

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

7 October 2022

Present: A Cooper, W Dracup, G Gribble, G Hill, S Morgan, D Moyse, M Renders, L Samuel, P Sanders, P Smerdon, D Thomas, P Woods

Officers: C Hart, Head of Development Management
J Aven, Deputy Head of Development Management
O Dorrell, Planning Officer
J Rumble, Planning Officer

Apologies: R Glanville, P Harper, J McInnes, J Nutley, N Oakley, C Pannell, P Vogel

1503 Declarations of Interest and Contact

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

All Members declared a personal interest in Case No. 0336/22 – Former Water Treatment Works, North Bovey Road, Moretonhampstead, having received email correspondence from the applicant.

Mrs Hill declared a personal interest in Case No. 0336/22 – Former Water Treatment Works, North Bovey Road, Moretonhampstead. The mother of the applicant is the West Devon Borough Councillor known to Mrs Hill.

1504 Minutes of the previous meeting

The Minutes of the meeting held on Friday 2 September 2022 were agreed and signed as a true record. This was following clarification that the highlighted sections indicated the proposed amendments to the conditions set out in item1 on the agenda.

1505 Items requiring urgent attention.

None.

1506 Applications for Determination by the Committee

Members received the report of the Head of Development Management (NPA/DM/22/011).

Item 1 – 0205/22 - Change of use of shop, cafe and post office counter to residential accommodation as part of the existing dwelling – The Stores, South Zeal

Speaker - Mr Hill, Applicant

The Officer reminded Members that this application had been brought to the committee meeting on 29 July 2022. It had been put before Members due to the

level of public interest and policy implications. A decision was deferred pending the outcome of an application to register the property as a community asset.

The officer explained that the proposal was for a change the use of the shop, post office and café to residential use in association with the main dwelling. All rooms subject to the proposed change were on the ground floor. The proposed internal alterations were limited to the removal of the existing shop counter which was centrally located within the building. The projecting blind above the window was intended to be retained.

Since the July meeting, West Devon Borough Council had taken the decision to list The Stores as an Asset of Community Value (ACV), following a nomination by South Tawton Parish Council. This listing was approved on the 17 August 2022 and would last for 5 years.

The applicant had requested a review of the decision to list the site as an Asset of Community Value (ACV), with West Devon Borough Council. This review had been undertaken by West Devon Borough Council and the decision was due on the 12 October 2022. If West Devon Borough Council upheld the decision, the applicant had a further right to appeal.

The applicant had confirmed his intention to sell the asset, which had triggered a 6-month moratorium which ended on the 5 October 2022. The Parish Council has since confirmed that they would not be bidding on the property, therefore the owner was free to sell the property to any interested party on the open market.

Members were advised that there was a community group interested in taking on the premises to run a community shop. Their next steps were to call meeting, establish a strategy, agree structure, set up a company, issue share issue and apply for grants.

The Officer concluded that the proposed development remained contrary to the adopted Local Plan, in particular policies which sought to maintain the active uses in Dartmoor settlements and protect against the use of community services, namely policies SP4.1, SP5.1 and SP 5.5.

Mr Hill stated that he was surprised to hear about the community interest as he had not had any contact with the Parish Council on this matter.

Mr Hill noted that since the Asset of Community Value (ACV) was put into place 2 viewings withdrew and no additional interest had been shown in the purchase of the premises.

Mr Hill discredited the idea that the owners had been trying to deliberately 'run down the shop', he clarified that there was over £12,000 of stock and that many visitors commented on the quality of the shop. Furthermore, it was clarified that the shop opens at 8am, not 9am as mentioned in the report.

The report implied that as the shop did not operate at a loss, it was viable. However, the shop operated with a loss of £17,000 per annum; when the post office income was added into the equation there was only an annual income of circa £2,000 which was not a viable income. Furthermore, the Grade II listed building required

substantial maintenance which was costly and the income from the village shop did not cover those costs.

Following member questions Mr Hill clarified

- The application was only seeking to change the use of the ground floor of the property
- The shop closed at 5.30pm daily, this was reduced during the pandemic, but the times had been reinstated
- The shop got a small business discount on its business rates
- The energy bills for the shop were circa £400 per month
- He employs 2 assistants who run the shop and the post office
- A community purchase of the shop would be welcomed by the applicant
- Mr Hill runs three Post Office outreach sites in Belstone, Sticklepath and Throwleigh to help subsidise his income. He would expect these outreach sites to be offered to the new owners.

