

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

Friday 5 April 2019

Present: K Ball, S Barker, W Cann, A Cooper, G Gribble, P Harper, P Hitchins,
S Hill, M Jeffery, J McInnes, D Moyse, N Oakley, C Pannell,
R Parkinson, M Retallick, P Sanders, D Webber, P Woods

Apologies: J Christophers

1350 Minutes of the Meeting held on Friday 1 March 2019

The minutes of the meeting held Friday 1 March 2019 were agreed and signed as a correct record.

1351 Declarations of Interests and Contact

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

Mr McInnes, Mr Sanders, Mr Jeffery, Ms Woods, Mr Ball Mrs Oakley, Mr Hitchins and Mr Retallick declared a personal interest, due to contact, in items 0051/19 – Conversion and change of use of redundant church to single residential dwelling, Ilsington Methodist Church, Ilsington; 0029/19 – Removal of garage and erection of extension including raising of roof ridge height in line with existing dwelling, Beara Farm Bungalow, Moretonhampstead; and, 0059/19 Installation of 20m telecommunications column mast accommodating three antennas, pole mounted satellite dish, ancillary equipment cabinets, cabling, landscaping and access track, land at Newbridge Hill, Poundsgate.

Mr Webber declared a personal interest, due to contact, in items 0029/19 – Removal of garage and erection of extension including raising of roof ridge height in line with existing dwelling, Beara Farm Bungalow, Moretonhampstead; and, 0059/19 Installation of 20m telecommunications column mast accommodating three antennas, pole mounted satellite dish, ancillary equipment cabinets, cabling, landscaping and access track, land at Newbridge Hill, Poundsgate.

Dr Parkinson, Mr Barker, Mr Hill and Miss Moyse declared a personal interest, due to contact, in items 0051/19 – Conversion and change of use of redundant church to single residential dwelling, Ilsington Methodist Church, Ilsington; and, 0059/19 Installation of 20m telecommunications column mast accommodating three antennas, pole mounted satellite dish, ancillary equipment cabinets, cabling, landscaping and access track, land at Newbridge Hill, Poundsgate.

Mr Cann declared a personal interest, due to contact in items 0051/19 – Conversion and change of use of redundant church to single residential dwelling, Ilsington Methodist Church, Ilsington; and, 0646/18 – Replacement dwelling, Kenwyn, South Zeal

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Mrs Pannell declared a personal interest, due to contact, in items 0051/19 – Conversion and change of use of redundant church to single residential dwelling, Ilsington Methodist Church, Ilsington; 0029/19 – Removal of garage and erection of extension including raising of roof ridge height in line with existing dwelling, Beara Farm Bungalow, Moretonhampstead; and a pecuniary interest, due to her daughter's employment with EE, in item 0059/19 - Installation of 20m telecommunications column mast accommodating three antennas, pole mounted satellite dish, ancillary equipment cabinets, cabling, landscaping and access track, land at Newbridge Hill, Poundsgate, and advised that she should vacate the meeting whilst this item was discussed.

Mr Harper declared a personal interest, due to contact, in items 0051/19 – Conversion and change of use of redundant church to single residential dwelling, Ilsington Methodist Church, Ilsington; 0029/19 – Removal of garage and erection of extension including raising of roof ridge height in line with existing dwelling, Beara Farm Bungalow, Moretonhampstead; and a pecuniary interest, due to his having a mast on his land and being in receipt of payments from EE, in item 0059/19 - Installation of 20m telecommunications column mast accommodating three antennas, pole mounted satellite dish, ancillary equipment cabinets, cabling, landscaping and access track, land at Newbridge Hill, Poundsgate.

Mr Cooper declared a personal interest, due to contact, in item 0059/19 - Installation of 20m telecommunications column mast accommodating three antennas, pole mounted satellite dish, ancillary equipment cabinets, cabling, landscaping and access track, land at Newbridge Hill, Poundsgate.

1352 Items Requiring Urgent Attention

None.

1353 Applications for Determination by the Committee

Members received the report of the Head of Development Management (NPA/DM/19/000).


The Chairman advised that he had decided to amend the order of applications to be determined and that item 5 would be heard first due to a change in the recommendation.

