



# MINUTES

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**Committee:** Parish Council  
**Date:** Tuesday, 16 January 2024  
**Time:** 7:00pm  
**Venue:** Community Club

## Present

Cllr Mike Warner (Chairman in Cllr Fileman-Wrights absence)  
Cllr John Farrand-Rogers  
Cllr Rob Austin  
Cllr David Bridger  
Cllr Richard Short  
Cllr Gordy Keep  
Cllr Vivienne Hodges  
Cllr Mike Jeffery  
Cllr Jan Evans  
Cllr Gemma Hampton

## Also Present

Samantha Parkin (Clerk)  
Three members of the public

## PUBLIC PARTICIPATION

*Two of the members of the public had submitted written representations expressing concerns about planning application 0490/23 to the council which were included in the meeting papers. These concerns have also been submitted to Dartmoor National Park Authority (DNPA).*

## 16/2024 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Fileman-Wright and Cllr Walden.

## 17/2024 DECLARATIONS OF INTERESTS / REQUESTS FOR DISPENSATIONS

Cllr Jeffery declared an interest in min no. 20/2024 because he is a member of the Dartmoor National Park. Cllr Jeffery will take part in the discussion but not vote. No requests for dispensation were received. *Localism Act 2011 (sections 26-37 and Schedule 4)*

## 18/2024 MINUTES

It was proposed by Cllr Keep, seconded by Cllr Jeffery, and **resolved to accept and sign** the minutes of the meeting held on 9<sup>th</sup> January 2024 as a correct record. *LGA 1972 Sch 12 para 41(1)*

## 19/2024 STANDING ITEM – CLIMATE AND ECOLOGY EMERGENCY:

The Council noted the Declaration to embed the climate and ecology emergency declaration across all Council services, activities, plans and other relevant work, considering the environmental impact of decisions, ensuring a fully integrated approach to mitigating the impact of climate change.

## 20/2023 PLANNING MATTERS

The following planning matters were noted:

1. 0433/23: Replacement render, 1 The Square, Moretonhampstead, TQ13 8NF– Grant of Conditional Planning Permission

7. Signed.....

6 February 2024

2. 0480/23: Installation of 10 roof mounted solar panels with a solar bird protection skirt on the rear south elevation of the bungalow, 34 Hingston View, Moretonhampstead, TQ13 8FW – Grant of Conditional Planning Permission

## **21/2024 PLANNING APPLICATIONS**

### **0490/23: Erection of 24 dwellings (including 11 affordable homes), formation of two access points from Betton Way and Ford Street, provision of a pedestrian crossing at Ford Street and associated infrastructure at Land at Forder Farm, Betton Way, Moretonhampstead**

Cllr Short's report on this application had been circulated with the agenda and is attached at appendix 1 on page 11. Representations from members of the public and the developer's comments in response to the planning committee's pre-application comments had also been circulated with the agenda.

Cllr Short reminded the council that the law requires that applications be determined in accordance with the development plan (Dartmoor Local Plan). The application is a site allocation within that plan and already has outline planning permission. The council need to consider the details of the design.

The council discussed Cllr Short's report which detailed the comments made by the planning committee at the pre-application stage.

#### Item 1: The relationship of plots 21-24 (particularly 24) to Old Barn Drive

The council considered if plot 24 is overbearing and dominant and whether it significantly reduces the amenity of 5 Old Barn Drive.

It was proposed by Cllr Short, seconded by Cllr Evans and **resolved** that the council is concerned that plot 24 may significantly reduce the level of privacy at first floor level enjoyed by occupiers of 5 Old Barn Drive and have an overbearing and dominant impact on the whole property, contrary to Dartmoor Local Plan policy 1.7. DNPA should consider seeking amendments to the design to address these issues. There was one abstention.

#### Item 2: Footpath link to Old Barn Drive

The council agreed the footpath link is important and expressed a desire for the steps to be lit.

