

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

**Friday 1 November 2019**

Present: K Ball, S Barker, A Cooper, G Gribble, P Harper, G Hill, J McInnes,  
S Morgan, D Moyse, J Nutley, N Oakley, R Parkinson, M Renders,  
P Sanders, P Smerdon, P Vogel, D Webber, P Woods

Apologies: C Pannell

**1377 Minutes of the Meeting held on Friday 4 October 2019**

The minutes of the meeting held Friday 4 October 2019 were agreed and signed as a correct record.

**1378 Declarations of Interest and Contact**

The Chairman advised the meeting that, with regard to application 0312/19 – land at Longstone Cross, Roborough Gardens, Ashburton, he, as a Devon County Council Member, together with Mr Ball, Mr Barker, Mr Gribble and Mr McInnes, would declare a pecuniary interest and leave the room. Mr Nutley and Mr Vogel would also declare personal interests and leave the room. He assured everyone that the meeting would still be quorate and advised that remaining Members would be required to elect a Chair to oversee this item.

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


Mr Sanders declared that all Members were in receipt of an email from Campaign for the Protection of Rural England (CPRE) regarding Item 0312/19 – land at Longstone Cross, Roborough Gardens, Ashburton. In addition, all Members had a personal interest in Item 0372/19 – Higher Uppacott, Poundsgate due to the property being in the ownership of Dartmoor National Park Authority. All Members have dispensation to remain in the room, debate and determine the application.

Mr McInnes declared a personal interest, having received email correspondence in Item 0406/19 – Great Rock Farm, Bell Lane, Hennock.

Ms Woods, Mrs Oakley, Mr Gribble, Mr Harper, Mr Cooper and Mr Ball declared personal interests, having received email correspondence, in Items 0312/19 - land at Longstone Cross, Roborough Gardens, Ashburton, 0422/19 – land south of Teign Village, and 0406/19 – Great Rock Farm, Bell Lane, Hennock.

Dr Parkinson and Mr Renders declared personal interests, having received email correspondence, in Items 0312/19 - land at Longstone Cross, Roborough Gardens, Ashburton and 0406/19 – Great Rock Farm, Bell Lane, Hennock.

Mr Barker and Miss Moyse declared a personal interest, having received email correspondence, in Item 0406/19 – Great Rock Farm, Bell Lane, Hennock.

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Mr Smerdon declared a personal interest, having received email correspondence, in Item 0312/19 - land at Longstone Cross, Roborough Gardens, Ashburton. In addition, as a South Hams District Council Ward Member, he declared an interest in Item 0147/19 – Land at Palstone Lane, South Brent, and advised that he would leave the Meeting Room for this item.

Mr Vogel declared a personal interest, having received email correspondence, in Item 0406/19 – Great Rock Farm, Bell Lane, Hennock. He also declared a personal interest, having been associated with the site since 2009, and the S106, in Item 0312/19 - land at Longstone Cross, Roborough Gardens, Ashburton, and advised that he would leave the Meeting Room for this item.

Mrs Morgan declared a personal interest, having received email correspondence, in Items 0312/19 - land at Longstone Cross, Roborough Gardens, Ashburton and 0422/19 – land south of Teign Village.

Mr Harper declared a pecuniary interest, having employed the applicant in the past, in Item 0393/19 Barytes Farm, Bridford, and advised that he would leave the Meeting Room for this item.

Mr Nutley declared a personal interest, due to knowing the landowners and some of the objectors, in Item 0312/19 - land at Longstone Cross, Roborough Gardens, Ashburton and advised that he would leave the Meeting Room for this item.

#### **1379 Items requiring urgent attention**

The Chairman advised that Ian Tant, President of the RTPI had recently paid a visit to Exmoor and Dartmoor National Parks. He had met with the Authority's Chair and had been very impressed with two development schemes, stating that "*Both schemes served to demonstrate what can be achieved by Community power, backed by a forward looking Authority*". The Chairman added that the Chagford and Christow schemes were a demonstration that the Authority is able to work effectively with many outside bodies to achieve excellent results.


#### **1380 Site Inspections**

Members received the report of the Head of Development Management (NPA/DM/19/026).

##### **Item 1 – 0299/19 – Replacement two-storey extension, Wisteria Cottage, Lustleigh**

Speakers: Cllr Jeremy Grammer, Lustleigh Parish Council Representative  
Mr John Pearson, Objector  
Mr R Plant, Applicant

The Case Officer advised Members that a site inspection had been undertaken in order for Members to consider the suggested impact of the proposed extension on neighbours. Members also considered the reference which had been made with regard to the maintenance of the access to the site, parking arrangements and the excavations necessary to accommodate the works.

