



NPA/DM/25/010

Dartmoor National Park Authority
Development Management Committee

25 July 2025

Applications to be Determined by the Committee

Report of the Director of Spatial Planning

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1.	0049/25 Change of use from F1 place of worship to C3 residential dwelling to create an affordable dwelling together with the erection of single storey rear extension and front porch Methodist Church, Crockernwell, Exeter, Devon, EX6 6NE	5

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Item 1

Application No: **0049/25** District/Borough: **West Devon**

Application Type: **Full Planning Permission** Parish: **Chagford**

Grid ref: Officer: **Sassie Williams**

Proposal: **Change of use from F1 place of worship to C3 residential dwelling to create an affordable dwelling together with the erection of single storey rear extension and front porch**

Location: **Methodist Church, Crockernwell, Exeter, Devon, EX6 6NE**

Applicant: **Mr S Saunders**

Recommendation: **That permission be APPROVED, subject to S106 legal agreement requiring affordable housing**

Condition(s):

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out strictly in accordance with the approved drawing(s):
 - Location Plan - numbered CC AL (-) 10 received 30-05-2025
 - Block Plans - numbered CC AL (-) 03 Rev B received 30-05-2025
 - Proposed elevations and floor plan - numbered CC AL (-) 02 Rev C received 06-02-2025
3. The development hereby permitted shall be limited to the conversion of the existing building and shall not authorise any works amounting to the demolition or rebuilding of the existing building or any part of it.
4. Prior to the development hereby permitted being brought into use, the biodiversity enhancement measures described in the email from Sinjun Saunders dated 11 July 2025 shall be completed, such that they comply with Part 3 of Policy 2.3 of the Dartmoor Local Plan. Thereafter, the approved biodiversity enhancement measures shall be maintained in perpetuity.
5. Prior to the commencement of the development hereby approved, a detailed surface water drainage scheme for the extension hereby approved, to include percolation test results, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the surface water drainage scheme shall be implemented strictly in accordance with the approved details.
6. All gutters and downpipes on the development hereby approved shall be of metal construction and shall be painted black not later than 30 days after the substantial completion of the development.
7. Notwithstanding the details hereby approved, prior to their installation, details of all proposed external facing and roofing materials shall be submitted to the Local Planning Authority for approval. Thereafter, only approved external facing and roofing materials shall be used in the development.

8. The front porch hereby approved shall be of oak construction and supported at the base of each post by granite quoins and shall thereafter be retained as an oak porch with granite quoins.
9. All external timber cladding on the extension hereby approved shall be left to weather naturally, or shall be stained dark brown or black in colour. Prior to the application of any timber stain, a sample of the stained timber showing the timber stain proposed to be used shall be submitted to the Local Planning Authority for approval; at all times thereafter only the approved timber stain shall be used on external timber on the building.
10. All external windows in the extension hereby permitted, shall be of timber construction and shall at all times thereafter be retained as timber framed windows. Prior to their installation, details of the windows to be installed shall be submitted to and approved in writing by the Local Planning Authority. Thereafter only the approved windows shall be used in the extension hereby permitted.
11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking and re-enacting that Order with or without modification, no material alterations to the external appearance of the building(s) shall be carried out and no extension, building, enclosure, structure, erection, hard surface, swimming or other pool shall be constructed or erected in or around the curtilage of the development hereby permitted.

1 Introduction

- 1.1 This application relates to a site at Crockernwell. The site comprises a long and narrow parcel of land measuring approximately 15m wide by 60m long.
- 1.2 At the southern end of the site is a former methodist chapel. This detached single storey building was constructed in approximately 1980. It has concrete block cavity walls with a pebbledash finish, an interlocking concrete tile roof and softwood timber windows.
- 1.3 To the rear of the chapel there is a gravelled parking area and beyond a small patch of amenity grassland.
- 1.4 At the northern end of the site is a metal clad storage shed which is in the applicant's ownership but falls outside of the red line for this application.
- 1.5 Running up through the site is a hard surfaced shared driveway which provides vehicular access to the chapel and storage shed, as well as to the rear of the properties 1-4 Fulford Cottages. There is an existing vehicular access at the southern boundary onto the old A30 which runs through the centre of the village.
- 1.6 The site is located within the Crockernwell Conservation Area. Nos 1-4 to the east of the site are listed buildings.
- 1.7 The application is presented to the Committee as it is considered to represent a departure from the policies of the adopted Dartmoor Local Plan and has been advertised as such.

2 Planning History

- 2.1 The following planning application for a similar scheme on the same site in 2023 was withdrawn:
- 2.2 0248/23 – full planning permission – change of use from D1 (methodist church) to C3 (dwelling) with rear extension and front weather porch – withdrawn 30 August 2023

3 Consultations

3.1 Devon County Council Highways - No highways objection

- 3.1.1 The site is accessed off a C Classified County Route which is restricted to 30 MPH.
- 3.1.2 The number of personal injury collisions which have been reported to the Police in this area between 01/01/2019 and 31/12/2023 is one serious accident in December 2019 at the Saddlers Close access.
- 3.1.3 The number of trips this proposal could create would be similar to the existing use if brought into full use.
- 3.1.4 Therefore, the County Highway Authority has no objections to this application.