Mrs Pannell and Mr Harper left the meeting.

Item 5 – 0059/19 – Installation of 20m telecommunications column mast accommodating three antennas, pole mounted satellite dish, ancillary equipment cabinets, cabling, landscaping and access track, land at Newbridge Hill, Poundsgate

Speaker: Mr Norman Cowling, on behalf of objectors
Mr John Davies, Applicants' Agent

The Case Officer advised Members that there has been significant public interest in this application. Pre-application discussions had taken place with officers in June

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2018. The proposal is for a 20m telecommunications mast and its associated infrastructure; the aim of the mast is to improve radio coverage for the emergency services. Comments received from the public are acknowledged and have been largely addressed within the report and by consultees. Comments are awaited from Natural England; these are due next week. The 19m tree which is situated near to the site of the proposed mast and compound is to be retained; the compound itself would be edged with Devon hedge.

It is considered that the public benefits of the proposed scheme would outweigh any perceived harm to the character of the area. The Case Officer stated that the recommendation had changed from that in the Report, to a recommendation that the matter be DEFERRED in order to allow time for receipt and consideration of Natural England's comments and for Members to undertake a site inspection.

Mr Cowling advised Members that he was speaking on behalf of some 180 objectors, including Widecombe-in-the-Moor Parish Council, Butterfly Conservation, Devon Wildlife Trust and the local commons owner. He stated that the applicants had not followed the requirements of the Authority's policy DMD20 as they had not consulted with residents and the local community before the application was submitted, adding that 13 February 2019 was the first they had heard about the application. He added that there was a lack of evidence of any other sites having been considered for the mast, and took issue with the applicants' statement that there are no protected species that could be adversely affected by the works, advising that there are three fully protected Section 41 species of butterfly noted adjacent to the site. He suggested that a site visit would benefit Members prior to their determination of the application, together with sight of the surveys which have been called for by Devon Wildlife Trust.

Mr Davies advised Members that the application formed part of a Home Office scheme to improve emergency services radio coverage across the country. Airwave is the current service provider; the Home Office has determined that provision needs to be improved in certain areas. 4G broadband needs to be available in order to improve this coverage and, therefore, additional sites are needed, this application site being one. There had been consultation with the Local Planning Authority and communication had also been sent to the Parish Council who responded in the summer requesting a site visit. Planning Officers had recommended some changes to the proposals and, having taken these into account, the applicants re-consulted with the Parish Council.

In response to Member queries, Mr Davies advised the following:

- The primary use of the mast and antennas would be for the emergency services; for additional commercial use another microwave dish would be required, and would be subject to a separate planning consideration;
- Other sites were considered; factors taken into consideration included landowner co-operation, site appearance, 'workability' of the site;
- The project is nearing completion so there would be no more planning applications for any Dartmoor sites;
- The site is of significant importance due to the coverage needed in and around Poundsgate;
- The mast would be constructed of metal but timber clad in order for it to take on the appearance of a telegraph pole and fit better with the landscape;

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- Radio coverage does not tend to use satellites; the mast and antenna proposed in this application is the preferred option;

Mr McInnes proposed that the application be DEFERRED in order for Natural England's comments to be received and considered, and to allow a site inspection to be undertaken, which was seconded by Mr Sanders.

RESOLVED: That the application be DEFERRED in order for a site inspection to be undertaken.

Mrs Pannell and Mr Harper returned to the meeting.

Item 1 – 0051/19 - Conversion and change of use of redundant church to single residential dwelling, Ilsington Methodist Church, Ilsington

Speaker: Cllr Mervyn Wills, Ilsington Parish Council Chairman
Mr Alister King-Smith, Applicant's Agent

The Case Officer advised Members that the proposal was for the change of use and conversion of the redundant Methodist Church in Ilsington to a single residential dwelling. The application is similar to the two previous applications made in 2016 and 2018; permission was refused each time for the same reasons as those currently proposed. The same evidence regarding the marketing of the property has been submitted. The application is contrary to policies COR2, COR15 and DMD23, all of which do not permit the conversion of this building to an open market dwelling. It is also contract to policy DMD9 in that neither this application, nor the two previous applications, has given good reason why a business or holiday let was not viable. Councillor Wills advised Members that he was representative of the whole Parish Council and stated that the application had the Council's full support. He added that the building has fallen into disrepair over the past three years. No alternative business use has been identified. The Council feels that the application is justified as it is considered that it would make good use of the building. Councillor Wills did not consider that holiday use was appropriate but acknowledged that an 'affordable' dwelling may be possible.

