

**DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE**

**6 February 2015**

Present: K Ball, G Gribble, P Harper, P Hitchins, J Hockridge, M Jeffery,  
J Kidner, D Lloyd, J McInnes (Chairman), Dr I Mortimer, D Moyse,  
J Nutley, N Oakley, M Retallick, P Sanders, P Vogel, D Webber

Apologies: S Barker, J Shears

**1555 Minutes of the meeting held on Friday 9 January 2015**

The Minutes of the meeting held on Friday 9 January 2015 were signed as a correct record.

**1556 Declarations of Interest**

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

Mr McInnes, Mr Retallick, Mrs Oakley, Mr Nutley, Mr Lloyd, Mr Hitchins, Mr Hockridge, Mr Ball, Mr Gribble, Mr Jeffery and Mr Webber declared a personal interest, by way of contact and communication with various individuals, in all applications featured in Agenda Items 5 – Site Inspections, 6 – Applications to be determined by the Committee, and 7 – Monitoring and Enforcement.


Mr Harper declared a personal interest, having been involved in the initial review of the Haytor Visitor Centre, in items 0703/14 – installation of a bore hole to supply water to the public toilets – Visitor Centre Haytor, and 0698/14 – Ground mounted solar panel array – Visitor Centre, Haytor.

Miss Moyse declared a personal interest, by way of contact, in items ENF/0158/14 – use of holiday let as independent unit of residential accommodation – Piglet Cottage, Lower Hookner Farm, North Bovey, and 0671/14 – new dwelling, corner site between Huccaby and Byeways, Sheepstor.

Mr Kidner declared a personal interest, by way of contact, in item ENF/0158/14 – use of holiday let as independent unit of residential accommodation – Piglet Cottage, Lower Hookner Farm, North Bovey.

Mr Vogel declared a personal interest, having been involved in the initial review of the Haytor Visitor Centre, in items 0703/14 – installation of a bore hole to supply water to the public toilets – Visitor Centre Haytor, and 0698/14 – Ground mounted solar panel array – Visitor Centre, Haytor.

Dr Mortimer declared a personal interest, by way of contact, in item 0582/14 – demolition of existing side extension and erection of two-storey side extension –

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The Mill, Meavy, Yelverton, and due to knowing the applicant in item 0696/14 – alterations and change of use from offices to a dwelling with associated works – The Old Exchange, Chagford.

The Chairman welcomed Hazel Union, Solicitor for the Authority, to the meeting.

**1557 Items requiring urgent attention**

None.

**1558 Site Inspections**

**Item 1 – 0582/14 – Demolition of existing side extension and erection of two-storey side extension – The Mill, Meavy, Yelverton**

Speakers: Ms A Steers – Objector  
Mr T Offer – Applicant's Architect

Members received the report of the Director of Planning (NPA/DM/15/007).

The Solicitor provided a summary of the Officer's response to a letter of objection received from Farrer and Co as follows:

Point 1 – alleges that officers had failed to consult with English Heritage. English Heritage has supplied a well-considered written response. With regard to points 2 – which states that officers failed to have special regard for the preservation of the setting of a listed building, and 3 – which refers to the duty to give special attention to preserving or enhancing the conservation area – these would be taken into account by Members during their debate. The view of the Historic Building Officer should be considered but was not determinative. Point 4 dealt with loss of privacy and overlooking which would be covered by the Case Officer. Point 5 relates to the site inspection – the Solicitor confirmed that there is no obligation to notify residents of a site inspection and they are not entitled to attend. In point 6, Farrer and Co infer that The Mill may be curtilage listed. Officers do not consider The Mill to be curtilage listed; Listed Building Consent is an entirely separate matter and is not a material planning consideration with regard to this application.

The Case Officer advised a late correspondence received from English Heritage who did not have a problem with the application in principle, but objected to the design and massing of the proposed extension which was considered to be alien to the special context of the property and its setting. Meavy is one of the least spoilt villages on Dartmoor. Of key significance is the surrounding area – the main grade II\* listed Meavy Barton and additional Grade II listed buildings, as well as the grade I listed church. Five additional letters of objection had also been received.

