

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

Friday 6 October 2023

Present: Mr Dracup, Mr Harper, Mr Jeffery, Mrs Hill, Mrs Morgan, Mrs Mott, Mr Nutley, Mr Owen, Mrs Samuel, Mr Sanders, Mr Smerdon, Mr Thomas, Mr Williams, Ms Woods

Officers: D Kinsella, Effective Head of Development Management
S Walford , Solicitor (acting on behalf of Devon County Council)
O Dorrell, Planning Officer

Apologies: Mr Cooper, Mr Gribble, Mr McInnes, Mr Renders, Mr Pannell

The Chairman welcomed the registered speaker, Mr Persse as well as Ms Walford, the Solicitor acting on behalf of Devon County Council and the Independent Person, Mrs Shewan.

1540 Declarations of Interests and Contact

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

Mrs Hill declared a personal interest, in item 0291/23 - Change of use of land for the siting of two glamping pods - Teigncombe Farm, Chagford, as the applicant was previously a Parish Councillor. She would not take part in the debate and vote.

Mr Sanders declared letters had been received by all Members in relation to item 0291/23 - Change of use of land for the siting of two glamping pods - Teigncombe Farm, Chagford, these would be covered in the Officers presentation and did not constitute interest.

1541 Minutes of the meeting held on 30 June 2023

The minutes of the meeting held on 1 September 2023 were AGREED and signed as a true record, subject to the following amendments:

- Page 1 under item number 1534 - the last line of Mrs Hill's declaration should read 'She would not take part in the debate and vote'.
- Page 5 under item number 1538 - Mr Sanders' name should have been included in the site inspection panel attendees.

1542 Items requiring urgent attention

Mr Sanders resolved that item four should be dealt with under item seven, Appointment of Site Inspection Panel and Arrangements for Site Visits.

1543 Applications for Determination by the Committee

Members received the report of the Head of Development Management (NPA/DM/23/009).

Item 1 – 0291/23 – Change of use of land for the siting of two glamping pods – Teigncombe Farm, Chagford

The officer verbally corrected the report in paragraphs 10.4, 10.6 and 10.7, where the report read Policy 3.9, it should read Policy 5.9.

The Officer noted that Members had received two emails from the agent regarding this site, and one from the applicant. A commentary on these was to be provided at the end of the presentation.

A further seven comments had been received on this application, two were in support of the application and five were in objection. A letter of support had also been received from the landowner of the site, the Duchy of Cornwall.

The application was for the change of use of land at Teigncombe Farm from agriculture to the siting of two glamping pods. Teigncombe Farm was located approximately 2.5km to the east of Chagford in the hamlet of Teigncombe. The farm holding extended to approximately 150 acres. The proposed site formed part of a pastoral field to the south-west of the main farmstead.

The site plan was shown to Members, highlighting the proposed parking area, pod locations, klargester sewage treatment plant including drainage pipes connecting to the pods, in relation with the existing agricultural storage buildings.

Mr Gribble joined the meeting

The land holding for Teigncombe, which was a Duchy tenanted farm, was highlighted to the Committee. The holding extended to approximately 150 acres with the farmstead located roughly central to the holding. There were not known to be any other buildings on the holding.

Several representations had been received including from nearby residents, therefore the wider area was described:

- Teigncombe Farmhouse – located across the public road to the north-east, was the applicant's home and a grade II listed building. The stone barns to the north-east of the farmhouse were part of the original historic farmstead and were still in active agricultural use.
- Teigncombe Manor was on the opposite side of the road to the east, a grade II listed building, and private house.
- Teigncombe Barn, was to the south-east, a private house.
- To the south of Teigncombe Barn was the site of the previous 2021 planning application referred to in the committee report.
- To the south of the application site was the property known as 'Mariners Way' which was across the public bridleway – also shown extending along the southern boundary of the field.

The elevations and floorplans of the proposed pods were revised from the original submission to account for the slope within the field. The proposed pods had a barrel shaped roof with primary openings to the south and smaller windows to the north serving the bedrooms and bathrooms. A small decking area was proposed to the front with a partial roof overhang.