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Councillor Grammer advised Members that it was the Parish Council's view that the proposed extension, with its pitched roof, would be in very close proximity to the neighbouring property and would compromise the neighbour's privacy and light. The Council feels that the application does not meet the intent of the Authority's Design Guide. It would not, however; object to the replacement of the flat-roofed two-storey extension.

Mr Pearson advised Members that he was speaking for himself and neighbours. He stated that the officer's report does not take into account objectors' views. The proposals would mean a building right up to the boundary, causing a reduction in light into the kitchen and third bedroom of the neighbouring dwelling. The cottage's kitchen would also suffer from reduced light as it would look directly out at the proposed extension. Mr Pearson added that there would also be issues regarding access and parking. He felt that throughout the application, the proposed materials to be used are not in keeping with the rest of the property.

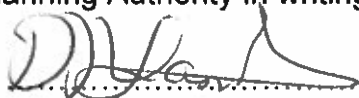
Mr Plant expressed his hope that Members would support his application. He advised that he had worked with planning officers during the application process and felt that his proposals would improve his property; it would be in keeping with neighbouring dwellings. He added that the design would enhance the relationship with neighbouring properties and would improve current access and parking issues.

Following a brief discussion regarding light, access and ecological considerations, Mr Sanders proposed the recommendation, which was seconded by Mr McInnes. The Case Officer clarified that issues over access would be a civil matter between neighbours and thus not relevant with regard to the planning application

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

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 WC 11 E and WC 12 D received 19 August 2019 and Site Location Plan valid 2 July 2019.
3. Works to proceed in strict accordance with the approved drawings and recommendations (section 6 and drawing on page 13) in the preliminary ecological appraisal (George Bemment Associates, May 2019).
4. The rooflights on the development hereby approved shall, unless otherwise agreed by the Local Planning Authority in writing, be of "conservation type" with a frame flush with the outer face of the roof slope.
5. Prior to installation, samples of all proposed surfacing, external facing and roofing materials shall be submitted to the Local Planning Authority for approval; thereafter, unless otherwise agreed by the Local Planning Authority in writing, only approved surfacing, external facing and roofing materials shall be used in the development.
6. Unless otherwise previously agreed in writing by the Local Planning Authority the frames of all external windows and doors in the building shall be recessed at least 100mm in their openings.
7. The roof of the extension hereby approved shall be covered in slate which shall be fixed by nailing only, unless otherwise previously agreed by the Local Planning Authority in writing.

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8. The ground floor cloakroom window shall be obscure glazing and retained thereafter.

**1381 Applications for Determination by the Committee**

Mr Sanders, Mr McInnes, Mr Barker, Mr Ball, Mr Gribble, Mr Nutley and Mr Vogel left meeting room.

Mr Cooper proposed, Mr Harper seconded, and it was unanimously agreed, that Ms Woods be Chair of the meeting for the following item.

Members received the report of the Head of Development Management (NPA/DM/19/027).

**Item 1 – 0312/19 – Affordable residential development of 39 units with a mix of one bed flats and two, three and four bed houses and an accessible bungalow together with road infrastructure and pumping station for foul drainage – land at Longstone Cross, Roborough Gardens, Ashburton**

Speakers: Cllr Alison Irens, Ashburton Town Council Representative  
Mrs Sarah Prince, Objector  
Mr Michael Hourican, Representative for LiveWest - Applicant

The Case Officer advised Members that the application was for 39 dwellings, all of which are to be affordable. There is to be a mix of dwellings: 25 for social rent and 14 for shared ownership; the proposal is for one bungalow, eight one-bedroom flats and 30 two, three and four bedroom houses.

A small revision to proposed condition 13 (page 19) was advised in that 'should' was to be replaced with 'shall'.

Three additional letters of objection have been received since the report was written; however, no new issues were raised. A letter received from CPRE has expressed a wish to see small groups of properties within the site rather than one long estate road. The proposed site is allocated within the current Local Plan and will be carried forward into the new Draft Local Plan. To clarify, the lower part of the site is allocated but is not subject to this application. A play area is included within the site and a comprehensive landscaping scheme has been put forward. A bat corridor is also proposed; the Authority's Ecologist and Natural England are happy with this proposal. Revisions have been made to the proposed drainage scheme following a request from Devon County Council; surface water will leave the site from the south-west corner, cross adjacent land and flow into the River Ashburn.

This is a long awaited scheme for 100% affordable housing which meets the identified need. The application is supported by consultees, including Teignbridge District Council as the housing authority and Homes England funding.