Following member questions Officers clarified

- The Authority had no control over whether a shop continues to trade; policy 5.3 seeks to protect important local facilities.
- The Asset of Community Value (ACV) has limited weight; however, it was a material planning consideration.
- Policy seeks to ensure a 12-month period of appropriate advertisement, at a suitable price, to allow any potential purchasers to come forward
- officers consider that the marketing strategy had been flawed for the following reasons:
 - (i) the asking price - both the initial and revised - appeared to have been largely based on the residential value of the site and did not reflect the health of the business aspect of the site
 - (ii) the marketing strategy was too narrow and restricted opportunity for local interest
- there was no flexibility offered in the marketing details to allow for the business to operate independent from the residential use. at no time was the business premises offered independently from the house

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

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

Item 2 – 0206/22 – Works to remove post office counter screen - The Stores, South Zeal (Listed Building Consent)

Speaker - Mr Hill, applicant

The Case Officer noted that this was a Listed Building Consent to facilitate planning application for a change of use of the ground floor of the premises (ref 0205/22) The application was for works to remove post office counter screen. There were no other internal changes.

It was clarified that the issues raised by the conservation officer had been satisfied with the amended application and that the application would not harm the Grade II listed building.

Mr Hill commented that the application should be for the removal of the post office screen as well as the external sign. This raised a question as to the extent of the works now contained within the revised application.

Given this concern, Mr Sanders proposed that the decision be deferred for clarification, which was seconded by Mrs Morgan.

RESOLVED: That the decision be **DEFERRED** for further consideration and clarification.

Item 3 – 0336/22 – Change of use of former Water Works to single-family dwelling with associated landscaping - Former Water Treatment Works, North Bovey Road, Moretonhampstead

Speakers - Miss Watt, applicant
Cllr Pollard, on behalf of North Bovey Parish Council

The officer explained that the application related to the former South-West Water treatment site located at Bovey Cross, North Bovey. The site comprised a single storey building with hardstanding and parking. There were two subterranean water tanks immediately to the north-west of the building and a further two tanks beyond at a lower level.

There was an existing vehicular access via the unclassified road to the south of the site. A Hospit Cross - grade II listed and a scheduled ancient monument – was located immediately beyond the south-western boundary of the site adjacent to the public highway.

There had been 130 letters of support for this application. There had also been 1 letter of objection, however as this objection had been submitted anonymously, it was not in accordance with the Authorities' policies and therefore not to be considered.

Miss Watt commented that the application had a lot of support and that conversion into a family home was the best possible use of the site. The water treatment site had been constructed over 50 years ago to look like a bungalow and is situated close to North Bovey and Moretonhampstead.

It had not been in use for 11 years and had become an eye sore. Locals are worried about the safety of the site, as it has attracted vandalism, etc.

The proposal was environmentally sensitive as it reused the existing structures. The family had many local ties to the area and wished to make the property their permanent home. The local area needed family homes, and not another holiday let.

Pre application advice was sought on the site and the conclusion of this was that approval was likely to be granted for a holiday home. Advice was given that the site should be marked for a business use, however Miss Watt argued that due to its location and limited parking, business use was not feasible.

Following member questions Mrs Watt clarified

- The property size prevented the property from qualifying as an affordable home

- It would be external clad adding insulation, improving its appearance
- It would be used as a family home
- 4 bedrooms were proposed as they had 2 children

Cllr Pollard stated that North Bovey Parish Council wished to see a new use for the water treatment works. The building was showing signs of neglect and an empty building did not benefit the community. There had been two planning applications for this site, but to date no constructive outcome.

Following member questions Cllr Pollard clarified

- The site had a cycle path running outside the access gate and was half a mile away from the Wray Valley Trail

Following member questions Officers clarified

- the previous planning consent had now lapsed
- The planning history of the site as set out in the report.
- That a holiday let is considered a business use
- The proposal would result in an open market dwelling in the open countryside
- The building has no historic value
- This property was too big to be considered an affordable home
- The property had never been used as a dwelling

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

Members debated the issues of the application and raised the following points

- The conversion of the property would be a positive for the community as the building was currently detrimental to the area
- A family home would be beneficial to the community as a family would use local facilities
- Similar properties that had been denied planning permission were falling into states of disrepair
- The conversion to a family home would free up a rented accommodation for another local family

Mrs Woods proposed that a site visit would be beneficial to see the location and fully understand the impact of an open market dwelling in the open countryside of the National Park, which was seconded by Mr Thomas.

