

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

10 April 2015

APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Report of the Director of Planning

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Item No. **Description**

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1. Application No: **0054/15** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **Moretonhampstead**
Grid Ref: **SX766853** Officer: **James Aven**

Proposal: **Low impact development involving the change of use to forestry, agriculture, residential and education (informed by permaculture) together with the erection of dwellings and structures**

Location: **Steward Community Woodland, Moretonhampstead**

Applicant: **Affinity Woodland Workers Co-op Ltd**



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50m
Scale 1:1250 @ A4

Recommendation: **That permission be REFUSED**

Reason(s) for Refusal:

1. The development proposed has had and would have a harmful effect on the purposes of National Park designation, contrary to Policies COR2, COR15, DMD23 and the National Planning Policy Framework.
2. The development proposed has had and would have a harmful effect on the character and appearance of the National Park, contrary to Policies COR1, COR3, COR4, DMD1, DMD3, DMD5, DMD6, DMD30 and the National Planning Policy Framework.

Introduction

This retrospective application is for planning permission essentially for the continuation of and permanent change of use of Steward Community Woodland to a mixed use, incorporating forestry, agriculture, residential and education (informed by permaculture) together with the erection of three dwellings, seven residential units, communal kitchen/longhouse with dormitory accommodation, field kitchen shelter, bathhouse, power tower, two compost toilets, urinal, cycle shelter, growing area shed, roundhouse interpretation centre and polytunnel.

The site covers about 12.5ha of wooded hillside on the eastern side of a valley, approximately 1.5km south-east of Moretonhampstead town centre. It is a “Woodland of Conservation Importance” on the Development Management and Delivery Development Plan Document (DMD) Policies Map. It is owned, occupied and worked by a group known as Affinity Woodland Workers Co-operative Ltd. It is planted with 10.8ha of Conifer species, with a small stand of Ash and 1ha of unplanted land. There is also a small section of Ancient Semi-Natural Woodland (“ASNW”) in the far eastern corner of the site.

At the time of a previous application, in 2007, it was claimed that all the existing dwellings and structures were made of wood from the land, reused timber and other reclaimed materials (such as board and windows) and that all were canvass covered. The applicant claims in this current application that its aim is the build the homes from timber from Steward Wood and reused materials. It is likely that some of the existing structures were constructed of local and reused products, but some of the more recent buildings contain new, externally sourced building materials.

The application is presented to Committee at the request of the Director of Planning due to the extent of public support for this application.

The Authority has commissioned and obtained expert reports on Steward Community Woodland and the impact of the proposed development on the woodland

and in terms of landscape & visual impact. The Authority has also commissioned and obtained an expert report on the effectiveness of the use of sustainable land use and permaculture principles at Steward Community Woodland. Members of the Co-operative have been invited to notify the Authority of any particular welfare needs or requirements (through confidential welfare inquiry forms). None have been received.

Planning history

| | | | | |
|---------|--|--------------------------|-----------------------|------------------|
| 0207/12 | Interpretation Centre, polytunnel, wheelchair-accessible compost toilet, plus hardstanding pedestrian/vehicle access and one disabled parking space, as part of "Morefood" community garden project | Full Planning Permission | Refused | 15 October 2012 |
| | Appeal dismissed | | | |
| 0023/11 | Provision of combined cycle/pedestrian/equestrian path and re-arrangement of existing residents' parking | Full Planning Permission | Granted Conditionally | 09 March 2011 |
| 0462/08 | Provision of route for pedestrians, cyclists and equestrian use, as part of the Wray Valley Trail | Full Planning Permission | Granted Conditionally | 05 January 2009 |
| 0671/07 | Low impact living development incorporating sustainable agriculture and forestry, permaculture and education for a temporary period of five years | Full Planning Permission | Refused | 05 November 2007 |
| | Granted Conditionally on appeal | | | 01 June 2009 |
| 0063/02 | Polytunnel (120sqm) for horticultural use | Prior Approval | Refused | 08 April 2002 |
| AJL/ENF | Erection of six residential and one visitors' benders, communal longhouse and kitchen, and compost toilet, all with supporting platforms, and the use of the same land for forestry purposes and for the siting of three unoccupied benders for the purposes of a cycle shelter, workshop and for educational purposes | | | |

respectively, and the laying out of a parking area and sitting out areas

| | | | |
|---|--------------------------------|---------------|----|
| Full Planning Permission enforcement appeal | Granted | Conditionally | on |
| 12 August 2002 | Temporary period of five years | | |

0427/00 Low impact, sustainable development associated with agricultural/forestry enterprise, incorporating educational and residential elements

| | | | |
|--------------------------|---------|----|----------|
| Full planning permission | Refused | 14 | November |
| 2000 | | | |

| | | |
|------------------|---|-----------|
| Appeal dismissed | 3 | September |
| 2001 | | |

Planning permission was first sought in 2000 for low impact, sustainable development associated with agricultural/forestry enterprise, incorporating educational and residential elements. The application was refused and the appeal was dismissed. An enforcement notice was served in May 2001 requiring the cessation of the unauthorised use of the land and the removal of various structures. An enforcement appeal was allowed on 12 August 2002, with planning permission granted for a temporary period of five years. The most recent five year temporary planning permission was granted on appeal on 1 June 2009 (in parallel with two enforcement appeals), expiring on 30 June 2014. The appeal decisions are available for Committee members. Other decisions are summarised above.

Policy

The application must be determined in accordance with the development plan unless material considerations indicate otherwise.

The relevant development plan comprises the 2008 Core Strategy DPD and the 2013 Development Management and Delivery DPD.

Material considerations include the 2012 National Planning Policy Framework.

Development plan policies

COR1 – Sustainable Development Principles

COR2 – Settlement Strategies

COR3 – Protection of Dartmoor's special environmental qualities

COR4 – Design and sustainable development principles

COR7 – Providing for the conservation of Dartmoor’s varied plant and animal life and geology

COR8 – Meeting the challenge of climate change

COR11 – Retaining Tranquillity

COR15 – Providing for limited new housing to meet local needs

COR18 – Providing for sustainable economic growth

COR21 – Dealing with development and transport issues in a sustainable way

DMD1a – Presumption in favour of sustainable development

DMD1b – Delivering National Park purposes and protecting Dartmoor National Park’s special qualities

DMD3 – Sustaining the quality of places in Dartmoor National Park

DMD4 – Protecting local amenity

DMD5 – National Park landscape

DMD6 – Dartmoor’s moorland and woodland

DMD7 – Dartmoor’s built environment

DMD23 – Residential development outside Local Centres and Rural Settlements

DMD30 – Low impact dwellings in the countryside

DMD34 – Agriculture and forestry

Consultations and representations

Teignbridge District Council: Environmental Health Officer recommends that any planning permission should be subject to contamination conditions.

