

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

Friday 15 June 2018

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

Apologies: K Ball, S Barker

1295 Minutes of the Meeting Held on Friday 4 May 2018

The minutes of the meeting held on 4 May 2018 were agreed and signed as a correct record.

1296 Declarations of Interest and Contact

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

Mr McInnes and Miss Moyse declared a personal interest in Items 0215/18 – land at Clearbrook, Yelverton, due to receiving email correspondence from the applicant, and ENF/0237/17 – land near the Old Quarry, Southwood, Bridford, having also received email communication.

Mr Sanders declared a personal interest in Item 0058/18 – Yeo Farm, Bickington, due to knowing the applicant, and Item 0215/18 – land at Clearbrook, Yelverton, having had telephone discussions with the applicant.

Mr Webber, Mrs Oakley, Mr Simpson and Mr Cann declared a personal interest in Item ENF/0046/17 – Downtown Farm, Lydford, having received email communication.

Mr Jeffery declared a personal interest, having received email communication, in Item 0166/18 – land south of Teign Village, Bovey Tracey.

Mr Gribble declared a personal interest in Item 0215/18 – land at Clearbrook, Yelverton, due to receiving email correspondence from the applicant, ENF/0237/17 – land near the Old Quarry, Southwood, Bridford, having also received email communication, and 0166/18 – land south of Teign Village, Bovey Tracey due to his being a member of Bovey Tracey Town Council and Deputy Mayor.

Mr Christophers declared a personal interest in Item 0166/18 – land south of Teign Village, Bovey Tracey, having received email communication, and Item 0058/18 – Yeo Farm, Bickington, due to knowing the applicant.

Signed James D. McInnes Date 29-7-18

Mr Hitchins declared a personal interest, having received email communication, in Items 0166/18 – land south of Teign Village, Bovey Tracey, 0215/18 – land at Clearbrook, Yelverton and ENF/0046/17 – Downtown Farm, Lydford.

Mrs Pannell declared a personal interest, having received email communication, in Items 0215/18 – land at Clearbrook, Yelverton and ENF/0046/17 – Downtown Farm, Lydford.

Mr Harper declared a pecuniary interest in Item ENF/0237/17 – land near to the Old Quarry, Southwood, Bridford. He advised that he would vacate the meeting room for this item. He also declared a personal interest, having received email communication from the applicants, in Items 0163/18 – Homefield, Lydford, and 0215/18 – Clearbrook, Yelverton.

Mr Cooper declared a personal interest, having received email communication from the applicants, in Items 0163/18 – Homefield, Lydford, and 0215/18 – Clearbrook, Yelverton.

Mr Retallick declared a personal interest, having been approached by the applicant, in Item 0166/18 – land south of Teign Village, Bovey Tracey, and item 0058/18 – Yeo Farm, Bickington, due to knowing the applicant.

1297 Items Requiring Urgent Attention

The Chairman advised Members that he was proposing to use a new system for proceedings today and outlined the process as follows:

- Case Officer to make his/her presentation to Committee;
- Speakers to address Members for their three minute allowed time;
- The Chairman to propose the recommendation, to be seconded by the Deputy Chairman;
- Member discussion and determination.

He added that he had given much consideration to these changes having received feedback from one of the Authority's Independent Persons who had observed the previous meeting.

1298 Applications for Determination by the Committee

Members received the report of the Head of Development Management (NPA/DM/18/021).

Item 1 – 0166/18 – Erection of barn and creation of new access (Full Planning Permission), Land South of Teign Village, Bovey Tracey

Speaker: Robert Brown, Applicant's representative

The Case Officer advised Members that the application is in relation to a five hectare parcel of land to the south of Teign Village. The proposal is for a barn and new access with hardstanding driveway and new earth bund to the left hand side. The new building would be situated in an isolated position, on a small parcel of

Signed  Date 27.7.18

agricultural land. It would not align with the policy for the grouping of farm buildings and would be very visible in the landscape from the adjacent highway and proposed new access.

The proposed building is described as being for the storage of animal feed and machinery, as well as an animal shelter. There are concerns regarding the design of the proposed building, which measures 12m x 9m x 6m high, as it appears to be more of a general industrial design with no low level ventilation which does not lend itself to the keeping of animals.