Councillor Irens advised Members that Ashburton Town Council is in full support of the application; the Council is also pleased to learn that the properties will remain 'affordable' in perpetuity as tenants will not be able to purchase their dwelling. She stated that a lack of housing for the 25-44 age bracket has been identified and this proposal will help to address this issue and help young people to remain in the

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locality. In response to a Member query, Councillor Irens advised that the Town Council would be involved in the drawing up of the allocation list but would not have any involvement in the actual allocation of properties to tenants.

Mrs Prince advised Members that she was representing many of the objectors to the application. She expressed disappointment that officers had recommended approval. She acknowledged that there is an identified need for affordable housing in Ashburton but stated that, since the allocation of the site over three years ago, some factors had changed in that the site had extended beyond the settlement boundary and the orientation had changed; the Authority's recent climate emergency declaration and the availability of brownfield sites within Ashburton. In her opinion the people of Ashburton who are in need of housing should be integrated into mixed areas which are closer to the town centre. Mrs Prince stated that part of the site was subject to a restrictive covenant which limited its use.

In response to a Member's query Mrs Prince advised that the proposed site is a mile away from the school, town centre and shops. Access to the town centre would be via a lane with no footpaths.


Mr Hourican advised that LiveWest has a longstanding relationship with the Authority and other housing partners. His company has worked closely with Ashburton Town Council, Dartmoor National Park Authority and Teignbridge District Council in the preparation of this application. Tenants will have a choice of tenure and type of property on the site; people with strong links to Ashburton will be the preferred tenants. The dwellings will have slate roofs; there are natural stone walls throughout the site; a specialist landscaping plan has been drawn up, to include native plants, wildflower areas, and trees and hedges to be introduced.

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

- The quality and standard of insulation to be used is on a 'Fabric First' basis – this ensures that insulation standards would be exceptionally high, ensuring that tenants would save on energy bills etc;
- Properties are to be let through Devon Home Choice;
- Provision has been made for photovoltaic panels to be included in the construction;
- The s106 legal agreement would ensure that tenants would not be permitted to undertake a 'direct swap' of their accommodation with a tenant from elsewhere in the country.

With regard to the question of the restrictive covenant, the Authority's Legal Adviser clarified that this was a private matter and not relevant for planning, and therefore not for consideration.

With regard to hydrology on the site, The Environment Agency has provided guidance and requirements for the removal of surface water and drainage on site; there are no plans for ponds or other water features as the site is not considered appropriate for these features. The Head of Development Management advised that other sites will become available in the future but that they will be considered at that time; they cannot be taken into consideration at the present time. With regard to the extension of the site, the case officer advised that the site is a 'rural exception site' and considered acceptable as the provision will be 100% affordable housing.

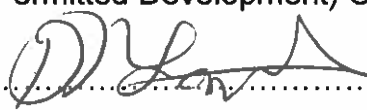
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The landscape ecological management plan will be managed under the conditions of the s106 agreement, as will the management of the bat corridor.

Ms Woods proposed the recommendation, which was seconded by Mr Harper.

**RESOLVED:** That, subject to the completion of a S106 legal agreement in respect of affordable housing provision, an education contribution of £52,901, maintenance of all communal spaces and landscaped areas not within the ownership of any dwellings, maintenance of the bat corridor and maintenance of the drainage scheme, and subject to the conditions as detailed below, 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 be carried out in accordance with the following approved drawings and report:
  - 1727-100 received 12 July 2019
  - 1727-101 D, 1727 117 B and 1906/01 P5 received 24 September 2019
  - 1727-102 E, 1727-111 B to 1727-116 B inclusive, 1727-118 B to 1727-120 B inclusive, 1727-122 B to 1727-127 B inclusive, 1727-129B and 1727-130 A received 25 September 2019
  - 17513-051 E received 26 September 2019
  - 1906/02 P4, 1727 121 C and 1727-128 D received 4 October 2019
  - Ecological Impact Assessment and Phase 2 Bat Surveys by J L Ecology Ltd July 2018 – updated September 2019; TWP Drainage and SuDS (Sustainable Drainage Systems) Maintenance Plan dated August 2019.
3. No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to, and approved in writing by, the Local Planning Authority. This temporary surface water drainage management system must satisfactorily address the rates, volumes and quality of the surface water runoff from the construction site. Works shall then be carried out in accordance with the agreed details through the construction phase.
4. No part of the development hereby permitted shall be commenced until the detailed design of the proposed permanent surface water drainage management system has been submitted to, and approved in writing by, the Local Planning Authority. The design of this permanent surface water drainage management system will be in accordance with the principles of sustainable drainage systems, and those set out in the Proposed Drainage Strategy Option A (Report Ref. 17513-051m Ref. D dated April 2019) unless otherwise agreed in writing. No part of the development shall be occupied until the surface water management scheme serving that part of the development has been provided in accordance with the approved details and the drainage infrastructure shall be retained and maintained for the lifetime of the development.
5. No part of the development hereby permitted shall be commenced until the full details of the adoption and maintenance arrangements for the proposed permanent surface water drainage management system have been submitted to, and approved in writing by, the Local Planning Authority.
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking and re-enacting that