County EEC Directorate: No objection

Environment Agency: Flood Risk Zone 1 – Standing advice applies

Forward Planning & Community: Key policies in the consideration of this proposal are DMD5 and DMD6, and DMD23 and DMD30 (and COR15). The expert advice received indicates that the proposal, after clear opportunity do so, cannot demonstrate compliance with the key tests in DMD30, it follows therefore that the proposal is also contrary to DMD23 and therefore strategic housing policy COR15. Advice also indicates that the proposal is not consistent with policies DMD5 and DMD6. On the basis of this advice the proposal would be contrary to adopted policy

and, in the absence of other overriding policy or material considerations, should be refused.

DNP – Ecology & Wildlife Conservation: Phase 1 habitat survey, Woodland Management Plan and Devon Wildlife Trust advisory Ecology Report submitted with the application. DNPA Ecologist screening site visit on 30 January 2015. Part of site designated as ASNW. Felling licence operations subject to Forestry Commission and Natural England's standing guidance on protected species. Potential habitat for reptiles, breeding birds and dormice at the site, with the possibility of badgers. Confirmed records of dormice in the woodland. Recommended that any planning permission should be subject to conditions controlling removal of ground vegetation and preventing bat roost disturbance.

Woodland impact: The expert consultant concludes that there is a very low level of woodland management being carried out, that there is no overall woodland management objective, that there is no justification for anyone to live in the woodland to manage it and that there is no intensive management of a woodland crop requiring daily attendance.

Landscape & visual impact: The expert consultant concludes that landscape impacts would be moderate to substantially adverse. The report also concludes that the significance of the visual impact would be moderate adverse, or moderate to substantial adverse if there is larch removal.

Sustainable Land Use and Permaculture: The expert consultant has expressed clear concerns regarding the long term sustainability of the project.

Parish/Town Council

Councillors made the following comments and concerns:

- The community are nice people who do a lot of good work but it was questioned whether they needed to live on site to continue their good work.
- If planning was approved it could set a precedent for all national parks.
- There is some opinion that from the beginning they were attempting to circumvent planning.
- Planning appeals have already cost £40k another appeal costing a total £60k – this could be better spent on, for example self-build.
- Are the structures safe/fire resistant?
- Is the community as eco-friendly as they would have people think – there are many vehicles on the site.

- Moretonhampstead Parish Council has been working to increase housing for young families for many years but house prices have stopped this happening.
- Low impact housing enables those residents time to actively contribute to the community.
- Social housing stock has dwindled.
- The DNPA are responsible for protecting the natural environment of the national park.
- Developments should be considered and contained.
- What would be the effect on the woodland of a number of people living in them?
- This application should have constraints that it only be for this woodland project not in perpetuity.
- Moreton would not want a new hamlet in the woods in years to come.
- Education courses they run promotes enjoyment of the park
- Foster social and economic well-being of living on Dartmoor.
- We are a poor society if we cannot find a way of supporting this idealistic lifestyle.
- Moretonhampstead cannot find a suitable site for self-build.
- DMD30 requires it to be a Trust and the DNPA will be required to ensure conditions are met.
- The DNPA are responsible for considering the implications to the rest of the national park.
- Clear account needs to be taken for the support received.
- A unique development not easily replicated as far as a precedent is concerned.
- The development should meet building regulations.
- Concern that the application included an extra house.
- The DNPA's DMD document should be respected.
- Any large development will impact on the town as will the way a community of this type live will impact on others.
- Planning criteria should be adhered to.

- Letters of support and objection indicate the community is divided.
- What has happened on the site in terms of planning criteria was questioned and whether the appraisal, as set out as a condition of the last appeal, has taken place.

The Chairman summarised the main points the DNPA will take into account from a planning point of view which included whether there is a need to live on site, setting a precedent, visual impact and sustainability.

With the agreement of the Committee the Chairman suspended standing orders to allow Mark Clapham (a member of the public) to speak.

Mark Clapham commented that he has lived at Steward Cottages for a number of years and spoke on behalf of the hamlet. The majority felt that essentially the proposal was a housing development. Originally it was an interesting experiment but following appeals for different reasons the feeling was that the motive was to move in permanently. There was concerns regarding lack of adherence to previous application conditions and that it could move to being something much bigger.

RESOLUTION

Cllr Willis made the following proposal:

The Parish Council fully support the planning application. That Steward Community Woodland be given full planning approval with the proviso that:

- there should be no further buildings other than those described on the plans
- all structures be low impact dwellings as described in DMD30
- should the Workers Co-operative be dissolved and no longer be owned by AWWCL the land be restored and the planning permission be removed

We would look to DNPA to enforce these conditions

The proposal was seconded by Cllr Foxwell.

Cllrs Foxwell, Willis, Wimberley and Hodges voted in favour.

Cllrs Dodd, Chudley and Farrand-Rogers voted against.

Cllr Jones and Cllr Jeffery abstained.

The motion was carried.

Representations

20 letters of objection 393 letters of support 1 other letter

LETTERS OF OBJECTION

Several of the objectors live in or near the hamlet of Steward. The main focus of the objection is that allowing this application would only serve to perpetuate a failed experiment into sustainability. They state that the current application is a housing development in the national park and cannot/should not be disguised in any other way, that the community has been unable to achieve its objective of proper sustainability, the woodland is unable to support the community, it has been unable to grow all it needs to eat yet alone sell any surplus, the extent of tree felling has materially and adversely affected the appearance of the landscape, the sustainability of their lifestyle is artificially supported by income generated by other means including outside employment and a deforestation/commercial sawmill operation resulting in the site becoming a 'commuter' settlement, to allow the continuation of this experiment would be highly disingenuous when one considers the lengths everyone else has to go to to conform with the exacting demands of living in a National Park and if planning permission is given it will act as a green light to other groups who wish to live for free in a National Park.

LETTERS OF SUPPORT

A significant number of online support emails have been received from local people but also from those outside the area. A typical letter of support is set out below. Many of the emails reflect these comments.