Mr King-Smith advised Members that he was representing the owners of the site, the Methodist Circuit. He stated that the property is no longer required for religious use and the application was not contrary to policy DMD9. In his opinion, the marketing of a property to seek an alternative use was not an accurate way to record viability or feasibility; it would not be viable to restrict an alternative use to either commercial use or a holiday let. The property is a non-designated heritage asset and has played an important part in the history of the area. He added that additional information/evidence had been provided but officers had failed to take this into account when coming to a recommendation.

In response to Member queries, Mr King-Smith advised that his clients would be open to the consideration of a concession towards making the property affordable, e.g. a local area restriction, reduced price etc. He felt that the full viability assessment, which in his opinion is highly relevant, had not been fully considered by officers. With regard to the marketing of the property, he advised that this was done by a previous agent; his clients have taken back control of what is proposed for the building.

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The Head of Development Management advised Members that he was confident that all available information had been carefully considered and taken into account. With regard to the key tests to be addressed under policy DMD9, it was accepted that the building is of historic value; however, with regard to the possibility of other uses it is clear that this has not been addressed since 2016. No discussions regarding the provision of an affordable dwelling has taken place to date. While financial information on a range of options had been presented, a full viability assessment has not been provided.

The Case Officer advised Members of the content of policy DMD9 and confirmed that none of the steps have been fully satisfied with regard to this application.

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

A Member commented that there was a need for affordable housing within the parish. Community services are already satisfied within the village; the site and lack of parking (maximum of 2 spaces) preclude the commercial use of the building. The property is of significance within the local landscape. It is unfortunate that the application is contrary to policy as the building is deteriorating rapidly. The Member also considered that the property had been marketed for significantly longer than the three months quoted and expressed a desire to see closer working between the applicant and officers. Another Member observed that the property had been on the market since 2016 and therefore available for anyone to make an offer for it.

In response to Member queries regarding the possibility of a s106 agreement for a commuted sum the Head of Development Management urged caution. An affordable housing scheme must be in place within the locality in order for a commuted sum to be allocated to it; the Authority is not able hold on to commuted sums indefinitely where there is no realistic prospect of spending such a sum in the locality.

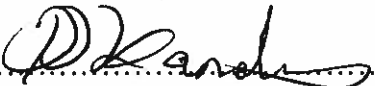
RESOLVED: That permission be **REFUSED** for the reasons as stated in the report.

Item 2 – 0057/19 – Indoor pool incorporating gym with ancillary rooms, terrace and re-fit existing platform with glazed balustrades, Caseley Wood, Lustleigh

The Case Officer advised Members that the proposed pool building would be built into the layout/slant of the site. The scheme has been designed, and subsequently reduced by one pane of glass, in order to go some way to addressing the comments received regarding light spill. The proposed building is simple in form, would fit well within the site and would be subservient to the main house.

In response to Member queries, the Case Officer advised the following:

- The footprint for the proposed building is the equivalent of 54% of the main house; however, this would not be considered under policy DMD24 as it would not be part of the house;
- The glazing on the proposed building would be east facing, therefore, there would be no glint issues;
- The pool would be for personal use only; a proposed condition would address this issue;

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- The walkway between the house and the pool building would be open;
- With regard to the glazing, an overhanging canopy would reduce any perceived impact; as the building would be settled in between garden boulders, non-reflective glass is not felt to be a requirement;
- The cut required at the back of the building would be 2.4m; the tallest point would be 3m.

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

The proposal to grant permission was **NOT CARRIED**.

Some Members expressed concerns over the scale and massing of the proposed building, potential light pollution, as well as the impact of the building in the landscape, and were minded to propose that the application be refused.

In response to Member concerns the Head of Development Management advised that possible reasons for refusal could be that the application goes against policy DMD5 due to its impact on the landscape character, including light pollution; and, policy DMD7 due to inappropriate scale, massing and use of materials.

