

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

Friday 26 July 2019

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

Apologies: S Barker, R Parkinson, M Renders, D Webber

The Chairman requested that the following corrections to the agenda be noted:

- Mr Retallick and Mr Hill are no long Members of the Authority and therefore do not need to sign the attendance register
- Mr Vogel and Mrs Hill are Members and should be on the list of Members requested to sign the attendance register
- Mr Vogel and Mrs Hill should be on the list of Members Interests
- Mr Sanders and Mr McInnes should only be listed as County, they are no longer district representatives
- Mr Smerdon is a District Council representative, not Parish.

1370 Minutes of the Meeting held on Friday 14 June 2019

The minutes of the meeting held Friday 14 June 2019 were agreed and signed as a correct record.

1371 Declarations of Interests and Contact

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

1372 Items requiring urgent attention

None

1373 Applications for Determination by the Committee

Members received the report of the Head of Development Management (NPA/DM/19/018).

Item 1 – 0346/18 – Erection of 40 dwellings, including 14 affordable dwellings and associated infrastructure (Full Planning Permission), land adjacent to Fairfield, South Brent

Speakers: Mr Drake – Eden Land Planning Representative
Cllr Richards – South Brent Parish Council

The Head of Development Management reminded Members that the planning application for 40 dwellings including 14 affordable rent units had been brought to Development Management Committee in March. The application was deferred as Members required clarification on:

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- 1) Whether any social rented housing could be provided
- 2) Clarification regarding the request for a contribution towards Open Space, Sport and Recreation from South Hams District Council.
- 3) The suitability of access through Fairfield.

The design of the homes are simple and range from 1 bedroom flats to 4 bedroom houses.

The Parish Council has raised concerns regarding the £23,343 contribution, towards open space and recreation together with highways issues and the affordable home delivery. The Parish Council would like to see a crossing point on Exeter Road, which the Highways Officer has advised is not justified. The Parish Council also wanted to see some of the affordable housing to include social rented housing, but that would decrease the provision for affordable units from 35% to 25% and the registered provider is not willing to take on any social rented units.

The Head of Development Management informed Members that the £23,343 had been calculated by thoroughly scrutinising the list of requested contributions from the Parish Council and District Council. £23,343 would make up the shortfall to improve existing playpark equipment. Some of the items the South Hams District Council had requested were considered not relevant to the shortfall in facilities or applicable to this development.

There are no objections to the access through Fairfield from the Highways Authority. It is capable of taking the construction traffic. A construction management plan would need to be produced as stated in the conditions.

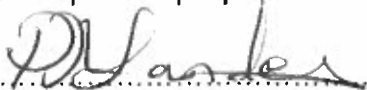
All aspects of the application have been thoroughly interrogated and the Case Officer believes that this is the best deal possible for the site.

Mr Drake stated to Members that Eden Land Planning had worked with architects that had been involved in the masterplan to ensure the design and balance of the housing sizes met policy. The 40 houses would meet the requirements set out in the Local Plan.

In response to a Members question, Mr Drake stated that the housing developers have looked into the possibility of social rent housing, but it is not feasible as it would change the % of affordable housing in the development. The access through Fairfield was the advised route in the Masterplan, therefore no other access provision has been considered.

Cllr Glyn Richards read a prepared statement summarising the Parish Council's continuing objections to the scheme. He stated to Members that the Parish Council questioned the viability of the development, as, in comparison to a previous development, this has the same amount of dwellings on a smaller piece of land. The site has the potential to make the developer a large profit and therefore could provide additional recreational facilities.

In response to Cllr Richards comments, the Head of Development Management stated that the viability issues had been properly assessed by an independent assessor. He maintained that it is difficult to compare sites, due to subtle differences. For example the properties on the Cavanna site are of a higher value. Affordable

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housing on new developments is a corporate and Local Plan priority, other contributions need to be properly justified and assessed against policy. They can only be requested where they are directly related to the development.

A Member commented that the £23,343 would improve facilities that are on the other side of a main road. It is a busy road and extra safety precautions should be made, such as a pedestrian crossing.

