashburton and advised that he would disconnect and take no part in this part of the meeting.

Mrs Pannell, declared an interest, having had discussions with officers, in Item 2 – 0332/19 Former Outdoor Experience Site, Chuley Road, Ashburton and advised that she would disconnect and take no part in this part of the meeting.

Mr Vogel declared an interest, due to his previous Town Council involvement, and having spoken at committee on behalf of the Town Council in respect of Item 0251/19, in Items 2 – 0332/19 Former Outdoor Experience Site, Chuley Road, Ashburton, and Item 3 – 0251/19 Land at Dolbeare Business Park, Eastern Road, Ashburton. He added that he would disconnect and take no part in these parts of the meeting.

**1420 Items requiring urgent attention**

None.

**1421 Applications for Determination by the Committee**

Members received the report of the Head of Development Management (NPA/DM/20/015).

Mrs Oakley and Mr Harper disconnected from the meeting.

**Item 1 – 0152/20 The Old Fire Station, Manor Road, Chagford.**

Speakers: Cllr M Stanbury, Parish Council Representative  
Mr B Printy, Objector  
Mr A O'Connor, Applicant

The Chairman reminded Members that this application was discussed at the previous meeting on 22 June 2020. At that meeting the Members voted against the Officer recommendation to grant planning permission. Mrs Pannell had proposed a recommendation for refusal, but the formulation of those reasons were incomplete. The committee was advised by the Head of Development Management that under those circumstances, the procedure set out in the Good Practice Guide for Members relating to decisions contrary to officer recommendation be invoked, so that the matter be deferred to the next meeting. The committee acceded to that request.

The Case Officer repeated the presentation made at the previous meeting on 22 June 2020. The scheme is a re-design of the refused planning application ref. 0561/18 which was subsequently dismissed at appeal. The current application addresses concerns that had previously been raised by Members and the Inspector relating to design, the effect of the proposed building on the character of the area and loss of distant views. The site is a grassy bank facing Manor Road, adjacent to the Conservation Area. The proposal for a single storey office building of 57sqm and designed to sit within the existing contour of the site, would incorporate a lobby, meeting room, and open plan office with four work stations. The roof would be partially pitched together with an area of planted flat roof. There would be a level access path from the footpath. Views from neighbouring properties would be maintained.

The proposal would assist a local business which has been based in Chagford for 30 years and complies comfortably with policies COR2 and COR18 and is supported by Officers. It is considered to be modest building, of high quality design and would incorporate the use of local materials; the proposed building would not be overbearing and there would be no loss of views or light to neighbouring properties.

Cllr Stanbury advised Members that she was speaking on behalf of the Parish Council; she stated that, in the Council's opinion, planning permission should be refused as it was clear from the level of objection that any development of the proposed site would impact the community and area adversely. All previous applications to build an office on the site have been refused, as well as being dismissed at appeal in 2019. There is alternative office space available within the village which could be used in order to allow the business to grow. The Parish Council does not consider that the need to grow justifies the development of the site. The demolition of the fire station buildings and construction of the houses has ensured that the area has been conserved and enhanced.

Cllr Stanbury requested Members to consider policies COR1, 3, 4, 5, 11 and 13 and DMD1a, 1b, 3, 4, 5 and 7 which, she stated, set out the material planning matters that should be taken into account. The policies cover potential benefits and adverse impact, amenity of neighbours, conserving and enhancing the natural beauty of the Park and social or economic wellbeing of the community, landscape character etc.

Mr Printy advised Members that he was representing over 70 local people who had submitted objections to the proposal. He stated that the Authority had refused planning permission for all previous applications for this development. The last application was also dismissed by the Planning Inspectorate. He added that previous reasons for refusal had been loss of the agreed landscaped area, failure to

enhance the local area and inappropriate scale, massing and design. He advised that the Planning Inspector had noted that the proposed building would enclose this part of Manor Road and would therefore have a negative impact. Mr Printy felt that the development would detract from the setting of the adjacent Conservation Area and stated that there was no evidence to prove that the development was required to grow the business. He added that he and other objectors considered the design to be incongruous and out of character with the residential area. Other Community Trust offices are currently available. The original planning permission for the development of the Old Fire Station site contained a condition that this area would be landscaped.