Mr Jeffery proposed that permission be REFUSED, due to the application being contrary to policies DMD5 – impact on landscape character, and DMD7 – scale, massing and materials, which was seconded by Mrs Oakley.


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

The proposed outbuilding by virtue of its scale, bulk and design would not enhance the local environment, conserve or enhance the character and appearance of this part of Lustleigh or the wider National Park, it would be contrary to policies COR1, COR4, DMD5 and DMD7 of the Dartmoor National Park Development Plan and to the advice contained in the Dartmoor National Park Design Guide, the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2019.

Item 3 – 0029/19 – Removal of garage and erection of extension including raising of roof ridge height in line with existing dwelling, Beara Farm Bungalow, Moretonhampstead

Speaker: Mr James McKeown, Applicant

The Case Officer advised Members that Beara Farm Bungalow is situated one mile to the north west of Moretonhampstead. In 2015 a Certificate of Lawful Use was granted, lifting the agricultural occupancy condition, the owners having proved that the bungalow had been occupied by non-agricultural workers for at least 10 years. The application is for the removal of the garage and the erection of a side extension, together with the raising of the ridge height in line with that of the existing dwelling. In 2018 permission was refused for a similar scheme due to its inappropriate scale, massing and design. Elevations proposed in this application would be dominated by the barrel-vaulted roof which is at odds with policy and the Dartmoor National Park Design Guide. The current garage is set back from the main dwelling and is therefore subservient to it. The proposed scheme would increase habitable living

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space by 60%, contrary to the 30% as specified in policy DMD24. In addition, the scale, massing and design proposed would adversely affect the character and appearance of this part of the National Park.

Mr McKeown stated that all Members had been sent an email explaining the history of this application. The design process had taken two and a half years; he now believed that the design before Members would contribute to the landscape far more positively than the current building. The Parish Council supports his application. He stated that his application had been dealt with by three different officers and was awaiting feedback from the current officer regarding the issue of % increase in habitable living space. His view was that the barrel-vaulted roof was not uncommon on Dartmoor; it is not stated that this design style should relate to agricultural buildings only.

In response to Member queries, the Case Officer advised that the 60% increase in habitable floorspace relates to an increase from the current dwelling; the garage would not impact on size as it is not included in the calculation of habitable space.

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

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

Item 4 – 0646/18 – Replacement dwelling, Kenwyn, South Zeal

Speaker: Mr Jack Woodward, Architect

The Chairman reminded Members that a resolution to refuse this application had been made at the Development Management Committee meeting which was held on Friday 1 March 2019. However, at that time, the applicant's revised plans had not been available and the site location plan presented in the officer's presentation had been found to be incorrect. It was therefore necessary to refer the matter back to Members for clarification.

The Case Officer advised Members that the Authority had concluded the consultation on the latest iteration of the plans, now before Members for consideration. The proposal is to replace the existing dwelling. The latest revisions included a reduction in size of dormer window on the rear elevation, a reduction in depth of the rear extension by 500mm, a reduction in glazing on the ground floor and the reconfiguration of side elevation windows to reduce the impact on neighbouring residents.

Whilst the principle of replacing the existing dwelling is acceptable there are no material considerations that support the application. Of concern to officers is the mix of materials, the bulky design of the rear of the property and the flat garage roof which would dominate the front of the property. Officers consider the proposal to be contrary to the Authority's design policies and the Dartmoor Design Guide; and would replace an affordable two bedroom property with a less affordable three bedroom dwelling.

Mr Woodward advised Members that the bungalow is condemned and needs to be replaced. The main concern for Members at the last meeting was the rear of the

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building. The third bedroom is needed for when the owner's relatives stay at the property. In his opinion, the site is not a contentious one; the gable window has been removed along with other minor revisions. He added that the applicant has the support of the village and it is felt that the replacement dwelling would re-centralise the family

In response to a Member query, Mr Woodward confirmed that the property needs to be replaced as it is uninhabitable; the structural report has rendered it unsafe and asbestos is present within the building.