Mr Sanders withdrew the motion to refuse the application, which was seconded by Ms Woods.

RESOLVED: The application was **DEFERRED** in order that a Site Inspection may be undertaken.

Item 4 – 0345/22 – Removal of existing lean-to utility room/porch and erection of timber framed extension - Largie, Sortridge, Horrbridge

The officer explained that Largie was a detached slate and render house set within its own grounds. It was accessed by a small, shared track which serves half a dozen properties before going on to Great Eddish Farm. The application was for a single

storey extension at the front of the dwelling to provide a sitting room, entrance lobby and hall.

Following member questions Officers clarified

- The size of the extension was within policy limits at 27% of habitable floor area
- The application was presented to the Committee as the applicant was an employee of the Authority
- The Parish Council was in support of the application
- The cladding of the property was an acceptable design solution

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

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

Item 5 – 0244/22 – Change of use from mixed residential and commercial use to full residential use - to include minor alterations - Westella House, Yelverton

The officer explained that Westella House was a substantial detached slate and render property, the extensive ground floor most recently used for commercial use such as show rooms while the first floor was given over to a flat, with separate access provided at ground level. It was proposed to incorporate the commercial floor area with the residential to create one large dwelling, with some minor external alterations to openings.

The proposal amounts to a departure from Dartmoor Local Plan policy 3.7 and 5.1. Evidence had been submitted to show that the property had been marketed for a period in excess of 6 months, receiving little interest.

The original access had been closed off by a boundary bank. It was unlikely that this would be reinstated due to Highways safety issues and visibility.

One representation had been received concerned with the loss of business space and requesting that if approved the residential use is tightly controlled. Subdivision to create separate residential units or flats would require a further permission.

The proposed extension was in excess of the 30%, increase in floor area permitted by Policy 3.7. However, given the other material planning considerations outlined in the report, it was not considered that it would have an unacceptable impact on the economic or social interests of the National Park, on local amenity or on the amenities enjoyed by the residents of neighbouring properties.

Following member questions Officers clarified

- The change of use would extend the existing flat, resulting in one larger residential unit
- Further division to multiple units would require planning permission

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

Members debated the issues of the application and raised the following points

- The application did not propose the loss of an important local facility

- It was accepted that the business use was not longer appropriate in this residential location

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

Item 6 – 0193/22 – Single storey side extension to dwelling for ancillary residential accommodation - 1 New Cottages, Meavy

Speakers - Mr Rogers, Agent
Dr Regan De Bere, on behalf of the objectors
Cllr Palmer, on behalf of Burrator Parish Council

The officer explained that 1 New Cottages was one of pair of traditional stone and slate cottages in the Meavy Conservation Area. The application was for a single storey extension to the side of the dwelling to provide an additional bedroom, shower-room and office.

A lean-to extension would be added to the west side of the dwelling which, at the rear turned to dual pitch to create an 'M' profile with the existing rear extension. It was to be stone faced with brick detailing, a natural slate roof with terracotta ridge tiles, all to match the existing building, except for the rendered side wall which faced the neighbours breeze block boundary wall. The existing floor area extended to 99.4sqm and the proposal added an additional 28.5sqm, this was an increase in habitable floor area of 28.6%, within the 30% indicated by Policy 3.7.

The current proposal significantly reduced the bulk, prominence and height of the proposed extension from that which was previously considered and refused in 2016.

The rooflights were set at height within the roof plane and did not offer any direct line of sight into the neighbouring property. It sat behind the neighbour's block wall and would not impact on natural light, with a roof pitched away from the boundary.

Two additions to the conditions were suggested; an Archaeological Watching Brief during development and the protection of the oak tree during construction.

Mr Rogers stated that proposal was in accordance with adopted policies, acknowledging that the property was within the Meavy Conservation Area and that the proposed extension had been designed with this in mind.

External materials were chosen to match the original semi-detached cottages. The dwelling was the applicant's home. He required an increase in the accommodation to provide a home working environment following the recent COVID epidemic.