It was proposed by Cllr Short, seconded by Cllr Austin and **resolved** that the council supports the proposed footpath link to Old Barn Drive which it considers essential. Whilst it may not be adoptable, it should be secured in perpetuity through a S106 agreement. It should be lit for safety. There was one abstention.

#### Item 3: Pedestrian safety issues on Ford Street

The council reiterated it's concerns about vehicle speed and pedestrian safety on Ford Street. Cllr Hodges reminded the council that it is working towards a 20mph speed limit in the town.

It was proposed by Cllr Short, seconded by Cllr Evans and resolved that the council has been raising speed and safety issues on Ford Street with Devon County Council (DCC) for some time. It is aware that DCC Highways has raised no objections to the application. However, it remains very concerned that traffic speeds on Ford Street, averaging 31.8 MPH, may cause safety issues at the proposed new road junction and two pedestrian crossing points. DNPA should ask DCC to undertake further speed checks and consider the need for traffic speed management measures such as a vehicle activated sign to be secured through a S106 agreement contribution. There was one abstention.

#### Item 4: Financial contribution towards children's play space

It was proposed by Cllr Short and seconded by Cllr Evans that the council welcomes the developer's acknowledgement that a financial contribution may be necessary to improve existing children's play space at The Sentry. DNPA is asked what information it requires to negotiate a S106 contribution.

An amendment proposed by Cllr Farrand-Rogers, seconded by Cllr Keep to add the words 'either in the Sentry or on the development or somewhere near'. The amendment failed with 7 votes to 2.

It was proposed by Cllr Short and seconded by Cllr Evans and **resolved** that the council welcomes the developer's acknowledgement that a financial contribution may be necessary to improve existing children's play space at The Sentry. DNPA is asked what information it requires to negotiate a S106 contribution. There was one abstention.

#### Item 5: Affordable housing

Cllr Short noted that some amount of clustering is to be expected because the registered social landlord like the affordable houses to be close together for management reasons. The council acknowledged that the housing need identified in the Housing Need Survey undertaken in 2023 may have changed by the time the development is completed.

It was proposed by Cllr Short, seconded by Cllr Farrand-Rogers and **resolved** that the council supports the comments of the Teignbridge District Council Housing team on affordable housing. The layout should be amended to replace a two-bed affordable home with a three bed to reflect the recent housing needs survey. The S106 agreement should provide for social rather than affordable rent and shared ownership rather than discount open market if funding opportunities and viability allow at the time of negotiation of the S106 agreement or construction of the affordable homes. There was one abstention.

#### Item 6: Streetscape to Ford Street

The council were happy with the developer's decision to leave the hedge adjoining Ford Street in situ due to the ecological implications of removing the hedge.

#### Item 7: Statement building facing roundabout

The council expressed concerns that the statement building won't be in keeping with the rest of the estate. The council appreciate the members of the public's concerns but considered the application does not contravene Dartmoor Local Plan policy 1.7. The council discussed additional landscaping.

It was proposed by Cllr Short, seconded by Cllr Hodges and **resolved** that the council considers that there should be improved screening / landscaping between plots 1 and 2 and Ford Street. There was one abstention.

#### Item 8: Biodiversity

The council welcomed the proposed offsite financial contribution to offset Biodiversity Net Gain.

#### Item 9: Capacity of infrastructure to serve the development

The council had previously expressed concerns regarding the capacity of infrastructure in particular the issue of flooding. South West Water representatives confirmed it had capacity to serve the development but it is important to have schemes which don't increase the flow of sewage water into the combined sewers.

#### Item 10: Lack of Construction Management Plan

It was proposed by Cllr Short, seconded by Cllr Evans and **resolved** that the council expects planning conditions to address the need for a robust construction management plan including controls on hours and days of working, power tools/radios, dust suppression and construction parking. There was one abstention.

The council noted items 11 – 14.

Cllrs Farrand-Rogers and Cllr Short suggested that a copy of the report attached at appendix 1 on page 11 be forwarded to DNPA and DCC to provide background information on its decisions.