3.2 Devon County Council Ecology – No objection

- 3.2.1 On review of the information submitted for the application below, I can confirm that all protected species surveys were undertaken correctly and following national guidelines. Bats and nesting birds are unlikely to be impacted by the proposals. Please issue the applicant with the standard informative for bats and birds. It is noted that the scheme leads to an increase in 33m² of floorspace.
- 3.2.2 Under Dartmoor Local Plan Policy 2.3, that will require the provision of two ecological enhancements as per Table 2.2. Please can it be stated what two enhancement features are being provided to ensure the scheme is policy compliant (note that 2 bat/bird boxes equate to 1 enhancement feature as per the Dartmoor Local Plan).

3.3 West Devon Borough Council – Affordable Housing Team

- 3.3.1 Response: SUPPORT
- 3.3.2 The Affordable Housing Team support this application.
- 3.3.3 The application includes provision of 1 x 2 bed discount market dwelling, with a 20% reduction on the open market value of the dwelling, secured through a Section 106 agreement.
- 3.3.4 There are benefits to this proposed scheme in terms of the affordable housing provision within the village of Crockernwell, which currently has no affordable rented housing, and the wider parish of Drewsteignton. These need to be considered in

light of the Housing Crisis that was declared by West Devon Borough Council members in February 2022.

3.3.5 Percentage of affordable housing –

3.3.6 The scheme seeks to deliver 100% affordable housing. It is agreed that this is compliant with Strategic Policy 3.4 of the Dartmoor Local Plan.

3.3.7 Tenure –

3.3.8 The 1 x affordable dwelling is proposed as a 20% reduction on Open Market value, which is in accordance with the DNPA definition of affordable housing through discounted sale and is therefore supported by the Affordable Housing Team.

3.3.9 Size of the affordable units

3.3.10 The proposed unit is for a 2-bed property, which is appropriate for local housing needs.

3.3.11 Space Standards

3.3.12 The internal floor area of the affordable unit complies with national space standards.

3.3.13 Housing Need

3.3.14 People are facing difficulties finding properties that are affordable to them as they are forced to move to other locations where property is more affordable for them, reinforced by the declared Housing Crisis. This property, should it be granted consent will assist local people in gaining access to housing that is affordable to them.

3.3.15 The Drewsteignton Parish Profile highlights the challenges facing local people in affording suitable housing: <https://www.westdevon.gov.uk/housing/housing-needs-survey-results/drewsteignton-parish-profile>

3.3.16 The Devon Home Choice register indicates that there is need for affordable housing within the wider parish of Drewsteignton, which includes the need identified in the villages of Drewsteignton, Whiddon Down and Crockernwell:

Local connection through residence	Bandings			
Bedroom need	Band B	Band D	Band E	Grand Total
1		5		5
2	1		1	2
3			1	1
Grand Total	1	5	2	8

Local connection through family connection	Banding	
Bedroom need	Band C	Grand Total
4	1	1
Grand Total	1	1

3.3.17 S106 requirements – the proposal outlines the local connection criteria and the 20% discount, which is secured through a S106 agreement.

3.3.18 In Summary, this application addresses several of the motions detailed within the declared Housing Crisis and is supported by the Affordable Housing Team.

4 Parish Council Comments

4.1 Drewsteignton Parish Council – Support

4.2 Cllrs were reminded that this was a revisit to an earlier application that had received 2 earlier site visits and had been resubmitted to DNPA after being withdrawn last year. The application had only improved from the earlier application, which the council supported. The addition of park requested amendments of rainwater capture, and cladding of the front of the building. The footprint of the property has not been changed from the original proposal. Cllr Redman Proposed a positive response would be given, as the building is currently redundant in its current state. With the landowner also agreeing to the section 106 for an affordable home in the village, which currently has none. Cllr Rowe seconded the positive response, with all in favour and one abstention. Motion carried R25/14.

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
Policy 1.7 Protecting local amenity in Dartmoor National Park
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 2.6 Protecting tranquillity and dark night skies
Strategic Policy 2.7 Conserving and enhancing heritage assets
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
Strategic Policy 3.2 Size and Accessibility of New Housing
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 – 5 comments

6.1.1 Summary of comments of support:

- Proposed design suited to site and wider village
- Proposed design will provide suitable accommodation for future owners
- Enhancement of local area

- Redevelopment of ugly, redundant building
- Will provide home – keeps village vibrant and alive
- Visually pleasing
- Would prevent redundant building from deteriorating and impacting negatively on conservation area and wider village
- Minimal but necessary additions to existing building
- Sympathetic and attractive alterations
- Will fit well with surrounding properties