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

Mr Barker proposed that permission be GRANTED, on the grounds that the street scene would not be very different, a replacement dwelling is indeed needed on the site. Some Members felt that the building would fit in; the rear of the property would not be visible and that the applicant had made an effort to improve the design of the replacement dwelling. Others felt that the design was still unacceptable but would support continued discussion between the applicant and officers.

The Head of Development Management advised Members that only minor changes had been made and are not felt to be significant by officers.

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

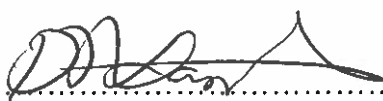
Item 6 – 0069/19 – Erection of a single storey side extension and alterations to dwelling, reconfiguration of parking arrangement and drive access, The Oaks, Binkham Hill, Yelverton

Speaker: Mrs Hunter, Applicant

The Case Officer advised Members that the application proposes a single storey extension to the side and rear of the dwelling. The applicants have amended their plans as they recognised that their original proposal would have an adverse impact on their neighbour. The scheme has therefore been scaled back and is considered appropriate in terms of design and neighbour impact. The design of the extension and the materials to be used would match the existing dwelling.

The proposed extension would represent a 42% increase in floor space; however, there are special circumstances which permit officers to depart from policy. The additional space is needed for a severely disabled member of the family and evidence has been received from healthcare professionals that clearly demonstrates the need for the extension and is a material consideration in determining the application.

Mrs Hunter advised Members that she has a severely disabled daughter, in need of constant monitoring and care. She added that the family had considered moving to alternative locations; however, their current property is in the ideal position should emergency services be required. Over 139 letters of support have been written, Mrs Hunter's neighbour being the first to send their letter to the Authority. They had amended their application having realised that their original proposal would have had

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a negative impact on their neighbour's amenity in that there would have been a significant loss of natural light.

Mr McInnes proposed the recommendation, which was seconded by Mr Sanders, who added that the design was such that, should the applicant move from the property, the property would still be a sought after dwelling.

RESOLVED: That, subject to the conditions as stated in the report, permission be **GRANTED**.

Item 7 – 0064/19 – Replacement agricultural livestock building (22.86m x 19.8m), South Warne, Station Road, Mary Tavy

The Case Officer advised Members that the application proposed the replacement of an existing agricultural building of 216sqm with a larger building of 452sqm, measuring 6.3m in height (4.2m to the eaves). The existing building is in a dilapidated state and is no longer fit for purpose. Members were reminded that the Authority had previously approved an application for a replacement agricultural building (325sqm) on this site in October 2018. Whilst the comments from neighbours and the Parish Council are acknowledged, the use and activity is already established, the building to be used for the overwintering of livestock.

In response to Member queries the Case Officer advised that although there was no proposed planting to the side of the building to partially mask it from view, this could be conditioned. Proposed conditions 5 and 6 would address the issues of water run-off, a Waste Management Plan being required prior to the building being brought into use.

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

A discussion followed regarding the orientation of the replacement building, in particular its relationship to the adjacent hedgerow and how access for vehicles would be accommodated. It was suggested that the plan of the site should be more accurate in order for Members to be able to determine this aspect of the application.

Mr McInnes withdrew his original proposal suggesting that the application be **DEFERRED** in order for a more detailed, accurate site plan to be requested from the applicant, which was seconded by Mr Sanders.

RESOLVED: That the application be **DEFERRED** in order for a more accurate site plan to be requested from the applicant.

1354 Appeals

Members received the report of the Head of Development Management (NPA/DM/19/010).

RESOLVED: Members **NOTED** the content of the report.

1355 Appointment of Site Inspection Panel and Arrangements for Site Visits

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Site inspection date – Friday 12 April 2019, regarding:

Application No. 0059/19 Installation of 20m telecommunications column mast accommodating three antennas, pole mounted satellite dish, ancillary equipment cabinets, cabling, landscaping and access track, land at Newbridge Hill, Poundsgate

The following Members were appointed to the site inspection panel:

Miss Moyse, Mr Hitchins, Mrs Oakley, Mr Ball, Mr Gribble, Mr Cooper, Mr Hill, Mr Sanders, Mr McInnes, Mr Jeffery and Mr Webber

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