

**DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE**

2 October 2015

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

Apologies: S Barker, P Hitchins, I Mortimer, C Pannell

1085 Minutes of the meeting held on Friday 4 September 2015

The Minutes of the meeting held on Friday 4 September were signed as a correct record.

1086 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 declared that all the Members had received an email from the applicants of 0384/15 2 Gypsy Lane.

Mr Harper declared a pecuniary interest in ENF/0132/14 and will leave the room for the item.

1087 Items Requiring Urgent Attention


None

1088 Applications for Determination by the Committee

Item 1 – 0420/15 – Construction of sand school (20m x 40m) (Full Planning Permission), Village View Farm, Cornwood

Speaker: Mrs Mitchell – Agent

The Case Officer advised Members that the proposal is for a sand school (20m x 42m) for family use as a safe weather area for riding their five horses. The application is for the sand school to be positioned 110m away from the agricultural buildings, in a medieval field system, enclosed by Devon hedge banks. The current proposal for the sand school would have a detrimental effect on the landscape. There is an alternative position for the sand school closer to the buildings, but no application has been made in that respect.

Signed 
Date ...6-11-15.....

Mrs Mitchell informed the Members that the site for the all weather sand school for the applicants family had been carefully considered in regards to the location. It would be shielded by high hedges and therefore it would not affect the landscape from the village and the Medieval field system would be unaffected. If it was positioned closer to the buildings there would be no screening and would still be a fair distance from the house.

Mrs Mitchell advised Members in response to their questions, that the alternative area nearer the buildings would be too small and part of the yard and track would have to be removed. The surface chosen is a standard surface which is the best option for drainage and will weather in well. There would not be any defined tracks put in place to the sand school as the horses are already led up and down the field without any issues. The school would only be used during daylight hours so there would not be any lighting installed.

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

RESOLVED:

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

Item 2 – 0384/15 – Two –storey side extension (Full Planning Permission – Householder), 2 Gipsy Lane, Buckfastleigh

The Case Officer reported that the proposed application is for a two storey extension on the end terrace and would almost double the size of the current dwelling. In total it would be an 81% increase in living space, representing an increase which is significantly greater than the 30% permitted under DMD24. The Town Council supported the application, as it is felt the extension would improve the local housing stock.

Members debated the need for a larger house in the location. One Member stated that the smaller, affordable houses need to stay as such to encourage first time buyers. The Head of Planning reminded Members that the planning permission must be decided for the property and not on the personal circumstances of the applicant.

Mr Ball proposed the recommendation for refusal, which was seconded by Mr Gribble.

RESOLVED:

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

Item 3 – 0355/15 – Variation of Condition 2 Planning Application ref: 0822/05 to allow long-term rental of annexe (Full Planning Permission), Chestnut Cottage, Walkhampton

The Case Officer informed Members that the proposal is to change the condition relating to the annex. In 2005, the conversion of the annex was for "ancillary

Signed 

Date 6 - 11 - 15

accommodation for relatives". The application has been submitted as the accommodation has been rented out as an independent dwelling since January 2015. The applicant has been made aware that the separate unit of accommodation is not in accordance with policy DMD9, as it is effectively in open countryside.

The Parish Council supported the application due to the lack of affordable housing in the local area.

Members discussed the potential as a rental property, to enhance the affordable housing stock in the Walkhampton area. One Member did state that it would be a clear departure from policy and that if it was a proposed new building it would not get permission to be a separate dwelling in the open countryside.

The Head of Planning suggested that the only alternative option would be to withdraw this current application and suggests to the applicant that a S106 agreement be placed on the annex to create an affordable rental unit for local persons. Members agreed that the permission be refused but the applicant should receive some advice regarding the placement of a S106 on the annex. Advice would be offered on a without prejudice basis.

Mr Kidner proposed the recommendation, which was seconded by Mr Lloyd.

RESOLVED:

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

The Case Officer is to contact the applicant regarding re-applying for affordable rental controlled by a S106 agreement. Any occupier would need to demonstrate they were eligible to occupy such a property in accordance with the Authority's affordable housing policies.

Item 4 – 0410/15 – Drilling of borehole to depth of 25m with a concrete chamber and manhole cover at ground level (retrospective) (Full Planning Permission, Stiniel Waste, Stiniel, Chagford

Speaker: Mr Wengraf – Applicant

The Case Officer reported to Members that this application is to regularise the drilling of a 25m borehole with a concrete chamber. It is located within a dense collection of trees against a Devon hedgebank. The works are considered minor and there are no public views of the area. The Case Officer received 6 objections from local residents concerned with the impact on their water source. The Parish Council objected to the impact on the neighbours but felt they were not qualified to comment on the borehole and the impact on water resources. The proposed levels of water abstraction falls below the Environment Agency's requirement for an abstraction licence, and the borehole is 75m from the source for Stiniel which is well within the Environment Agency's tolerances.

Signed 

Date 6-11-15

Mr Wengraf informed Members that the Water Engineer was not aware that planning permission was required for the borehole, hence the retrospective application. Other sites had been investigated but the current site of the borehole was in an appropriate position for feeding and water for stock kept on the land. The water engineer had suggested the site as it was easy access for the drilling rig and had good covering. He informed Members that the noise levels from the borehole were very low and for a short period of time everyday. The levels of water extracted would be about 15 litres a day at the most.

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

RESOLVED:

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

Item 5 – 0367/15 – Conversion of redundant agricultural building to single dwelling and the construction of detached car port and store (Full Planning Permission), Cranbrook Farm, Moretonhampstead


Speaker – Mr Taling - Agent

The Case Officer reported that Cranbrook Farm is in the open countryside on the outskirts of Moretonhampstead, with an agriculturally tied dwelling and a selection of outbuildings in the main yard. The application proposed is for the conversion and extension of a redundant barn to a 2 bedroom dwelling for the applicant to live in and to offer the farmhouse property as an affordable dwelling for a local person to farm the land. The Case Officer expressed concerns regarding the removal of the principle agricultural buildings which would have an impact on the viability of the holding.