Mr O'Connor advised Members that Chagford was his home and that he had joined the family business which has been in existence for over 30 years. He stated that plans had been amended following the Planning Inspector's decision in that the overall height of the proposed building had been reduced by 1.75m, the floor area has been reduced by 9sqm (13%). The green area adjacent to the road has been increased to reduce any negative impact on neighbours. All of these amendments have been made through discussion and negotiation with Planning Officers. He advised that the initial application in 2015 had the support of the Parish Council for the development of the site for a commercial premises. It was refused due to design issues. The application is essential for the business to grow and remain in Chagford; the design is modest in size, of high quality and complies with Planning Policy.

In response to Member queries, Mr O'Connor advised that the proposed footprint is currently of adequate size to allow the business to grow.

The Monitoring Officer advised the Chairman that Mr Nutley had rejoined the meeting but, as this was after the Officer presentation and the first speaker, he would not vote on this application.

Mr O'Connor advised that the business had used one of the Community Trust offices previously but it had proved impractical due to a lack of disabled access. Other premises have been considered and it was concluded that they were inappropriate due to size or design.

In response to the Chairman's request, Mr Townsend, Highways Engineer, stated that the views of the Highways Authority are detailed in the report on Page 17. The previous application was not refused on highway safety grounds. At appeal, the Planning Inspector concurred and endorsed the Highways Authority's views.

Mrs Pannell proposed that planning permission be REFUSED, for the following reasons:

1. The proposed development is considered to be contrary to Policy COR4 in that the scale and layout of the building would not be appropriate for the site or surroundings. It would not enhance the quality and distinctiveness of the built environment and local landscape.
2. The proposed development is considered to be contrary to Policy DMD1a and 1b as it would not enhance this area of the National Park and contrary to DMD5 as it would not enhance this area on the approach to Chagford. It would also be contract to DMD3 by not sustaining the quality of places within the National Park

and DMD4 as it does not protect local amenity or the setting of the Conservation Area which closely borders the site to the north.

Mrs Morgan seconded the proposal.

Mr Hart clarified that Members should be sure that they do not make a decision based on precedent and the appeal issues that were dealt with under the previous application. They should make their decision based specifically on the application before them today. The reasons put forward by Mrs Pannell are acceptable; it would also be prudent to refer to the National Park Circular 2010, the Dartmoor Design Guide and the National Planning Policy Framework 2019.

Mrs Pannell and Mrs Morgan accepted Mr Hart's additions to the reasons for refusal.

In response to a queries from Members and Officers, the Chairman clarified the process of the voting procedure; the Monitoring Officer clarified the use of recording proceedings, advising that the recording is used solely for the checking on minutes immediately after the meeting; recordings are not retained and the minutes are the legal record of the meeting.

The Head of Development Management provided the exact wording of the reasons for refusal as follows:

1. The proposed development is considered to be contrary to Policy COR4 in that the scale and layout of the building would not be appropriate for the site or surroundings. It would not enhance the quality and distinctiveness of the built environment and local landscape, contrary to the advice contained within the English National Parks and the Broads UK Government Vision and Circular 2010, the National Planning Policy Framework 2019 and the Dartmoor Design Guide.
2. The proposed development is considered to be contrary to Policy DMD1a and 1b as it would not enhance this area of the National Park and contrary to DMD5 as it would not enhance this area on the approach to Chagford. It would also be contrary to DMD3 by not sustaining the quality of places within the National Park and DMD4 as it does not protect local amenity or the setting of the Conservation Area which closely borders the site to the north, contrary to the advice contained within the English National Parks and the Broads UK Government Vision and Circular 2010, the National Planning Policy Framework 2019 and the Dartmoor Park Design Guide.

**RESOLVED:** That permission be REFUSED for the reasons as set out below:

1. The proposed development is considered to be contrary to Policy COR4 in that the scale and layout of the building would not be appropriate for the site or surroundings. It would not enhance the quality and distinctiveness of the built environment and local landscape, contrary to the advice contained within the English National Parks and the Broads UK Government Vision and Circular 2010, the National Planning Policy Framework 2019 and the Dartmoor Design Guide.
2. The proposed development is considered to be contrary to Policy DMD1a and 1b as it would not enhance this area of the National Park and contrary to DMD5

as it would not enhance this area on the approach to Chagford. It would also be contrary to DMD3 by not sustaining the quality of places within the National Park and DMD4 as it does not protect local amenity or the setting of the Conservation Area which closely borders the site to the north, contrary to the advice contained within the English National Parks and the Broads UK Government Vision and Circular 2010, the National Planning Policy Framework 2019 and the Dartmoor Design Guide.

