

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

**Friday 3 December 2023**

Present: Mr A Cooper, Mr W Dracup, Mr G Gribble, Mr P Harper,  
Mr M Jeffery, Mrs G Hill, Mrs S Morgan, Mrs C Mott, Mr J Nutley,  
Mr G Pannell, Mr M Renders, Mr P Sanders, Mr P Smerdon,  
Ms P Woods

Officers: Mr J Aven, Deputy Head of Development Management  
Mrs S Walford, Solicitor (Devon County Council)  
Mrs N Hand, Planning Officer  
Ms C Vint, Historic Buildings Officer

Apologies: Mr J McInnes, Mr M Owen, Mrs L Samuel, Mr D Thomas,  
Mr M Williams

The Chairman welcomed the registered speakers, Mrs Walford, the Solicitor acting on behalf of Devon County Council and Mrs Shewan, the Authority's Independent Person.

**1552 Declarations of Interest and Contact**

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

Ms Woods, Mr Smerdon, Mrs Morgan, Mr Renders, Mr Dracup and Mr Sanders declared a personal interest in item ENF/0089/21 – land at Black Street Field, South Tawton, having received emails from the landowner's agent.

Mr Renders declared a personal interest in items 0413/23 and 0472/23 – Yellowmead Farm, Princetown, due to knowing the applicant and having had conversations with the Case Officer. This, he stated, did not preclude him from taking part in the debate or from voting.

**1553 Minutes of the meeting held on 3 November 2023**

The Minutes of the meeting held on 3 November 2023 were AGREED and signed as a true record.

**1554 Items requiring urgent attention**

None.

## 1555 Applications for determination by the Committee

Members received the report of the Head of Development Management (NP/DM/23/014).

### **Item 1 – 0413/23 – Side extension to house a new staircase and rear single storey lean-to extension – Yellowmead Farm, Princetown.**

Speaker: Mr P Scott, Applicant

The Case Officer advised Members that Yellowmead Farm was a former working farm situated between Foggintor Quarry and Princetown. It is considered a non-designated heritage asset and features on the Historic Environment Record. The application was recommended for refusal and had been called in by Mr Sanders due to potential impact on the surrounding area.

The application was for two extensions – a two storey side extension to house a staircase and a single storey extension at the rear of the property. Cumulatively, with earlier extensions, the proposed development would amount to a 57% increase in habitable floorspace which is contrary to Policy 3.7.

The applicant's agent has stated that the applicant would have a 'fallback' position in that single storey rear extensions could be constructed under Permitted Development Rights. An internal fitted staircase was approved in the original extension to provide access to the first floor mezzanine but was never implemented, and a fold out staircase was installed instead. The agent has advised officers that the applicant's wife now has mobility issues, hence the application for a fitted staircase.

Mr Scott stated that the Local Plan Policy on extensions limits their size to a percentage of original floorspace; a consequence of this being that a big house could have a large extension and a small house only a small one. He added that in this case, and notwithstanding the percentage figures stated within the committee report, the original farmhouse was modest in size, and with the existing and proposed extensions, would remain of modest size and proportions. The dwelling consists of three bedrooms, the smallest third bedroom was currently used as a home office. The mezzanine was not in regular use due to its unsafe and difficult access.

The proposed staircase extension he stated would provide safe access to the mezzanine in accordance with Local Plan policies supporting good design and access. The original extension design, which he considered to be flawed, included an internal staircase that would conflict with access to the patio doors, hence it was never implemented. He stated that, in his opinion, there was no practical internal solution to the mezzanine access problem. The rear extension would provide downstairs home office space and would be hidden from external views.

Mr Scott requested that Members visit the site prior to making a decision on the application.

In response to a Member query, Mr Scott confirmed that the originally proposed internal staircase would have had a return at the bottom; this would have restricted access via the patio doors.

Members discussed the application and sought clarification on the following:

- The property is considered to be a non-designated heritage asset due to the whole farmstead being considered to be of historic value;
- The proposed staircase was of a spiral design.

A Member commented that, in his opinion, the proposed side extension would not impact largely in the overall view of the farmstead.

Mr Dracup proposed that the application be DEFERRED in order that a Site Inspection be undertaken, which was seconded by Mrs Morgan.

**RESOLVED:** That the application be DEFERRED in order for a Site Inspection to take place.

**Item 2 – 0472/23 – Installation of roof and ground-mounted solar PV panels – Yellowmead Farm, Princetown.**

The Case Officer advised Members that this was the second application for Yellowmead Farm on the agenda, this time for the installation of 24 ground and 16 roof mounted PV panels. She clarified that permitted development rights had been removed on Yellowmead Barn but not for other buildings on the farm. The farmstead's single energy source is electricity. The application had been called in by Mr Sanders due to potential impact on the surrounding area and overall setting.

The proposed PV panels are 'Q Cells' – completely black and non-reflective. They would protrude from the holiday let barn roof by a total of 32cm. They would represent the minimum requirement to meet the applicants' electricity needs.

The stand-alone array of 24 panels would be sited within the site in what is considered to be the least obtrusive area, between the existing stable building and the southern end of the holiday let barn, against the backdrop of an existing stone wall. The full array would measure 6m x 8m with a maximum height of 2.1m.

Harm to the landscape would be minimised due to surrounding buildings and stone walls.

Mr Scott advised Members that the plans and sections before them may be misinterpreted as they appear to show the PV panels standing out too far from the roof plain. Mr Scott explained that much of what Members could see was

simply annotation and measurements on the drawings. With regard to the exportation of electricity to the grid, it was not his intention to make money, rather simply provide cost effective energy to the farmstead.