6.2 Object – 0 comments

7 Observations

PRINCIPLE OF DEVELOPMENT

- 7.1 The proposal is for the change of use of the existing building and land within its curtilage to an intermediate affordable dwelling, together with the erection of a single storey rear extension and front porch.
- 7.2 The application site is located in Crockernwell and within the Crockernwell Conservation Area. For the purposes of the Local Plan the site is within open countryside as it not within an identified settlement as defined by Strategic Policy 1.3.
- 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. This application has therefore been identified as a departure from the Dartmoor Local Plan, and has been advertised as such.
- 7.5 Criterion e) would be applicable if the proposed development would involve a building or structure of 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 approximately 1980 and has no identified architectural merit or historic interest.
- 7.6 Criterion f) does not apply

- 7.7 Criterion g) supports development in principle where it would further National Park purposes of a) conserving and enhancing the natural beauty, wildlife and cultural heritage of the area; and b) promoting opportunities for the understanding and enjoyment of the Special Qualities of the National Park by the public.
- 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. The proposal does not involve a historic building and as such Policy 2.8 is not applicable.
- 7.9 The proposed development is therefore considered to be contrary to Strategic Policy 1.3.

PROVISION OF AFFORDABLE HOUSING

- 7.25 The Authority's housing strategy states that the focus of housing development in Dartmoor National Park is the delivery of affordable, well-designed, efficient homes to meet the needs of local people. It also states that housing delivery will reflect the Spatial Strategy and that outside classified settlements new housing development will principally support the needs of farming, forestry and other land-based rural enterprises with a functional need for a worker to live in the open countryside.
- 7.26 The village of Crockernwell is not identified in the settlement hierarchy (Local Centre/Rural Settlement/Villages and Hamlets) set out in the Spatial Strategy. It does not have the range of shops, facilities or services associated with recognised settlements. Development opportunities are therefore heavily restricted and limited to a narrow set of circumstances.
- 7.27 The proposal is for a modest intermediate affordable dwelling. In accordance with paragraph 3.4.4 of the Local Plan the applicant has confirmed that he is willing to sign a Section 106 legal agreement to secure occupation of the affordable dwelling in perpetuity by a person(s) who:
- is a Local Person
 - is in housing need; and
 - is unable to afford market house prices in the area
- 7.28 The proposed dwelling (with extension) would meet and not significantly exceed nationally described technical housing standards, as required by Strategic Policy 3.2.
- 7.29 It would also contribute positively to the mix of dwelling sizes and types within Crockernwell as there are very few small (1 or 2 bedroom) properties according to land registry information.
- 7.31 West Devon Borough Council Affordable Housing Team support the application, and their comments highlight that there is extant need for 2-bed affordable homes within Drewsteignton Parish.
- 7.32 In terms of opportunities to meet the identified affordable housing need within

Drewsteignton Parish, Drewsteignton is the main settlement in the parish and is identified within the Spatial Strategy as a Village and Hamlet, the smallest and most sensitive settlement tier. There are no allocated sites in Drewsteignton, and the Dartmoor Settlement Profile for Drewsteignton confirms that 5 affordable homes have been delivered since 2008, with an extant need for 11 affordable homes remaining within the Parish.

- 7.33 Affordable Housing policies would ordinarily direct the delivery of affordable housing to meet identified need within the Parish to suitable sites within Drewsteignton settlement, and in the absence of suitable policy-compliant conversion opportunities within the village, this would take the form of new build development either on infill or brownfield sites within the village. There are no allocated sites in Drewsteignton and no known opportunities for affordable housing delivery through infill sites, previously developed land or conversion opportunities within the village.
- 7.34 The Methodist Chapel presents a unique opportunity to deliver a single bespoke unit of affordable housing to meet a current identified need within the Parish. It is an existing redundant building in need of a new use and works to improve its aesthetic and resulting impact on the Conservation Area. Due to the form and design of the building, works to convert it to a dwelling can be undertaken relatively simply, further lending itself to its proposed new use as an affordable dwelling, and such works would furthermore lead to an enhancement of the surrounding Conservation Area.
- 7.35 On the above basis, the conversion of this existing redundant building in Crockernwell is considered to be a sustainable route to delivering a single affordable home which responds to an evidenced need. In terms of the planning balance, the delivery of affordable housing gives weight in favour of the scheme.

LOSS OF COMMUNITY FACILITY

- 7.36 Paragraph 4.1.2 of the Dartmoor Local Plan confirms that places of worship are considered to be a community facility. Policy 4.1 part 1 makes clear that existing community facilities will be protected, and part 2 states that development involving the loss of a community facility will only be permitted where evidence demonstrates that (a) there is no community need, (b) there is equivalent provision elsewhere which meets the community's needs, or (c) the facility is not viable.
- 7.37 It is understood that that site and buildings were sold at public auction in November 2022. It is not known whether there were any other prospective purchasers bidding therefore to a certain extent it is unknown whether there was an appetite for re-purposing the building for an alternative use, either within the existing use F1 use class or a new commercial/business use as supported by Strategic Policy 5.1.
- 7.38 The application is accompanied by a letter from David Slocombe, former trustee of the Crockernwell Methodist Church advising that the church closed due to a declining membership and the presence of alternative places of worship in the vicinity of Crockernwell. He also refers to canvassing local residents and charities to establish an alternative use of the building without success.
- 7.39 During the course of the application, Drewsteignton Parish Council Clerk confirmed the following by email:

- 7.40 *"I can confirm that the building has not been used as a place of worship for 10 years or more. Due to falling members and an ageing population the building was sold for this reason, with the support of the local worshippers. Exeter methodist church is now used as the local worship or Crediton. The Drewsteignton Parish council do not regard the building as an asset. As its 1970s design is not in keeping with the surrounding environment. The local need for a place of worship or any other business or community space is not viewed a necessary for Crockernwell. that they do not regard the building as a community asset and that the local need for a place of worship or any other business or community space is not viewed as necessary for Crockernwell."*
- 7.41 It is considered that reasonable efforts have been made to find an alternative community or business use for the building. Despite these efforts, no use has been identified and Policy 4.1 has been satisfied.

DESIGN AND IMPACT ON THE CROCKERNWELL CONSERVATION AREA

- 7.10 Strategic Policy 2.7 states that all development must conserve and/or enhance heritage assets and their settings. Also that the change of use, extension or alteration of heritage assets, including development in their settings, will be permitted only where: a) for designated heritage assets, any harm to significance is less than substantial, justified and clearly outweighed by the development's public benefits; or b) for non-designated heritage assets, any harm has been balanced against the significance of the asset and found to be reasonable and justified.
- 7.11 The site is located on the eastern side of the village. Either side of the site are residential properties and their associated gardens which are bounded by mature hedges and trees. There is a low stone retaining wall on the southern boundary either side of the access driveway with some ornamental planting. The land rises up above the carriageway and the chapel building is clearly visible from the road.
- 7.12 The building is identified in the Crockernwell Conservation Area Appraisal as a modern building. Unlike some historical methodist chapels in the region, the application building has a somewhat bland and utilitarian appearance due to its design and modern materials.
- 7.13 The proposal is for the change of use of the building plus external alterations. A new Y-framed green oak weather-porch is proposed spanning the principal southern elevation supported at the base by granite quoins and covered with a dark grey corrugated metal roof. On the rear elevation it is proposed to add a dual-pitched extension set back from the side elevation, which would be externally clad with waney edge timber boarding. The existing windows would be replaced with new hardwood sapele windows, with new windows in the extension to match. The existing concrete tile roof of the main building would be retained as would the rendered pebble dash walls which are proposed to be painted with a heritage paint.
- 7.14 The retention of the existing materials on the external walls and roof of the main building is more sustainable and would help to reduce conversion costs, which is considered appropriate particularly given that an affordable dwelling is proposed.

- 7.15 The applicant has already undertaken improvements to the front entrance and amenity grassland to the rear with the addition of native hedging and wildlife friendly planting.
- 7.16 It is considered that the proposed change of use of the building would have a neutral impact on the Conservation Area, while the external changes to the building and works planned within the site would lead to an enhancement of the Conservation Area, in accordance with Strategic Policies 1.1, 1.5 and 2.7 of the Local Plan.

EXTENSION

- 7.17 This application is not for the extension of an existing dwelling. However the scheme has been considered against Policy 3.8, which relates to residential alterations, extensions and outbuildings, to assess whether the scale of the extension proposed is appropriate in the context of the existing building. Part 2a of the policy allows an extension in excess of 30% only where the original dwelling's habitable floorspace falls below the relevant technical housing standard. The technical housing standard for a 2-bedroom, 3 person dwelling is 61 sqm.
- 7.18 The original building's floor area is 52 sqm, falling below the above technical housing standard. The proposed extension would have a floor area of 29 sqm, creating a dwelling with a total habitable floorspace of 81 sqm. This proposed floor area would be just over the 30% allowance calculated in accordance with policy 3.8 using the technical housing standard of 61sqm, and therefore the scale of the extension is in accordance with the intention of the policy. Furthermore, it would create a modest-sized dwelling which meets but does not exceed technical housing standards, in accordance with Strategic Policy 3.2 part 2, and is within the 93 sqm limit imposed on affordable dwellings in paragraph 3.4.8 of the Dartmoor Local Plan.

HIGHWAYS

- 7.19 Policy 1.7 advises that development proposals should not have an adverse effect on highway safety.
- 7.20 The current vehicular access to the site is directly onto the class C road which runs through the centre of the village. While this section of road is relatively straight the visibility for vehicles leaving the site is restricted due to the presence of established hedgerows either side of the access point. Furthermore, as these hedges are outside of the site there is limited scope to improve visibility.
- 7.21 The speed limit for this section of road is nominally 30mph however it is widely acknowledged that many motorists using this road are travelling greater than the limit at the access point outside of the site. Indeed it is noted in the Conservaton Area Appraisal that despite a significant drop in users since the relocation A30 dual carriageway the 'road still dominates Crockernwell and traffic speed can be a problem'.
- 7.22 The lawful use of the site is a place of worship. This falls within use class F1 (Learning and Non-Residential Institutions). Other uses within this use class include uses for the provision of education, art gallery, museum, public library, public hall/exhibition space and law court.

