



Scale 1:1,000



## Item 1

Application No: **0336/22** District/Borough: **Teignbridge District**  
Application Type: **Full Planning Permission** Parish: **North Bovey**  
Grid ref: **SX74328476** Officer: **Oliver Dorrell**  
Proposal: **Change of use of former Water Works to single-family dwelling with associated landscaping**  
Location: **Former Water Treatment Works, North Bovey Road, Moretonhampstead**  
Applicant: **Miss Watt & Mr Pearce**  
Recommendation: **That permission be REFUSED**

### Reason for Refusal

The proposal would result in the change of use of a building, which is not of a form, structure and history that is traditional within the context of Dartmoor's built heritage, to an open market dwelling in the open countryside of the National Park. It would therefore be contrary to the policies SP1.1, SP1.2, SP1.3 and SP2.8 of the Dartmoor Local Plan and to the advice contained in the National Planning Policy Framework 2021.

## 1 Introduction

- 1.1 This application relates to the former South-West Water treatment site located at Bovey Cross, North Bovey. The site comprises a single storey building with hardstanding and parking. The land within the site is sloping from east to west.
- 1.2 The building is located at the eastern end of the site. It comprises an I-shape building with a dual pitch roof and rendered painted walls and metal frame windows.
- 1.3 There are two subterranean water tanks immediately to the north-west of the building and a further two tanks beyond at a lower level.
- 1.4 There is an existing vehicular access via the unclassified road to the south of the site.
- 1.5 Hospit Cross - grade II listed and a scheduled ancient monument – is located immediately beyond the south-western boundary of the site adjacent to the public highway.
- 1.6 The application is presented to the Committee at the request of Ms Diana Moyse in view of the policy considerations and extensive public interest.

## 2 Planning History

- 2.1 0363/12 - Conversion of existing treatment works into a holiday cottage  
Grant planning permission - 12 Sept 2012

0160/14 - Conversion of redundant waterworks to dwelling  
Refused - 8 July 2014

### **3 Consultations**

3.1 West Devon Borough Council - Does not wish to comment

3.2 County EEC Directorate - No highways objection

3.3 Environment Agency - Standing advice – Flood Zone 1

3.4 DNP - Forward Planning & Community

3.4.1 The application site is located in the open countryside north-east of North Bovey, a Village and Hamlet.

3.4.2 The NPPF and Dartmoor Local Plan seek to avoid unjustified housing growth in the open countryside. National and Local policies require that development in our National Parks is focussed upon protecting National Park Special Qualities and meeting the needs of local communities. The Dartmoor Local Plan therefore sets out that speculative housing development is not supported in the National Park and housing development on Dartmoor is only permitted where it is delivering affordable and other identified local housing needs, such as local needs custom and self-build, and rural workers housing. The Local Plan permits these uses in accordance with a spatial strategy that focuses development in classified settlements.

3.4.3 The proposal is for an open market dwelling which is not meeting an identified local housing need. The application proposes to convert a redundant water pumping station, which is of modern construction and not of any historic significance. The site is considered previously developed land.

3.4.4 In the open countryside Local Plan policy allows for residential conversion of redundant historic buildings provided criteria in Policy 2.8 are met, which include (among others) marketing for uses less impactful on historic significance first, the building being well related to a settlement, and where residential uses are accepted the provision of affordable housing. The proposal does not however involve a historic building and as such Policy 2.8 is not applicable. Nor does the policy involve provision of affordable housing, a principal objective of the Local Plan on housing sites of all sizes.

3.4.5 On the basis of the above it is our view the proposal has no policy support and it is recommended the application is refused.

3.5 DNP – Ecology & Wildlife

3.5.1 No bats were observed in the roof void of the property, although potential roost features/access points for bats were identified via wall top gaps and lifted lead flashing. Three aggregations of bat droppings were found – one in the loft, one against the internal blockwork of the southern gable and one on the ground floor at the southern end of the building. Two bat emergence/re-entry surveys were undertaken in June 2022.

