

**DARTMOOR NATIONAL PARK AUTHORITY**

**DEVELOPMENT MANAGEMENT COMMITTEE**

**3 February 2017**

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

Apologies: P Woods, M Jeffery, S Barker

**1196 Minutes of the meeting held on Friday 6 January 2017**

Save for the amendments noted below, the minutes of the meeting held on 6 January 2017 were agreed and signed as a correct record:

Minute No. 1189 Declarations of Interest : Miss Moyse advised that she had not declared an interest in item 0533/16 – Wortleigh, Meavy Lane, Yelverton and asked that this error be noted.

**1197 Declarations of Interest and Contact**

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

A number of Members declared receipt of email correspondence with regard to items 0407/16 – Hele Farm, North Bovey, 0627/16 – Chagford Church of England Primary School, Chagford and 0641/16 - Bradfords Building Supplies, The Old Mill, Station Road, Moretonhampstead.

Mr McInnes declared a personal interest in item 0653/16 – Homer, Mary Tavy, and a personal interest in item 0627/16 – Chagford Church of England Primary School, Chagford as he is a Devon County Council Cabinet member for Children, Schools and Skills. He added that he would remove himself from the meeting and that the Deputy Chairman would assume the Chair for this item.

Mr Ball, Mr McInnes, Mr Retallick and Mr Webber declared a personal interest, due to knowing the family, in item 0619/16 – Estrayer Park, Okehampton.

Mr Hill declared that he would not be taking part in item 0627/16 – Chagford Church of England Primary School, Chagford following advice received from the Authority's Assistant Lawyer and that he would remove himself from the meeting.

Mrs Oakley declared a personal interest, due to the applicant being her neighbour, in item 0407/16 – Hele Farm, North Bovey, and advised that she would vacate the meeting room for this item.

Signed .....



Date .....

3-3-17

Mrs Pannell declared a personal interest, due to knowing the applicant and the objector, in item 0637/16 – 4 Higher Green, South Brent, and advised that she would take no part in the discussions.

**1198 Items requiring urgent attention**

None.

**1199 Site inspections**

Mrs Oakley removed herself from the meeting.

Members received the report of the Head of Planning (NPA/DM/017/006).

**Item 1 – 0407/16 – Erection of agricultural building (18.3m x 12.2m) with hardstanding – Hele Farm, North Bovey**

Speakers: Mrs E Cross, Objector  
Mr C Godfrey, Applicant

The Planning Team Manager reminded Members that the application was deferred at the Development Management meeting held on 7 October 2016 for a site inspection. The delay in re-presenting this application to Members was to enable accurate site plans to be submitted.

The proposal is for a new agricultural building, adjacent to the existing farmstead at Hele Farm which is in separate ownership. The applicant has a significant land holding of 42 hectares in the local area, with a stock of breeding ewes and belted Galloway steers. The holding currently has no buildings and there is a clear need for a building on a holding of this size.

By way of update the revised plans show an accurate position of the proposed building; the position of the native hedge planting; the drainage soakaway; the cut and fill required and the revision to the narrowing of the gateway to 5m.

Since first going before Committee in October 2016, three additional letters of objection have been received, effectively reiterating points of concern including: possible alternative sites, direct impact on the listed building, position of access, inappropriate design and scale, drainage, odour and nuisance. The Parish Council has maintained its position of 'no objection'.

The Planning Team Manager advised Members of the main points as follows:

**Need** - this is a 104 acre site with no buildings on the holding; Officers are of the opinion that one is needed upon the site;

**Location** - the proposed building would be well located, adjacent to the group of existing buildings; there is no obvious alternative location. In addition, it would be situated on the crest of a hill and on land which will drain away from the nearest residential dwelling.

Signed .....

*Samuel R. A. T. M. M.*

Date .....

*3-3-17*

**Impact** - the listed building is over 70m away and it is therefore considered that the proposed building would not be damaging to its setting, nor would the new building impact on the setting of other buildings within the curtilage of the listed building. The nearest buildings are the original agricultural buildings which are currently unused but could be made available for livestock use at any time. It would be conditioned that no external lighting would be permitted; the proposed soakaway, as well as alterations to the entrance gateway would also be dealt with by condition.