- 7.23 From a highway safety perspective, the existing use of the site as a religious place of worship is considered to generate similar or even potentially greater numbers of vehicles entering and leaving the site than the proposed use as a dwelling so there can be no sustainable objection to the proposed change of use on highway safety grounds.
- 7.24 The County Highway Authority has assessed the scheme and confirmed they have no objections to this application.

ECOLOGY

- 7.42 An ecological survey has been completed and confirm no impact on protected species. The DCC ecologist has reviewed the scheme and confirmed they have no objections, subject to the standard informative regarding bats and birds being applied to any grant of permission.
- 7.43 In terms of Biodiversity Net Gain (BNG), the proposed development involves change of use of the existing methodist chapel, together with a 29sqm rear extension and open weather porch to the front. These additional elements are proposed over existing hardsurfaced areas - a gravelled parking area to the rear and concrete hardstanding to the front – and the proposals will not impact a priority habitat. The development is therefore considered to fall below the ‘de minimis’ threshold for BNG meaning it is not required.
- 7.44 In terms of biodiversity enhancements, the applicant has confirmed by email sufficient enhancements to meet the requirements of Policy 2.3, and these will be secured by condition.

DRAINAGE

- 7.45 A soakaway is proposed to dispose of surface water generated by the proposed extension to the rear of the chapel. No percolation tests have been provided to confirm the feasibility of this approach, and these will therefore be required by condition. The chapel itself already benefits from connections to main drainage and this will not be altered.

PLANNING BALANCE AND CONCLUSIONS

- 7.46 Section 70(2) of the Town and Country Planning Act 1990 and [Section 38\(6\) of the Planning and Compulsory Purchase Act 2004](#) require that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 7.47 The application site falls outside of a classified settlement however it is not isolated; it sits within an existing built-up frontage comprised of residential dwellings in a similar context to that supported in principle within a settlement.
- 7.48 The site is also well-connected in public transport terms, with a number of bus routes running along the main road past the site providing links to Okehampton, Exeter and various other locations.

- 7.49 An extant need for affordable housing within the Parish of Drewsteignton has been confirmed, and whilst housing policies would ordinarily direct development to meet this need to the nearby village and hamlet of Drewsteignton, there are currently no known opportunities to bring forward affordable housing within the village.
- 7.50 It is therefore considered that this proposal represents a unique opportunity to meet a current need for affordable housing in a sustainable manner; in that it would provide a new use for a redundant building, and in particular a building that lends itself well to an affordable conversion scheme.
- 7.51 The proposal is also considered to align with the broad focus of housing development within Dartmoor National Park which seeks to deliver affordable, well-designed, efficient homes to meet the needs of local people. It also aligns with Paragraph 84 of the Rural Housing chapter of the NPPF, which states that Planning policies and decisions should avoid the development of isolated homes in the countryside unless the development would re-use redundant or disused buildings and enhance its immediate setting.
- 7.52 As referred to in the heritage section above, the site is both within the Crockernwell conservation area and within the vicinity of a number of listed buildings immediately to the east of the site. The existing chapel building due to its combination of utilitarian design and mix of modern non-vernacular materials presents a somewhat bland image to this part of the conservation area.
- 7.53 The proposed alterations, comprising the addition of the canopy porch to the front and introduction of quality timber framed windows and cladding to the rear, provide an opportunity to create some interest to the site and enhancement to this part of the conservation area.
- 7.54 While it is conceivable that such enhancements may also be achievable should the building be re-purposed for business purposes it is considered that the probability of this would be lower.
- 7.55 On the highways matters it is noted above that the existing vehicular access to the site is sub-optimal due to the restricted visibility for vehicles emerging from the site. This access also serves four other properties. The proposed change of use to residential would have traffic movements associated with it but this would be potentially substantially less than other uses within the lawful Class F1 use - albeit this would be constrained by the size of the plot and floor area.
- 7.56 Taking all of these matters into consideration, officers consider that material considerations exist in this particular case to suggest that the planning permission should be granted not in accordance with the Spatial Strategy. This is based on the opportunities the proposed development presents, particularly in the matters of affordable housing provision and enhancement to the Crockernwell conservation area.