A previous application was refused in January 2018 for a slightly larger building, of a similar design. The proposed building has been reduced in scale. The application is recommended for refusal based on landscape impact on the same grounds as the earlier application.

Mr Brown advised Members that there are two other barns within the immediate vicinity, one of which is near the village and is larger than the barn proposed. He added that the applicant is as a motor trader; however, he wishes to retire and use the land for agricultural purposes, and improve the quality of the land that he has purchased. He has plans to bring the hedgerows back into good order and have livestock on site. He stated that the application is supported by the Parish Council and only one letter of objection has been received.

In response to Member queries, Mr Brown advised that, although there was no stock on the land at the present time, a number of suckler calves have been purchased. He stated that the barn is proposed for plant storage rather than for housing livestock; therefore, there would be no need for low level ventilation. He also confirmed that there are no other buildings on the land holding.

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

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

Item 2 – 0186/18 – Creation of a 20m x 40m manege for private use, new field shelter and improvements to landscaping and drainage (Full Planning Permission), Lower Lawn, Knowle Close, Ashburton

Speaker: Toby Brayshaw, Applicant

The Case Officer advised Members that the site is located on the outskirts of Ashburton to the north of Pear Tree Cross. The land rises steeply and forms part of the land designated as an area of historic setting for Ashburton's conservation area.

The proposal is for a 20m x 40m manege and a 10m x 4.5m field shelter adjacent to the existing private stables. Excavation of the field (up to 2m at one end) which is currently grazed pasture, would be required in order to create a level horse training area. The field is featured on the Tithe map as part of a historic field system which is largely intact and likely to be medieval in origin. The recommendation is for refusal due to detrimental impact upon the landscape.

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Mr Brayshaw advised Members that he and his daughter both ride; the public highways have become more dangerous and the manege would provide a safe location in which to keep the horses fit and trained. He added that he had undertaken research of the Authority's policies and other similar applications prior to making his application. The proposed field shelter was to be placed next to the stables in order to keep the buildings together in a cluster. He stated that he has improved the wildlife habitats on his land; the soil from any excavations would be placed on the top field to improve its quality and enable agricultural use. He asked Members to consider undertaking a site inspection as, in his opinion, his application would enhance and conserve this part of the National Park; in addition, show-jumping paraphernalia would not be in the field but rather hidden from site within the manege.

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

- It is proposed that the surface of the manege is of recycled carpet – a dull grey in colour which will merge into the landscape;
- Fencing of rustic half-round style would be placed around the manege;
- With regard to run-off, it is proposed that this will dissipate slowly within the confines of his own land

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

A Member commented that in knowing the site well, he concurred with the applicant's reasons for wanting a manege and could potentially see the benefits. He added that it was encouraging to hear that the applicant proposed to bring other parts of his land into agricultural use, as well as remove the equestrian equipment from the field.

Mr Gribble proposed that the application be DEFERRED in order for a site inspection to take place, which was seconded by Mr Christophers.


A Member commented that he had more concern regarding the proposed field shelter than the manege itself. Another advised that he was in support of the officer's recommendation in that substantial engineering works would be required in what is currently a field in the rolling countryside in a traditional landscape. He would also have concerns regarding run-off in spite of the applicant's assurances.

After a brief discussion regarding process Mr McInnes withdrew his proposal; Mr Sanders agreed, in order that the proposal for a site inspection could be taken to the vote.

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

Item 3 – 0592/17 – Erection of agricultural worker's dwelling (Outline Planning Permission), Eggworthy Farm, Sampford Spiney

The Case Officer reminded Members that an application for outline planning permission had been considered at Development Management Committee meetings in March and April 2018 when the matter was deferred for the

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consideration of alternative ways of providing the necessary accommodation and appropriate planning conditions. The proposal is for the erection of a new agricultural worker's dwelling to the north of the existing agricultural buildings.

The applicant has provided a lot of information which has been carefully considered by officers. All tests within policy DMD23 have been met with one exception; the recommendation remains for refusal as officers are of the opinion that there is an existing building within the farmstead that could be converted into accommodation for an agricultural worker.