The Chairman reminded Members that should they disconnect from the meeting, for reasons of interests in a planning application(s) they should not make any attempt to contact any other Members in any way.

Mr Nutley declared a personal interest in item 3 - 0251/19 Land at Dolbeare Business Park, Eastern Road, Ashburton and advised that he would disconnect from the meeting for this item.

In response to a Member query, the Chairman clarified that it is not current policy for the Authority to record its Development Management Committee meetings. It is being considered for the future. In addition, it is legally permissible for a member of the public to record the meeting if they attend in person. The meeting can also be filmed. The conditions attached to this is that it is expected that, out of courtesy, the Authority would be asked permission to record or film; if filming, their activities should not disrupt the flow of the meeting. Therefore, anyone wishing to record the proceedings this morning is entitled to do so.

Mrs Pannell and Mr Vogel disconnected from the meeting.

The meeting was paused for a 10 minute comfort break.

Mrs Oakley and Mr Harper re-connected to the meeting.

## **Item 2 – 0332/19 Former Outdoor Experience Site, Chuley Road, Ashburton**

Speakers: Cllr Sarah Parker Khan, Town Council Representative  
Mr L Dulling, Agent for the Applicant

The Case Officer advised Members that the site was formerly occupied by Outdoor Experience which is a camping and caravanning retailer. The site is currently vacant and most of the buildings have been removed. The application site forms part of a wider allocation for the redevelopment of this part of Ashburton, referred to as policy area ASH2 in the Development Plan. The site has been detailed in the Development Plan since 2013. This allocation was partly due to the recognition of the impact that not only this business, which has relocated, but also Tuckers Merchants, which has since ceased trading, were having on the surroundings.

The site is terraced and slopes from east to west from the A38 boundary. The existing access will serve the development. There are no detailed plans to consider at this stage as it is an outline application – Members are only asked to consider the principle of redevelopment for residential use. Members are, however, requested to determine the access to the site. All other matters are reserved. Some of the consultations responses contained within the report refer to a layout plan – this plan was for illustrative purposes only.

The application is for 29 dwellings; this is major in terms of the Development Plan but not classed as such when considering the National Planning Policy Framework 2019. The ASH2 allocation is larger than this particular site. The allocation is for a mixed use, with the expectation that it would accord with a Master Plan. The Ashburton Master Plan exercise was aborted and therefore every application for the site must now be considered on its own merits. The site is a brownfield site within the boundary of the town.

With regard to affordable housing, the Authority's policy requires at least 50% to be affordable. Members should, however, take into account any viability issues and the physical constraints of the site. The area which can be developed is smaller than the overall site; the area is terraced, a bat flyway is required at the A38 boundary as well as a landscaping barrier in the same area. There is an expectation that some public parking spaces is provided. Seven spaces are provided within this application. A contribution of £85,325 is also requested towards education infrastructure.

Viability screening and testing has been undertaken by an independent assessor. The offer is for seven affordable units. As an outline application, this offer is based on the forecasts of potential costs and revenue which may be generated from this development. The independent assessor considers the offer to be fair.

With regard to concerns of noise pollution, and ecological issues, there is a requirement to maintain a 'dark corridor', and bat flyway on the eastern boundary. Natural England has been in discussion with the Authority's Ecologist. A Habitat Regulations Assessment has been undertaken and has concluded that there would be no harmful impact to the protected species.

Drainage issues have also been considered. Members will know that the redevelopment of the Tuckers site incorporated some significant changes to the profile of the Balland Stream bed. Flooding has reduced due to these works. The application site lies outside of the floodplain. Following consultations, the Environment Agency and Devon County Council Officers (Flood Risk) are satisfied that sustainable drainage solutions could be accommodated on this site. They have no objections on drainage or flooding grounds.

The Highways Authority has no objections regarding the existing access to the site.