NPA/DM/25/011

Dartmoor National Park Authority
Development Management Committee

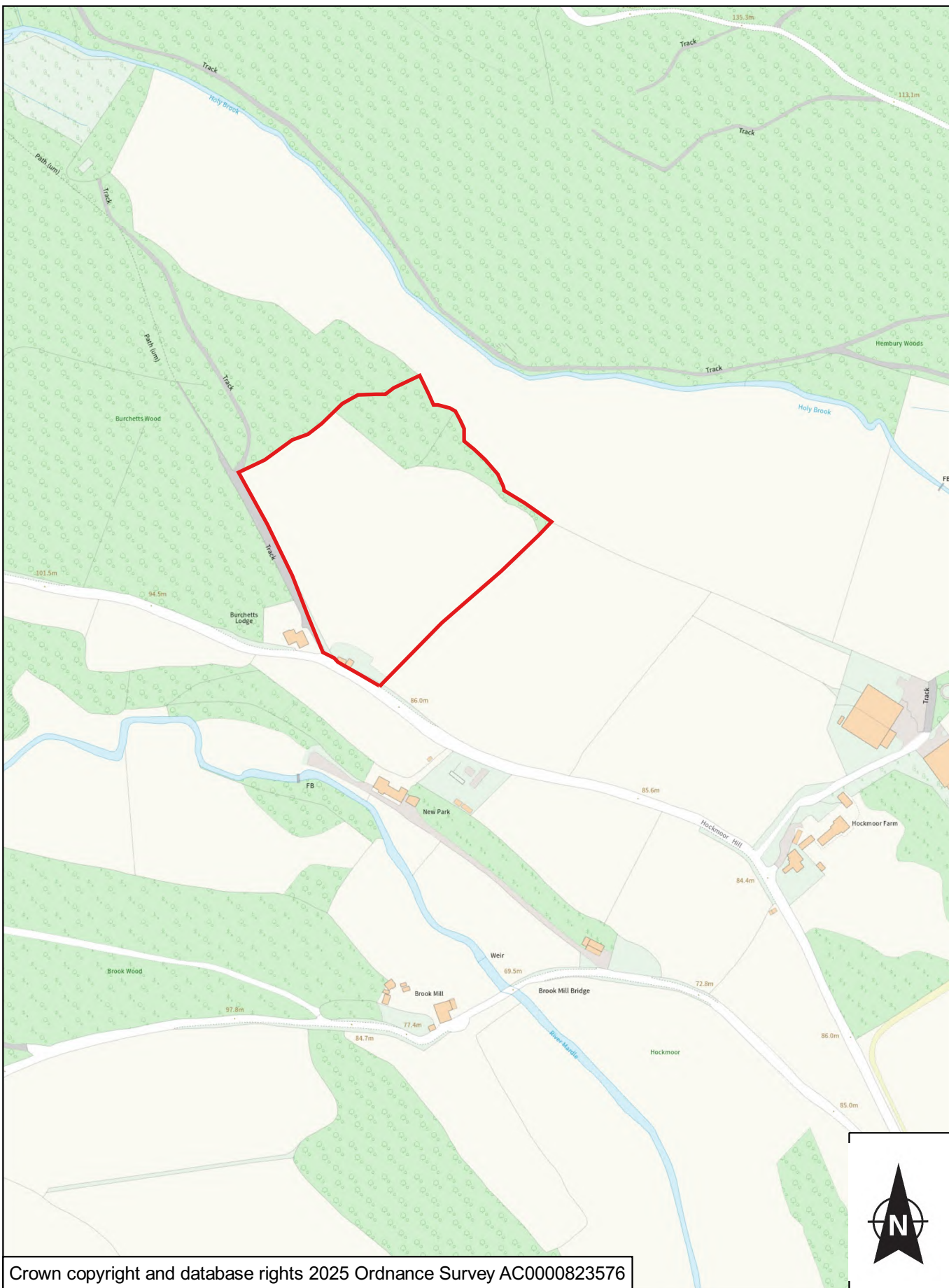
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Monitoring and Enforcement

Report of the Director of Spatial Planning

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<u>Item No.</u>	<u>Description</u>	<u>Pg. No.</u>
1.	ENF 0003-23 Unauthorised siting and residential use of a mobile home and the construction of a wooden toilet building. Land east of Burchetts Lodge, Buckfastleigh, TQ11 0HW	19



Item 1

Enforcement Case: **ENF/0003/23**

District/Borough: **South Hams DC**

Grid Ref: 272350 67750

Parish: **West Buckfastleigh**

Officer: **Nick Savin**

Description: **Unauthorised siting and residential use of a mobile home and the construction of a wooden toilet building.**

Location: **Land east of Burchetts Lodge, Buckfastleigh, TQ11 0HW**

Recommendation: **That the appropriate legal action be authorised to:**
1) Secure the removal of the mobile from the land,
2) Secure the removal of the toilet building from the land,
3) Secure the removal of all non-agricultural items and paraphernalia, including any cars parked on the land, and
4) Secure the cessation of the residential use of the land.

1 Relevant Planning History

ENF/0088/17 - Unauthorised building works (stable frame) – Frame dismantled - Case closed February 2018.

2 Relevant Policies

Dartmoor Local Plan 2018-2036

- 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 1.7 Protecting local amenity in Dartmoor National Park
- Strategic Policy 2.1 Protecting the character of Dartmoor's landscape
- Strategic Policy 3.1 Housing in Rural Settlements

The National Planning Policy Framework 2024

The English National Parks & Broads UK Government Vision and Circular 2010

3 Observations

Alleged Breach

- 3.1 Without planning permission, and within the last 10 years, the unauthorised siting and residential use of a mobile home and the construction of a wooden toilet building.

Site Description

- 3.2 The land is situated directly east of Burchetts Lodge, north of the road from Hawson Cross to New Park. It is situated approximately 2km northwest of the centre of Buckfastleigh. Inside the field, adjacent to the roadside, is a traditional stone barn with a small mono-pitched shelter alongside. There is a small enclosure adjacent to the buildings which has recently been re-surfaced with road scalpings; previously this was gravelled.