The proposed extension would comprise a WC, lobby and garden room on the ground floor with a master bedroom on the first floor. It is of a contemporary design, making use of local materials, and would be subservient to the main building. There are no overlooking issues as the extension would be offset to the main house.

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Ms Steers stated that at present, Meavy Barton enjoys complete privacy; the proposed extension would overlook the neighbour's front garden. She expressed concern regarding the 'Dartmoor landscape' and the proposed contemporary extension within the context of the surrounding listed buildings and Conservation Area. She added that she was in agreement with English Heritage in that the design was out of character with the rest of the village. Local residents considered Meavy Barton to be the 'jewel in the crown' of the village. In her opinion, the application did not fit with the Authority's policies DMD24, DMD3, Core 5 and DMD4.

Mr Offer stated that, in his opinion, the proposed extension would not invade the privacy of neighbours. No works to a listed building are proposed. His view was that the proposed side extension was appropriate and acceptable; a Conservation Area Appraisal of the local area revealed a mix of traditional and modern design. A traditional extension would, he felt, stand out more than the one proposed. The materials to be used, stone, slate and render, are already in use on the site. He added that the extension would enhance the setting of the property and would help to conserve the setting of local listed buildings. He disagreed with the Members' comments that the proposal was of poor design.

The Chairman thanked Mr Offer for the model of the property and proposed extension that he had provided at the site inspection, and commended his conduct and presentation of his plans. He added that all Members admired the high quality of the design but felt that it was inappropriate in this context.

Mr Sanders agreed that it was not the view of Members that the proposal was of poor design, quite the opposite. However, it was felt that the design was unsympathetic to the setting of the listed building and surrounding area. He proposed that permission be refused on the grounds of its design and setting within the proximity of surrounding listed buildings and impact on the Conservation Area.

Dr Mortimer seconded the proposal, adding that the Historic Buildings Officer had stated that 'significant harm' would befall the property and its surrounding area should permission be granted.

The Director of Planning confirmed that the reasons for refusal – size, scale and massing as well as the design, impact on a conservation area and listed buildings and setting, were acceptable.

**RESOLVED:** That, due to the reasons set out above, permission be REFUSED.

#### **1559 Applications for Determination by the Committee**

Members received the report of the Director of Planning (NPA/DM/15/008).

#### **Item 1 – 0674/14 – Replace existing garage/store with new carport/store - Lower Corndon Farm, Chagford**

The Chairman advised Members that this application had been withdrawn having been approved under delegated powers given the Parish Council's supporting amended plans.

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**Item 2 – 0673/14 – Erection of garage and new vehicle access – 28 Higher Green, South Brent**

The Case Officer advised that the application was before Members due to the comments received from the Parish Council. One letter of support from a neighbour had been received. The proposed garage would entail an access to be created off Kerries Road, requiring a small section of hedgebank to be removed. With regard to the TPO protected trees, the Authority's Trees and Landscape Officer has confirmed that the proposal would have no impact upon them. In addition, he did not object to the removal of 4m of the hedgebank as it is not of great quality.

Mr Nutley commented that the removal of vehicles off the public highway should be welcomed and proposed the recommendation, which was seconded by Mr Hitchins.

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

**Item 3 – 0671/14 – New dwelling – corner site between Huccaby and Byeways, Sheepstor**

Speakers: Mrs H Radmore, Objector  
Mr D Sheppard, Applicant

The Case Officer reported that the site is within Sheepstor, approximately 200m west of the church. The plot lies between two properties - Huccaby is situated to the north and Byeways to the west. It is separated from Burrator Reservoir by a fir tree plantation. The plot is highly visible from open ground to the north east and from Sheepstor Tor. It is also very visible from the two minor roads that run along the southern and eastern boundaries of the site. The proposal is of a bold, contemporary design. The dwelling would appear almost organic or geological in form and would be constructed of predominantly granite and aggregate, with extensive glazing to the south and east. The building has been designed to promote architectural design and materials. Contemporary design is supported in general; however, previous applications have been for replacement dwellings, not new dwellings within the open countryside. Officers felt that the proposed 'Y' shape dwelling was not appropriate for this location.