In response to Member queries, the Case Officer explained the uses of the buildings surrounding the identified barn. Officers are of the opinion that the barn could be converted without the need for other buildings to be removed. The barn faces into the old farmyard, adjacent to the main farmhouse. The new farmyard, situated elsewhere on the site, is where the vast majority of work is undertaken.

Miss Moyse proposed that the application be DEFERRED in order for a site inspection to take place, which was seconded by Mr Hill.

The Chairman commented that it was felt that the applicant had not adequately considered existing buildings and possible conversion. He reminded Members that they are required to consider the application before them, not identify an alternative; the application before them is for a new dwelling.

The proposal for a site inspection was NOT CARRIED.

Mr Harper stated that he felt that Members had not been fully informed of the situation; transparency is key and which this in mind he proposed the recommendation, which was seconded by Mr Cann.

In response to other queries from Members, the Case Officer advised that no pre-application advice had been sought; following the Development Management meeting held in April 2018 the applicant had provided a wildlife survey, a statement of significance and a health and safety report regarding viability. No costings or alternatives were provided. On the basis of what officers had received it was considered that the existing barn was viable for conversion.

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

Item 4 – 0163/18 – Extension and conversion of garage to form annexe (Full Planning Permission) – Householder, Homefield, Lydford

Ms Woods arrived at the meeting.

Speaker: Fiona Maddock, Applicant's Agent

The Case Officer advised Members that Homefield is situated adjacent to the A386 to the north of Lydford. The property is a replacement dwelling and the proposal is to extend and convert an existing garage by 1.5m in height to form a one bedroom annex to provide ancillary accommodation.

Signed James P. MCT moe Date 27-7-18

The garage is a modest structure with a corrugated roof which is currently subservient to the main dwelling. The proposed conversion would result in a gable ended structure with inappropriate detailing consisting of roof lights, a large blank elevation, French doors and a Juliet balcony. The building would be bulky in appearance and would no longer be subservient to the main house.

The applicant was invited to address the issues identified but has declined to do so.

Mrs Maddock stated that with regard to the Authority's policy DMD25, it supports the construction of an annexe to provide accommodation for elderly family members. When it granted permission to replace the dwelling, the Authority had felt that the proposals would conserve the National Park, there would be no detrimental impact on neighbours or wildlife. She questioned why, five years later, with this application, officers were now recommending refusal. The design would mirror that of the main dwelling; the new roof to the garage is already as low as possible. She added that the Parish Council is in support of the application and several letters of support have been submitted.

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

Members were of the opinion that the officer recommendation was correct; the proposed extension and conversion of the garage would make the structure too large for the site.

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

Item 5 – 0206/18 – Erection of dwelling (Full Planning Permission), Tyrwhitt House, Tavistock Road, Princetown

The Case Officer advised Members that the proposal is for the construction of an open market dwelling in the Princetown Conservation Area. Refusal is recommended for three reasons. The first reason relates to policy requirement that a new dwelling should be affordable; the application is for a four bedroom open market property. The second reason relates to the loss of green space which would cause harm and would have a detrimental impact on the character and appearance of the Conservation Area. The third reason relates to the impact that the development would have on the protected trees.

Members were also advised that there have been a succession of applications to develop the land which is no longer in the ownership of Tyrwhitt House.

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

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

Item 6 – 0058/18 – Agricultural Worker's Dwelling (retrospective) (Full Planning Permission), Yeo Farm, Bickington

Speaker: Amanda Burden, Applicant's Agent

Signed James McInnes Date 27-7-18

The Case officer advised Members that this application is for a third agricultural worker's dwelling on the site. The proposed siting of the building is detached from and will have no relationship with the other dwellings. This application is retrospective; the building is not of traditional construction and does not conform to the Authority's design guidance. It is a chalet style single storey dwelling situated in an elevated position above the rest of the site. It is accepted that there is a functional need; however, policy DMD23 tests are not completely satisfied as it is felt that there is, potentially, another building upon the site which could be converted to provide the required accommodation.