The Chairman thanked Cllr Short for his work on the report and closed the meeting at 8.35pm

### **PUBLIC PARTICIPATION**

*The members of the public expressed their disappointment at the council's resolution made under item 7 of min no. 21/2024 and thinks the council has made a mistake in not asking the developers to reassess the design of the statement building.*

### **TO DO ACTIONS**

- Clerk to submit planning comments and send report to DNPA and DCC.

## ***MPC Minutes 16.01.2023 Attachment no.1 - Planning Application 0490/23 Forder Farm-Report***

MPC's comments on this significant planning application will be determined by the Council on 16 January, not its Planning Committee, so that all Councillors have an opportunity to be involved in the decision. This report is intended to act as a menu for Councillors to decide on the issues that they wish to raise. Council will be asked to delegate to the Vice Chairman and Chair of Planning Committee authority to finalise any representation to DNPA.

### Previous MPC consideration

The proposed site layout is little different to that MPC considered during the pre-application consultation on 18 July 2023. We also now have access to much more of the documentation.

The 'Statement of Community Involvement' does not refer to the fact that MPC commented at the pre-application stage, neither does it respond to quite a few of the issues that we raised. This issue was raised with Hembury at the site inspection and a response from their agents was received which was circulated to Councillors by the Clerk on 3 January and is attached with the meeting papers, it is not on the online application file. Items 1-9 below are issues previously raised by MPC. The response by Hembury is recorded where relevant.

### Site inspection

A site inspection attended by 6 Councillors was undertaken on 14 December. The purpose was to help understand the proposals and how they relate to the site and its surroundings. The developer had pegged out the proposed location of all the houses near the site boundaries and provided information on their finished ground floor level in relation to the existing site level to facilitate assessment of their impact on adjoining homes and the school. The councillors on the site inspection also walked the length of Ford Street to examine the relationship to homes on the opposite side of the road, looked at the proposed location of the proposed road junction and two new pedestrian crossing points and viewed the site from Old Barn Drive. The developer referred to the recent submission of some amended plans that were not then, but are now, available online and answered a number of questions from Councillors.

### 1 The relationship of plots 21-24 (particularly 24) to Old Barn Drive

The law requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. In looking at the relationship to adjoining housing such as in Old Barn Drive and Ford Street, Dartmoor Local Plan Policy 1.7 'Protecting local Amenity in Dartmoor National Park' is most relevant. It states:

*Development proposals should not:*

- a) *Significantly reduce the levels of daylight and privacy enjoyed by occupiers of nearby properties;*
- b) *Have an overbearing and dominant impact;*

In considering what may be a 'significant' reduction in privacy it may be appropriate to bear in mind that in urban areas terraced and semi-detached properties are likely to overlook gardens of adjoining homes and that there is a greater expectation of privacy at the rear of homes than in areas facing the street. More weight may be given to privacy of habitable rooms such as bedrooms, lounges, kitchens and patio areas near the house than to halls/bathrooms and areas of garden further from homes.

The land where plot 24 will be is shown as presently being about 207-8 metres on the survey, up to about 3-4 metres above 5 Old Barn Drive at 204-204.5 metres. The finished floor level of plot 24 is shown as 208.275m so it will be raised above the existing ground. Plot 24 sits only about 14 m away from 5 Old Barn Drive and may be up to about 4 metres higher. They are slightly offset, albeit not as much as on the previous plan, the applicant claims there is no direct ground floor window to window outlook. 5 Old Barn Drive has a patio and door on the side which may be visible from plots 21/22 but only at an acute angle. MPC may wish to consider if there is significant loss of privacy and/or whether the relationship is overbearing. The detail of how the slope and any screening is addressed between plots 21-24 and Old Barn Drive is not very clear or consistent between the various plans and sections. MPC requested that a more detailed site section and plan of this area be provided it is understood the developer may address this when it has any initial DNPA comments.

Hembury's response is that the finished floor level of plot 24 is as low as possible taking into account disabled access and that the adjoining property (5 Old Barn Drive) is not overlooked from ground level.