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Order with or without modification, no material alterations to the external appearance of the dwellings shall be carried out and no extension, building, enclosure or structure shall be constructed or erected in or around the curtilage of the dwellings hereby permitted without the prior written authorisation of the Local Planning Authority.

7. No part of the development hereby approved shall be commenced until:
  - A) The access road has been laid out, kerbed, drained and constructed up to base course level for the first 30 metres back from its junction with the public highway;
  - B) The ironwork has been set to base course level and the visibility splays required by this permission laid out;
  - C) The footway on the public highway frontage required by this permission has been constructed up to base course level;
  - D) A site compound and car park have been constructed in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.
8. The occupation of any dwelling shall not take place until the following works have been carried out in accordance with the agreed details;
  - A) 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;
  - B) 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;
  - C) The cul-de-sac visibility splays have been laid out to their final level;
  - D) Any street lighting for the cul-de-sac and footpaths has been erected and is operational;
  - E) The car parking and any other vehicular access facility required for the dwelling by this permission has/have been completed;
  - F) The verge and service margin and vehicle crossing on the road frontage of the dwelling have been completed with the highway boundary property defined;
  - G) The street nameplates for the spine road and cul-de-sac have been provided and erected.
9. When once constructed and provided in accordance with condition 8 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 the street lighting and nameplates maintained in accordance with the agreed details.
10. No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority, to include details of:
  - A) Parking for vehicles of site personnel, operatives and visitors;
  - B) Loading and unloading of plant and materials;
  - C) Storage of plant and materials;
  - D) Programme of works (including measures for traffic management);
  - E) Provision of boundary hoarding behind any visibility zones;
  - F) Measures to control dust;
  - G) Measures to prevent mud and other deleterious materials from entering the public highway;Only the approved details shall be implemented during the construction period.

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11. The dwellings hereby permitted shall not be occupied until the parking spaces for motor vehicles shown on the approved plans have been made available for use for each dwelling; thereafter the parking spaces shall be permanently retained for that use alone.
12. Prior to the commencement of the development hereby permitted, 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 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.
13. No development shall take place until a Construction Environment Management Plan (CEMP) and Landscape Ecological Management Plan (LEMP) are submitted and approved in writing, and carried out in accordance with a timetable for implementation as approved. The CEMP and LEMP should incorporate recommendations of the EclA, landscape plan (1906-01 P5) and bat corridor plan (1906-02 P4). Lighting associated with the development should be designed and implemented to achieve the dark bat corridor specified in the approved bat corridor drawing (1906-02 rev. P4), such that light levels should not exceed 0.5 lux measured at any point in the bat corridor at one metre above the ground.
14. A detailed schedule of the materials and finishes to be used on the approved dwellings shall be submitted and approved in writing by the Local Planning Authority prior to their installation. This shall include samples, as necessary, of the roof slate, walling stone, details of render finishes, window/exterior door units, verges/soffit details, positions of meter boxes, bin stores, driveway surface materials, kerbs, any proposed exterior lighting units and solar panels.
15. All new areas of slate roof shall incorporate slates which shall be fixed by nailing only.
16. No site clearance, preparation or construction work shall take place on site outside of the hours of Monday – Friday 0800 to 1800 and Saturdays 0900 to 1300, nor at any time on Sundays, Bank or Public Holidays. This includes vehicle movements on the site. Deliveries or collections of materials should only be made during these times, and vehicles should be discouraged from collecting on the public highway outside of these times with their engines and radios left running.
17. Prior to the commencement of development, full details of the play space, to include play equipment, landscaping and railings/fencing shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be carried out in accordance with these agreed details, and retained and maintained thereafter for the lifetime of the development. The play space shall be substantially complete and made available for use prior to occupation of the 25<sup>th</sup> dwelling, unless otherwise agreed in writing by the Local Planning Authority.

Mr Sanders, Mr McInnes, Mr Barker, Mr Ball, Mr Gribble, Mr Nutley and Mr Vogel returned to the meeting room.

Mr Smerdon left the meeting room.

