

**DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE**

**8 January 2016**

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

Apologies: None

**1108 Minutes of the meeting held on Friday 4 December 2015**

The minutes of the meeting held on 4 December 2015 were signed as a correct record:

**1109 Declarations of Interest and Contact**

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

The Chairman reported that all Members had been sent correspondence, via email, with regard to item 0511/15 – The Old Farmhouse, Forestoke, Holne.

Mr Retallick declared a personal interest, due to contact via telephone, in item 0511/15 – The Old Farmhouse, Forestoke, Holne.

Mr Gribble declared a personal interest, due to contact via several email messages, in item 0511/15 – The Old Farmhouse, Forestoke, Holne.

Mr Jeffery declared a personal interest, due to contact with a number of North Bovey residents, in Items 0565/15 and 0564/15 – Stone Cross Cottage, The Village, North Bovey.

**1110 Applications for Determination by the Committee**

Members received the report of the Head of Planning (NPA/DM/16/001).

**Item 1 – 0565/15 – Modification to existing modern granite wall; two new granite walls to enclose existing parking area and timber gates to be fitted plus relocation of existing oil tank from outbuilding to garden (Listed Building Consent) – Stone Cross Cottage, The Village, North Bovey**

Speaker: Cllr Christine Johnson – North Bovey Parish Council Representative

The Planning Team Manager advised Members that the proposed works within this application would normally be permitted development. However, the proposed works are within the curtilage of Stone Cross Cottage which is a

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Grade II listed building and within the North Bovey Conservation Area; therefore Listed Building Consent and Planning Permission are required.

The proposal is, essentially, in two parts. Firstly, consent is sought to realign the front boundary wall, build a new section of boundary wall to replace the existing boundary hedge between Stone Cross Cottage and Chancery Cottage, together with another new section of wall to match that already in existence. The proposed gates to the parking bay would be 1.15m in height to match the wall.

Consent is also sought to relocate the oil tank in the rear garden. This is acceptable in principle as the tank would not be seen behind the existing hedgerow.

Six letters of objection have been received with objectors feeling that the wall and gates would be out of keeping with the property and its situation within the conservation area. Further, the height of the wall proposed to replace the existing hedgerow would be inappropriate and make access to the neighbouring property difficult.

Cllr Johnson advised Members that her comments applied to both the Listed Building Consent application and the Planning Permission application. She advised that the Parish Council had no objection to the relocation of the oil tank but, considered that the new wall and access gates would not comply with Policies COR 3 and COR 4. The proposals were not appropriate to the setting of the cottage, and would have a negative impact on the local area and landscape. The Parish Council has received nine written objections. In addition, Cllr Johnson stated that over 60 residents responding to a Plan for North Bovey questionnaire had raised negative comments.

In response to Member queries, the Planning Team Manager confirmed that the height of the wall line, together with the gates, would be 1.15m. There had been no objections received from the Highways Officer regarding visibility. Permission for the newer section of the wall had been granted in 2010.

Some Members commented that they had no issues regarding the granite walls, but expressed concerns regarding the design and materials of the proposed gates. In addition, one Member raised a concern that the gates, by the nature of their setting, would open outwards onto the highway.

Mr Jeffery proposed that a Site Inspection be undertaken in order for Members to assess the application in the light of the Grade II listing and the Conservation Area, which was seconded by Mr Gribble.

The proposal for a Site Inspection was not carried.

The Chairman, following consultation with the Head of Planning, confirmed that it was possible to grant consent, with a condition excluding the gates.

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A Member commented that he was very familiar with the setting of the cottage in relation to the church, and would not want to see the scene suburbanised.

Mr Barker proposed that consent be granted without consent for any gates. The proposal was seconded by Mr Ball.

Mr Kidner proposed that consent be refused, due to the negative impact on the significance of the listed building and its setting and the impact on the wider landscape within the context of the conservation area. This proposal was seconded by Dr Mortimer and put to the vote.