- 3.5.2 18/07/22: Two common pipistrelle bats emerged from the top of the valley on the west elevation of the building
- 3.5.3 03/08/2022: One common pipistrelle emerged from the northern gable end and one common pipistrelle emerged from the top of the valley.
- 3.5.4 The sample of droppings retrieved from the loft confirmed the presence of greater horseshoe bats. It appears that the building offers a summer day roost for common pipistrelle and a day roost for Greater Horseshoe bats.
- 3.5.5 Impacts to bats cannot be avoided and therefore an EPSL will be required.
- 3.5.6 The following mitigation will be implemented:
- Works must be carried out under an ecological Watching Brief
  - Compensation for the loss of roosting sites will be provided by discrete, self-contained bat boxes, built into the gable ends of the converted structure.
  - Compensation for the loss of the greater horseshoe bat roost will be provided by allowing access into the storage area within the old water tanks at the northern end of the Site. This mitigation is deemed sufficient.
- 3.5.7 The Authority must consider whether the proposal meets the three derogation tests of the Conservation of Habitats and Species Regulations 2017 (as amended), and accordingly whether Natural England are likely to grant an EPS license which would permit the proposal to lawfully proceed.
- 3.5.8 The first two tests (below) are essentially planning tests and are for the LPA's planner to assess. This assessment needs to be proportionate to the impact on bats.
- 8) The consented operation must be for 'preserving public health or public safety or other imperative reasons for overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment';
  - ii) There must be 'no satisfactory alternative';
  - iii) The action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'. In this case, we advise that the first two tests are likely to be met considering proportionality for the impact on bats and the third test I have concluded below.
- 3.5.9 Given bat roosting provision will not be lost and works will be undertaken to avoid impacting bats, it is my opinion that the third test of the Habitats Regulations is satisfied. Therefore, it is reasonable to conclude that Natural England would grant a low-impact class mitigation licence.
- 3.5.10 Biodiveristy Net Gain: Under the recently adopted Dartmoor Local Plan biodiversity enhancement is required. The ecology report states that 220m2 of soft landscaping (wildflower meadow), 5 fruit trees and the erection of two woodstone bird boxes will be provided. This will provide a biodiversity enhancement in line with policy 2.3 of the Dartmoor Local Plan.

### 3.5.11 Suggested conditions:

- No external lighting shall be installed at any time at the application site without the written permission of the Local Planning Authority.
- Development shall be carried out in accordance with the actions set out in the Ecological Impact Assessment (Lakeway Ecology, August 2022). This condition shall be discharged when the consultant ecologist confirms in writing to the LPA that the recommendations have been implemented.
- No works are to take place during the bird nesting season (01 March to 31 August, inclusive) unless the developer has been advised by a suitably qualified ecologist that the works will not disturb nesting birds and a record of this kept.
- A Construction and Environmental Management Plan which will include details of environmental protection throughout the construction phase, will be submitted and agreed with the LPA.
- A Landscape and Ecological Management Plan which will include details relating to habitat creation, species specification and management, will be submitted and agreed with the LPA.

## 4 Parish Council Comments

4.1 North Bovey PC – The Council has no objection to the application

## 5 Relevant Local Plan Policies

- 5.1 Strategic Policy 1.1 Delivering National Park purposes and protecting Dartmoor's Special Qualities  
Strategic Policy 1.2 Sustainable development in Dartmoor National Park  
Strategic Policy 1.3 Spatial Strategy  
Strategic Policy 1.5 Delivering good design  
Strategic Policy 1.6 Sustainable construction  
Policy 1.7 Protecting local amenity in Dartmoor National Park  
Policy 1.8 Higher risk development and sites  
Strategic Policy 2.1 Protecting the character of Dartmoor's landscape  
Strategic Policy 2.2 Conserving and enhancing Dartmoor's biodiversity and geodiversity  
Strategic Policy 2.3 Biodiversity Net Gain  
Strategic Policy 2.4 Conserving and enhancing Dartmoor's moorland, heathland and woodland  
Strategic policy 2.5 The Water Environment and Flood Risk  
Strategic Policy 2.6 Protecting tranquillity and dark night skies  
Strategic Policy 2.8 Conservation of historic non-residential buildings in the open countryside  
Strategic Policy 3.1 Meeting Housing Need in Dartmoor National Park  
Policy 4.4 Parking standards for new development  
Policy 4.5 Electric Vehicle Charging Points (EVCPs)  
Strategic Policy 5.1 Non-residential Business and Tourism Development