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**Item 2 – 0147/19 – Erection of 17 dwellings (12 affordable and 5 open market) and associated infrastructure – land at Palstone Lane, South Brent**

Speaker: Mr John Presley, on behalf of the Applicant

The Case Officer advised Members that the application site is some 0.8ha in size and is situated at the north eastern side of South Brent. The site is an 'exception site' which has only been able to come forward as the proposal is for custom build affordable housing. Several sites have been considered; however, this is the only deliverable site which has access to the village and is adjacent to the settlement. The application is for 17 dwellings – 12 affordable dwellings at 65% of the market rate, and five open market dwellings which would enable the delivery of the affordable units. The affordable housing is to be custom build with eligible occupants in the Community Land Trust having been part of the design and build process. The affordable units will be secured by a S106 legal agreement. All of the dwellings would be mixed together around a central green area.


Devon County Council's Flood Team has requested that any conditions include a requirement that the removal of surface water is adequately dealt with. The foul drainage would be dealt with via the pumping station on site. It is proposed that a shared workshop be provided in the centre of the scheme layout, together with a public play area. An education contribution of £2871 has been agreed by the applicant and this forms part of the S06 legal agreement.

With regard to the custom build design, South Hams District Council will appoint a contractor to construct the properties to the point of sign off by Building Control; the occupants will finish off their properties e.g., tiling, painting and other décor.

Mr Presley, Chairman of the South Brent Community Land Trust, advised Members that the Trust had been set up in order to build sustainable homes. The South Brent Community Plan has key ambitions for the community to look after its own, to try to ensure that those on moderate incomes were able to remain in South Brent. The Community Land Trust has been recognised by Government regarding its assistance with the rural housing need. The Trust has worked with South Hams District Council, South Brent Parish Council and Dartmoor National Park Authority. The main aim is to be able to provide an affordable home to those who have strong links with South Brent but are unable to purchase an open market dwelling. The proposed dwellings are considered to be deliverable on a tight budget, with minimal impact on the environment. The Trust will retain the Freehold and the properties in order to maintain affordability in perpetuity. Whilst the properties will not achieve Passivhaus accreditation, it is proposed that the dwellings will be constructed to achieve Category 6 rating.

The Head of Development Management commented that the scheme is an exciting example of how DNPA has worked with the local community and other groups to achieve a favourable result. Custom Build affordable housing needs a small element of open market construction to enable properties to be built. This is an unusual scheme where the community has come together to help themselves.

In response to a Member query, Mr Townsend, Highways Officer, advised that the access to the development would be onto the B3172, not onto the narrow lane.

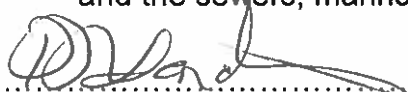
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Mr Sanders proposed the recommendation, which was seconded by Mr McInnes.

**RESOLVED:** That, subject to the completion of a S106 legal agreement in respect of phasing of development, affordable housing, local occupancy, an 'overage clause' and an educational contribution of £2,871, and subject to the conditions as detailed below, 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 be carried out in accordance with the following approved drawings numbered 1711 01, 1711 344, 1711 345, 1711 346 Rev A, 1711 347, 1711 348 Rev A, 1711 349, 1711 350 Rev C, 1711 351 Rev D, 1711 360, 1711 370, 1711 371 Rev A, 1711 372, 1711 373 Rev A, 1711 374, 1711 375 Rev A, 1711 376, 1711 377 Rev A, Highway Long Sec Rev P03, Proposed Drainage and Utilities P02, Flood Routing Plan P01, Engineering Layout Rev P02 and Tree Protection Plan DTS.151.1.TPP, valid 08 April 2019, and 1711 301 Rev H received 23 September 2019.
3. No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to, and approved in writing by, the Local Planning Authority. This temporary surface water drainage management system must satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site. Works shall then be carried out in accordance with the agreed details throughout the construction phase.
4. No part of the development hereby permitted shall be commenced until the full details of the adoption and maintenance arrangements for the proposed permanent surface water drainage management system have been submitted to, and approved in writing by, the Local Planning Authority.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking and re-enacting that Order with or without modification, no material alterations to the external appearance of the dwellings shall be carried out and no extension, building, enclosure, structure, erection or hard surface, swimming or other pool shall be constructed or erected in or around the curtilage of the dwellings hereby permitted without the prior written authorisation of the Local Planning Authority.
6. No part of the development hereby approved shall be commenced until
  - (i) the access road has been laid out, kerbed, drained and constructed up to case course level for the first 30 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 constructed in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.
7. The occupation of any dwelling in an agreed phase of the development shall not take place until the following works have been carried out in accordance with the agreed details:
  - (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;