A section drawing showing the pods siting showed the pods would be constructed on the surface, with two steps up to the floor level from the lowest ground point. The boundary of the cabins would be native broadleaf trees fenced on both sides to protect from livestock.

The pods would be of timber construction, internally each pod would have a bedroom, living/kitchen/dining area and bathroom. They would be heated by log burner served by a metal flue. The pods were to be serviced by mains electricity, details of trenching and connections had not yet been provided, and the water source was spring-fed.

The officer provided clarity in the difference between the allowance in policies 5.5 tourist accommodation, and 5.7 camping and tourist caravan sites the differences between the farm diversification policy 5.9. Policies 5.5 and 5.7 are reliant on the sites being well related to tourist services and these do not permit new development. Policy 5.9 does not permit new build self-contained holiday accommodation as these would amount to new housing in open countryside, which would be contrary to strategic housing policies.

There were two reasons for refusal of this application; the location of the proposed pods was not appropriate being divorced from the main farmstead, albeit clustered with barns owned by the applicant and the proposed glamping pods. And by reason of their design and form, the units are not considered to be sympathetic to the design and character of the hamlet of Teigncombe.

Finally, the officer commented on the emails sent to Members by the agent and the applicant. The correspondence noted a previous planning permission which had been granted by the Authority in 2019. The application, however, evoked a different set of policies, not only because it was on an existing camping site, but also these were replacement of static caravans already in place. Furthermore, this application was decided under a different local plan policy, and the Authority had adopted its current Local Plan in December 2020. All applications must be considered on their own merits, and the individual circumstances of each application. Therefore, officers denied that precedent had been set by the approval of the 2019 application.

Regarding the financial information provided by the applicant, the Planning Officers outlined that this information only carried limited weight and, while it identified that farm diversification would assist in the long term financial stability of the business, this did not provide information as to whether an alternative scheme fitting within the policies of the Local Plan of farm diversification would support the farming enterprise in the future.

Mr Persse, speaking on behalf of the applicant, thanked the Members for visiting the site, to better understand the proposal. He noted the site was well screened from wider views.

He mentioned that policy 5.9 permits small-scale development, including construction of new buildings for a range of commercial uses, such as farm shops, offices, education, and campsites. He noted that the officers had concerns that the pods were tantamount to new dwellings; however, the pods fell below the nationally described space standards and therefore could not be used as dwellings.

The Park had approved self-contained units previously, although he conceded that this was under a previous policy.

He noted that Members had received a letter from the Duchy of Cornwall, the landowner, supporting the scheme, and a letter from the applicant's accountant highlighting the pressure to find alternative income streams.

The proposed materials were natural and would result in a muted finish which would be unobtrusive in the wider landscape. Additionally, the proposal included planting a hedge along the boundary of the site which would have the dual benefit of biodiversity and landscape enhancements.

He wanted it noted that the Parish Council supported the scheme and were at the site visit and voiced their support at that time; the occupiers of Mariners Way, the closest neighbours to the proposed site, were also in support of the application.

Following Member questions Mr Persse clarified:

- The drawings submitted in the email correspondence were not those proposed for the current application but provided examples of similar development that had been approved by the Authority;
- There were no redundant agricultural buildings available for conversion.

The Members who attended the site visit detailed the following points:

- Gidley Tor was clearly visible from the proposed site
- The site would be screened from the immediate surrounding area by the hedges and the proposed planting

Following Member questions Officers clarified:

- The difference between glamping pods and camping pods was scale and facilities. Camping pods were of a more modest scale and would be more likely to have ancillary service buildings for cooking and toilet/washing facilities or were low impact with no main service connections;
- The barns and agricultural buildings were screened by existing hedgerows and trees, and very limited views of these were available outside of the site;
- No landscaping plans had been submitted with the application, although it was inferred the hedge would be along the red line boundary of the site, if approved this would be subject to a condition;
- The boundary proposed for the site was for a broadleaf hedgerow not a fence;
- There was no specific policy in place for low-cost accommodation along footpaths and bridleways;
- The proximity of this site was 2 km from Chagford, or 1.6 miles;