**Environmental Health** - Officers acknowledge the Environmental Health Officer's comments and recommended conditions regarding noise and odour. The reasonableness of the Environmental Health Officer's recommendations have been appraised against the statutory tests set out in the National Planning Policy Framework (NPPF); it is felt that restricting the hours of operation fails the test of reasonableness due to it being an agricultural building.

Mrs Cross advised Members that she was very concerned regarding the proposal for the barn and that the access would be in such close proximity to her residence. She added that there had been 21 objections recorded and stated that, in her opinion, it seemed that the Authority was prioritising its agricultural policies above all others. She added that she would like to know which other sites had been considered and dismissed, and that no impact survey had been undertaken. Should permission be granted she would like to see additional conditions added which took into account the recommendations of the Environmental Health Officer; these would reduce the negative impact on her amenity. Mrs Cross has control over all of the other barns at Hele Farm but would have none over the proposed building; she suggested that the hardstanding would be better positioned to the north of the barn.

Mr Godfrey thanked Members for attending the site; he advised that he had accepted that amendments needed to be made. He added that he was happy with all of the suggested conditions. Accurate plans had been submitted. With regard to the improvements needed and replacement of the wall, he stated that he had a contractor ready to undertake the work. He was hopeful that permission would be granted and that construction of the barn could commence as soon as possible; he has 600 lambs to be delivered; some of his ewes would need to be brought inside to deliver.

In response to a Member query regarding the storage of animal waste, Mr Godfrey advised that he did not anticipate large amounts of waste; however, anything that needed to be removed from the site could be stored in a field which was a quarter of a mile away from the site.

Other Members commented that more detailed plans had been provided by the applicant and were a big improvement on the originals; Members could now understand the detail and the proposed landscaping; the issue over drainage had been clarified and they noted that the site would drain away from the dwelling. In addition, they felt that the new building would not have a detrimental impact upon the listed farmhouse.

Mr Hitchins proposed the recommendation, which was seconded by Mr Webber.

Signed  ..... Date 3-3-17 .....

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

Mrs Oakley returned to the meeting room.  
Mr McInnes and Mr Hill removed themselves from the meeting.

**1200 Applications for Determination by the Committee**

Members received the report of the Head of Planning (NPA/DM/17/007).

**Item 1 – 0627/16 – Construction of new primary school on existing school playing field and demolition of existing school buildings – Chagford C of E Primary School, Chagford**

Speaker: Mr A Stannus, Objector  
Mr T Pollintine, Supporter

The Deputy Chairman advised the public gallery that a site visit had been undertaken by Members on Friday 27 January 2017.

The Case Officer advised Members that the current school building was erected in 1936 and, following a feasibility study, deemed to be in a poor condition. The Education Funding Agency (EFA) concluded that a new build option offered the best value. The proposal is to erect a new school towards the front of the site; the old school will be demolished and replacement playing pitches provided to the rear of the site. The old school would remain in use during the build period which is a big advantage; children and teachers would not be inconvenienced.

One of the issues with the current layout of the school site is that the parking area for teachers is at the rear of the site; this means that vehicles have to cross the play area in order to park. The rear of the site would be made secure by the installation of new fencing. With regard to the school building, there are many practical issues. The hall is currently used for a number of activities including PE and the provision of lunch. There are high ceilings which make it difficult and expensive to heat. There is also asbestos present. The fence to the front of the site is not attractive and it is proposed to remove it and plant a beech hedgerow behind a retained stone dwarf wall.

The proposed new building is of a long, linear design; the masonry piers on the roof have been introduced to break up any continuous view of the property. With regard to the sizes of the rooms within the new school, these are determined by the EFA. Drawings received this week propose improved use of outdoor space. The proposed new pitch will be slightly bigger than the existing, undulating pitch which is also irregular in shape. The majority of the trees found on the site will be retained. Architects have attempted to maintain local amenity.

The Dartmoor Society has asked that serious consideration be given to the historical value of the current school building. The Parish Council still opposes the proposed new vehicular access, stating that it would be situated on a busy road where it is not possible for two large vehicles to pass.