Dear Mr Aven Steward Community Woodland Application for Planning Permission? Ref 0054/15 I support this application for the following reasons: The low impact living community and project is meeting the criteria of DNPA policies, in particular DMD30 (entitled 'Low impact residential development in the open countryside'), along with the National Planning Policy Framework. And they are proposing various conditions to guarantee the low impact nature of the settlement. Living on-site is essential for the continued viability of this project. Living in conventional housing in nearby towns and commuting to the site could only be supported by having full-time (and well-paid) jobs elsewhere, leaving them with little or no time to carry out the project. Living in the woods enables them to dedicate our time to the project and be fully committed to it. Living in the woods also enables them to bring up our children in a safe and nourishing environment, while learning important skills in sustainable living, being in harmony with nature, caretaking the land and its creatures. The part-time jobs that some members have involving work off-site (much of which is low paid) complements the work and activities carried out on-site. They reside in low impact, ecological dwellings and utilise renewable sources of energy while reducing their fossil fuel and vehicle use. Their activities both on and off site contribute enormously to the social and economic well-being of the area. And they are able to do so while living with a much reduced ecological footprint than the average (as affirmed by an independent report) and having a positive effect on the local biodiversity (recently affirmed by an officer of the Devon Wildlife Trust). Through their courses, open days, volunteer weeks and educational visits, more than a thousand people visit each year to learn about and participate in sustainable living, permaculture, and nature

connection. This is making a vital educational contribution in these challenging times. Residents have a significant positive effect on the local community through the many activities and groups they are involved within Moreton and environs, such as the Moreton Development Trust, the primary school, community projects and events. In short, SCW is a success story and an asset to the local area. The project is meeting its Aims and is fulfilling DNPA policies as well as the National Planning Policy Framework. It is demonstrating much needed solutions to the huge environmental challenges we face. I urge the National Park to actively support this project by granting it with permanent planning permission.

OBSERVATIONS

National Park designation

National and development plan policy gives great weight to the statutory National Park purposes. This objective underpins Core Strategy (CS) Policy COR2, which aims to prevent development outside Local Centres and Rural Settlements other than in certain specific circumstances. The proposed development does not meet the criteria in Policy COR2 (iii) such as to be acceptable in principle. There is conflict with Policy COR15 as well as with Policy COR2. The Inspector reached the same conclusion in the 1 June 2009 decision. Policy DMD23(c) cross-refers to Policy DMD30. It allows for low impact dwellings outside the Local Centres and Rural Settlements, but only where the proposal complies with Policy DMD30. The proposal does not comply with Policy DMD30, as is explained below. It is therefore in conflict with Policy DMD23.

Character and appearance

CS Policies COR1, COR3 and COR4, and DMD Policies DMD1, DMD3 and DMD5, seek: to ensure that National Park development is undertaken in a sustainable manner, that Dartmoor's characteristic landscapes are conserved and enhanced, that development proposals conform to certain design principles, to deliver National Park purposes, to protect and sustain the National Park's special qualities and to protect the character of Dartmoor's landscape. The Authority recognises that landscapes change. DMD Policy DMD6 on development affecting woodland, amongst other areas, provides that within areas of woodland of conservation importance (as shown on the Policies Map) development will only be permitted in certain circumstances as set out. DMD Policy DMD30 expressly addresses low impact dwellings in the open countryside. It provides that low impact development in the open countryside will only be permitted where eight criteria are met.

The woodland is designated as woodland of conservation importance on the DMD DPD Policies Map.

It is clear from the landscape and visual impact report that the landscape impacts of the proposed development would be moderate to substantially adverse, and that the

visual impact would be moderate adverse (or moderate to substantial adverse if there is larch removal). The proposed development does not conserve or enhance the landscape, contrary to Policies COR3 and DMD5 (as well as Policies COR1(h), COR4(a), DMD1(a) and DMD3). It conflicts with Policy DMD6. It is considered that the application does not meet criteria (ii), (iv), (v), (vi) and (vii) of Policy DMD30. This policy provides that a permanent permission will only be granted where it can be demonstrated that all relevant criteria have been complied with in full.

Tranquillity and wildlife

It is considered that the application gives rise to some concerns with respect to these issues, but not to the extent of justifying refusal of planning permission. Any planning permission will need to be subject to suitably worded conditions.

Living conditions of nearby residents

Like the previous Inspector, it is not considered that a refusal of planning permission would be justified in terms of the effect on the living conditions of nearby residents with regard to noise and disturbance from vehicle parking and manoeuvring or otherwise.

Highways and parking

The proposed development is approximately 0.5km from the edge of the defined settlement boundary of Moretonhampstead (1.3km from the centre of this Local Centre). It is connected by the A382 and the newly-completed section of the Wray Valley Trail and will enable sustainable modes of travel to and from the site in line with the relevant objectives of Policies COR1 and COR21. The proposal meets some of the social, economic and sustainability objectives of planning policy. There is existing parking provision for 20 vehicles within the applicant's ownership.

Welfare, human rights and the best interests of the children

The site is occupied by members of the applicant, many of whom consider it to be their home. The Co-operative currently comprises 13 adults, 7 young children and 2 teenagers. A number of the adult population have found employment nearby, and 4 of the children are currently pupils at Moretonhampstead Primary School. Clearly this demonstrates that members of the Co-operative have integrated with the local community.

Members of the Co-operative have been invited to notify the Authority of any particular welfare needs or requirements (through confidential welfare inquiry forms). None has been received in response. It is not clear how many of the community would have immediate access to/use of other accommodation off-site (eg the ability to stay with family or friends, or to use other property).

The welfare of the Co-operative's members has to be taken into account, along with their human rights (especially Article 8 ECHR (right to respect for private and family life and home) and Article 1 of Protocol 1 (peaceful enjoyment of possessions)) and

the best interests of the children as a primary consideration which should be given no less weight inherently than any other consideration as a starting point. The starting point should be to give those interests great weight, and, absent any completed welfare inquiry forms, the prudent assumption is that the children's best interests would be served by remaining on site. This does not necessarily mean that planning permission must be granted.

Officers consider, having regard to all these matters and the way in which they have been discussed in the courts, that even if the best interests of the children is served by staying on site and attracts great weight in the particular circumstances of this case, and even assuming that the Co-operative's members have no alternative accommodation, that the clear and wide-ranging policy conflict associated with the development is such that a refusal of planning permission would be in accordance with the law, necessary, proportionate and justified.

