

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

**1 July 2016**

Present: K Ball, S Barker, W Cann, A Cooper, G Gribble, S Hill, P Hitchins, M Jeffery, D Lloyd, J McInnes (Chairman), I Mortimer, D Moyse, N Oakley, C Pannell, M Retallick, P Sanders (Deputy Chairman), D Webber

Apologies: J Christophers, J Kidner

**1150 Minutes of the meeting held on Friday 3 June 2016**

The minutes of the meeting held on 3 June 2016 were signed as a correct record.

**1151 Declarations of Interest and Contact**

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

Members declared receipt of correspondence, in relation to Item 2 – 0178/16 – 39 Emmetts Park, Ashburton.

Mr Retallick declared a prejudicial interest, due to a family connection, in Item 3 – Bagtor Barton, Ilsington, and advised with he would withdraw from the meeting room during the discussion. He also declared a personal interest, due to knowing the applicant, in Item 4 – 0114/16 - Little Sigford Farm, Sigford

**1152 Items requiring urgent attention**

None.

**1153 Applications for determination by the Committee**

Members received the report of the Head of Planning (NPA/DM/16/022).

**Item 1 – 0207/16 – Change of use from agricultural to equestrian land; construction of stable block with concrete base under and turn-out area adjacent; erection of field shelter and shed – land lying to the north of Cross View, Buckfastleigh**

The Case Officer advised Members that the application was for change of use of a field to equestrian use, stabling for up to three horses and the erection of a field shelter for hay and other storage. The field lies immediately north of Higher Dean, to the rear of residential properties at Crossview. The use of the field has already commenced with a number of structures on the land that do not benefit from planning permission. These include a polytunnel, a caravan used for storage and a children's playhouse, currently used as a field shelter. Should permission be granted, a condition is proposed to have these removed within three months of commencement of development.

Signed Jane McInnes Date 2-9-16

The proposed stable and field shelter would be located in the north-west corner of the field, close to the existing vehicular access. It would provide stabling for three horses in the 2.5 acre field, which is considered proportionate. The British Horse Society recommends one acre per horse but this figure reduces when horses are to be stabled.

The Trees and Landscape Officer was of the opinion that the character of the field had already been compromised by the housing estate situated to the south and felt that the proposals would not be harmful to landscape character.

Mr Barker proposed the recommendation, which was seconded by Mr Ball.

**RESOLVED:** That subject to the conditions as set out in the report, including the revised Condition 4 as detailed above, consent be GRANTED.

**Item 2 – 0178/16 – Two-storey extension – 39 Emmetts Park, Ashburton**

The Case Officer advised Members that the application was for a modest, two storey extension; the application was before Members for determination as the proposed extension exceeded the allowable increase in habitable floorspace set out in Policy DMD24. The proposed extension would be situated at the southern gable end. The adjacent property has no windows on its gable end that would be impacted by the proposed development.

The existing house offers only 58sqm which is 12 sqm below the national space standards for two-storey, two bedroom houses. The proposed extension would provide an additional 28sqm which represents a 48% increase which exceeds the 30% set out in Policy DMD24. However, the extension would be in accordance with policy were the existing house built to current space standards as it would represent a 29% increase.

The applicant was not available to speak to Members at the meeting, however, the Case Officer provided a precis of an email which had been received, setting out the applicant's reasons for his proposals.

Mr Barker proposed the recommendation, which was seconded by Mr Jeffery.

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

**Item 3 – 0230/16 – Replace corrugated tin roof with slate roof incorporating roof lights – Bagtor Barton, Ilington**

Mr Retallick withdrew from the Meeting.

The Case Officer advised Members that the application related to the western end of a range of grade II listed farm buildings that formed an arc on the north-east side of the farmyard, adjacent to the grade II listed Bagtor Barton farmhouse. The western end of the stone barn range was roofed in corrugated metal and comprised a barn and stable with loft over; the latter having been partially converted to accommodate a covered space for the educational tours offered at Bagtor Barton.

Signed .....



Date .....

2-9-16

The proposal was for the removal of the corrugated metal sheeting, retention and/or repair of the 20th and 21st Century A-frames. Whilst the roof would have been thatched originally and the re-roofing in slate would fundamentally change the building's character, the use of slate would improve on the appearance of the existing metal sheeting and would align with that on the adjoining building.