Signed James McInnes Date 3-3-17

Sport England has now confirmed that it has no objections to the proposals. The National Planning Policy Framework is very clear in that the loss of the existing school should be replaced with the equivalent, or better. A schedule of maintenance would be required in order to meet Sport England conditions.

Mr Townsend, Devon County Highways Officer, advised Members that the replacement school would not generate any additional traffic movement. The access complies completely with policy and in fact the removal of the current corners will improve the access and visibility. He added that it would be prudent to require the construction of the access prior to the commencement of any construction.

The Case Officer explained to Members that plans detailing minor amendments to windows were currently out for consultation, with the deadline expiring on 8 February 2017. In addition, Sport England has withdrawn its standing objection and has proposed certain conditions. Therefore, the proposed resolution is amended to:

*'Subject to consideration of new material objections to the amended plans, and Sport England's suggested conditions, permission is delegated to the Chief Executive (National Park Officer) and Philip Sanders as Deputy Chairman to issue planning permission.'*

Mr Stannus stated that the proposal failed the Authority's own policies with regard to local distinctiveness, scale and location. The proposed new school is not stimulating in any way and lacks the facade of a landmark building. He added that there appeared to be a lack of understanding in that the school stands on the edge of an attractive part of Chagford. He referred to The Head of Planning's letter to the applicant which stated that the mass of the proposed building would be too dominant, and also questioned whether the application would be approved if it were privately funded. He stated that cost should not be a planning consideration; local policies should have precedence, children need to be inspired.

Mr Pollintine advised Members that the replacement of Chagford C of E Primary school was part of a Government programme and is one of eight successful bids. Over the past year, developers have worked with the community, teachers and the EFA; they have focused on design sensitivity and the types of materials to be used. Of paramount importance is to build a healthy learning environment, with improved ventilation and natural light. The hall will be made available to the community. The new school will be much safer, keeping vehicles and pupils separate.

The Head of Planning advised that he has high design principles; however, all matters have to be balanced. A meeting with architects, agents, applicants and the case officer led to his understanding that what he would like personally cannot be achieved. In his view there was an overwhelming need not to stand in the way of such an important application which has significant community benefits. His letter, as referred to by Mr Stannus, made the applicants well aware of their responsibilities when building within a National Park. Materials, and particularly finishes to be used have been improved.

Some Members expressed concerns regarding the design of the proposed new school, stating that there appeared to be a lack of inspiration.

Signed  ..... Date 3-3-17 .....

Another Member stated that the pupils should come first. The old building is not fit for purpose and needs to be replaced. There is much to commend the application; the design of the building may not be the best but this does not present a good enough reason to refuse the application.

With regard to the issue regarding overhead electricity lines, the Case Officer advised that the Authority is unable to condition this; however, Western Power is aware of the situation, as is the EFA. Consideration is to be given to phasing any works to coincide with potential works on the large development site opposite the school site.

As the deadline for the consultation period was Wednesday 8 February 2017, Mr Christophers proposed that permission be granted but that the final permission be delegated to the Deputy Chairman (who chaired the meeting for this application), together with the Chief Executive (National Park Officer), subject to any further comments received prior to the consultation deadline. This was seconded by Mr Gribble.

It was also agreed that an over-arching condition be added to ensure that the work is phased in accordance with the additional conditions required by Sport England

**RESOLVED:** That, subject to the conditions as set out in the report, together with the additional conditions from Sport England, and the amended recommendation as detailed above, permission is delegated to the Chief Executive (National Park Officer) in consultation with Philip Sanders as Deputy Chairman, to issue permission.

Dr Mortimer requested that his vote against the application be recorded.

Mr McInnes and Mr Hill returned to the meeting room.

**Item 2 – 0641/16 – Demolition of two obsolete buildings and construction of a new portal frame extension and separate covered storage area – Bradfords Building Supplies, The Old Mill, Station Road, Moretonhampstead**

Speaker: Mr M Bonfield, Supporter

The Case Officer advised Members that the proposal is for the removal of redundant buildings, which include single storey cabins and the saw mill building which is structurally unsound. The existing 'trade counter' building would be extended and access to the site would be altered. To the rear of the site, it is proposed to construct an open bulk storage building.