Other matters

The Authority's expert external sustainable land use and permaculture consultant has concluded that the use of the site by the Co-operative has been experimental, lacking in co-ordination and robust evaluation of the impact to date and any accrued benefits. The suggested increase in the number of members is of concern. The present land use risks undermining the continuous cover forestry approach for the whole site. There is a lack of species diversity. Best practice has not been used (such as in terms of BS 5837:2012 on Trees). The use of the site is positive in terms of the members' well-being, and the members' underlying approach and ethos is commendable. A permanent planning permission on the terms sought would not require or compel the residents to continue permaculture, close-cover forestry or education. Some or all of the residents could elect to use the land as low-cost accommodation for an "off-grid" life choice, without taking forward the ambitions and intentions expressed in the application.

All the expert reports are available to the members of the Committee.

In the course of his 1 June 2009 decision, the Inspector imposed a condition (number 9) requiring that a record be maintained at all times, available to the Authority on request for ten years, of all activities provided for the public at the land. Certain requirements were set out in terms of the detail of the record. Despite requests to do so, the applicant has not provided the Authority with any copy of the required record. All that has been provided is a "summary" of activities and numbers attending events between 2009 and 2014. The number of events summarised is low (equating to an average of 11 educational events – excluding home education – each year; an average of 56 hours per year hosting these events, which equates to less than 2 working weeks per year).

Any planning permission should be subject to a condition limiting the number of residents/visitors. The applicant presently proposes no such limit.

Any planning permission should also be subject to a new management plan.

Having regard to the entirety of the assessment, it is not considered that a further planning permission is justified.

Conclusion

The development is harmful in terms of its effect on the purposes of National Park designation and in terms of its effect on the character and appearance of the National Park, contrary to Policies COR1, COR2, COR3, COR4, COR15, DMD1, DMD3, DMD5, DMD6, DMD23 and DMD30 and paragraph 115 of the National Planning Policy Framework. It is not in accordance with the development plan, and there are no material considerations indicating that planning permission should be granted nonetheless.

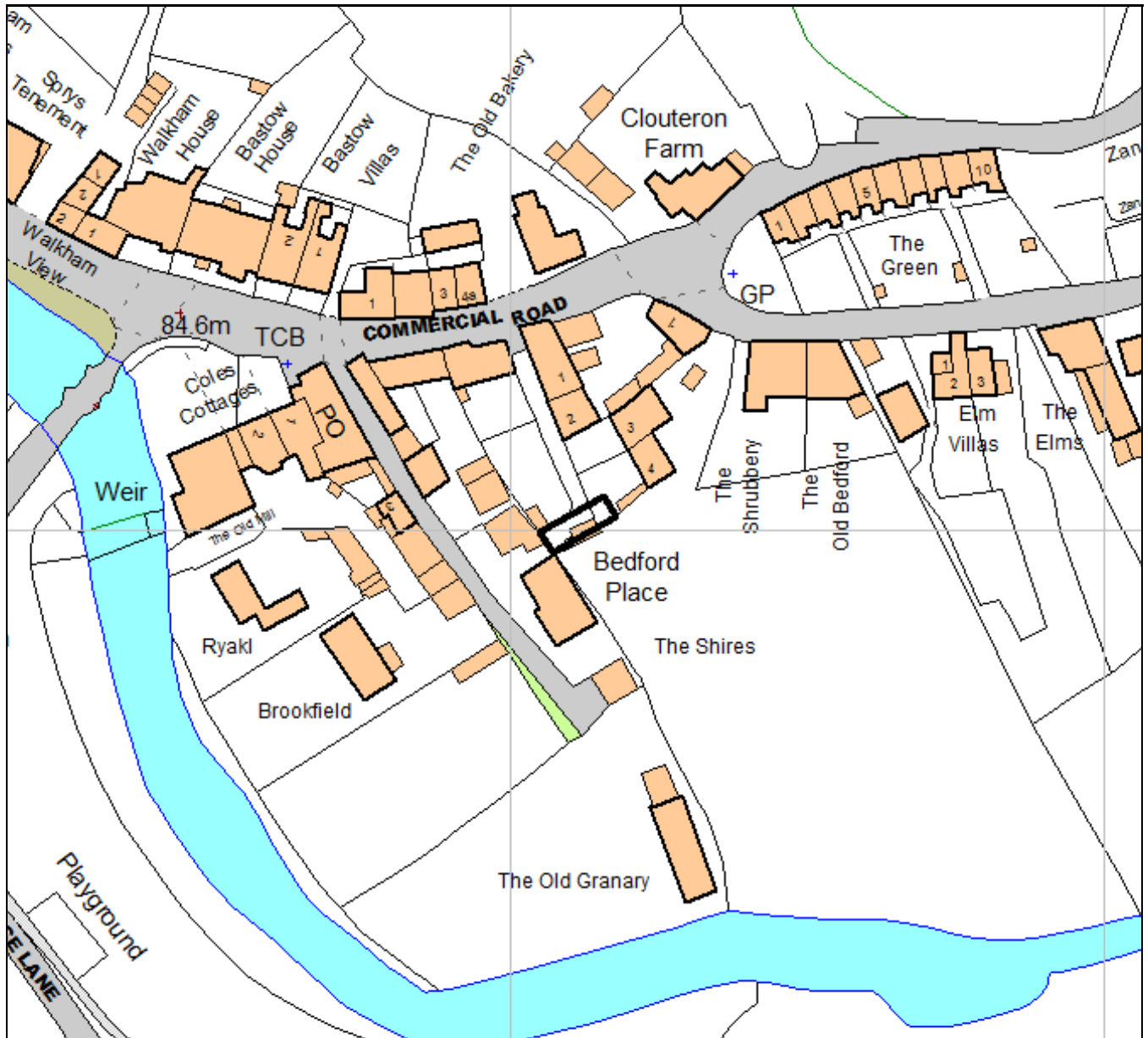
There is a right of appeal to the Secretary of State (who is likely to appoint an Inspector) against any refusal of the application. The use of the land is presently unauthorised, and members will need to consider the expediency of any enforcement or legal action in the event of a refusal. This is considered further in a separate report.