Background

- 3.3 In January 2023, the Authority received a report that a mobile home had been sited on the land next to Burchetts Lodge and that this was in residential use. This was confirmed by a site visit later in the month, during which it was noted that a wood-effect toilet building had also been constructed on the land.
- 3.4 The owner/occupier of the mobile home stated that it was on the land on a temporary basis while the sale of her house was going through and that it would only be there for another couple of months.
- 3.5 Throughout 2023 and 2024, several more deadlines came and went but the residential use continued without the necessary planning permission.
- 3.6 Welfare forms issued to the occupier of the land in May 2024 revealed that other than some anxiety about their current residential situation, there were no health or welfare concerns.
- 3.7 The Authority was subsequently contacted by a solicitor representing the occupier who suggested that funds would be released to them later in 2024, thus ensuring the removal of the mobile home.
- 3.9 Despite this assurance, the mobile home and toilet building remain on the land, and complaints continue to be received.
- 3.10 There appears to be no guarantee that the mobile home and toilet will be removed voluntarily in the near future, and whilst there is no immediate risk of gaining immunity through the passage of time, public confidence in the Authority may be diminished if no action is taken at this time.
- 3.11 An enforcement notice will remedy the ongoing breach of planning control and will stipulate the minimum steps required to achieve that purpose.

Policy Considerations

- 3.12 SP1.1 - Delivering National Park purposes and protecting Dartmoor's Special Qualities. The mobile home does not conserve or enhance the natural beauty, wildlife and cultural heritage of the area.

SP1.2 - Sustainable development in Dartmoor National Park. The development does not deliver distinctive high quality design or conserve and enhance the character, quality and tranquillity of the National Park.

SP1.3 - Spatial Strategy. The Authority is not satisfied that the development has a proven need to be located in the open countryside.

SP1.5 - Delivering good design. All development should create a strong sense of place with a clear and distinctive character by reinforcing local character, respecting Dartmoor's vernacular, and maintaining and enhancing townscapes, street patterns and frontages and their relationship with the landscape. The mobile home and toilet building fail to achieve this.

SP2.1 - Protecting the character of Dartmoor's landscape. This development does not conserve and enhance the character of the Dartmoor landscape.

SP3.1 - Meeting Housing Need. Burchetts Lodge is located in the open countryside and is not an allocated site, windfall site or rural exception site where there is an identified need for housing in this location.

4 Expediency

- 4.1 The siting and residential use of the mobile home has taken place on the land without the necessary planning permission within the last 10 years; the construction of the toilet building commenced within the last 4 years. As set out above, the development does not accord with local or national policy.
- 4.2 Outside classified settlements, new housing development should principally support the needs of farming, forestry and other land-based rural enterprises with a functional need for a worker to live in the open countryside.
- 4.3 Officers consider that the siting and residential use of the mobile home is contrary to housing policies in the Dartmoor Local Plan and constitutes unjustified residential use of land within the open countryside of the National Park.
- 4.4 Despite a number of deadlines being agreed with the owner, the mobile home and toilet building remain on the land, and there appears to be no prospect of these being removed any time soon. If no action is taken at this stage, public confidence in the Authority may be diminished.
- 4.5 It is now considered appropriate to seek authorisation for enforcement action to remedy the ongoing breach of planning control.

5 Consideration of Human Rights Act 1998 & Equality Act 2010 to the circumstances of this case

- 5.1 The Human Rights Act 1998 makes it unlawful for the Authority to act in a way incompatible with any of the Convention rights protected by the Act unless it could not have acted otherwise. In arriving at the recommendation to take enforcement action, careful consideration has been given to the rights set out in the European

Convention of Human Rights including Article 6 (right to a fair trial), Article 8 (right to respect for private family life), Article 14 (prohibition of discrimination in enjoyment of convention rights) and Article 1 of the first protocol (the right to peaceful enjoyment of possessions). It is considered that where there is an interference with the rights of the recipient of an enforcement notice, such interference is considered necessary however for the protection of the environment and the rights and freedoms of others. It is also considered that such action is proportional to this legitimate aim and in the public interest.

- 5.2 The Authority is not aware of anything that engages with the Public Sector Equality Duty.

6 Openness of Local Government Bodies Regulations 2014

- 6.1 In making this report, Officers have considered the provisions of the Openness of Local Government Bodies Regulations 2014 in respect of officer decisions, in particular Regulations 7 and 8 concerning the recording of this delegated decision-making function.