Mr Rogers acknowledged that there had been objections from the Parish Council and the adjoining owner. The adjoining owner had constructed a separating wall 30m length and up to 2m in height between the more recent new semi-detached dwellings and those of the original new cottages.

He confirmed that the property retains the two off road spaces.

Following member questions Mr Rogers clarified that neither the applicant nor the agent were involved in the presentation of the 2016 planning application.

Dr De Bere commented that the ancient village was granted conservation area status in 2007. She stated that the proposal action would result in further negative impact on the setting of the non-designated heritage asset and on the character and appearance of the Conservation Area.

The 2016 planning application has sought to add one room at 18% floor space increase. That was refused at appeal. However, this application was for 3 rooms and would increase the footprint by 28.6%. This would unbalance the dual aspect of the cottages.

It would infill the gap compromising the separation from the modern, neighbouring properties which maintained the properties historical character. Furthermore, the multiple roof forms and materials and compressed nature of the accommodation would have further negative impact.

The private access road was under joint ownership and could not be obstructed at any time. Dr De Bere questioned where the storage of materials and construction traffic would park, if this access road could not be utilised and that the front garden could not be used as storage.

Dr De Bere stated that the neighbour's wall was not the boundary wall of the property but was on the neighbour's property. Dr De Bere also stated that the issues of flooding had not been addressed.

Following member questions Dr De Bere clarified that there used to be a fence on the applicant's side of the wall that denoted the boundary, this had been removed. Following this discussion, the Officer clarified that the proposed extension sat within the red line, on land owned by the applicant.

Cllr Palmer noted that the village of Meavy was a designated conservation area. The Cottages were workers cottages, built many years ago. The Parish Council was concerned to see the recommendation to grant, given the application history.

Cllr Palmer also questioned the boundary issue of the application and felt this needed to be investigated further. Cllr Palmer questioned how this application would affect the pool of smaller affordable houses in the area.

Cllr Palmer concluded with a request that the Committee have a site visit to assess the impact.

There were no questions from members for Cllr Palmer.

Following member questions Officers clarified

- A Construction and Management Plan would not normally be required for a householder application and would therefore be an unreasonable imposition
- The boundary wall itself not a part of this application
- The proposal was contained within the red line on land owned by the applicant

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

Mrs Moyse proposed a site visit, which was seconded by Mr Thomas.

Mr Sanders withdrew the motion to approve the application, which was seconded by Mr Renders.

RESOLVED: The application was **DEFERRED** in order that a Site Inspection may be undertaken.

Item 7 – 0369/22 – installation of two arrays of photovoltaic panels, one ground mounted, and one roof mounted - Welltown Farm, Walkhampton

This application was being presented to the Committee as the Applicant was a Member of the Authority, it was noted that the Member was not present at the meeting. The Parish Council had raised no objection to this application.

The proposal was for a ground mounted solar array in a field, and a set of panels on an existing barn on land to the northeast of Welltown Farm, Walkhampton.

The proposed solar array was to be sited approximately 100 metres from a Grade II Listed Building. There would be no impact on the setting of the Listed Building. Cabling would be underground and through a gateway, not impacting any trees, and enter the dwelling through the same location as the existing water supply pipes.

Condition 6 stated that all associated cabling shall be placed underground.

Due to the concerns raised by the Archaeologist, a condition would be added for an Archaeological Watching Brief during construction.

Following member questions Officers clarified

- Neither of the arrays could be seen from outside of the site
- This decision would have been made under delegated authority if the applicant had not been a Member

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

RESOLVED: That, subject to the conditions detailed in the report, and the addition of a condition for an archaeological watching brief, permission be **GRANTED**.

1507 Appointment of Site Inspection Panel and Arrangements for Site Visit

Item 3 - 0336/22 - Change of use of former Water Works to single-family dwelling with associated landscaping - Former Water Treatment Works, North Bovey Road, Moretonhampstead

Item 6 – 0193/22 – Single storey side extension to dwelling for ancillary residential accommodation - 1 New Cottages, Meavy

The Site Inspection to be undertaken on the afternoon of Friday 21 October 2022; the following Members were appointed to the Site Inspection Panel: J McInnes, S Morgan, D Moyse, M Renders, P Sanders, P Smerdon, D Thomas.

There being no other Development Management Committee business, the meeting closed.

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