2. Application No: **0067/15** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Horrabridge**
Grid Ref: **SX514699** Officer: **Jim Blackwell**

Proposal: **Demolition of garage and store and erection of a new single storey building to be used as tourist or holiday let accommodation**

Location: **4 Bedford Place, Horrabridge**

Applicant: **Mr B Lee**



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50m
Scale 1:1250 @ A4

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed development would result in a unit of holiday accommodation not forming part of a conversion of an existing building. The proposed development would be contrary to the Dartmoor National Park Core Strategy Development Plan Document, in particular policies COR2, COR18 and COR19, policies DMD9 and DMD44 of the Development Management and Delivery Development Plan Document and to the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.
2. The existing access into Bedford Place is inadequate in respect of its width, turning facilities, parking and visibility at its junction with Commercial Road to serve any additional traffic generating development and the proposed development would therefore be contrary to Paragraph 32 of the National Planning Policy Framework 2012 and Policy COR21 of the Dartmoor National Park Core Strategy Development Plan Document.
3. The proposed solar panel and flue erode the simple appearance of the proposed roof and have a harmful impact on the character and appearance of the Horrabridge Conservation Area. The development is contrary to the Dartmoor National Park Core Strategy Development Plan Document and in particular policies COR1, COR4 and COR5, policies DMD1b, DMD7, DMD8 and DMD12 of the Dartmoor National Park Authority Development Management and Delivery Development Plan Document and to the advice contained in the National Planning Policy Framework 2012, The English National Parks and the Broads UK Government Vision and Circular 2010 and The Dartmoor National Park Design Guide.

Introduction

The application relates to the rear plot of a narrow alley serving a number of properties set at right angles to the street frontage along Commercial Road. The land is within the ownership of 4 Bedford Place, a small semi-detached cottage to the north west of the site.

The site is visible from adjacent properties and from the access road to the south which serves a number of properties. The site is also visible from Commercial Road at the entrance to Bedford Place. The recently demolished former single storey timber building was small in scale and not visually prominent. It had a simple agricultural character when viewed from Commercial Road, behind which lie landscaped gardens and a pitched roof garage.

Vehicle access is via a driveway shared with the main house. One off-street parking space will be provided to serve the existing dwelling and the proposed holiday accommodation.

The site lies within the Horrabridge Conservation Area.

The application is presented to Members following comments from the Parish Council.

Planning History

| | | | |
|---------|---|---------------------|------------------|
| 0632/14 | Demolish existing garage and store and replace with single storey ancillary accommodation | | |
| | Full Planning Permission - Householder | Grant Conditionally | 22 December 2014 |

| | | |
|---------|---|-----------------------------|
| 0572/11 | Demolition of existing garage and store and erection of new garage and store with bedroom and games room over | |
| | Full Planning Permission - Householder | Refused 21 December 2011 |

Consultations

West Devon Borough Council: Does not wish to comment

County EEC Directorate: The access to serve the site is narrow throughout its length and is inadequate in respect of its visibility at its junction with Commercial Road. In addition, parking is at a premium generally in the area and the proposals only show one space for existing and proposed uses which does not comply with DNP parking standards.

The proposals are therefore unacceptable from a highway safety point of view and it is recommended that planning permission is refused for that reason.

Environment Agency: Flood Zone 1 Standing Advice

Historic Buildings Officer: The pitch of roof, type of rooflights, chimney flue, window style and joinery details do not demonstrate enhancement of the conservation area.

The proposal will have a detrimental impact on the character and significance of the designated heritage asset.

Parish/Town Council Comments

Horrabridge PC: Support

Representations

5 letters of support

The supporters all point to the potential for tourist related income to support the facilities and businesses in Horrabridge.

Observations

INTRODUCTION

The land is within the ownership of 4 Bedford Place, a small semi-detached cottage to the north west of the site. The single storey timber building on the site has recently been demolished. The site lies within the Horrabridge Conservation Area.

PLANNING HISTORY

A previous application in 2011 (ref: 0572/11) for a two storey replacement building which would have included a garage and store on the ground floor and bedroom, bathroom and games room on the first floor was refused due to its scale, design and location. It was considered to have a detrimental impact on the character and appearance of the Horrabridge Conservation Area.

A further planning application (ref: 0632/14) was submitted and approved in 2014 for a single storey building to be used as ancillary accommodation to the main property.

PROPOSAL

The current application proposes the erection of a simple, single storey building. It would measure 52sqm, 0.5sqm smaller than the former structure and would provide holiday let accommodation with a living room, bathroom and bedroom. It would be timber clad with a slate roof. Four conservation style rooflights, a flue and a solar panel would be installed on the south roof slope.

TOURIST ACCOMMODATION

Horrabridge is identified in the Development Plan as a Local Centre. Core Strategy policies COR18 and COR19, along with Policy DMD44 of the Development Management and Delivery DPD supports sustainable tourism projects.

Policy DMD44 states that planning permission for such development will be permitted only where it comprises new small scale hotels and guest houses or the conversion of existing buildings for short stay accommodation within Local Centres. Although the application site is located in Horrabridge, it is not considered to be a conversion of an existing building and is therefore not in accordance with criterion (i) of this policy.

DESIGN

The proposed building is significantly smaller than the two storey building which was refused permission in 2011. The 2014 permission amended the details to show a more appropriate symmetrical roof pitch and rooflight design. The building now proposed will be a simple timber clad property with a slate roof on the site of the recently demolished structure.

The key alteration from the previous approval is the use of timber cladding rather than render. The surrounding buildings are of a rendered finish and slate roof. The proposed use of timber cladding is considered acceptable and echoes the previous simple timber structure.

The front elevation has also been amended to show an open glazed entrance with six glazing bars providing a more vertical emphasis. This is considered to be an improvement to the previously approved scheme which incorporated a small window and single door.

The provision of four rooflights, a solar panel and flue to the south side of the roof erode the simple form of the building and are not all supported. The previous approval included three rooflights on both roof faces. The proposed four rooflights appear more appropriately distributed on one roof face, are of a conservation style and are therefore considered acceptable. However, the addition of a flue and solar panel are not considered appropriate as they do not reflect the simple character of the proposed building.

HIGHWAY SAFETY

Parking is recognised as being an important issue for Horrabridge and there is a recognised pressure on available street parking spaces in the area. The proposed use intensifies the use of the site and would require its own parking space to serve the holiday let in addition to that required by the existing dwelling. The site cannot accommodate two parking spaces.

The Highway Authority has therefore objected to the proposal. The access to serve the site is narrow throughout its length and is inadequate in respect of its visibility at its junction with Commercial Road. In addition, parking is at a premium generally in the area and the proposals only show one space for existing and proposed uses which does not comply with adopted parking standards. The proposals are therefore considered unacceptable from a highway safety point of view and the Highway Authority recommended that planning permission is refused for that reason.