The applicant was seeking approval under that National Planning Policy Framework (NPPF) paragraph which makes provision for new houses in the open countryside. This can offer exemption from planning constraints for individual houses that meet specific criteria, not least of all that they are architecturally outstanding.

Members were advised that Sheepstor is not considered an appropriate location in policy terms for any form of residential development, be it open market or affordable. It is felt that the development would have an adverse impact on the character or the local landscape. The proposed dwelling does not respect, conserve or enhance the character, quality or tranquillity of the local landscape. Rather, it would domesticate the site and there would be a cumulative impact created by the addition to the group of existing buildings.

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23 letters of objection have been received. The main issues raised relate to the impact on Sheepstor as a popular tourist destination, construction on a greenfield site, the departure from traditional design, the impact on the landscape and views from Sheepstor. In addition, the issue of access to the site at peak times was also raised.

The proposed dwelling is excessive in size and scale and is not in character with the surrounding dwellings. There is no justification for a dwelling on site. The proposal is not considered sustainable development, nor does it meet the criteria of Paragraph 55 of the NPPF as it fails to significantly enhance its immediate setting and is not sensitive to the character of the local area.

Mrs Radmore advised that she was representing the farming community of Sheepstor and added that the majority of villagers objected to the application. In their view, this is a brownfield site and had only ever been used as a tree nursery. With regard to the proposal to use locally sourced materials, she felt that this was not so in that, for example, the windows would come from Finland. She added that her interpretation of Paragraph 55 of the NPPF was that this application did not meet the criteria.

Mr Sheppard advised Members that the proposed dwelling would only use 18.2% of the site. Water and electricity is already on site. The property would only be seen from one side and due to the construction materials to be used all existing features of the landscape would be retained. The design would require no beams, gutters, soffits etc; it would have the appearance of simply granite and would, he feels, enhance and preserve the landscape. The property would be a legacy project and has been endorsed by the South West Review Panel. He added that he had also received a letter from acclaimed artist Peter Randall-Page, stating that the proposed design was wonderful; it was sympathetic to the landscape and would be an important addition to Dartmoor National Park Authority

Mr Sanders commented that the design was interesting and innovative. However, the application failed on every policy ground. The application had relied totally on Paragraph 55 of the NPPF but did not meet the criteria set out. He proposed the recommendation.

Dr Mortimer applauded the design but added that the site was not the right setting. Policies are set for a reason. He seconded the proposal.

**RESOLVED:**

That, due to the reasons set out in the report, permission be REFUSED.

Mr Harper left the meeting

**Item 4 – 0696/14 – Alterations and change of use from offices to a dwelling with associated works – The Old Exchange, Chagford**

Speaker: Mr A Van der Steen, Applicant

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The Case Officer advised Members that the site is located on the north-eastern edge of Chagford. The property is currently used as an architect's studio. The proposal is to convert the building into a single dwelling. In response to concerns raised by the Parish Council, there are no issues with regard to overlooking neighbouring properties; a driveway is already in existence; the scale and design of the proposed dwelling is felt to be sympathetic. The Case Officer reminded Members that the principle of a change of use had already been established by the recent legislative change. Only the details of the scheme fell to be considered.

An additional condition is proposed with regard to the timing of any works to be outside of the bird nesting season.

Mr Van der Steen advised Members that residential use was already established. The design proposed would, in his opinion, enhance the site and the simple form of the existing building. There would be a 12m<sup>2</sup> reduction in overall size with the two small extensions to be removed.

Mr Jeffery proposed the recommendation, which was seconded by Dr Mortimer.

**RESOLVED:** That, subject to the conditions in the report, together with an additional condition to restrict works to take place outside of the bird nesting season, permission be GRANTED.

**Item 5 – Demolition of existing dwelling and construction of replacement dwelling – Tor View Bungalow, Road to Runnage Bridge, Postbridge**

Speaker: Mr R Hilton, Applicant's Agent

The Case Officer reported that the bungalow, which is in a very poor condition, is a two bedroom property of timber construction with a corrugated asbestos cement roof. The replacement dwelling proposed would use the existing footprint and mirror the original design. There would be an increase of 18% in floorspace by the construction of a small extension.