## 6 Representations

### 6.1 Support – 120 letters of representation

### 6.2 Summary of issues raised:

- Good use of redundant site
- Local family would make use as a family home
- Derelict site, eyesore. The building already looks like a house
- Community does not need any more holiday lets
- Use as house would not destroy any green fields as there is an existing building on the site
- Young family should be encouraged to stay in area
- Homes are what is needed here, holiday lets are irrelevant, we need committed people to be part of our community
- The existing building is derelict and unused. Converting it would be supporting a young family and will make the building a contributor to the housing stock in the area
- A Local employer keeping the communities alive far outweighs the need for further holiday homes which brings short and limited benefit to the area
- This property has been derelict and subject to vandalism in the past
- The property lends itself to being a permanent residence and needs to be occupied. Presently it is creating a danger, due to it being vacant.
- There are already more holiday homes in the area than is desirable so why wouldn't we want to enable a young family to live there year-round?
- A disused building can cause all sorts of issues, so if there is someone willing to turn it into something more beneficial to the community and done in an appropriate way, then this should be done
- We need more homes for locals, and it sounds like they will be heavily considering the wildlife and environment
- pleased to see the proposed use of photovoltaic slates on some of the refurbished roof
- Moretonhampstead school is seriously struggling with very low numbers of students. That's not because the school is failing and the children are going elsewhere, it's because young families are simply being priced out of the area. The creation of a new family home should be supported and encouraged every step of the way to help our village community thrive
- This is an excellent proposal to upgrade the waterworks building which is currently derelict and in an unsafe condition. The applicants have lived and worked in the area for a number of years, and employ people from the local community
- This former waterworks wouldn't have any environmentally impact on the environment to change it to a permanent family home. With this permanent residence we will have less change on vandalism (on this old building) on Dartmoor and in our Parish
- There are already enough holiday cottages to support tourism in the village
- It will cost the same amount of money to build for holiday lets as for a family home. As a limited letting business however the costs cannot be justified and such development is unlikely to proceed. This premise was accepted in the case of the middle barn at Collihole, giving a valuable precedent

- Suggested commercial use or, as previously agreed, a holiday let is likely to require significant security when the site is unoccupied, which would create an eyesore
- There has to be some flexibility when a proposal as carefully considered as this is submitted for consideration by a family significantly involved in local employment and building construction
- A business premises would be completely impractical and unpopular due to the amount of extra car parking it would require, not to mention the traffic it would create on single track roads
- If the Local Plan states that houses can only be used for holiday use, the Local Plan is flawed and it is crucial that the planning committee override this error. It may have been appropriate before the pandemic, but if the Authority is seriously promoting a system that forces some people to live in barns during the summer months and other local families to leave the area, it needs to reconsider
- The Local Plan was drafted with the best of intentions before the pandemic, and if the Authority insist on sticking to it for the next four and a half years, it will irrevocably and irredeemably damage the social fabric of Dartmoor. How often does the development of new housing on Dartmoor receive dozens of letters of support? In a case like this – where dozens of local voices have united to support the application – why on earth would the Authority refuse it?
- We need to keep villages like North Bovey alive – and that is exactly what this proposal contributes to – and prevent them from becoming holiday parks for second home owners. The Authority should take the lead in this and learn from the mistakes from other authorities where the character of ancient villages is destroyed
- This particular area needs domestic rather than commercial development, as there is already tremendous congestion along the neighbouring cycle route
- The building's environmental performance would be significantly improved because of the use of environmentally sustainable features such as: ungraded insulation, photo voltaic slates, air source heat pump and water harvesting
- The applicants have a young family and we should encourage people to stay here and support local schools and shops rather than moving away

6.3 Object – 1 letter of representation

6.4 Summary of issues raised:

- There have been many other local water treatment works where planning has been refused. Other more habitable buildings have had planning refused in surrounding areas of Moretonhampstead and near Throwleigh
- Many locals who have lived in North Bovey all of their lives and have their heart here in North Bovey, have considered redeveloping the building but when speaking to local councillors and staff working for the Authority have been told 'not a chance' of getting planning permission on it. Hence why they have had to leave the village and buy elsewhere which is more affordable

## 7 Observations

### PRINCIPLE OF CHANGE OF USE

7.1 The proposal is for the change of use of the existing building and land within its curtilage to an open market dwelling.