## 2 Footpath link to Old Barn Drive

Some residents of Old Barn Drive have previously expressed concern about the footpath link to their estate. This is desirable for the community as a whole. Moretonhampstead has missed out on footpath links before at Hingston View and Forder Meadow. We need to try and make sure it is delivered. DCC'S highway comments state that there is a small triangle of land in third party ownership across the end of Old Barn Drive (a ransom strip). This will preclude any Section 106 agreement requiring adoption of a footpath link by the highway authority but not its provision. Hembury confirms there is third party land and states that the footpath link will be managed in perpetuity by a management company that will manage the open spaces within the development. A land dedication plan has now been submitted to DNPA showing these areas. There are 27 steps on the footpath, a ramp would be desirable but is not possible due to the change in levels.

## 3 Pedestrian safety issues on Ford Street

There has been significant public concern regarding perceived vehicle speeds on Ford Street approaching the pedestrian crossing. The proposals involve a new highway access to Ford Street in the location of the field gate, a pavement to an uncontrolled pedestrian crossing point about 14 metres north west of the centre line of that access and a narrow (c1.2m) footway extending out onto Ford Street from plot 21 to a point where there is no landing (tactile surface) on either side of Ford Street. An amended plan now addresses this lack of a landing. These proposals are likely to increase public concerns over road safety on Ford Street. Hembury refer to a 57 metre visibility splay to the east which is in excess of the required standard and a greater distance on the second crossing point.

A new vehicle access in the same location on Ford Street to serve a larger scheme (30 homes) was previously agreed in detail by the highway authority (application 0228/18). Sight lines at the junction are provided to meet the standard requirement for a 30 MPH limit. The supplemental transport statement with the current application notes that a speed check on Ford Street in November 2017 identified an 85 percentile of 31.8 MPH. DCC has previously indicated that on Station Road, a speed of 32.8 MPH, 1 MPH higher, might justify a vehicle activated warning sign, however, it has declined MPC's request for a further speed check on Ford Street. MPC resolved to refer the matter to County Councillor Brook who referred to the lack of evidence of a problem. The highway authority has only raised concerns about the lack of a landing on Ford Street (now addressed by an amended plan), the highway margin by plot 18 and need for 3/5 metres between any adopted highway and the flood water attenuation tank.

While it may not be supported by the highway authority, to respond to residents' concerns, MPC could still request a section 106 financial contribution towards a mobile VAS sign or other form of traffic management on Ford Street to help reduce vehicle speeds.

Some residents refer to the need for traffic calming on adjoining roads, for traffic lights at the new crossing point on Ford Street, poor visibility from the new Ford Street access towards Chagford Cross and consider the provision of only three visitor parking spaces will lead to overflow parking on adjoining roads. Parking is to the standard required by the Local Plan.

## 4 Financial contribution towards children's play space

DNPA's 'Open Space, Sport and Recreation Study (version 2 Sept 2019) is part of the evidence base to the Local Plan. Moretonhampstead is identified as having an identified deficiency in provision. Equipped children's play space is identified as a future priority, the town presently being served by small sites at The Sentry and King George Playing Field (CPS and skate park). The study notes that the Northwest part of the town is marginally outside the 400 metre travel distance. This also applies to Forder Farm (c500-600 m). While it may be disproportionate to require a new equipped children's play space as part of what is a modest development, it would be appropriate to improve the nearest provision at The Sentry to try and compensate for the overall deficiency and distance. A Section 106 contribution towards play area improvements at The Sentry would be appropriate. This may require a fair amount of work to identify and agree a method of calculation if DNPA and Hembury agree to look

at it. Hembury state 'An off-site financial contribution may therefore be necessary to improve existing facilities such as The Sentry.'