Mr Hilton stated that the current dwelling was in a very poor condition. He advised that the Dartmoor Society and Parish Council both supported the intent to replace the dwelling. It is difficult to know how much of the historic fabric of the dwelling remains – windows, external cladding, fascias, doors and porch are all non-original, as is the roof finish.

At the invitation of Members, the Historic Buildings Officer confirmed that that property was in a very poor condition and that there had been a systematic loss of historical fabric. He had spent some time on site investigating the structure. A damp proofing course had been installed throughout the building which meant that no lath and plaster remained; joists were newer than the original structure; the fireplace and chimney construction had been moved. He advised that, on balance, provided that a full, detailed written record was completed, demolition could take place.

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A Member highlighted the comments made by Dr Tom Greeves of the Dartmoor Society and asked whether it would be possible to conserve the timbers for a period of time, say six months, in order that investigation could be done. The Director of Planning commented that this was an interesting proposition but it lacked enforceability. He advised that the applicant could be invited to conserve the timbers but a condition to make this a requirement could not be placed on any planning permission.

Mr Harper returned to the meeting.

Mr Sanders proposed the recommendation, subject to the modification of Condition 5 to require a detailed record of the exterior and interior of the building to be submitted to the Authority, which was seconded by Mr Retallick.

One Member stated that the building was the very last one of its type and urged the applicant to preserve/store the frame timbers for further inspection.

**RESOLVED:** That, subject to the conditions in the report, and an updated Condition 5, permission be GRANTED.

It was agreed that the Case Officer would write to the applicant with a request to salvage and preserve the frame timbers.

**Item 6 – 0675/14 – Erection of twenty-eight houses and four flats with associated estate roads, car parking and open spaces – Briar Tor, Yelverton**

Speaker: Mr E Persse, Agent

The Planning Team Manager reminded Members that the application was for a single phase development for 32 units comprising 28 houses and 4 flats. 11 of the dwellings will be affordable units for rent. The application was refused in August 2014 due to an unacceptable number of affordable units. A mix of detached, semi-detached, terraced houses and flats was proposed, using traditional and modern materials.

In March 2013 a housing needs survey was undertaken which identified a need for 18 affordable units within the parish over a five year period. With regard to policy, the site was allocated for residential development in the Development Management and Delivery Plan Document (DMD) which was adopted in July 2013. Policy YEL1 states that the site is 'allocated for housing not less than 50% of which should be affordable housing to meet local needs'. The application does not reflect a 50% affordable housing allocation for the site; therefore, the viability issues needed to be considered. The Authority sought an independent assessment of the site. The report received advised that the proposed 11 affordable units was reflective of the current state of the economy and the viability of the site. In an attempt to offset the reduced number of affordable units, the applicant has offered to make a contribution to benefit the community, to include £16,000 towards educational transport to the local secondary school, £14,040 for improvements to the play park, as well as £18,000 for three additional pieces of footway to make life easier for residents and improve access to facilities. In total, the applicant has offered approximately £48,000k.

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With regard to representations received, West Devon Borough Council's Housing Officer has welcomed the scheme and was pleased to see the mix of dwellings proposed. Dartmoor Preservation Association has assessed the viability issue and agreed that the scheme would provide housing for local people but objects to the below policy threshold number of units. The Parish Council supports the proposal in principle; the Council felt that the affordable housing should be dispersed throughout the site but Officers considered that the proposed layout was acceptable and, in any event, the design would be tenure blind so that the affordable units would not stand out against the other dwellings.

It would be important that the S106 agreement reflected appropriate phasing to bring forward the affordable units in the build programme. It should also incorporate a trigger mechanism for a re-evaluation of the development viability should there be any delays in the development.

Mr Persse stated that the application was a re-submission following its refusal last year on the grounds of the level of affordable housing. It has now been assessed and determined that 35% affordable housing is the highest level achievable. He reiterated the commuted sum to be paid which mitigated the reduction in affordable housing units.

In response to Member queries, Mr Persse advised that the land required for the footpath was in the ownership of the Maristow Estate. Use of the land for this purpose was agreed in principle. In addition, he confirmed that there was no practical reason why the affordable units could not be distributed across the site, but the Authority's Design Guide had been considered and the scheme had been put forward following discussions with Officers.