The National Health Service, via the Torbay and South Devon Commissioning Trust has requested an additional contribution of £25,655 towards the cost of providing capacity to maintain existing services during the first year of occupation of each of the units. The funds would be used to meet additional healthcare demand, calculated to be 190 individual demands upon the service. The Trust has advised that provision is at capacity and not able to accommodate population growth. Officer views are that, having undertaken analysis of evidence gathered during the Local Plan Review, the National Park is experiencing a fall in population. There is no specific evidence to suggest that this development will lead to an overall increase in population. Contributions would only be expected in relation to the open market dwellings, not the affordable units. Officers have determined that the development would not have a material impact on public services.

Proposed changes to conditions with regard to highway issues are as follows:

- Condition 12 to be deleted, and replaced with the following:
  - Proposed estate roads, footways and all matters relating to the laying out of the junction to be brought forward and approved in writing prior to the commencement of any works;
  - No part of the development to be commenced until the access road has been laid out as far as the first 20m back from the junction off the public highway to ensure safe and appropriate access to the site;
  - No dwelling to be occupied until the above works have been carried out;
  - A detailed Method of Construction Statement to be submitted and agreed by the Local Planning Authority.

Cllr Parker Khan advised Members that the site is of strategic importance, located in an area of the previous Master Plan and close to the centre of Ashburton. The Town Council is of the view that redevelopment of the site should take place but must be appropriate, not detrimental to current properties and beneficial to the wider community. The Council has some concerns. Natural England has stated that development could have an impact on the South Hams SAC and the Council would request a full assessment be undertaken and results reported. The current offer of seven affordable housing units represents 24% provision; policy requires 50%. The Teignbridge Housing Enabler has objected to the offer due to the high level of need in Ashburton.

Concerns regarding the stability of the site remain as limestone bedrock underpins the site. Safeguards should be put in place to ensure the structural security of No. 7 Chuley Road. The additional seven car parking spaces are welcomed.

She stated that the Environment Agency had indicated that no new surface water connections are to be made into the Balland Stream culvert. South West Water has stated that the Flood Risk Assessment shows that a discharge will be made into the culvert. Balland Stream had a long history of flooding with a one in 10 year probability of flooding. The Town Council request urgent clarification of this issue. Any further discharge would exacerbate known flooding issues.

In response to a Member query, Cllr Parker Khan advised that there had been significant flooding issues in February 2020. There have been several instances when the culvert has overflowed and has flooded some of the business along Chuley Road, causing damage to the properties.

Mr Ball declared a personal interest with regard to the Torbay and South Devon Commissioning Trust as he knows one of the directors.

Mr Dulling advised Members that the application seeks outline planning permission to provide 29 dwellings, with all matters reserved, other than means of access. Detailed matters are not for discussion but the principle of the residential development. The applicant and officers have worked proactively since 2018 to address previous reasons for refusal regarding affordable housing and public parking availability. An independent viability assessor was appointed to conduct an independent appraisal. The appraisal determined the number of affordable homes that the development would be able to deliver whilst remaining financially viable.



This amounted to a minimum of seven affordable homes, equating to 24%. The applicant is also now proposing seven public parking spaces. These, together with the affordable units, would be covered by a s.106 legal agreement and, together with the educational contribution, overcome the previous reasons for refusal. The site included within the formal allocation known as ASH2, within the Development Plan and, therefore, the principle of development has long been established and cannot be disputed. Approval of outline planning permission would unlock the potential of the brownfield site to deliver affordable homes and additional public car parking for Ashburton.

In response to Member queries, Mr Dulling advised that the proposed public parking spaces would be captured under the s.106 legal agreement, thus tying in the applicant's responsibility. The details of management can either be set out within the agreement or by way of a condition. Either mechanism is appropriate. He confirmed that he had approached the Teignbridge District Council Housing Team prior to the application being made.

The Head of Development Management confirmed that the error on page 48 regarding the percentage of affordable housing offered was an error in transcription from the assessor's report to the officer's report. He confirmed that Councillor Parker Khan was correct, the percentage offered equated to 24%. He advised that the South Hams Special Area of Conservation (SAC) refers to the important European protected bat roost at Buckfastleigh Caves, approximately 4 miles to the south of this site. The greater horseshoe bats have been recorded flying up and down beside the A38, this is due to a wooded verge alongside the carriageway. With regard to drainage, officers acknowledge the issue upstream of the site at the culvert of the Balland Stream. Any development must not add to any problems that have existed in the past. There is an obligation on the developer to undertake a Sustainable Drainage Scheme to ensure that no works would compound the issues surrounding the capacity of the Balland Stream.