Historic England (HE) supported the application but raised concerns about the proposed rooflights on the elevation facing the farmyard. HE recommended the consideration of alternative glazing solutions that were less domestic in character and reflected the agricultural character of the site. The Building Conservation Officer also expressed some concern about the justification for the position and nature of roof lights for the agricultural building. In response to these concerns the applicant revised the plans and instead sited three rooflights on the rear elevation only.

The Case Officer proposed an additional condition, should permission be granted, to ensure that the roof slates be fixed with nails rather than clips.

Members discussed the need for the rooflights within the agricultural building and considered alternative fittings which would look less 'domesticated' in style.

Mr Gribble proposed the recommendation, to include a condition that no rooflights be fitted, which was seconded by Dr Mortimer who added that an uninterrupted line of slate was preferred.

**RESOLVED:** That subject to the conditions as set out in the report, together with additional conditions, (i) prohibiting the installation of any rooflights and (ii) ensuring the fixing of slates with nails, permission be GRANTED.


Mr Retallick returned to the meeting.

**Item 4 – 0114/16 – Retrospective application for the provision of annex accommodation – Little Sigford Farm, Sigford**

Speaker: Kay Prior, Applicant

The Planning Team Manager advised Members that the application was for retrospective planning permission for an extension to the ancillary accommodation provided within the detached barn in the grounds of Little Sigford Farm. The site is located some 3km north east of Ashburton in the open countryside.

Permission was granted in 2006 for the conversion of the eastern most third of the barn to provide ancillary accommodation. However, the works actually carried out have converted the building into a three-bedroomed dwellinghouse which is completely different from the 2006 permission. An application in April 2013 sought permission to convert the final western third of the barn and showed the middle section as having already been converted, without planning permission. This application was refused in December 2013. In July 2014 Members resolved to authorise legal action to secure the cessation of the use of the building as a separate unit of residential accommodation. The enforcement notice, issued in August 2014, was upheld on appeal in July 2015. The application before Members was effectively a re-submission of that which was refused in December 2013.

Signed .....  ..... Date ..... 2.9.16 .....

The current conversion covers 120sqm; the original permission was for the conversion of 44.4sqm. As the building has not been converted in accordance with the original application of 2006, it is considered that no part of the conversion is authorised.

In its current state, the building offers all the facilities necessary for human habitation without any reliance on the main dwelling; effectively, a new, unrestricted, dwelling has been created in an unsustainable location in the countryside, which cannot be supported under planning policy.

Mrs Prior stated that she has been overwhelmed by support from her local community, and that Government guidance does now allow for a departure from policy. She advised that her husband needed to be on site twice a day in order to oversee their agricultural enterprise which comprises 120 cattle. They would be willing to enter into a Section 106 agreement to tie the accommodation to the main house in order to prevent it from being sold separately. It was her opinion that the Authority should look to support the younger community on Dartmoor rather than 'push them out'.

In response to a Member query, the Planning Team Manager advised that the applicant was not for a farm worker's dwelling and that no formal assessment had been submitted due to the fact that the agricultural enterprise was less than two years old.

The Head of Legal and Democratic Services reminded Members that there was in existence an extant enforcement notice which prohibited the use of the building as a dwelling. The applicant was in breach of this notice and at risk of prosecution. In addition, with regard to ancillary accommodation, there was clear case law defining ancillary use, eg use as a granny annexe, an additional bedroom etc. If Members were to grant permission for ancillary accommodation, Mrs Prior and her family would not be able to live there as an independent dwelling.

Having received clear confirmation of events post-2006 Mr Sanders proposed the recommendation, which was seconded by Mr Lloyd.

**RESOLVED:**

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

**1154 Consultations by Neighbouring Local Authorities**

Members received the report of the Head of Planning (NPA/DM/16/023).

**RESOLVED:**

Members noted the content of the report.

**1155 Appeals**

Members received the report of the Head of Planning (NPA/DM/16/024).

Signed James P. NCT Date 2-9-16

**RESOLVED:**

Members noted the content of the report.

**1156 Enforcement Action Taken Under Delegated Powers**

Members received the report of the Head of Planning (NPA/DM/16/025).

**RESOLVED:**

Members noted the content of the report.

Signed James R. H. T. [Signature]

Date 2-9-16