- 7.2 The application site is in open countryside approximately 0.8km from North Bovey and 1.2km from Moretonhampstead.
- 7.3 Development in the open countryside of the National Park is strictly controlled and is limited to a narrow set of circumstances. These are set out in Strategic Policy 1.3 which states that outside of the classified settlements development will be acceptable in principle if it is:
- a) *farming, forestry or other land-based rural businesses with a proven need to locate in the open countryside, including farm diversification;*
  - b) *Gypsy and traveller, or low impact development, which is well related to a Local Centre or Rural Settlement;*
  - c) *new business development making use of redundant buildings and development related to existing businesses;*
  - d) *householder or domestic related development;*
  - e) *necessary to sustain buildings or structures of proven conservation value;*
  - f) *for the provision of utility, service, transport or recreational infrastructure; or*
  - g) *needed to pursue National Park purposes.*
- 7.4 None of the criterion a) – d) apply to the proposed development.
- 7.5 Criterion e) would be applicable if the proposed development would involve a building or structures with proven conservation value, and this links with Strategic Policy 2.8 (Conservation of historic non-residential buildings in the open countryside). The building was constructed in the 1970's as a water treatment facility and has no identified architectural merit or historic interest.
- 7.6 Criterion f) relates to buildings and development which are required for the provision of utility, service, transport or recreational infrastructure. The site was developed for utility purposes but is now vacant. The proposed development would take the use of the site away from its former utility use.
- 7.7 Criterion g) supports development in principle where it would further National Park purposes. The supporting information does not indicate how this would be achieved.
- 7.8 In the open countryside Local Plan policy allows for residential conversion of redundant historic buildings provided criteria in Policy 2.8 are met, which include (among others) marketing for those uses which may be less harmful on any historic significance, the building being well related to a settlement, and where residential uses are accepted, the provision of affordable housing.
- 7.9 The proposal does not involve a historic building and as such Policy 2.8 is not applicable. Nor does the proposal involve provision of affordable housing, a principal objective of the Local Plan on housing sites of all sizes.

#### IMPACT ON THE CHARACTER AND APPEARANCE OF THE NATIONAL PARK

- 7.10 The application site is located at Bovey Cross. The site is largely screened from the Mortetonhampstead to North Bovey Road by trees and hedges which are growing on the southern and eastern site boundaries in front of the 2m chainlink fence which



extends around the whole boundary, although it is possible to distinguish the building owing to the white rendered walls on the property.

- 7.11 The site and building are much more visible from the unclassified road to the south-east where the chainlink fence and metal gates come into clear view. Through the fence and gates it is possible to observe unplanned vegetation growing around the building including through part of the hardstanding/parking area.
- 7.12 The proposal is for the change of use of the building plus external alterations. The existing concrete block walls would be insulated on the outside and clad in 20cm thick coursed rubble granite. The existing concrete tile roof would be replaced with natural slate, which is double-lapped to accommodate the low roof pitch. The doors would be hardwood left to weather naturally and the windows would be double-glazed slim-profile timber with aluminium outer. Horizontal larch cladding would be installed on the north-west gable which would be left to weather naturally to silver-grey.
- 7.13 The four existing flood lights and tall antennae attached to the building would be removed as would the chain link fence and metal gate. Approximately half of the existing hardstanding would be removed, replaced with amenity lawn and meadow planting with fruit trees.
- 7.14 It is considered that the proposed external changes to the building and works planned within the site – including removal of existing unwelcome features such as security fencing, floodlighting and areas of hardstanding, and cladding the building with natural stone/replacement of concrete tiles with slate roof – would enhance the utilitarian building and the appearance of this part of the National Park, in accordance with Strategic Policies 1.1, 1.2, 1.5 and 2.1 of the Local Plan,.