The opinion of the Authority's Building Conservation Officer is that the proposed scheme would have a negative impact on the setting of the grade II listed tollhouse which is immediately to the west of the development and a prominent landmark when entering Moretonhampstead from the south.

With regard to the proposed one way system for lorries around the site, and the additional stacking area to the rear, Officers have no objections to this part of the application. Timber cladding is proposed to the front elevation of the replacement building, which is higher than the existing saw mill building. It will present to the

Signed James D McInnes Date 3-2-17

front, onto the road, a very different perspective than is there at present. No pre-application discussions prior to the application being submitted took place.

Members were advised that one Member, who had given their apologies to the Committee, had asked that his support for the application be recorded; the company employs 11 people and the application site is situated on the industrial side of Moretonhampstead.

Mr Bonfield, Branch Manager, advised Members that Bradfords Building Supplies has been a family business for the last 250 years. The main impetus for the application is to increase turnover and employ more staff; the application is also important with regard to health and safety on the site as lorry movements will be reduced and a one way system around the site would be introduced. He added that, in his opinion, the proposed building would not have a detrimental impact upon the Toll House and that the plans meet the needs of policies DMD 7 and 8, and the Design Guide.

In response to queries, Mr Bonfield advised as follows:

- The nearest builders suppliers are to be found in Okehampton, Exeter etc. The company run the smallest crane lorry available in order to cater for the narrow roads of Dartmoor;
- The building which fronts onto the road is no longer used. Work has been undertaken to make it safe but it needs to be replaced;
- It is anticipated that at least 2 – 3 more employees will be required;
- The proposal is the easiest option; the orientation of the building has been 'squared up' in order to allow easier access for delivery vehicles.

Dr Mortimer felt that the proposal before Members could be improved and urged the company to reconsider its application. He proposed the recommendation.

Mr Retallick stated that the business was important to this part of Dartmoor and seconded the recommendation, adding that he would encourage further consultation with Officers.

The proposal was not carried.

Mr Christophers proposed that the matter be DEFERRED in order that further consideration be given to the design of the proposed building, which was seconded by Mr Ball.

In response to a Member query, the Head of Planning advised that all design aspects, including proposed signage and site layout, would be considered.

**RESOLVED:** That determination be DEFERRED for further consideration of all designs aspects of the proposal.

**Item 3 – 0653/16 – Creation of new access drive and gate to agricultural fields including taking down of existing bank and hedgerow – Homer, Mary Tavy**

Speaker: Mr A Cartwright, Applicant

Signed James A. Cartwright Date 3-3-17

The Case Officer advised Members that this two-storey dwelling is located within the Conservation Area. The applicant also owns 18 acres of land adjacent to the property. It is proposed to remove an existing earth bank and hedge in order to form a new vehicular access to the fields. The first 10m of the new access would be concrete, the rest would be gravel. The height of the bank to be removed is just over 1.5m. By way of update, six letters of support have been received since the report was written.

Mr Cartwright advised that he has owned and renovated the property over the past 11 years. The access to his land is currently very restrictive; he has to cross a stream and through fields to get to feed to his animals. In addition, in poor weather, he is unable to remove his animals from the land. All supplies have to be wheelbarrowed 20m down the lane and over 100m across the fields to get them into storage. He added that the hedge to be removed consists predominantly of blackthorn and hazel and only a small amount is to be removed. There are four other driveways which lead off from the lane.

Miss Moyle proposed that the matter be DEFERRED in order that a site inspection may be undertaken to clarify the proposal, which was seconded by Mr Ball.

**RESOLVED:** That determination be DEFERRED for a site inspection to be undertaken.

The applicant was asked to peg out the proposed drive in advance of the site inspection.

Mr Gribble left the meeting.