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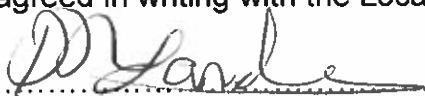
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- (ii) The cul-de-sac footways and footpaths which provide that dwelling with direct pedestrian routes to an existing highway maintainable at public expense have been constructed up to and including base course level;
  - (iii) The cul-de-sac visibility splays have been laid out to their final level;
  - (iv) Any 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 property defined;
  - (vii) The street nameplates for the spine road and cul-de-sac have been provided and erected.
8. When once constructed and provided in accordance with conditions 6 and 7 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 the street lighting and nameplates maintained to the satisfaction of the Local Planning Authority.
9. No development shall start until a Construction Method Statement, to include details of:
- (i) Parking for vehicles of site personnel, operatives and visitors;
  - (ii) Loading and unloading of plant and materials;
  - (iii) Storage of plant and materials;
  - (iv) Programme of works (including measures for traffic management) has been submitted to and approved in writing by the Local Planning Authority.

Only the approved details shall be implemented during the construction period.

10. No site clearance, preparation or construction work shall take place on site outside of the hours of Monday – Friday 0800 to 1800 and Saturdays 0900 to 1300, nor at any time on Sundays, Bank or Public Holidays. This includes vehicle movements on the site. Deliveries or collections of materials should only be made during these times, and vehicles should be discouraged from collecting on the public highway outside of these times with their engines and radios left running.
11. Prior to the commencement of the development hereby permitted, 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 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.
12. A detailed schedule of the materials and finishes to be used on the approved dwellings shall be submitted and approved in writing by the Local Planning Authority prior to the use of such materials. This shall include samples of the roofing, walling, details of render finishes, window/exterior door units, verge/soffit details, positions of meter boxes, boundary fence design, driveway surface materials, roadway surface materials, kerbs and any proposed exterior lighting units.
13. There shall be no street lighting within the development unless otherwise agreed in writing with the Local Planning Authority.

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14. No development shall take place until a detailed Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details of the maintenance strategy for the open spaces within the development, a maintenance schedule for the public open spaces together with details of the protection and enhancement of the hedgerow on the western boundary of the site.
15. Prior to the commencement of any works, demolition or development on the land, all existing trees, shrubs and hedges to be retained shall be protected by fences or suitable barriers erected beyond their dripline. Such fences or barriers shall be maintained until the completion of the development on the land. Within these protected areas there shall be no storage, deposit, tipping or placing of any materials, soil, spoil or other matter, no parking or movement of vehicles or trailers, no erection or siting of buildings or structures, no excavation or raising of ground levels and no disposal of water or other liquid. Furthermore, no fire(s) shall be lit within 20m of any protected area without the prior written authorisation of the Local Planning Authority.

Members requested that this development be followed and included in a future study tour.

Mr Smerdon returned to the meeting room.

**Item 3 – 0310/19 – Erection of timber frame building for housing of horses and sheep – land adjacent to Southcombe, Widecombe-in-the-Moor**

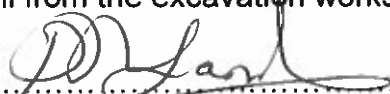
Speaker: Mr Dave Faulkner, Applicant

The case officer advised Members that since writing the report, two additional letters of support had been received; no new issues had been raised. The application is for a mixed use building for two horses and a small number of sheep, plus feed etc. The proposed building would be 14.6 metres in length and seven metres wide, part of the building being open, and a yard area to the front. The sheep would be brought in for grazing as, otherwise, with only two horses on site, the land would be under grazed. Excavation works into the slope of the ground would be undertaken in order to ensure that the building would sit into the corner of the field.

The site sits within one of the most iconic views in the National Park, the area having a strong medieval field patterns and pastoral character. There are very few isolated buildings within the landscape.

Mr Faulkner advised Members that he had lived in Widecombe for the past 12 years and had no desire to affect the landscape. He advised that no yard was proposed to the front of the building; everything would be kept inside. He stated that as of this morning, seven additional letters of support had been submitted. With regard to pre-planning advice, he advised that he had received advice from two officers; initially he had proposed a building which was 20m x 10m and had put forward four possible locations for its siting, none of which had been agreed. In his opinion, the proposed site for the building was the result of meticulous consideration; the land falls away from the road and it would be well screened. Should Ash Dieback take the trees that currently form the boundary he would be prepared to replace them. All soil from the excavation works would be used for Devon banking.