In response to the Chairman's request, Mr Townsend, Highways Engineer, indicated that the proposed trip generation from the site would likely be slightly less than previously; therefore, there is no Highways objection to the development of the site. With regard to his previous comments about the trapezium shaped piece of land, this was included for the Officer's information. It is neither critical to the decision, nor to the application. The piece of land does not form part of the highway and is not pertinent to the development of the site. The proposed additional conditions put forward by the Head of Development Management confirm the application is acceptable in Highway terms. With regard to safety, Mr Townsend and the Head of Development Management advised that the A38 is a trunk road and therefore the responsibility of Highways England. The barrier which runs alongside the carriageway is typical of the type seen along the motorway network. In addition, the verge and vegetation is considerable.

The Head of Development Management advised that there was no specific information regarding air quality. Information received from the Environmental Health Officer related to noise levels. The lighting issue is addressed in condition 11. There would be no issues in relation to possible acoustic fencing as the bats fly outside of the site, along the edge of the A38. This could be further investigated at the detailed stage of the application. He reconfirmed the Authority policy on

affordable housing requiring a 50% provision. Exceptions to this figure include viability issues of a site.

Mr Sanders proposed the recommendation, with the deletion of condition 12 and the inclusion of the four additional conditions as detailed above, which was seconded by Mr McInnes.

Members comments and concerns included the following:

- The proposals do not meet with the terms of the policy regarding the affordable housing target of 50%. The application offers only 24%.
- Issues relating to the South Hams Special Area of Conservation should also be resolved prior to any development on the site.
- The area in question does flood. No further drainage water should be permitted to enter the Balland Stream as there would potentially be a large impact on residents. Issues relating to conflicting opinions need to be resolved.
- Although in principle not against brownfield sites being used for residential development, there is a concern regarding the loss of industrial and business land.
- The brownfield site has been identified by the Authority for housing; drainage issues will be addressed and resolved. There is a national shortage of housing across the UK, affordable and open market; the Authority needs to play its part. 50% is desirable but the site is not flat and there are areas that cannot be developed.
- Smaller housing is needed to enable people to 'get on the housing ladder'.
- With regard to drainage, could the developer consider ways of being innovative with the parking spaces and use them as part of the sustainable drainage solution.
- The Head of Development Management confirmed that the allocation of 39 affordable housing units approved at Longstone Cross would have been taken into account by Housing Officers.

At the request of the Chairman, the Head of Development Management reiterated that this is an application for outline planning permission. Members are being asked about the principle of development of the site. The one issue to be determined is that of access. Policy ASH1 supports the principle of the redevelopment of this site. Issues such as drainage would be dealt with at the Reserved Matters stage, as would ecological issues. ASH2 states that viability of the site should be taken into account. This is to ensure that the number of affordable units offered follows a fair assessment of the site. The provision of seven affordable units cannot be changed if the application comes in under reserved matters following outline planning permission stage. Under a full planning application this could be amended.

**RESOLVED:** That, subject to the completion of a s106 legal agreement in respect of the following; - the provision of a minimum of seven affordable housing units, - the provision of a minimum of seven public parking spaces - a contribution of £85 325 towards education infrastructure, - the opportunity to allow for reassessment of viability (construction costs only – not to vary the agreed level of affordable housing provision); Outline Planning Permission be GRANTED, subject to the following conditions:

1. The development hereby permitted shall be begun either (i) before the expiration of three years from the date of this permission, or (ii) before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of one year from the date of this permission.
3. Development shall not begin until detailed drawings have been submitted to, and approved by, the Local Planning Authority showing the design and external appearance of all proposed buildings, their siting, the materials of which they are to be constructed, the arrangements for the disposal of foul and surface water, areas for vehicle parking, surfacing and lighting, landscaping (including the identification of all trees to be retained) and all other works including walls, fences and other means of enclosure and screening and indicating the location and species of all trees existing on the site. At all times thereafter the development shall be implemented strictly in accordance with the approved details.
4. The development hereby approved shall be carried out in accordance with the following drawings: 28030 Rev P3 (dated 6 December 2019) and 28030 Rev P1 (dated 14 June 2017)
5. A detailed construction method statement shall be agreed in writing by the Local Planning Authority prior to any works taking place on the site. This shall include the details of any temporary storage compounds, welfare facilities and parking arrangements on the site, times of working and arrangements for deliveries.
6. The reserved matters application shall be accompanied by a detailed phase 2 contamination assessment. This assessment must estimate and evaluate the potential risks to people, property and the environment identified in the Phase 1 study submitted with the application. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. It must include:
  - (i) a survey of the extent, scale and nature of contamination;
  - (ii) an assessment of the potential risks to:
    - human health,
    - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
    - adjoining land,
    - groundwater and surface waters,
    - ecological systems,