The barn is an 18th century shippon which is deemed a local heritage asset and is in good condition, with surviving features, such as ventilation openings. The proposed plans indicate the modern lean-to to be demolished and a two storey extension to be built. This would be a dominant addition to the building and would be harmful to the simple form, character and special heritage interest of the shippon. The Authority's Historic Buildings Officer has objected to the application. The dwelling would be above the threshold in size and market value to be considered as an affordable dwelling, contravening policy.

Mr Taling informed the Members that there had been a long period of consultation with the planning department and the applicant would be happy with the affordable housing clause. The limited size of the holding is not commercially viable, but the applicant still needs to live on site as she is a sheep dog trainer and needs to use the land. Mr Taling stated that the current lean-to on the barn is about to collapse and the conversion would be modest, he stated that if the conversion doesn't go ahead, there is a risk that the heritage asset will be lost completely.

Members discussed the viability of the farm should the agricultural buildings be removed. They agreed that if the functionality of the farmstead was reduced, they

Signed 
Date 6-11-15

would have concerns regarding the agricultural-tie. They were concerned that the buildings could become open market properties in contravention of policy . The Barn is a heritage asset and needs protecting and future owners of the farmstead could well need the outbuildings.

Mr Jeffrey proposed a site visit. This was not seconded.

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

RESOLVED:

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

Item 6 – 0216/15 – Change of use from storage to two residential flats and associated works (both open-market) (Full Planning Permission) Unit 1, 31A East Street, Ashburton

The Case Officer reminded Members that this item had been deferred at the August 2015 Development Management meeting. The application relates to a vacant storage building that is set back from the main building line within the conservation area and behind some listed buildings. The building has been on the market for economic use with no interest since May 2013. The application is for conversion to two residential units, with improvements to the appearance of the buildings.

The deferral of the application was to enable the applicant time to consider how to go forward in the light of the High Court quashing the Government's affordable housing exemptions on small developments. The proposal is for 2 open market dwellings, which is in conflict with the Authority's affordable housing policies.

One Member stated that small housing units are hard to find in Ashburton.

The Case Officer informed Members that the applicant wanted to continue with the original application rather than offer one unit as affordable housing.

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

Mr Gribble left the meeting

Item 7 –0365/15 - Formation of terrace (retrospective) (Full Planning Permission – Householder), Summer Glen, Sticklepath

Speaker – Mr Parker - Applicant

The Case Officer informed Members that the retrospective application was for a two tiered terrace at the front of the bungalow. The Parish Council have raised concerns about the visual impact. The Case Officer stated although the terrace is

Signed 

Date 6 - 11 - 15

large, it is nestled into the site and is considered appropriate and in keeping with the bungalow.

The neighbour has expressed concerns over loss of privacy, poor outlook and loss of light. The Case Officer indicated to Members that the level of loss of light and effect on the outlook would not be enough to justify refusal, and the fence panel in view from the neighbours window would be painted white to increase the levels of light.

Mr Parker informed Members that there were no issues from the neighbour during construction and the South Tawton Parish Council made no objections. He stated that he planned to lessen the stark appearance with some planting around the white walls.

Members expressed concern regarding the white fence panelling, and indicated that a natural finish would be better to blend in with the wood balustrade, and the planting around the terrace and fencing would be preferred.

Mr Harper proposed the recommendation with the removal of "...shall be painted white..." and in place "...plain timber finish to be agreed", Mr Sanders seconded the proposal.

RESOLVED:

That, subject to the above changes in the conditions, permission be GRANTED.

1089 Monitoring and Enforcement

Mr Harper left the meeting


Item 1 - ENF/0132/14 – Mobile home being used as permanent unit of accommodation, Pound Lane, Bridford

The Case Officer informed Members that on the land of "Teign Valley Salvage" a mobile home has been sited for residential use and has been since 2014. The owner has confirmed this use, which is contrary to policy as there is no justification for a residential unit in the open countryside. The Parish Council supported enforcement action.

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

RESOLVED

That appropriate legal action be authorised to secure the cessation of the use of the land for the siting of a mobile home for residential purposes.

Signed  Mues
Date 6-11-15

Item 2 – ENF/0264/14 – Use of Residential Centre as dwellinghouse, The Throwleigh Centre, Providence, Throwleigh

The Case Officer informed members that the Throwleigh Centre, which was owned by Devon County Council until 2014, had lawful use as a residential activity centre, is currently being used as a dwelling by the current owners. The Authority served a planning contravention notice in April 2015, on the owners requesting information in respect of the use of the building, no reply has been received.

Members requested that the description of the "residential centre" be changed to "study centre" to make it clear what its function is. The chairman confirmed that when the property was on the market the use of the property was obvious and buyers were well aware they would need planning permission to make it in to a dwelling. Devon County Council sold the property with the money to be used for local children. A Member stated it would be good to see the building used for local children again. The Parish Council supported enforcement action.

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

RESOLVED

That the appropriate legal action be authorised to secure the cessation of the use of the building as a dwellinghouse.

1090 Consultations by Neighbouring Local Authorities

Members received the report of the Head of Planning (NPA/DM/048)

RESOLVED:


Members noted the content of the report

1091 Applications Determined Under Delegated Powers

Members received the report of the Head of Planning (NPA/DM/15/049)

RESOLVED:

Members noted the content of the report

Signed 
Date 6-11-15