Ms Burden advised Members that her client currently farms 360 acres and rents a further 350 acres. He currently has around 320 dairy cows and a further 260 head of cattle. The owner, his son and three others currently work the farm and utilise the current dwellings on site. The building which has been identified by officers as having potential for conversion is only some 6m away from the milking parlour and is currently used by staff as a rest room. The chalet in question is 90sqm and considered 'affordable'. She requested Members consider a site visit to understand the site and understand why the other buildings are not suitable for conversion to an agricultural worker's dwelling.

Mr Retallick commented that the proposed site lies within a deep valley; it would not be seen by the public. He proposed the application be DEFERRED for a site inspection to take place, which was seconded by Mr Sanders.

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

Item 7 – 0215/18 – Change of use of barn to dwelling (Full Planning Permission), Land at Clearbrook, Yelverton

Speaker: Mr Fry, Applicant

The Case Officer advised Members that this application is for the change of use of an existing barn to a four bedroom, 140sqm dwelling. There is currently a two wheel track to the dwelling but no formal access. The property is also within flood zones 2 and 3. The conversion of the barn would fail to meet policy requirements as it would be an unjustified dwelling in the open countryside. The barn is currently used for domestic storage.

Mr Fry advised Members that his situation was unique as his application, in his opinion, falls between policies. He is one of the last of his generation who grew up and remain in Meavy. His circumstances are such that he does not meet the requirements for affordable housing, nor can he 'upsize' to open market housing. He added that the North York Moors, Peak District and Lake District National Parks have policies in place for individuals in his situation. He felt that local needs housing is conspicuous by its absence in the Local Plan. The site lies within the settlement and, therefore, he stated, the Authority's policy DMD23 does not apply in this case. He asked Members to consider a site inspection prior to determining his application.

Signed James D. T. [Signature] Date 27-7-18

In response to Member queries, Mr Fry advised that he had not sought any pre-application advice.

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

In response to a Member query, the Case Officer advised that the barn is outside the settlement boundary; it is not related to an agricultural holding of any sort, it is an application for an open market dwelling. There was no evidence of agricultural use when she visited the site; the barn contained domestic paraphernalia.

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

Item 8 – 0136/18 – Refurbishment and alterations to dwelling including replacement roof and creation of new door opening together with conversion of adjoining stone building to residential use with installation of four rooflights (Full Planning Permission – Householder), Archerton Cottage, Postbridge

The Chairman advised Members that this item had been DEFERRED.

Item 9 – 0161/18 – Demolition of existing outbuildings and erection of a detached double garage with room in roof (Full Planning Permission – Householder), 1 Baker's Park, Holne

Speaker: Jodie Crook-Giles, Applicant

The Case Officer advised Members that No.1 Baker's Park, Holne is an end property in a terrace of four. To the rear and side of the property there are currently five existing outbuildings which, if permission was granted, would be removed and replaced with the proposed two storey detached double garage. The new building would be 24sqm; officers consider that it would be excessively tall, of an inappropriate scale and dominating in appearance.

Ms Crook-Giles advised Members that she had lived in the property, with her husband, for four years. Prior to making this application, all neighbours were approached regarding their proposals. The Parish Council is also in support of the application. Having lived in the property for four years they have now determined that they need more space. The issue regarding the height of the garage is understood but she did feel it would be subservient to the main dwelling. It will be positioned on the lane side of the house; there is a high, mature hedge which will provide excellent screening. The proposal for the office space above the double garage would allow them to work from home three days a week and would save 1.6 tonnes of carbon emissions a year. Working from home would also give them the opportunity to take more part in village life.

In response to Member queries, Mrs Crook-Giles stated that the siting of the building was such in order to avoid any detrimental impact on the trees. In addition, piling was proposed in order to avoid damage to tree roots.

Signed James McInnes Date 27-7-18

The Case Officer confirmed that the key issue at pre-application stage was that of size and height – the footprint would be the same as the house and so very dominant in the landscape.

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

Mr Cann proposed that permission be granted, on the grounds that the site would be tidied and the proposed size and height of the new building, due to its location within the site, would not damage the character and appearance of the host dwelling or surrounding area, which was seconded by Mr Simpson who added that he felt the design was appropriate for the location.