A Member suggested that after 3 years, if the profit margin has increased, a bigger contribution should be put back in to the community. The Head of Development Management suggested that it could be inserted into the wording of the Section 106 agreement.

In response to a question regarding the lack of solar panels, the Head of Development Management stated that current policy states that the first priority is to build sustainable housing with quality design and building materials, a 'fabric first' approach. Enforcing solar panels was not considered necessary and would be an unreasonable condition to put on the permission.

Mr Townsend, Highways Officer from Devon County Council, stated that "light controlled crossings" include all types of crossings. If the crossings are under used, they can cause more issues. The installation of a crossing would have to be carefully considered and on this road there are many junctions that would cause complications. He reiterated his view that a crossing was unnecessary in this location. In response to questions regarding the construction access through Fairfield, he stated that with a comprehensive construction management plan there should not be any problems. It will be written in the plan, that any damage caused by construction traffic will be put right by the developers. In response to further comments by Members regarding the crossing and road safety, Mr Townsend stated that the 30mph limit is suitable for the type of road. He confirmed that there are no highways reasons for this application to be refused.

Cassandra Harrison, Housing Officer from South Hams District Council Housing Department, was asked to clarify matters for Members that the Housing Register does not differentiate between different types of rented need. She supported the affordable housing offer of 14 affordable rented units and acknowledged that a requirement for social rented units would see a reduction to 9 units.

The Chairman stated that the S106 should include a clause which allowed for a review of contributions at an appropriate trigger point should the development be delayed.

Mrs Morgan proposed a site visit, which was seconded by Miss Moyse. The vote was not carried.

Mr Sanders proposed the recommendation with the addition to the S106 legal agreement, which was seconded by Mr McInnes.

A Member stated that the provision of affordable housing is important for South Brent and is pleased with the S106 contribution, although the Parish Council would have liked a larger contribution.

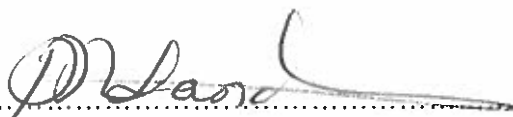
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A couple of Members stated that they thought the housing was still too expensive to be considered "affordable" and the highways is still an issue for them.

RESOLVED: That, subject to the completion of a Section 106 Agreement in respect of affordable housing provision and a contribution of £23,343, towards the shortfall in open space, sport and recreation facilities (to be subject to review), together with the following conditions, permission be **GRANTED**.

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby approved shall, in all respects, accord strictly with drawings numbered 1764/058, 17658/1062B, 1321,201B, 1312/331C, 1312/309B, 1050/350 Rev A, 1312/308B, 1312/304B, 1312/310A received 27 June 2018, 0511 TPP 28.8.18 received 29 August 2018, OP112209LD10922 received 11 September 2018, 1312/302C, 1312/333D, 1312/334D, 1312/335D received 14 September 2018, 17648/061C, 17648/060C, 17948/050D, 17648/052C, 17648/055D received 31 October 2018, 1312/P16 Rev C, 1312/P11 Rev C, 1312/P10 Rev F, 1312/P10 Rev F, 1312 P05 Rev D, 1312/P04 Rev F, 1312/332 Rev E and 1312/303 Rev D received 29 November 2018, the Flood Risk and Drainage Strategy R01_B received 31 October 2018, Design and Access Statement received 27 June 2018, Energy Statement received 27 June 2018 and Sustainability Statement received June 2018
- 3 No development shall take place in connection with this permission until a detailed construction method statement has been submitted to the Local Planning Authority for approval in writing. This shall include the method for tree and hedgerow protection, the location and type of any welfare and storage cabins, area for material storage, hours of working and the route for all construction traffic. The works shall be carried out in accordance with the agreed method statement.
- 4 No part of the development relating to the construction of the dwellings hereby approved shall be commenced until:
 - i) 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
 - ii) The ironwork has been set to base course level and the visibility splays required by this permission laid out
 - iii) A site compound and car park have been provided and constructed to the written satisfaction of the Local Planning Authority.
- 5 No dwellings shall be occupied until the following works have been carried out to the written satisfaction of the Local Planning Authority:
 - i) The cul-de-sac carriageway including the vehicle turning head within that phase shall have been laid out, kerbed, drained and constructed up to and including base course level, the ironwork set to base course level and the sewers, manholes and service crossings completed;
 - ii) The cul-de-sac footways and footpaths which provide that dwelling with direct pedestrian routes to an existing highway maintainable at public expense have been constructed up to and including base course level;
 - iii) The cul-de-sac visibility splays have been laid out to their final level;