- Policies from previous Local Plans were superseded by new Policies, so only the current Local Plan Policies were relevant on this application. Members were reminded of the strategy of the plan and the focus of utilising existing buildings to encourage farm diversification. Officers noted that new build development was strictly controlled within the National Park and largely limited to new housing which meets a local need. The plan further supported the other parts of the community such as business development and rural diversification projects through conversion of existing buildings.

Mr Sanders proposed the recommendation, which was seconded by Mrs Mott.

During Member debate the following points were raised:

- There was a concern in relation to health and safety for both the farm workers and visitors, if one of the current agricultural buildings was converted, as this was an active working farm;
- Farming economics were declining, and farms were needing to diversify to continue functioning. It would be more harmful to the character of the area if the farming had to cease as it was no longer maintainable;
- The applicant could, without planning permissions, operate a small campsite that takes tents for 60 days of the year assuming they did not physically change the field. Any facilities provided would need to be temporary and removable at the end of the season;
- If permission was granted for this application, permitted development rights could be removed by condition;
- The site could be considered close to a settlement as it is directly adjacent to the hamlet of Teigncombe;
- Approval of this application would be a departure from policy;
- If smaller scale pods were proposed, this would then come with additional application for an amenities block, for toilet, washing and cooking facilities;
- Although health and safety concerns were a valid concern as to why existing buildings could not be used, that did not dictate that an alternative should be found, all that highlighted was that this was not the correct site for this type of development;
- In terms of the application, policy should always be the main consideration;
- If there was to be a departure from policy, this would need to be backed up by significant material planning considerations;
- The reasons for the recommendation of refusal were not regarding camping pods or new builds but the policy conflicts and the impact the proposed development would have on the surrounding landscape.

Ms Walford the Solicitor acting on behalf of Devon County Council gave advice regarding pre-determination due to comments made during the meeting; it was clarified that decision makers are entitled to be predisposed to particular views, however pre-determination occurs when someone closes their mind to any other possibility beyond that pre-determination, to a point that they are unable to apply their judgement fully and properly to an issue requiring a decision. It was questioned whether, given the comments made during the debate and the choice of wording used, if the Member had made their mind upon the decision and had a closed mind before hearing all the evidence. Members were reminded to be aware of the appearance of bias and pre-determination before taking the decision on the

planning application. It would be a Members' decision as to whether pre-determination had occurred, before voting.

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

1544 Tree Preservation Orders, Section 211 Notifications (Works to Trees in Conservation Areas) Determined Under Delegated Powers

Members received the report of the Trees Officer (NPA/DM/23/0010).

It was clarified that a section 211 notice was for works to a tree in a Conservation Area. Although the Authority regularly dealt with these types of application, they usually were decided under delegated powers. In the instance of this report, a tree was considered by the Trees Officer to have significant amenity value and so a temporary Tree Preservation Order had been put into place.

This Tree Preservation Order was currently in a consultation period and following that period, a report would be brought to committee to uphold that temporary Tree Preservation Order and make it permanent or to refuse its implementation.

RESOLVED Members NOTED the content of the report.

1545 Appointment of Site Inspection Panel and Arrangements for Site Visit

It was confirmed that the Site Inspection Protocol stated that quorum for a site inspection composition should be at least four Members in attendance.

Request for Pre-Committee Site Inspection in respect of Application 0444/22 - Reserved Matters submission in respect of appearance, landscaping, layout and scale following outline consent 0332/19 for the erection of 29 dwellings – Former Outdoor Experience Site, Chuley Road, Ashburton.

The Site Inspection to be undertaken on Friday 20 October 2023; the following Members were appointed to the Site Inspection Panel: Mr Dracup, Mrs Hill, Mr Nutley, Mr Owen, Mr Sanders and Mr Smerdon.