**Item 4 – 0619/16 – Conversion of three redundant barns to three holiday units – Estrayer Park, Okehampton**

Speaker: Mr J Pettitt, Agent for the Applicants

The Case Officer reminded Members that the application was deferred from the January Development Management Committee meeting to enable officers to clarify the point of the applicant's farm diversification scheme and to present Members with suggested conditions should they resolve to approve the application.

Estrayer Park comprises a traditional farmhouse and range of barns which are registered on the Historic Environment Record. The application seeks permission for the conversion of three barns into self-contained units of holiday accommodation

The applicant has confirmed that the farm business is owned and operated by Mr and Mrs Littlejohns and their daughter. They all live and work full time for the agricultural enterprise at Minehouse Farm. They will all be involved in the running and management of the new holiday business. The Massage Room which is shown on the plan for Barn 1 will house a portable massage table which can be used and moved to anywhere within the complex. The applicants are not seeking to set up a physio/massage room or business.

Signed Samuel Pettitt ..... Date 3-3-17 .....



Legal advice has been sought; in order to secure that the ownership, management and control of the holiday units is undertaken from Minehouse Farm, and to ensure that the income supports the core farming enterprise in line with policy, a s106 agreement should be drawn up to deal with the matter.

Mr Pettitt advised Members that the farm is owned by Mr and Mrs Littlejohns. With regard to the proposed conditions, he requested that proposed Condition 3 be amended to read ' continuous period ...' rather than cumulative, and condition 5 be removed as it would cause his clients additional expense. With regard to the s106 agreement, it was his opinion that this was not needed; 14 conditions were enough for the applicants to have to meet. His clients would prefer to go to appeal. In addition, it would take a lot of time and would push back the desired opening of the barns for the public to book.

In response to a question from the Head of Planning, Mr Pettitt confirmed that there was no legal impediment why his clients could not enter into a s106 agreement.

Some Members commented that to go ahead with this application without a s106 agreement in place would not be acceptable; without one the holiday accommodation could be sold off as a separate business at any time and this would be contrary to Local Plan policy.

Mr Lloyd proposed that permission be granted, for the reasons that the overall improvements to the site will outweigh the design elements and will conserve the buildings for the long term; this subject to the proposed conditions and the s106 agreement to tie the proposal in with the current business, which was seconded by Mr Ball.

**RESOLVED:** That subject to the conditions as set out in the report and the signing of a s106 agreement, permission be GRANTED. It was further agreed that the application would be brought back to Committee if the agreement had not been completed within six months.

**Item 5 – 0580/16 – Change of use from former Methodist Chapel to single dwelling – Ilington Methodist Church, Honeywell Lane, Ilington**

Speaker: Mr M Russell, Applicant

The Case Officer advised Members that the applicants are seeking to purchase Ilington Chapel with a view to conversion into a market dwelling for their personal use. It is understood that the property is 'under offer', currently in the ownership of the Methodist Church. The closing service took place in May 2015; the building was marketed for less than three months under a sealed bids process; the Authority would expect a 12 month marketing period to be undertaken and this was communicated to the applicants at pre-application stage. At the same time the applicants were advised of the requirements under policy DMD9 and the potential difficulties in securing this type of building for conversion to a residential use.

The building is of standard three room construction and, whilst officers have no objection to the design of the proposed conversion, it is recommended that permission be refused as the property would be an open market dwelling in the open countryside and a departure from policy. In addition, by reason of its potential

Signed James D. McInnes Date 3-3-17

market value, it would be unlikely to meet the requirements of the Authority's intermediate affordable housing model.

Some Members commented that, in the long run, Members would welcome this application as it genuinely falls into a difficult bracket regarding a different use. They added that the proposal before Members was a sympathetic one.

The Head of Planning cautioned Members not to make an ad hoc, hasty decision. There are strong policies in place which are very clear when it comes to open market dwellings in the open countryside. All Local Plan policies would be re-assessed over the next year or so as part of the Authority's Local Plan review.

Dr Mortimer proposed that permission be GRANTED as the heritage asset would be preserved in the face of what would be a very difficult alternative use. Mr Retaillick advised that the building, having closed in May 2015, is showing signs of decay already and there are issues with the roof. As the applicant does not propose to change the outside of the building in any way, and would be sympathetic to the preservation of the building, he seconded the proposal.