The report should include detailed mitigation measures to address any identified contamination. Works shall accord with the agreed schedule of mitigation.

7. The reserved matters application shall be accompanied by a highway boundary treatment plan which shall be submitted to the local planning authority for written approval (who shall consult with Highways England on behalf of the Secretary of State for Transport). The plan shall include as a minimum details of any proposed works that may impact on the adjacent highway planting and a method statement for the protection of the planting during the construction phase. Works shall be undertaken in

accordance with the approved plan and any damage to highway planting shall be remediated.

8. The reserved matters application shall be accompanied by a detailed design of the proposed permanent surface water drainage management system. It shall include details of percolation tests used to inform the strategy, the measures necessary to address surface water issues during the construction phase, future permanent arrangements and their ongoing maintenance. The report shall be submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. The design of this permanent surface water drainage management system will be in accordance with the principles of sustainable drainage systems.
9. The reserved matters application shall be accompanied by a Construction Ecological Management Plan and Landscape and Ecological Management Plan setting out management responsibilities and maintenance schedules for all landscaped areas (except private gardens), showing how the recommendations of the Ecological Impact Assessment (dated November 2017) have been incorporated and any mitigation measures deemed necessary. This shall be submitted to and approved in writing by the Local Planning Authority before any development commences (including any site clearance works). The development shall be carried out strictly in accordance with the approved plans and timetable for implementation.
10. No lighting shall be erected within the development hereby approved unless details have been previously agreed in writing by the Local Planning Authority. The approved lighting shall be installed and maintained in accordance with the agreed details in perpetuity.
11. The lux levels at the eastern boundary of the site shall not exceed 0.5 lux within the area shown on the approved plan 28030 Rev P1. The reserved matters application shall be accompanied by a Lux Analysis of the detailed development plans and a Landscape Ecological Management Plan for this particular feature to be submitted and agreed in writing by the local planning authority before any works commence on site.
12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking and re-enacting that Order with or without modification, no extension to the seven affordable housing units hereby permitted shall be constructed without the prior written authorisation of the Local Planning Authority.
13. The proposed access and visibility splay (including drainage arrangements) shall be constructed and laid out in accordance with details to be approved, in writing, with the Local Planning Authority before the construction of any dwellings commence on the site. The details shall include plans and sections of the access, levels, gradients, materials and the method of construction of the access.
14. No part of the development shall be commenced until;
  - (a) the access road has been laid out, kerbed, drained and constructed up to base course level for the first 20 metres back from its junction with the public highway;

- (b) the ironwork has been set to base course level and the visibility splays laid out;
- (c) a site compound and employees car park has been constructed 15. The occupation of any dwelling in an agreed phase of the development shall not take place until the following works have been carried out;
- (d) the access road within the site, including the vehicle turning head shall have been laid out, kerbed, drained and constructed up and including base course level, the ironwork set to base course level and the sewers, manholes and service crossings completed;
- (e) All footways linking to the public highway have been constructed up to and including base course level;
- (f) the visibility splays have been laid out to their final level;
- (g) Any agreed street lighting is erected and operational;
- (h) car parking or other vehicular access facilities required for each dwelling have been completed;
- (i) verge and service margins and vehicle crossing on the road frontage of any dwelling has been completed with the highway boundary properly defined.

16. No development shall commence until a Method of Construction Statement has been submitted to, and approved in writing by the Local Planning Authority. The statement shall include:
- (a) the location of parking for vehicles of site personnel, operatives and visitors;
  - (b) loading and unloading of plant and materials;
  - (c) storage of plant and materials;
  - (d) programme of works (including traffic management)
  - (e) provision of boundary hoarding behind any visibility zones

Mrs Pannell reconnected to the meeting.