**RESOLVED:**

That consent be REFUSED, due to the negative impact on the significance of the listed building and its setting and the impact on the wider landscape within the conservation area.

**Item 2 – 0565/15 – Modification to existing modern granite wall; two new granite walls to enclose existing parking area and timber gates to be fitted plus relocation of existing oil tank from outbuilding to garden (Full Planning Permission - Householder) – Stone Cross Cottage, The Village, North Bovey**

The Planning Team Manager advised Members that there was nothing additional to report with regard to the application, except for an additional condition relating to the height of the southern boundary hedge should permission be granted.

Speaker: Cllr Christine Johnson – North Bovey Parish Council Representative

Cllr Johnson advised Members that her previous comments related to this application, specifically those comments relating to the boundary wall. The Parish Council has no issues with regard to the relocation of the oil tank.

Mr Lloyd proposed that permission be refused, due to the negative impact on the significance of the listed building and its setting and the impact on the wider landscape within the context of the conservation area. This proposal was seconded by Dr Mortimer and put to the vote.

**RESOLVED:**

That permission be REFUSED, due to the negative impact on the significance of the listed building and its setting and the impact on the wider landscape within the conservation area.

At the Members' request it was agreed that the applicants would be invited to submit a fresh application, free of charge, with regard to the relocation of the oil tank.

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**Item 3 – 0511/15 – Removal of condition (b) of permission 09/26/1371/87 to allow holiday cottage to be used as a dwelling (Full Planning Permission) – The Old Farmhouse, Forestone, Holne.**

Speaker: Mr Paul Arrowsmith, Applicant's Partner

The Planning Team Manager advised Members that the application relates to a small two storey barn located on the south aspect of the farmhouse. The application is for use of the building as a single dwelling with no condition restricting its occupancy. Permission to convert the barn into a granny flat was granted in 1984; a further application for a change of use to a holiday cottage was granted in 1987. The change of use was conditioned that no person, family or group would be allowed to occupy the cottage for more than 28 days in any 12 month period. Therefore, should this planning permission be granted, there would in effect be no restrictions on the occupancy of the property.

A lengthy conversation was had with the applicant on 10 December 2015 when she was advised that the application was to be determined by committee on 8 January 2016; the reasons for the recommendation for refusal were also outlined. In addition, the applicant was advised that the current condition does not prevent the property from being sold separately to the farmhouse.

Policy DMD26 specifically applies to this application. It requires the applicant to prove that there is no longer a demand for this type of accommodation. In addition, the property must be offered for sale for a period of at least 12 months. If and when these tests have been satisfied, the applicant must be willing to enter into a S106 agreement to restrict future occupancy to local people as an affordable dwelling. At this time, neither of the tests have been undertaken; therefore, removal of the condition would mean that the property would effectively become an open market dwelling within the open countryside which is contrary to policy.

Mr Arrowsmith stated that the applicant wanted to enter into a S106 agreement for local affordable housing. He added that she has no intention of separating or selling the property. He felt that the removal of the condition would add to the community. A need for affordable housing in the area has been shown with Holne village being only half a mile away.

The Head of Planning advised Members that they had always been very robust with regard to holiday lets in the open countryside. The tests detailed in Policy DMD26 are a strict requirement.

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

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**RESOLVED:**

That, due to the reasons set out in the report, with amendment to reson 1 to refer to DMD26, permission be REFUSED.

**1111 Appeals**

Members received the report of the Head of Planning (NPA/DM/16/002).

**RESOLVED**

Members noted the content of the report.

**1112 Applications determined under delegated powers and applications withdrawn**

Members received the report of the Head of Planning (NPA/DM/16/003).

**RESOLVED:**

Members noted the content of the report.

**1113 Enforcement action taken under delegated powers**

Members received the report of the Head of Planning (NPA/DM/16/004).

**RESOLVED:**

Members noted the content of the report.

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