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- iv) The street lighting for the cul-de-sac and footpaths has been erected and is operational;
 - v) The car parking and any other vehicular access facility required for the dwelling by this permission has/have been completed;
 - vi) The verge and service margin and vehicle crossing on the road frontage of the dwelling have been completed with the highway boundary properly defined.
- 6 When constructed and provided in accordance with condition 5 above, the carriageway, vehicle turning head, footways, and footpaths shall be maintained free of obstruction to the free movement of vehicular traffic and pedestrians and maintained to the satisfaction of the Local Planning Authority.
- 7 The proposed estate road, cycle ways, footways, footpaths, verges, junctions, street lighting, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhand margins, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections indicating as appropriate, the design, layout, levels, gradients, materials and method of constructions shall be submitted to the Local Planning Authority.
- 8 Prior to any roofing works or installation of any hardstandings, a detailed design of the proposed permanent surface water drainage management system 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 informed by the programme of approved BRE Digest 365 Soakaway Design (2016) percolation tests and in accordance with the principles set out in the Flood Risk Assessment and Drainage Strategy dated April 2018 REV R02_For Planning.
- 9 No development shall take place until the full results of a groundwater monitoring programme, undertaken over a period of 12 months, has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. This monitoring should be conducted to provide adequate coverage of the site, with particular focus placed on the locations and depths of the proposed infiltration devices.
- 10 No development shall take place until a Construction Ecological Management Plan (CECOMP) is submitted to and approved in writing by the Local Planning Authority, and carried out in accordance with the timetable for implementation as approved.

Prior to first occupation of any dwelling, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority, and carried out in accordance with the timetable for implementation as approved.

The LEMP shall set out management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens.) The scheme shall include the recommendations of the ecological assessment report (Tyler Grange, 22 June 2018 ref 11357_R01_JP_HM) and indicative landscape and softworks plan (1312/P11).


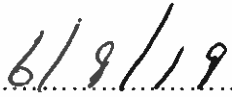
- 11 Notwithstanding the details hereby approved, prior to installation samples of all proposed surfacing and external facing materials shall be submitted to the

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- Local Planning Authority for approval; thereafter unless otherwise agreed by the Local Planning Authority in writing, only approved surfacing and external facing materials shall be used in the development.
- 12 Notwithstanding the details hereby approved, the roofs of the dwellings hereby approved shall be covered in natural slate, a sample of which shall be submitted to the Local Planning Authority for approval prior to the commencement of any roofing work. The roof slates shall be fixed by nailing only. At all times thereafter the roof shall be maintained in the approved natural slate.
 - 13 Notwithstanding the drawings hereby approved, unless otherwise agreed in writing by the Local Planning Authority, all external windows in the development hereby permitted, shall be of timber construction. Prior to the installation of any window units full details of these units, including suitable cross sections, shall be submitted to the Local Planning Authority for approval in writing. Thereafter, only approved windows shall be used in the development.
 - 14 All stonework shall be laid and pointed using traditional techniques and materials. There shall be no exterior machine cut faces to the stone. Pointing shall be deeply raked. A sample panel of the proposed stonework shall be prepared for inspection by the Local Planning Authority and shall be approved in writing before any substantial areas of stonework are completed.
 - 15 Details of the proposed landscaping and planting scheme shall be submitted to the Local Planning Authority for approval. The landscaping and planting shall be carried out in accordance with the approved scheme within twelve months of the commencement of the development, or such longer period as the Local Planning Authority shall specify in writing. The landscaping and planting shall be maintained for a period of not less than five years from the date of the commencement of the development, such maintenance shall include the replacement of any trees or shrubs that die or are removed.
 - 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order with or without modification, no material alterations to the external appearance of the affordable housing units (unit nos. 5, 6, 7, 8, 9, 10, 32, 33, 34, 35, 36, 37, 38 and 39) hereby approved shall be carried out and no extension shall be erected in or around the curtilage of these dwellings, and no windows or roof lights other than those expressly authorised by this permission shall be created, formed or installed, without the prior written authorisation of the Local Planning Authority.
 - 17 Foul drainage from the Development (and no other drainage) shall be connected to the public foul or combined sewer.