REPRESENTATIONS

There have been five letters of support for the application from local businesses.

The Historic Buildings Officer commented that the pitch of roof, type of rooflights, chimney flue, window style and joinery details do not demonstrate enhancement of the conservation area. The proposal is therefore considered to have a detrimental impact on the character and significance of the designated heritage asset.

CONCLUSION

Although the size and scale of the proposal has been established by the fall back position of the extant 2014 permission, there are fundamental issues relating to the use now proposed, parking and highway safety. These result from the more intensive use now proposed - a significant difference from the low key ancillary use previously anticipated.

The proposed development would also result in a unit of holiday accommodation not forming part of a conversion of an existing building - the former building now having been removed. The proposed development would be contrary to the Dartmoor National Park Core Strategy Development Plan Document, in particular policies COR2, COR18 and COR19, policies DMD9 and DMD44.

Also, the existing access into Bedford Place is considered inadequate in respect of its width, turning facilities, parking and visibility at its junction with Commercial Road to serve any additional traffic generating development and the proposed development would therefore be contrary to policy COR21 of the Dartmoor National Park Core Strategy Development Plan Document.

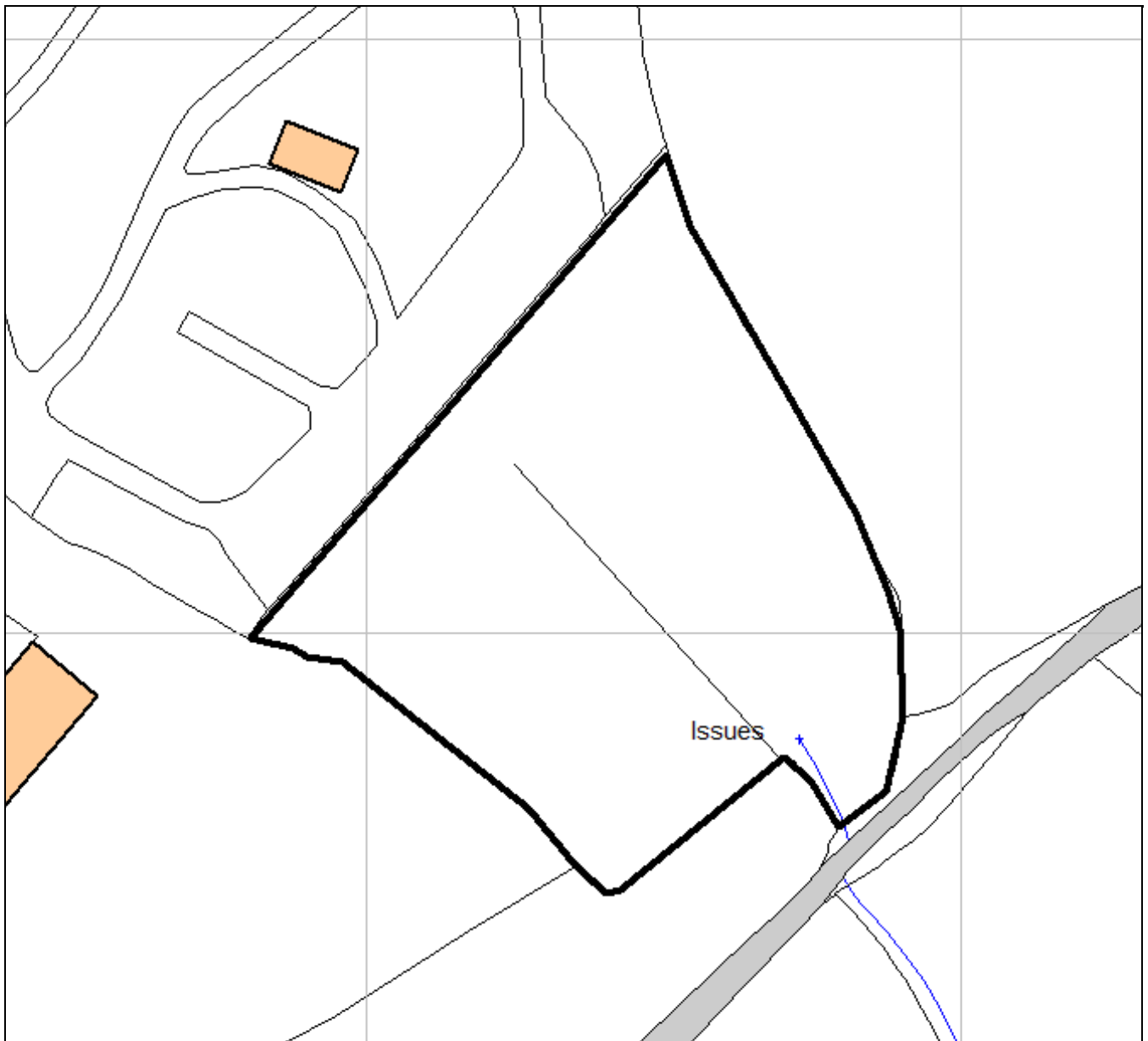
Furthermore, the solar panel and flue do not demonstrate enhancement of the conservation area. The proposal will have a detrimental impact on the character and significance of the Conservation Area.

3. Application No: **0690/14** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Drewsteignton**
Grid Ref: **SX695912** Officer: **Jo Burgess**

Proposal: **Change of use of land to use as part of the existing caravan site and siting of up to 20 pods with associated access road and parking spaces and siting of toilet and shower block**

Location: **Woodland Springs Touring Park, Venton, Drewsteignton**

Applicant: **Mr C Patrick**



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50m
Scale 1:1250 @ A4

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed development by virtue of its scale, character and location within a pastoral landscape would be detrimental to the character and special qualities of this part of the Dartmoor landscape, contrary to policies COR1, COR3, DMD1b, DMD5 and DMD44 of the Dartmoor National Park Development Plan and the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.

Introduction

Woodland Springs Caravan Park is a well established adult only touring caravan site in the small hamlet of Venton, within the parish of Drewsteignton.

It is proposed to change the use of land adjacent to the existing site to use it as part of the caravan site, siting twenty camping pods on the land, constructing access roads and a new toilet and shower block.

The application is presented to Members due to the comments by the Parish Council.