With regard to queries over the S106 Agreement, the Director of Planning suggested that Members resolved to approve the application, subject to the S106 and conditions. All endeavours would be made to obtain agreement with the 3<sup>rd</sup> party landowner; if that was not forthcoming the application would be brought back to Members.

Some Members expressed concern over the proposal to provide less than 50% affordable housing which was against policy. The Director of Planning reminded Members of Government policy whereby viability has to be taken into account. In addition, independent advice had been obtained since the refusal last year. The Chairman commented that since the policy was agreed there had been a period of considerable economic change and asked Members to take a pragmatic approach.

Mr Gribble proposed the recommendation, subject to the completion of a S106 Agreement detailing the additional funding required as above, which was seconded by Mr Hitchins.

**RESOLVED:** That, subject to the conditions in the report, and the completion of a S106 Agreement as detailed and updated in the report, permission be GRANTED.

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**Item 7 – 0690/14 - Change of use of land to use as part of the existing caravan site and siting of up to 20 pods with associated access road and parking spaces and siting of toilet and shower block – Woodland Springs Touring Park, Venton, Drewsteignton**

Speaker: Mr E Persse, Agent

The Case Officer advised of an amendment to the report in respect of Parish Council comments – the Parish vote was not unanimous; two councillors had objected and there were five supporters. One additional letter of support had been received and one letter of objection from the farmer of the adjoining land.

Woodland Springs is a well-established touring caravan site, licensed for 85 touring units. The proposal is for 20 pods on the proposed site, as well as an access road, parking spaces and a toilet and shower block. No license is currently held for the proposed site.

The existing site has roads, hardstandings and associated structures. The landscaping is well established and provides screening from surrounding land and rights of way. The caravans that make use of the site are temporary structures and are not permanently on site. The proposed site has no permission for the stationing of touring caravans. Although there is some landscaping, the site will be much more visually prominent. The pods are considered to be permanent structures and these, together with other associated infrastructure, would permanently change the character of this part of the Dartmoor landscape.

Neighbours have expressed concerns about drainage; the Environment Agency is currently actively involved with the applicants over this.

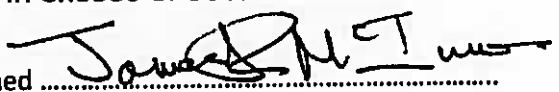
Mr Persse stated that Woodland Springs is an important tourist facility upon Dartmoor and that tourism is essential to the National Park. He advised that the proposed pods are of a similar size to the caravans which occupy the adjacent site. They would not be permanent structures as they would be set on sleepers. They are brown in colour and would therefore, in his opinion, fit well into the landscape and would not have a negative impact. No external lighting is proposed. He confirmed that the pods would remain on site all year round.

Mr Gribble proposed a site inspection in order to understand the proposal, which was seconded by Mr Sanders.

**RESOLVED:** That the application be deferred for a SITE INSPECTION to be undertaken.

**Item 8 – 0686/14 – First floor extension and alterations – Hazeldene, Butts Lane, Christow**

The Case Officer reported that Hazeldene sits high above the road, with a steep driveway. The proposal is to erect a first floor extension by raising the roof ridge height by 1.2m with roof windows on the front elevation. The proposed increase in floorspace would constitute an 82% increase, far in excess of 30% allowable increase stated in policy DMD24.

Signed 

Date 6.3.15

Mr Ball proposed the recommendation, which was seconded by Mrs Oakley.

**RESOLVED:** That, due to the reasons set out in the report, permission be REFUSED.

**Item 9 – 0703/14 – Installation of a bore hole to supply water to the public toilets – Visitor Centre, Haytor**

The Case Officer advised Members that the proposed bore hole would be situated in the gravelled area, situated at the rear of the Visitor Centre. All that would be visible is a drain cover.

The Head of IT and Premises advised Members that the bore hole would solve water supply issues and would save the Authority £1500 per year and the savings would recover the costs of the excavations and other works within three to four years. The location had been chosen due to its proximity to the rainwater harvesting tank.