Mr Vogel remained disconnected from the meeting.

Mr Nutley and Mr Harper disconnected from the meeting.

### **Item 3 – 0251/19 Land at Dolbeare Business Park, Eastern Road, Ashburton**

Speakers: Cllr E Baker, Town Council Representative  
Mr N Stone, Objector  
Ms S Matthews, Agent for the Applicant

The Case Officer reminded Members that this application has been deferred at two previous committee meetings in order to consider information presented in respect of ecological issues. This also allowed time for officers to discuss design alterations with the applicants' agent. Revised plans, which dealt with the elevation treatment and design were presented to Members. The application site is located approximately 1km from the centre of the town and just off the A38. The site is not within the Conservation Area. Access is proposed from the north-west corner of the site. The application is for an 80 bed roomed hotel with a restaurant and café. Materials proposed include granite and dark stained timber. The agent has stated that inspiration has been taken from traditional buildings and is presented as a contemporary design.

Officers have concluded that the application does constitute major development as identified in the National Planning Policy Framework 2019. The recommendation for refusal is based on the application being contrary to policy DMD44 and other policies due to being large scale tourism development. An 80 bedroomed hotel is not considered small scale; the largest other hotel within the National Park has 60 bedrooms. The design of the hotel, due to its bulk, massing, scale and design is contrary to policy.

Cllr Baker addressed Members in her role as Chair of planning, Ashburton Town Council. The Council objects to the application. She stated that the National Park has a “duty to seek to foster the social and economic well-being of the local communities within the National Park in pursuit of policies”, adding that this application does not meet this duty.

The Parish Council feels that construction of the proposed hotel would be detrimental to the setting of the historic town of Ashburton. The small hotels, Bed & Breakfast establishments and guest houses, all of whom use locally sourced produces and services, would likely to be badly affected by the application. Business revenue would not transfer back into the local economy. Due to the convenient position of the proposed hotel for access to the A38, the clientele would use the hotel as a stop-over.

Cllr Baker advised that an Independent Socio Economic Report would have been expected to have been undertaken. . The amended design has not used local materials and is more suited to an urban environment; it is also, in her opinion, overwhelming in mass and size. It was her view that this hotel would result in an over-supply of beds in the local area; there are four other Premier Inn Hotels within a 30 minute drive of Ashburton. The Council’s concerns about sustainability, parking, environment and economic impact remain.

Mr Stone advised Members that he was speaking on behalf of himself and numerous other accommodation and small business owners in the town. He stated that they all have concerns about the threat posed to livelihoods by this planning application and that 81% of the people of Ashburton have objected to the application on the DNP website. The Town Council has also objected to this proposal.

He reported that Premier Inn had placed an Open Letter in the Mid Devon Advertiser, claiming that the plans would see an injection of £5.2 million into Ashburton. However, he felt that the total cost would be £5.2 million with funds going to the landowners and the developers rather than into the local economy. He also advised of concerns regarding the claim that 30 new jobs will be created with no consideration of the net effect upon local jobs. Local accommodation businesses, together with their associated local supply chains, agree that Premier Inn will take the majority of trade away from existing providers in the local area. He added that the National Park Authority has been created to protect both the natural and socio-economic characteristics of the National Park from inappropriate big business. He stated that should permission be refused this would not hold up further development of the site.

Ms Matthews of Walsingham Planning advised that she was the agent for the applicant. She asked Members to reverse the officer’s recommendation, adding

that the application would provide an opportunity for investment into Ashburton with Whitbread ready to invest over £5 million; for 30 jobs and for increased choice for people wanting to visit the National Park. In her opinion, the hotel would complement the existing visitor accommodation provision in Ashburton and the surrounding area, bringing in new visitors to the area. The proposal is an opportunity for a boost to the area as organisations and businesses look to recover from the effects of Covid, with a potential additional annual spend in Ashburton of £2 million. She stated that the applicant has listened and responded to feedback from Planning Officers with regard to design, adding that should Members prefer an alternative approach, her clients would be willing to make further revisions. The proposal for the 80 bedroom hotel has been based on detailed research undertaken with regard to demand for a hotel in this location. The building would also be the same size as the office building that was previously given planning permission on the site.