Signed .....



Date .....

6/12/19 .....

In response to a Member query, Mr Faulkner stated that, if he had proposed a site for the building closer to the other buildings in the vicinity, this would have been contrary to two policies in respect of visibility in the landscape and proximity of other buildings. The proposed site would require excavations to a depth of 1.6m.

The Case Officer confirmed that she had not been contacted by the applicant in respect of pre-application advice. The Head of Development Management confirmed that he had provided general advice but had not been consulted by the application in respect of this particular application.

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

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

Mr Harper left the Meeting Room.

**Item 4 – 0393/19 – Erection of rural worker’s dwelling – Barytes Farm, Bridford**

Speaker: Mrs Emma Gallagher, on behalf of the Applicant

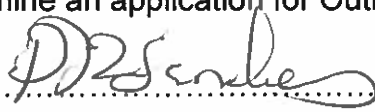
The Case Officer advised Members that the application is for Outline Planning Permission. The site of this application is contained within a small former quarry, approximately 1.4km east of Bridford. It is accessed via a narrow lane; existing buildings include a stable block and a large agricultural building. The applicants have stated that the site would be used for their fencing business, the main reason for the rural worker’s dwelling being one of security. However, the business does not require a rural setting; it could be run from an industrial site, and there is no need for someone to be on site 24 hours a day. In addition, the site’s security could be improved in other ways e.g., boundary work, CCTV etc.

Mrs Gallagher advised Members that their application had received 25 letters of support. She stated that the business has operated from this site for over 10 years and is currently contracted to work with many rural farms; 95% of business comes from other rural enterprises, many within the National Park. There is a need to be able to respond 24/7. Efforts have been made to find an affordable and suitable alternative property but nothing has been found.

In response to Member queries, Mrs Gallagher advised that the business currently employs two full time members of staff, with a further six on a part-time basis. She currently works for the business but in an unpaid capacity.

In response to Member queries, the Case Officer highlighted the comments received from Teignbridge District Council’s Environmental Health Officer (page 68) in that, should planning permission be granted, it should be subject to a condition that a contamination survey be undertaken and acted upon prior to any development taking place on the site.

With regard to a Member’s query in respect of rural worker policy, the Head of Development Management reminded Members that their responsibility today was to determine an application for Outline Planning Permission for a dwelling on the site.

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As stated by the applicant, the business has been on site for over 10 years. As the business is unauthorised there may be a need for a Certificate of Lawfulness. The business is not considered to be agricultural in planning terms; it falls within Class B2 use – manufacturing and B8 – distribution based in a rural location. In addition, with regard to Policy DMD23 it is a requirement to prove an existing functional need for a worker to be available at all times – security or value of stock are not accepted reasons.

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

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

Mr Harper returned to the meeting.

**Item 5 – 0422/19 – Erection of livestock building (13.5 x 9m) and creation of access – land south of Teign Village**

Speaker: Mr D Wombwell, Applicant

The Case Officer advised Members that this was the third application for an isolated, new agricultural building within the 19 acre holding. The design of the building has been improved following the previous applications; however, it is proposed to be sited in the same location.

Mr Wombwell advised Members that the Parish Council was in support of his application. He refuted the statement that there was a lack of agriculture on the land, stating that he had made silage on site this year. He added that had taken professional advice regarding the design of the proposed building and felt that it was suitable for agricultural purposes. He advised that no objections had been received from Highways as the access would be created on a minor road, with very light traffic. He hoped that through development and biodiversity he would be able to improve the rough land, as it is currently, into good quality grazing.

In response to a Member comment regarding the site being screened on three sides, the Case Officer reminded Members that refusal was recommended as the proposal was contrary to policy in respect of the harmful impact on the character and visual appearance of this part of the National Park.

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

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

Mr Barker left the Meeting Room.

**Item 6 – 0406/19 – Siting of Shepherd's Hut as holiday let – Great Rock Farm, Bell Lane, Hennock**

Speaker: Mrs Sarah Breame, Applicant

Signed .....  ..... Date 6/12/19 .....

The Case Officer advised that Great Rock Farm is situated on the outskirts of Hennock, in a wooded valley. There are three holiday lets and a residence at this address. There is no farming activity on site. The application is for the siting of Shepherd's hut, as an additional unit of holiday accommodation, on elevated ground above the existing buildings on site.

Planning Policy does not support a new holiday unit on the site; this was confirmed at appeal, by the Planning Inspector, in 2014. In addition, the Case Officer stated that the proposal would have a detrimental impact on the character and appearance of this part of the National Park, the site being isolated and elevated. Whilst officers recognised the positive benefits of increasing tourism spending in the National Park, the application is in clear conflict with planning policy and does not overcome the previous appeal decision for the site.