Mr Dracup proposed that the application be DEFERRED in order for a Site Inspection to be undertaken, which was seconded by Mrs Mott.

**RESOLVED:** The proposal was NOT CARRIED.

Mr Pannell commented that the applicant had made considerable effort to ensure that any impact was minimised and proposed the recommendation to grant planning permission, which was seconded by Mr Smerdon.

A Member commented that, in line with the declared Climate Emergency, the applicant should be applauded for his application.

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

### **Item 3 – 0433/23 – Replacement Render (Retrospective) – 1 The Square, Moretonhampstead**

Speaker: Mr D Leach, Applicant

The Historic Buildings Officer advised Members that the application was seeking retrospective listed building consent for the replacement of the cementitious smooth lined external render, with a lime based rough finished unlined render, on the two-storey terraced property which was Grade II listed and within the Moretonhampstead Conservation Area.

Mr Leach advised Members that he had received a steady stream of visits by officers and comments from local residents. The cost of the new external render and the application for its retention had been 10% of the overall cost of the property.

Members commented that the works undertaken had resulted in a big improvement in the appearance of the property and it was good to see that there are still artisan builders who can undertake this type of work.

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

**RESOLVED:** That subject to the conditions detailed within the report, consent be GRANTED.

## **1556 Monitoring and Enforcement**

Members received the report of the Head of Planning (NP/DM/23/015).

Members were advised that the Part I report would be presented, with specific questions from Members to be taken at that point. There would be no debate or proposals made at that time. The meeting would then go into Part II for presentation and debate and finally back to Part I for final debate and resolution. Members were reminded that it was their job to focus on planning issues.

The Deputy Head of Development Management advised Members that the report concerned the unauthorised conversion and use of part of an agricultural building as a dwellinghouse. This report followed the making of a Planning Enforcement Order against the land in February 2023.

The site is situated at South Tawton Mill, approximately 300m from the village centre. It is partially located within Flood Risk Zone 2 which bisects the building. The building was approved in November 2007 as an open-fronted tractor shed and was subject to a condition requiring it to only be used for agricultural purposes. The south-eastern side of the building is currently used for the storage of bee-keeping equipment; the north-western side has been converted into the unauthorised dwelling.

The Authority received a report regarding the unlawful conversion in July 2021. Subsequent investigations found that the barn had first been converted in 2016 and occupied in 2017. Such breaches are usually immune from enforcement action after four years, however, in 2011 the Supreme Court determined that something needed to be done to address the breaches of planning control that are deliberately hidden whilst the 'enforcement clock' carried on ticking. At that time a new tool, a 'planning enforcement order' (PEO) was introduced. This effectively extends the time within which enforcement action can be taken. There must be sufficient evidence of the apparent breach of planning control to justify applying to the Magistrates' Court for a PEO.

Whilst the residential use of this building may have been going on for more than four years, officers are convinced that the use has been deliberately concealed to avoid detection.

In this case officers did apply to the Magistrates' Court for a PEO, which was subsequently made by a District Judge in June 2022. The landowner appealed the Order; the appeal was dismissed by the High Court in February 2023 with costs awarded to the Authority.

An application was made earlier in 2023 for a retrospective change of use; this was refused in July 2023. A subsequent appeal of the Authority's refusal has been made, found valid and started on 13 November 2023. However, this would not prevent the Authority from taking enforcement action.

The current PEO requires any enforcement action deemed necessary to be taken during the 'enforcement year'; this will expire on 10 March 2024. Failure to agree the recommendation would result in an uncontrolled dwelling in the open countryside becoming lawful.

The Deputy Head of Development Management advised Members that one of the occupiers of the unauthorised dwelling has disclosed sensitive information which needed to be taken into consideration before a resolution could be made.

**PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC ON THE GROUNDS THAT EXEMPT INFORMATION MAY BE DISCLOSED**

The Chair read the recommendation to take the following item under Part II conditions:

*It is recommended that, in accordance with s.100A of the Local Government Act 1972 as amended, the following Agenda item is taken in the absence of the Press and Public, on the grounds that exempt information within the meaning of Part I Paragraph 1 & 2 to Schedule 12A of the 1972 Act (as amended) will be discussed, namely:-*

1. *Information relating to an individual.*

Mr Sanders proposed that the meeting move into Part II proceedings, which was seconded by Ms Woods and agreed by all Members.

**1557 Case Ref. ENF/0089/21 – Land at Black Street Field, South Tawton**

Members received the report of the Head of Development Management (NPA/DM/23/016).

Following a presentation by the Deputy Head of Development Management and Member debate, Mr Sanders proposed that the meeting return to Part I proceedings in order for final debate and resolution, which was seconded by Ms Woods and agreed by all Members

**1558 Monitoring and Enforcement – Case Ref: ENF/DM/0089/21 – Land at Black Street Field, South Tawton**

Mr Sanders proposed the recommendation within report NPA/DM/23/015 and NPA/DM/23/016, namely:

*‘that the appropriate action be authorised to secure the cessation of the use of the building as a dwellinghouse’*

which was seconded by Ms Woods.

**RESOLVED:** Members authorised the appropriate action be taken to secure the cessation of the use of the building as a dwellinghouse.

## **1559 Appointment of Site Inspection Panel and Arrangement for Site Visit**

Re: Application No. 0413/23 – Side Extension to house a new staircase and rear single storey lean-to extension – Yellowmead Farm, Princetown, PL20 6SS.

The Site Visit will take place at 10.00am on Friday 15 December 2023.

Panel Members are: Mr Sanders, Mr Nutley, Mrs Hill, Mr Smerdon, Mrs Morgan and Mr Renders

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