DEAN KINSELLA



NPA/DM/25/013

Dartmoor National Park Authority
Development Management Committee

**Tree Preservation Orders and Section 211 Notifications (Works to Trees in Conservation Areas)
Determined Under Delegated Powers**

Report of the Director of Spatial Planning

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

TREE PRESERVATION ORDERS

Application Reference	Location	Proposal	Decision
25/0035	The Dougalry Green Lane, Ilsington, Devon, TQ13 9RB	2nr Ash - 7 stems to be felled, including a multi-stemmed clump	TPO Exempt
25/0028	52 Miners Close, Ashburton, Newton Abbot, Devon, TQ13 7FE	T1 - Sycamore - Reduce crown by 1-2m as to the red line in attached photos due to excessive shading and leaf drop. The tree is slightly leaning towards the house so these works would reduce the risk of failure also.	Grant

25/0025	Out Along Green Lane, Ilington, Newton Abbot, Devon, TQ13 9RB	T1 oak - reduce the northern stem overhanging the field area by up to approx. 2m, with maximum diameter pruning cuts of 5cm T2 beech, leans to north - reduce the overhanging canopy by up to approx. 2m, maximum diameter pruning cuts of 5cm T3 beech - reduce the canopy arising from	Grant
25/0023	Electricity Sub Station 15m From 11 Bossell House, Bossell Park 8m From Little Bossell	T1 Common Beech: Fell	No objection
25/0020	Isca Tavistock Road, Princetown, Yelverton, Devon, PL20 6RP	T1 Beech - 2.5 metre crown reduction	Grant
25/0009	6 Devon Oaks, Bedford Bridge, Magpie, Yelverton, Devon, PL20 7RY	T1 - Sycamore - Reduce lateral growth on western canopy only by 1.5m to appropriate pruning points leaving branches standing at 2m.	Grant
25/0008	Beech Trees, Lydford, Okehampton, Devon, EX20 4AU	T1 Beech - reduce recently failed limb by approximately 6 metres to a suitable growth point below weakened fracture point. remove eastern stem to ground level due to large hole and weakened spot at base.	Tree Part Approved Part Refused
25/0007	Heatherlands, Lydford, Okehampton, Devon, EX20 4AU	T1 Ash - Fell to ground level T2 Ash - Fell to ground level (it is possible that this tree is not covered by a TPO group on the map) G1 Ash x2 - Fell to ground level (it is possible that these trees are also not covered by a TPO)	Tree Part Approved Part Refused

SECTION 211 NOTICES

Application Reference	Location	3P - Proposal	Decision
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25/0032	Millennium Green Station Road, Buckfastleigh, Devon,	T1 Sycamore: Reduce height by up to 3m. Reduce northern, eastern and southern aspect by up to 2m. Lightly prune western side to align with remaining crown(if needed, will be determined once height and sides has been pruned) T2 Cherry: Fell to near ground level T3 Cherry: Fell to near ground level T4 Cherry: Fell to near ground level	Grant
25/0029	The Forge, Throwleigh, Okehampton, Devon, EX20 2HS	Coppicing of two overstood hazels (Corylus avellana)	Grant
25/0027	17, Kingcome Court Fore Street, Buckfastleigh, Devon, TQ11 0NN	T1 Cherry - Reduce by 2-3m due to excessive shading to the garden T2 Sycamore - Re-pollard Sycamore back to previous points	Grant
25/0026	The Old Vicarage, Brentor, Tavistock, Devon, PL19 0LX	T1 Blue Cedar - Fell	Withdrawn
25/0024	4 Station Yard, Ashburton, TQ13 7EF	Crown lift of Lime tree to 2.1m over footpath. Works are part of Teignbridge risk management programme and are being undertaken to reduce the risk associated with them.	Grant
25/0022	Church House, Throwleigh, Okehampton, Devon, EX20 2HU	T1 Beech (Fagus Sylvatica) remove to ground level A single stemmed specimen that is growing towards the property due to an adjacent multi stemmed Beech(T2) The trees root system is pushing the stone wall out. I would like to remove T1 to ground level from a safety aspect and the on going damage to the thatch property.	Grant

25/0021	Hmp Dartmoor, Devon Dental, Hm Prison Dartmoor Tavistock Road, Princetown, Devon,	G001 (Leyland Cypress & Spruce Group): Remove all standing dead trees and snapped/hung-up branches to mitigate risk. G002 (Common Ash Group): Remove all ash trees due to advanced Ash Dieback (ADB) and risk of failure. G003 (Leyland Cypress Group): Remove failed trees leaning on the adjacent boundary wall and BT line. T001 (Lawson Cypress): Remove due to complete root plate failure and risk of collapse. T002 (Leyland Cypress): Remove two failed stems overhanging power lines. T003 (Common Ash): Remove due to structural instability and risk of failure. T004 (Common Beech): Remove the western stem, which is overhanging a farmyard and structurally compromised. T005 (Common Beech): Remove due to significant decay and risk of failure. T006 (Common Ash): Remove due to severe Ash Dieback and associated structural failure risk. T007 (Common Beech): Remove the failed branch resting on the boundary fence. T008 (Common Ash): Dismantle and retain a 4m standing monolith to provide ecological habitat. Additional Works Two Beech Trees Adjacent to Farmer's Shed: Reduce lateral spread by 1-3m to prevent encroachment over the shed and maintain structural integrity.	Grant
25/0019	Dalloway, 12 Hawthorn Park, Lydford, Okehampton, Devon, EX20 4BD	T1, T2 & T3 - Leylandii - clear to ground level	Grant

DEAN KINSELLA