## ECOLOGY

- 7.15 Strategic Policy 2.2 states that:
1. Development must conserve and enhance all Dartmoor's biodiversity and geodiversity.
  2. Development proposals, either alone or in combination with other development, having adverse impacts on:
    - a) internationally, nationally or locally designated biodiversity and geodiversity sites; and/or
    - b) Dartmoor's priority habitats and species identified in Table 2.1 (including bats) will only be permitted in exceptional circumstances.
- 7.16 The application is accompanied by an Ecological Impact Assessment. It appears that the building offers a summer day roost for common pipistrelle and a day roost for Greater Horseshoe bats.
- 7.17 Compensation for the loss of roosting sites will be provided by discrete, self-contained bat boxes, built into the gable ends of the converted structure. Compensation for the loss of the greater horseshoe bat roost will be provided by allowing access into the storage area within the old water tanks at the northern end of the Site.

- 7.18 A European protected species license (EPSL) will be required from Natural England.
- 7.19 The Authority's Ecologist considers that the proposal meets the three derogation tests of the Conservation of Habitats and Species Regulations 2017 (as amended). He has suggested appropriate planning conditions if approval is forthcoming.

#### HERITAGE IMPACT

- 7.20 The application site is immediately adjacent to Hospit Cross on its south-eastern corner boundary. The granite cross is registered as a grade II listed building and an scheduled ancient monument.
- 7.21 Strategic Policy 2.7 states that all development must conserve and/or enhance heritage assets and their settings
- 7.22 The cross is sited on the grass verge adjacent the crossroads between a finger post and highway grit box on land which is outside of the application site and the ownership of the applicant.
- 7.23 The proposed development is considered to have a neutral impact on the setting of the cross. No conflict with SP 2.7 has been identified.

#### SUSTAINABLE CONSTRUCTION

- 7.24 The site is acknowledged as having an elevated level of embodied energy and carbon. The existing building on site is constructed from concrete block and the roof is concrete tile. There are concrete bunds within the building at the upper end and concrete lined tanks within the curtilage.
- 7.25 The principle of re-use and adaption of the site is supported by the National Planning Policy Framework (NPPF) and Strategic Policies 1.2 and 1.6. A series of energy saving measures are proposed within the development to reduce the reliance of the site on fossil fuels during occupation as a dwelling. These include; external wall insulation to improve thermal qualities of the building; photo voltaic roofing slates on the south elevation; air source heat pump and heat recovery system; rainwater harvesting within one of the existing upper tanks.

#### PLANNING BALANCE

- 7.26 The strategic focus of housing development in Dartmoor National Park is the delivery of affordable, well-designed, efficient homes to meet the needs of local people with an expectation that these are delivered within existing (or in a limited set of cases, adjoining) existing settlements. The proposed development would not accord with this strategy as it would deliver an open market dwelling in the open countryside. There are some exceptions, as outlined the Spatial Strategy (SP1.3) however it has been identified that none of these would apply in the case of the proposed development.
- 7.27 The site, while redundant, retains its classification for employment use. The committee report for the 2014 refusal of planning permission (ref: 0160/14) for a

dwelling stated that if a commercial use cannot be found for the site, then the preference would be for this modern building to be removed from the site to enhance the character and appearance of this part of the National Park to meet the first purposes of the National Park designation.

7.28 The 2014 decision was taken under previous local plan policies, but the above comments remain valid today. There are other examples of similar isolated utilitarian buildings throughout the Park and if a decision is taken to approve this application contrary to policy then the Authority would be under pressure to approve other schemes under similar circumstances.

7.29 It should also be noted there are policies in the new Local Plan which recognise that there are sites such as this one (i.e., sites containing non-historic, isolated, utilitarian buildings) within the open countryside of the National Park that may be better adapted and re-used than removed. For example, Strategic Policy 5.1 states that:

*Within Villages and Hamlets and the open countryside non-residential business and tourism development will be acceptable where it is needed to support:*

- a) *small-scale expansion of existing businesses;*
- b) *farm diversification in accordance with Policy 5.9; or*
- c) *the establishment of appropriate new businesses where: i) the proposal involves the conversion of redundant buildings only and suitable historic buildings are used first in accordance with Strategic Policy 2.7 and/or Strategic Policy 2.8; or ii) the proposal and activity is small-scale, low impact and is focussed on improving opportunities for the quiet enjoyment and understanding of the National Park's Special Qualities.*

7.30 In this case it is understood that the application site was transferred from the previous owners to the new owners without being advertised on the open market. This prevented any alternative business use being considered at today's date which might be compliant with policy SP5.1.