Planning History

| | | | | |
|----------------|---|--------------------------|---------------------|------------------|
| 0490/14 | Extension of boundaries (approved application ref 3/09/133/94/04) of caravan site, siting of twenty pods with associated access road and parking spaces plus siting of toilet and shower block | Full Planning Permission | Withdrawn | 21 November 2014 |
| 0533/05 | Removal of condition c) from permission 3/09/133/94/04 (time limited condition) and variation of condition b) (use of site) to allow for all year round use of touring caravans, tents and other touring units for holiday purposes | Full Planning Permission | Grant Conditionally | 23 August 2005 |
| 0125/99 | Renewal of application ref:3/09/037/98/03 in respect of a temporary shower and toilet block | Full Planning Permission | Grant Conditionally | 14 April 1999 |
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| 3/09/133/94/04 | Alteration of boundaries to caravan site | Change of Use | Grant Conditionally | 11 August 1995 |
| 3/09/108/95/04 | Temporary mobile home to be used as a reception/owners accommodation for a period of 12 months | Change of Use | Grant Conditionally | 07 June 1995 |
| 3/09/134/94/04 | Change of use from agricultural land to fishing and wildlife pond | Change of Use | Refused | 01 August 1994 |
| 03/09/2180/88 | Proposed stationing of caravan for occupation by site warden between 15 | | | |

| | | |
|---------------|--|---------------------------------------|
| | February and 15 December each year | |
| | Full Planning Permission | Grant Conditionally 16 May 1988 |
| 03/09/0243/86 | Change of use of agricultural land to site for touring units | |
| | Change of Use | Grant Conditionally 25 September 1986 |

Consultations

West Devon Borough Council: Does not wish to comment

County EEC Directorate: No objection

Environment Agency: The treatment system on the site is probably undersized and it is understood that a new sewage treatment system is proposed in association with this development.

A blockage that was causing raised ammonia levels non compliant with the discharge permit has been cleared by the owners and steps taken to ensure no further blockage occurs. The owners are working with a drainage consultant and the Agency to monitor discharge from the current system and if necessary a variation to the discharge consent may be required.

DNP - Trees & Landscape: The submitted scheme has 20 pods placed around a field served by a road and a separate toilet block. There is no landscaping and it is difficult to see how it integrates into or complements the surrounding landscape which is a reasonably intact medieval field system. The development will have an impact on the pastoral character of the field and will not conserve the pastoral character of the area and placing pods and a toilet block in a field does not enhance the local landscape.

The site can be seen from the track that runs to the south east and from the track the pods will be very visible, whereas the caravan site is not. A footpath cuts across the adjacent field and although a boundary hedge offers some screening, the site will be more visible in the winter. If the hedge is coppiced the site will be very visible from the footpath.

It is considered that the camping pods will have a detrimental impact on the character of the landscape and be visually intrusive. It will neither conserve or enhance the character and special qualities of the Dartmoor landscape and is thereby contrary to policies COR1, COR3 and DMD5 of the Development Plan.

DNP - Ecology & Wildlife Conservation: Works shall proceed in strict accordance with the findings and recommendations of the Extended Phase 1 Survey dated 30 January 2014. In addition conditions in respect of items mentioned in the report to enhance biodiversity should be specifically imposed.

Dartmoor For All: Request units to have provision for the disabled.

Parish/Town Council Comments

Drewsteignton PC: The Parish Council unanimously agreed to support the application because it is the Council's policy to support sustainable development which enhances the local economy. Residents raised concerns about current and potential drainage issues and the Council ask that particular attention is paid to this part of the application

Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR11 - Retaining tranquillity
COR15 - Providing for limited new housing to meet local needs
COR18 - Providing for sustainable economic growth
COR19 - Dealing with proposals for tourism development
COR2 - Settlement Strategies
COR24 - Protecting water resources from depletion and pollution
COR3 - Protection of Dartmoor's special environmental qualities
COR4 - Design and sustainable development principles
COR7 - Providing for the conservation of Dartmoor's varied plant and animal life and geology
DMD14 - Biodiversity and geological conservation
DMD1a - Presumption in favour of sustainable development
DMD23 - Residential development outside Local Centres and Rural Settlements
DMD28 - Residential caravans
DMD38 - Access onto the highway
DMD44 - Tourist accommodation
DMD5 - National Park Landscape
DMD7 - Dartmoor's built environment

Representations

6 letters of objection 4 letters of support

Three letters of support have been received from the accountant for the applicants drawing attention to their hard work to transform the site, from a neighbouring business and a neighbouring resident stating the low impact on the environment and benefits for the local economy.

Five objections have been received from four nearby residents and the Dartmoor Preservation Association, raising concerns about a conflict with National Park purposes, overdevelopment of the site, impact on traffic, possible full time use, problems with sewage, the fact that the pods are family size whereas the site is currently adult only and impact on the landscape

Observations

INTRODUCTION

Members will recall that this application was presented to February Committee when it was

resolved to hold a site inspection and that when the application was presented to the March Committee, Members were minded to grant permission but did not wish to do so without seeing and agreeing the conditions.

Officers considered that it was necessary for landscaping matters and the provision of additional sewerage capacity to be resolved prior to any permission being issued but Members instructed the drafting of conditions to deal with these matters.

PROPOSED CONDITIONS

1) No development shall take place until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the boundary screening of the site together with planting and landscaping (hard and soft) within the site. Native trees, wildflower and grass mixes shall be incorporated into the scheme. The landscaping and planting shall be carried out in accordance with the approved scheme within twelve months of the commencement of the development, or such longer period as the Local Planning Authority shall specify in writing. The landscaping and planting shall be maintained for a period of five years from the date of the commencement of the development, such maintenance shall include the replacement of any trees or shrubs that die or are removed. No additional hard landscaping including fences shall be installed without the prior written permission of the Local Planning Authority.

Reason - To assimilate the development into the landscape and safeguard the character and appearance of this part of the National Park, in accordance with policies COR1, COR3, COR4, DMD3 and DMD7 of the Dartmoor National Park Development Plan.

2) No development shall take place until details of the new/improved sewerage system have been submitted to and approved in writing by the Local Planning Authority. The approved sewerage system and toilet block shall be installed and connected to the camping pods and toilet block in accordance with the approved details prior to the occupation of any camping pod.

Reason - To ensure that there is no harm to the quality of water resources in accordance with policies COR1 and COR24 of the Dartmoor National Park Development Plan.

3) The use of the land, camping pods and toilet block hereby permitted shall be carried on only in association with the existing Woodland Springs caravan site and shall not be sold, let or otherwise constitute a separate business.