#### 5 Affordable housing

MPC previously expressed concern that the affordable housing and private housing were in different parts of the site limiting good social integration. The mix of affordable housing appears to reflect the housing needs survey except that would indicate there should be one more three-bedroom affordable rent property instead of a two bed. Teignbridge DC Housing team has made a similar comment on the need for a three instead of one two-bed, that the 8 affordable rental units should be social rent, that 3 homes should be shared ownership not discount open market and that there should be an allocation plan. Changing a two to a three-bedroom home, with larger dimensions may be feasible without significant change to the layout. Any S106 agreement may be able to require that the ability to deliver social rented and shared ownership homes be determined at a later date dependent upon the availability of public subsidy and private finance at the time.

#### 6 Streetscape to Ford Street

The DNPA development brief required the creation of a good streetscape to Ford Street. With the exception of a side elevation to plot 17, this opportunity has not been taken. It would also have enabled more south facing rear gardens. Hembury has referred to the desire to retain the hedge alongside the road, its benefit in achieving biodiversity net gain and need for a 5-metre offset for commuting bats which would have reduced the number of homes deliverable.

#### 7 Statement building facing roundabout

The development brief required a statement building on the prominent corner by the roundabout. Plots 1 and 2 are a pair of semi-detached three storey homes with roof dormers that sit behind the retained and strengthened hedgerow. They are no taller than the adjoining detached house on plot 3 but are slightly deeper and are the only three storey homes on the development. The inclusion of dormers in a slightly deeper building is a disappointing response to the requirement for a statement building. The proposed finished floor areas are about 0.5 m below existing ground level.

Local residents have objected to DNPA regarding the size of the building, proximity to the road and retained hedgerow, effect on their views and on a B&B business and the design not being in keeping with the period properties opposite. Homes on the opposite side of Ford Street are over 30 metres away and Moorcote is 80-90 metres away. The MPC site inspection visited this area and Councillors may wish to take a view on how Policy 1.7 (detailed under 1) applies. Property owners have no right to a private view.

#### 8 Biodiversity

Local Plan policy requires a 10% biodiversity net gain. The ecological impact statement appears to refer to a fall in habitat (grassland) from 3.76 to 3.11 but an increase in linear hedge from 4.6 to 5.72. It is proposed to remedy the deficiency off-site through a financial contribution secured by a legal agreement. It would be desirable if this was secured locally rather than through a Dartmoor wide scheme. Some residents have expressed general concerns over affect on bats and birds. An organisation responsible for swifts has submitted a representation regarding detail of bird boxes.

#### 9 Capacity of infrastructure to serve the development

MPC previously expressed concerns regarding the capacity of infrastructure such as NHS dentistry, the health centre and sewage treatment work to serve additional residents. The documentation provides no reassurances. DCC Flood Risk team has objected to the proposed flood attenuation tank instead requiring more investigation of the potential for ground infiltration through soakaways on part of the site. Additional information has been provided to DCC and a water drain incorporated on the boundary with the school plus water butts. DCC Education team comments that schools have the capacity to accommodate the additional children living on the development but a financial contribution of about £19,000 is required through a Section 106 agreement for transport to secondary schools. The Chairman met South West Water to discuss wider local issues in December and a note was attached to the MPC agenda of 9 January.

#### 10 Lack of Construction Management Plan

Local residents have identified the lack of a plan including need for controls on hours of construction. These matters are normally addressed through planning conditions.

11 Local Vernacular

Concern has been expressed that dormer windows are not a common feature of Moretonhampstead and that the development does not reflect the Victorian/Edwardian character of the opposite side of Ford Street. Dormer windows are common particularly on newer homes and the development reflects the render and slate of estates to the south.

12 Street Lighting

Representations refer to the need to protect dark skies and to the low level/ limited street lighting on Ford Street and Betton Way. There is no proposed street lighting plan. This matter can be addressed later if roads are put forward for adoption.

13 Principle of development

While some resident query why the development is needed it is an allocation in an up-to-date local plan and there was previously an outline planning consent for thirty homes.

14 Ground contamination

A resident draws attention to references in the Geotech report to possible levels of arsenic and asbestos. The arsenic is identified in one of six boreholes and is described as naturally occurring and not a hazard to the proposed end use. The report states it does not deal with asbestos.