In response to the Chairman's request, Mr Townsend, Highway Engineer, reiterated the response of the Highways Authority in relation to this application, in that there are no objections from a Highways point of view to the proposed development.

In response to Member queries, the Case Officer advised that the proposed hotel is 230sqm larger than the previous planning permission for commercial premises on the same site. In addition, the hotel would be one unit. The previous permission for the site was for several smaller units. The footprint for the application before Members today has not changed.

The Head of Development Management added commentary for Members prior to their making a decision regarding the application. The report provides the planning history of the site; it has been before Members many times. There is an extant planning permission for B1a office use. The application today presents Members with an opportunity to agree the development of the site in a different way. Officers have worked hard with the agents to try to resolve issues. Officers accept that a small scale, appropriately designed hotel on the site may add something different to the accommodation offer in the town but this proposal does not meet that requirement. Premier Inn has a business model that requires an 80 bedroom hotel. Officers feel that the size and design of the proposed building is not acceptable for this site.

A Member stated that a hotel of this size was not needed. There are several other Premier Inns in the locality. The hotel would have a detrimental effect on local independent local businesses. The design is inappropriate for the National Park. Another Member stated that he appreciated that Premier Inn was a strong national brand with a strong business model; customers know what they will get. He agreed that the site lends itself to this type of development. However, he felt that the proposed 80 bedroom hotel is too large and that the design and massing is overbearing. He would support a smaller building with a more appropriate design.

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

**RESOLVED:** That permission be REFUSED for the following reasons:

1. The proposed hotel, and associated works are not small scale tourism development therefore are considered to be contrary to policy COR1, COR2, COR4, COR8, COR12, COR18, DMD1a, DMD7 and DMD44 of the Dartmoor National Park Development Plan and to the advice contained in the English National Parks and Broads UK Government Vision and Circular 2010, and the National Planning Policy Framework 2019.
2. The proposed hotel, by reason of its bulk, scale and poor design is considered contrary to policy COR1, COR2, COR4, COR8, DMD1a, DMD7 and DMD44 of the Dartmoor National Park Development Plan and to the advice contained in the English National Parks and Broads UK Government Vision and Circular 2010, the National Planning Policy Framework 2019 and the Dartmoor National Park Design Guide.

Mr Ball disconnected and left the meeting.

Mr Harper, Mr Nutley and Mr Vogel reconnected to the meeting.

#### **Item 4 – 0262/20 National Park Visitor Centre, Postbridge**

Speaker: Mrs S Hill, Head of Communications and Fundraising

The Case Officer advised Members that the application was for a timber 'National Park Visitor Centre' sign to be placed on the front of the new extension building. The sign would measure 4.5m in length and 1.5m in height, to be constructed from a single piece of sustainable accoya timber. The wording would be routed out, with the National Park emblem being infilled with epoxy resin.

Advertisement consent differs from a planning application in that consideration is for that of amenity, and public safety issues rather than a large number of planning policies. In addition, as is the national standard, consent only lasts for a five year period and can then be reassessed if necessary. The proposal is in keeping with the materials and character of the building and would cause no harm to the wider landscape or local area.

In response to Member queries, the Case Officer confirmed that the sign would not be illuminated in any way.

Mrs Hill confirmed that the timber to be used was accoya which is an engineered timber, specifically used to produce large, flat areas of signage and was recommended by the signmaker. Due to the size of the sign, accoya is more stable than other timbers. It is a soft wood which is treated and has an appearance of oak. It is from sustainable sources, FSC certified. Mr Harper advised that accoya is either a Douglas or a Pine wood which is pressure and heat treated to make it look like, and give it the sustainability of oak. It is also better for signage; as it has been heat treated there would be no further twisting or bending of the timber.

In responding to an additional Member query, Mrs Hill advised that consideration had indeed been given to the sign saying "Dartmoor National Park Visitor Centre" but concluded that it would have been too long. This is why the logo has been added at the end of the sign.

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



**RESOLVED:** That consent 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. No advertisement shall be sited or displayed so as to: (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
5. The proposed sign shall be positioned and thereafter maintained so that no part of the sign is less than 2.1 metres above the public highway and no part of the sign is less than 0.5 metres from the edge of the public highway.
6. The development hereby permitted shall be carried out in accordance with the following approved Site Location Plan and Block Plan, and drawings numbered; 2561 - 800 received 12 June 2020.