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

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

**Item 10 – 0698/14 – Ground mounted solar panel array – Visitor Centre, Haytor**

The Case Officer clarified an error in the mapping of the fenceline on the report map, advising that the proposed panels would be situated outside of the fenceline rather than inside.

The solar panel array would be situated some 18 metres south-east of the Visitor Centre. The panels are to be mounted onto a timber frame in order to limit ground disturbance; any cabling would be routed along the line of a previously laid water pipe. Impact on local landscape character has been carefully assessed and it is not considered that the development would fundamentally change the character of the area or cause unacceptable harm.

The Head of IT and Premises advised Members that several locations were considered. The proposed site was determined as it was the only site with an open view to the south. The array would pay for itself over the first 6-7 years and generate an income for the Authority of some £13,000 over the remainder of the tariff period.

In response to Member queries, he advised that the array would form a single run of 16 panels; the total height would be 1.4m and the panels would be completely black. The panels would not be accessible by ponies or cattle; they would be practically invisible from Haytor Down and would only be clearly seen from the bottom of the coach park or from the end of the veranda. The roof of the Visitor Centre had been considered but it does not face directly south and is obstructed by trees which would mean that the financial gain would be considerably less.

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

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

**1560 Monitoring and Enforcement**

Members received the report of the Director of Planning (NPA/DM/15/009).

**Item 1 – ENF/0158/14 – Use of holiday let as independent unit of residential accommodation – Piglet Cottage, Lower Hookner Farm, North Bovey**

The Case Officer advised Members that Piglet Cottage is a small two-storey area of living accommodation situated some 2.9km to the south west of North Bovey. Planning permission was granted in 1972 allowing the property to be used as a holiday let during the summer months only. In 2007 the property was permanently let of a shorthold tenancy agreement to the current occupant. In July 2014, Officers were advised that the property was being used as an independent unit of residential accommodation.

An application for a Certificate of Lawfulness was received shortly after this date, which was refused in September 2014. Following this refusal and given the personal circumstances of the elderly widow occupying the property, Officers have sought to negotiate a solution with the property owner and have advised him to submit an application seeking a personal permission for the current use of the building. This is now expected within the next few weeks; however, Officers still consider it to be expedient to secure authorisation to take action if the application is not forthcoming.

Mr Webber proposed the recommendation, which was seconded by Dr Mortimer.

**RESOLVED:** That the appropriate legal action be taken to secure the cessation of the residential use of the building.

**Item 2 – ENF/0229/14 – Unauthorised mobile home on land adjacent to Harragrove Farm, Peter Tavy**

The Case Officer reported that concerns had been raised in October 2014 that a mobile home had been sited on land at Harragrove. A visit to the site confirmed the presence of the mobile home; in addition, it was noted that the land behind the existing building had been excavated and levelled to create an area for a unit. It was also clear that it was in residential use. A meeting with the landowner also confirmed this; the landowner claimed that it had been necessary for his son to move into the mobile home in order to improve security of the nearby buildings.

There is no agricultural justification for the mobile home; it is not compliant with the Authority's policies with regard to design and visual amenity.

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

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**RESOLVED:** That the appropriate legal action be taken to secure the cessation of the residential use of the building.

**1561 Consultations by Neighbouring Local Authorities**

Members received the report of the Director of Planning (NPA/DM/15/010).

**RESOLVED:**

Members noted the content of the report.

**1562 Appeals**

Members received the report of the Director of Planning (NPA/DM/15/011).

**RESOLVED:**

Members noted the content of the report.

**1563 Applications Determined Under Delegated Powers and Applications Withdrawn**

Members received the report of the Director of Planning (NPA/DM/15/012).


**RESOLVED:**

Members noted the content of the report.

**1564 Appointment of Site Inspection Panel and Arrangements for Site Visits**

0690/14 - Change of use of land to use as part of the existing caravan site and siting of up to 20 pods with associated access road and parking spaces and siting of toilet and shower block – Woodland Springs Touring Park, Venton, Drewsteignton

Members to attend: Mr Sanders, Mr Nutley, Miss Moyse, Mr Lloyd, Mr Hockridge, Mr Jeffery, Mr Webber, Mr Vogel, Mr McInnes, Mr Shears

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