7.31 The application offers some positives which would be delivered through the proposed scheme, such as improved aesthetics and energy from renewable sources, however its conversion to an unrestricted, open market dwelling would be contrary to policy in this location. Were the site to be marketed for a realistic price it may be that an alternative business use of the site could be found – one which accords with policy SP5.1 while also delivering equal benefits in terms of a suitable re-use of the site and the enhancement of its surroundings. It should be noted that allowing a site to fall into disrepair is not, in itself, a valid reason for departing from policy.

7.32 It is considered that the proposed enhancements are not sufficient to justify what would be a clear departure from policy.

## **8 Member Site Visit – 21 October 2022**

8.1 Members of the site inspection panel convened on the site where the Planning Officer outlined the application and provided a summary of the site history. The

Planning Officer confirmed that the 2012 planning permission for conversion to a holiday let was not extant.

- 8.2 Members inspected the internal of the building where the Planning Officer confirmed the proposed layout of the dwelling.
- 8.3 Members walked around the site and the Planning Officer confirmed the proposed changes to the surfacing within the site and to the external elevations of the building and the settling tanks. The boundaries of the site were confirmed.
- 8.4 The applicant advised that the foul drainage would be managed by a new package treatment plant.
- 8.5 Members viewed the site from the public road and inspected the location of the listed Hospit Cross. The Cross was confirmed as being located outside of the application site. Members noted the vegetation on the boundary at the crossroads which afforded the building and wider site screening from the public highway.
- 8.6 The Planning Officer provided a precis of the relevant Local Plan policies, namely the spatial strategy and the strategic housing policies. The planning history of the site was discussed. The Planning Officer confirmed that the 2012 permission for holiday let was assessed under previous local plan policies and that should planning permission be sought for a holiday let use it would require a re-assessment against current local plan policies.

---

CHRISTOPHER HART



NPA/DM/22/015

Dartmoor National Park Authority  
Development Management Committee

2 December 2022

Tree Preservation Orders, Section 211 Notifications (Works to  
Trees in Conservation Areas) and Hedgerow Removal Notices  
Determined Under Delegated Powers

Report of the Trees and Landscape Officer

Recommendation: **That the decisions be noted.**

TPO APPLICATIONS

Teignbridge

Ref: 22/0033

11 Amberley Close, Ashburton

SX 7446 7057

Application to reduce the eastern canopy of a beech tree. The works will balance the crown of the tree. Consent was granted subject to conditions:

1. Five working days' notice to be given to the Authority prior to the commencement of approved works.
2. All works are carried out in accordance with British Standard 3998:2010 Tree Work-Recommendations.

SECTION 211 NOTICES

Teignbridge

Ref: 22/0031

Hamlyn House, Buckfastleigh

SX 7389 6621

Notification to fell a cypress tree. The tree is growing immediately adjacent to a building and if retained will damage the structure.

A Tree Preservation Order has not been made

West Devon

Ref: 22/0028

Memorial Ground, Horrabridge

SX 5121 6995

Notification to pollard a maple tree. The tree is in poor condition and the works will extend the life of the tree.

A Tree Preservation Order has not been made.

Ref: 22/0029

The Old Chapel, Lydford

SX 5112 8490

Notification to reduce the crowns of a group of cherry trees. The works will have minimal impact on the health or appearance of the trees.

A Tree Preservation Order has not been made.

Ref: 22/0030

Meldon Garth, Chagford

SX 6992 8747

Notification to reduce the crown of a beech tree. The works will have minimal impact on the health or appearance of the tree.

A Tree Preservation Order has not been made.

Ref: 22/0032

Finch Foundry, Sticklepath

SX 6414 9400

Notification to fell three ash trees. The trees are infected with Ash Die Back and have a short life expectancy.

A Tree Preservation Order has not been made.

BRIAN BEASLEY