Item 2 – 0209/19 – Erection of general purpose agricultural building (12m x 4m) (Full Planning Permission), Violet House, Haytor

The Case Officer informed Members that the application is for an agricultural building which is associated with the small holding. The proposed building is within the garden of the dwelling, and although the building would be visible from distant views, it would be seen in association with the existing developments. The application has not received any objections from the Trees and Landscape officer. The Parish Council raised concerns about the landscape impact of the building.

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The Chairman sought confirmation from the Planning Officer that, if it wasn't for the Parish Councils comments, the application could have been dealt with under delegated powers.

In response to a Member's question, the Case Officer confirmed that condition 3 would cover the type of roofing used on building. Queries about the use of the building were raised and if livestock are going to be held in the building, a manure and dirty water plan would need to be written into the conditions. Condition 5 should read: No livestock shall be housed in the building unless details of drainage and waste management have been previously submitted to the Local Planning Authority.

Mr Sanders proposed the recommendation, with the addition of the condition above, which was seconded by Mr McInnes.

RESOLVED: Permission 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 The development hereby approved shall, in all respects, accord strictly with drawings numbered P01, P03 and P04 valid on 15 May 2019.
- 3 Prior to installation, samples of all proposed surfacing, external facing and roofing materials shall be submitted to the Local Planning Authority in writing, only approved surfacing, external facing and roofing materials shall be used in the development.
- 4 The agricultural building hereby permitted shall only be used for agricultural purposes reasonably necessary on the holding to which it relates. Upon its becoming redundant for such purposes, the building shall be removed and the land reinstated to its former condition within a period of six months, unless the Local Planning Authority shall grant planning permission for an alternative use of the building.
- 5 No livestock shall be housed in the building unless details of drainage and waste management have been previously submitted to the Local Planning Authority for approval. Thereafter the development shall be managed in accordance with the approved details.

Item 3 – 0250/19 Erection of single storey side extension to house (full Planning Permission – Householder), Hillman Cottage, Horrabridge

Speakers: Mr Kelsey – Applicant

The Case Officer stated to Members that the application is for a single storey extension on a detached dwelling on the edge of the local centre of Horrabridge. The dwelling had a two storey extension in 2014. The Parish Council have supported the application, stating that it would have little impact on the neighbourhood. The Case Officer explained to Members that cumulatively the two extensions would make the increase in floor space 45%, overwhelming the original property and going against policy.

Mr Kelsey informed Members that he was not aware of the cumulative rules for extensions. He stated that the extension would be made to blend in to the original property and the extension would make for a more comfortable living space, extending the lounge by 10ft. He stated that he believed the calculations in

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floorspace were incorrect, but it would still be over the 30% allowed. He would be happy to work with the Planning Officers, if there was something he could do to make the extension acceptable.

The Chairman stated that there was a clear conflict on policy grounds. The policy is there to prevent Dartmoor losing the smaller houses. He proposed the recommendation for refusal, which was seconded by Mr McInnes.

Mr Nutley proposed a site visit, as he suggested the extension would have little impact on the neighbours and the house is smaller than the neighbouring properties, which was seconded by Mrs Morgan. The Legal Advisor reminded the Chairman a vote had to be taken on the first proposal before this proposal can be put forward.

The Chairman reminded Members that if the two extensions we presented together it would be refused, it is a clear conflict of policy.

A vote was taken on the first proposal.

RESOLVED: That permission be **REFUSED** for the reasons as stated in the report.

1374 Appeals


Members received the report of the Head of Development Management (NPA/DM/19/019).

RESOLVED: Members NOTED the content of the report.

1375 Enforcement Action Taken Under Delegated Powers

Members received the report of the Head of Development Management (NPA/DM/19/020).

RESOLVED: Members NOTED the content of the report.

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