Mrs Breame refuted the statement that the proposed development would harm the character and appearance of the National Park; she added that the 2014 application was for residential use, her application was for a holiday let. In her opinion the hut would not be visible; the proposed shepherd's hut is traditional in design, measuring 18' x 8' which is one quarter the size of the building proposed in the previous application. The addition of the shepherd's hut would, potentially, increase the turnover of the business by some £10k per annum which would make it more viable to sell.

In response to a Member query, the Case Officer advised that Members are being asked to determine an application for the permanent siting of the shepherd's hut; the fact that the hut is on wheels does not affect the application.

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

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

Mr Barker returned to the meeting.

**Item 7 – 0354/19 – Removal of 4.4m of stone wall to widen existing access and hang wooden gates on granite posts – 2 Tolmen, Throwleigh**

Speaker: Mr Phil Wilson

The Building Conservation Officer advised Members that the application is for the removal of a section of walling to provide vehicular access to 2 Tolmen which is located within the Conservation Area of Throwleigh. The roadside walls, constructed in assorted styles of granite rubble and topped with soil/vegetation, are a very strong feature of the village.

The application would require the removal of 5.3m, leaving an opening of 4.8m for vehicular access. The height of the gates would be 1.35m. Devon Highways, however, has asked that in order to meet with its requirements the whole section of walling in the ownership of the property be reduced to 800mm in height. As a result, the gates would have greater prominence than the Devon Bank.

Signed .....  ..... Date 6/12/19 .....

The Authority's Conservation Area Character Appraisal identified the walling as something to be preserved and enhanced; it is the opinion of officers that this application would have a detrimental effect of the character of this part of the National Park and the Conservation Area.

Mr Wilson advised Members that he was applying to remove 3.4m of walling; a 1.4m wide pedestrian access is already in existence. He stated that he does not wish to affect the character of Throwleigh and felt that his application would improve the appearance of the property as much of the wall is in poor condition and in need of a great deal of structural repair; he added that a structural engineer has confirmed this. Currently there is one parking place and one shared visitor's parking space allocated to his property; his application would improve access to his own property and, in addition, prevent further overspill into the village itself which has been a problem in Throwleigh for many years.

In response to a Member query The Building Conservation Officer clarified that the requirement to reduce the height of the Devon Bank to 0.8m relates to "line of sight". The Bank is currently 1.3m which would be too high to provide adequate visibility.

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

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

#### **Item 8 – 0372/19 – Replacement roof covering – Higher Uppacott, Poundsgate**

The Building Conservation Officer reminded Members that Higher Uppacott is the Authority's Grade 1 listed Devon Longhouse which dates from the early 14<sup>th</sup> Century. The application is to re-slate the cottage as part of the ongoing repairs being undertaken, funded by the *Moor than Meets the Eye* Scheme. The roof is nearing the end of its life and is failing due to nail sickness. It is proposed to re-slate in Welsh slate and it is hoped that up to 50% of the existing Welsh slate could be salvaged and re-used.

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

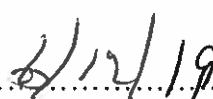
**RESOLVED:** That, subject to the conditions detailed below, Listed Building Consent be **GRANTED**.

1. The works to which this consent relates shall be begun before the expiration of three years from the date of this consent;
2. The works hereby permitted shall be carried out strictly in accordance with the site location plan and drawings numbered 424-6.p.001, 424-6.p.002, 424-6.p.003, 424-6.p.004 and 424-6.p.005 received 12 August 2019;
3. The replacement roof and verge covering hereby approved shall be 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. At all times thereafter the roof and verge shall be maintained in the approved natural slate.
4. The slate roofs hereby approved shall be covered in natural slate which shall be fixed by nailing only, unless otherwise previously agreed by the Local Planning Authority;

Signed .....



Date .....





5. All gutters and downpipes on the development hereby approved shall be of cast iron construction and round or half-round in section and, unless otherwise agreed by the Local Planning Authority in writing, shall be painted black not later than 30 days after the substantial completion of the development.

**1382 Appeals**

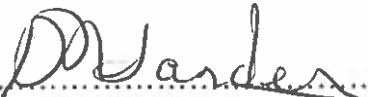
Members received the report of the Head of Development Management (NPA/DM/19/028).

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

**1383 Enforcement Action Taken Under Delegated Powers**

Members received the report of the Head of Development Management (NPA/DM/19/029).

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

Signed .....  ..... Date ..... 6/12/19 .....