In response to the proposal and Member comments, the Case Officer proposed the following conditions:

1. the development to be begun before the expiration of three years from the date of the permission;
2. Sample of the materials to be used to be agreed by the Local Planning Authority in writing;
3. Unless otherwise agreed in writing by the Local Planning Authority, the development to be implemented in strict accordance with the approved drawings and site location plan;
4. all other Permitted Development Rights to be removed;
5. Development to take place following the removal of all other buildings as detailed;
6. no development to take place prior to the receipt of a Tree Protection Plan;
7. Works to take place outside of the bird nesting season

The proposal to refuse planning permission was NOT CARRIED.

RESOLVED: That subject to the conditions as set out above, permission be GRANTED.

Item 10 – 0107/18 – Replacement windows and door (Listed Building Consent), Bluebell Cottage, 9 Lower Street, Chagford

The Chairman advised Members that this application had been WITHDRAWN.

1299 Monitoring and Enforcement

Members received the report of the Head of Development Management (NPA/DM/18/022).

Mr Harper left the meeting room.

Item 1 – ENF/0237/17 – Construction and residential use of wooden building, Land near to the Old Quarry, Southwood, Bridford

The Case Officer advised Members that in October 2017 officers were alerted to potential residential use of an unauthorised building located in the Old Quarry at Southwood. The site is some distance from the public highway in an isolated location. Contained within the building are most of the items and facilities that

Signed James McInnes Date 27-7-18

would be found within a dwelling, with the exception of a bed. The presumed occupier of the building has stated that he does not live there, but stays there overnight on occasion.

Given the apparent circumstances of the unauthorised building and probable residential use, Members are asked to authorise the appropriate legal action to cease the residential use of the land and to remove the building and restore the land.

In response to a Member query, the Case Officer confirmed that officers had written to the land owner but no reply had ever been received.

A Member added that the Parish Council had little knowledge of the circumstances surrounding the use of the building and would wish the Authority to take the necessary action to remove the building from the land.

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

RESOLVED: That the appropriate legal action be taken to:

- (i) secure the cessation of the residential use of the land; and
- (ii) secure the removal of the 'building, including the removal of all fixtures and fittings within the building that facilitate the use, and the restoration of the land

Mr Harper returned to the meeting.

Item 2 – ENF/0046/17 – Unauthorised residential use of two holiday lets, Downtown Farm, Lydford

The Case Officer reminded Members of a retrospective planning application (0001/18), for two cottages at Downtown Farm to be used for residential use with no holiday or affordable housing restriction, which was refused at the Development Management Committee meeting on 6 April 2018. The current request before Members for appropriate legal action to be taken to secure the cessation of the unauthorised full time residential use of the cottages follows on from that decision. The Case Officer confirmed to Members that a reasonable compliance period would be granted, a minimum of six months.

Following a brief discussion, the Case Officer advised Members that the Parish Council comments stated that whilst it understood the reasons for the request for enforcement action, it would request a degree of leniency to take into account the circumstances of the tenants.

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

RESOLVED: That the appropriate legal action be taken to secure the cessation of the unauthorised full time residential use of the former holiday lets known as Ash Cottage and Elm Cottage.

Signed James McInnes Date 27-7-18

1300 Appeals

Members received the report of the Head of Development Management (NPA/DM/18/023).

RESOLVED: Members NOTED the content of the report.

1301 Enforcement Action Taken Under Delegated Powers

Members received the report of the Head of Development Management (NPA/DM/18/024).

RESOLVED: Members NOTED the content of the report.

1302 Appointment of Site Inspection Panel and arrangements for site visits

Site inspection date: **Friday 6 July 2018**, regarding:

Applications – 0186/18 – Creation of a 20m x 40m manege for private use, new field shelter and improvements to landscaping and drainage (Full Planning Permission), Lower Lawn, Knowle Close, Ashburton; and

0058/18 – Agricultural Worker's Dwelling (retrospective) (Full Planning Permission), Yeo Farm, Bickington

The following Members were appointed to the site inspection panel:
Miss Moyse, Mr Sanders, Mr Hitchins, Mr Webber, Ms Woods, Mr Cooper and Mr Gribble

Signed 27-7-18

Date James R. H. T. m