Some Members expressed concern that current policies would be ignored should permission be granted. There is a clear requirement for the property to be marketed for a 12 month period which, with regard to this application, has not been followed.

The proposal to grant permission was NOT CARRIED.

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

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

**Item 6 – 0637/16 – Demolition of existing conservatory on side elevation and erection of two storey extension – 4 Higher Green, South Brent**

The Case Officer advised Members that the property is at the entrance to a modern cul-de-sac. A two storey extension is proposed to provide additional living accommodation, following the demolition of the existing single storey extension. The design fits well with existing houses and falls well within the permitted 30% increase outlined in Policy DMD24 as it comprises only 14% additional living space.

The distance between the proposed extension and the nearest adjacent house is 22 metres. The properties are not directly aligned. The ground floor of the proposed extension would be obscured by a Devon hedgebank. With regard to the en-suite window, a condition would require it to be fitted with obscured glass in perpetuity.

Mr Webber proposed the recommendation, which was seconded by Mr Cann.

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

**1201 Monitoring and Enforcement**

Members received the report of the Head of Planning (NP/DM/017/008\_

Signed James R. Mortimer Date 3-3-17

**Item 1 – ENF/0103/14 – Untidy site – Dolbeare Meadow, Ashburton**

The Planning Team Manager advised Members that the site is located at the eastern entrance to Ashburton, close to the Linhay junction of the A38. The site is partly developed having received planning permission in 2009 for seven industrial/office units and now includes the new police station and offices known as Conway House.

The Town Council has asked the Authority to take legal action to remedy what it considers to be the unacceptable state of the land. The Town Council does not accept the Authority's view that the appearance of the site is satisfactory and that no action should be taken. It has requested the Authority to take immediate legal action against the landowner to carry out appropriate remedial works.

Officers noted that the landowner has removed much of the waste material; he has improved the boundary of the site and has also undertaken works to remove and tidy the vegetation.

Officers could issue a Section 215 Notice but these can only be issued when the condition of the land in question "adversely affects the amenity of the area". It is difficult to see what further steps could be required. Officers do not believe that it would be reasonable to require the demolition of the incomplete roundabout and access road, nor to require further landscaping and planting.

Mr Nutley advised Members that the Town Council was disappointed to see the recommendation that no further action be taken. It is now eight years since works first started on the site. The unfinished site, part built roundabout and general condition does not present a good advert for the gateway to Ashburton. Councillors are often asked by the general public for information as to when something is going to be done to tidy/finish the site. A letter received by the Town Council, from the Ashburton Chamber of Trade, states that owners should be made responsible for the site. They would prefer to see a car park rather than the current picture. If nothing is to be done, Mr Nutley stated that the site should be treated with top soil and seeded.

The Head of Planning advised Members that works stopped due to contamination. With regard to an alternative application the owner refused to enter into a highway agreement to complete an alternative access. Advice received from legal advisers is that the issue does not pass the test for a S215 Notice. It was, however, agreed that the site would be monitored and kept under review.

Mr Cann left the meeting.

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

**RESOLVED:** That no further action be taken in respect of the condition of the land.

Members requested that a watching brief be undertaken on this site.

Mr Christophers requested that his vote against the recommendation be noted.

Signed James Nutley Date 3-3-17

**1202 Appeals**

Members received the report of the Head of Planning (NPA/DM/17/009).

**RESOLVED:**

Members NOTED the content of the report.

**1203 Enforcement Action taken under Delegated Powers**

Members received the report of the Head of Planning (NPA/DM/17/010).

**RESOLVED:**

Members NOTED the content of the report.

**1195 Site Inspections**

Site inspection is to be held on Friday 17 February 2017, regarding:

Application No. **0653/16** - Creation of new access drive and gate to agricultural fields including taking down of existing bank and hedgerow – Homer, MaryTavy

The following Members were appointed to the Site Inspection Panel : Mr McInnes, Mr Sanders, Miss Moyse, Mr Hitchins, Mr Hill, Mr Webber, Mr Lloyd

Signed James R. Jones

Date 6-3-17