Reason - To prevent the creation of a new tourism accommodation business in the open countryside in accordance with policies COR1, COR2, COR15, COR18, DMD23 and DMD44 of the Dartmoor National Park Development Plan.

4) No family group or individual shall occupy any camping pod on the site for any period longer than three weeks in any three month period.

Reason - To prevent the creation of unjustified permanent residential accommodation in accordance with policies COR1, COR2, COR15, DMD23 and DMD44 of the Dartmoor National Park Development Plan.

5) No caravans, tents or motorhomes shall be sited on the land and unless otherwise agreed in writing by the Local Planning Authority, only camping pods of the design hereby approved shall be installed.

Reason - To safeguard the character and appearance of this part of the National Park, in accordance with policies COR1, COR3, COR4, DMD3 and DMD7 of the Dartmoor National Park Development Plan.

6) There shall be no external lighting, columns or bollards within the site boundary hereby approved other than light and movement activated lights at the entrances to the toilet and shower block unless otherwise agreed in writing by the Local Planning Authority.

Reason - To prevent light pollution in accordance with policies COR1, COR11, DMD1a and DMD4 of the Dartmoor National Park Development Plan.

7) Within six months of the commencement of development, six general bird nesting boxes shall be installed in accordance with details submitted to and approved in writing by the Local Planning Authority and retained thereafter.

Reason - To enhance the potential ecological value of the site in accordance with policies COR1, COR7, DMD1b and DMD14 of the Dartmoor National Park Development Plan.

8) Notwithstanding the drawings otherwise hereby approved, hard-core shall not be used to surface the site access roads. Prior to the site access roads being constructed details of the proposed surface shall be submitted to and approved in writing by the Local Planning Authority. The roads shall be surfaced in grasscrete or similar and maintained in accordance with the approved details thereafter.

Reason - To safeguard the character and appearance of this part of the National Park, in accordance with policies COR1, COR3, COR4, DMD3 and DMD7 of the Dartmoor National Park Development Plan.

CONCLUSION

The conditions reflect conditions suggested by the applicant and those listed in the previous site inspection report.

Officers remain concerned that the proposed development does not sit well with policies which deal with this type of development, in particular policy DMD44 in that the proposal will have an unacceptable landscape impact (contrary to policy DMD5), is not small scale and is not related to a farm diversification project. Although other policies refer to supporting existing businesses and businesses based on tourism, Officers wish to retain their reason for refusal as set out in previous reports and above.

NPA/DM/15/013

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

06 March 2015

SITE INSPECTIONS

Report of the Director of Planning

1 Application No: **0690/14** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Drewsteignton**
Grid Ref: **SX695912** Officer: **Jo Burgess**

Proposal: **Change of use of land to use as part of the existing caravan site and siting of up to 20 pods with associated access road and parking spaces and siting of toilet and shower block**

Location: **Woodland Springs Touring Park, Venton, Drewsteignton**
Applicant: **Mr C Patrick**

Recommendation: **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed development by virtue of its scale, character and location within a pastoral landscape would be detrimental to the character and special qualities of this part of the Dartmoor landscape, contrary to policies COR1, COR3, DMD1b, DMD5 and DMD44 of the Dartmoor National Park Development Plan and the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.

INTRODUCTION

Members met at the main reception area of the existing caravan site. Members were walked around the current site past the toilet/ablution block and then entered the application site from the existing hard-core road leading to the site entrance.

Members were shown the site in its entirety and planted boundaries were clarified particularly in relation to the majority of hedgerows and trees along the south eastern and north eastern boundaries being outside the applicant's control on neighbouring land. Members noted the position of the reed bed and the current drainage system was explained. Members noted the position of local rights of way past the site and in the field to the east. Members were shown all the submitted plans and the position of the new toilet/shower block was pointed out. Members were also shown a photograph of the same pod in another location within the National Park which had the benefit of planning permission. Other development in the area surrounding the site relating to agricultural and commercial enterprises were pointed out, and the permission

extent of the vehicle storage and maintenance use to the south west was clarified.

The views of the Parish Council were read out which re-iterated their earlier support letter as set out in the earlier agenda report attached.

The views of the local Borough Council Ward Member were noted. The Member was concerned about the impact of the development on the hamlet, scale of development, environmental issues, and dangerous access to the site. He also re-iterated his view that the Parish Council was not unanimous in its support.

The applicants clarified how the septic tank and reed bed system worked and the drainage works they had carried out to the site and answered other questions put to them by Members.

MEMBER VIEWS

Members were unanimous in their views (9 Members in attendance) that there were no overriding objections in relation to change in landscape character or in relation to landscape impact. Members considered that the site was down in a dip and in landscape terms this proposal was seen as unobtrusive and far better than the existing caravan site with its white vans. The site has a backdrop of other development in the vicinity. In particular the site was not visible from the moor Members considered.

Members felt the existing site was well run and that the proposal would support both the current award winning business and economic development in the area generally. Concerns raised in relation to drainage and highways were noted but these did not warrant a refusal of permission.

Members did however wish to see a good landscaping scheme around the site perimeter; bearing in mind the applicants did not control much of the current screening. In addition Members wished to limit any lighting in and around the site and wanted to ensure the pods site was tied to the existing caravan business given its close relationship with it and dependence on access and other facilities. A separate business for the pods would not be acceptable. One Member queried the policy implications and did not want this approval to be seen as setting a precedent for others.

OFFICER COMMENTS

Officers remain concerned that the proposed development does not sit well with policies which deal with this type of development, in particular DMD44. The proposal will have an unacceptable landscape impact, is not small scale, and is not related to a farm diversification project. That said other policies in the DMD refer to supporting existing businesses and businesses based on tourism subject to their being no other overriding planning issues. Officers would therefore wish to retain their reason for refusal as set out above.

If Members are 'minded to approve' this application there are issues that should be resolved prior to the grant of planning permission rather than be dealt with as conditions.

In particular there should be a detailed landscaping scheme submitted which should include a long term management scheme. If the site is to be successfully assimilated in the local landscape it is imperative that a good quality scheme is submitted and agreed in writing.

Whilst the applicants desire not to have tall landscaping near the pods is noted, on this occasion it is more important that the site is well screened with a traditional Devon hedge bank particularly along the north eastern, south eastern and south western boundaries.

Members will have noted the concerns raised regarding local pollution. The applicants have stated it is their intention to install a new septic tank to deal with the outflow from the pods site. No details of this have been submitted however. In addition occupiers of the pods site will no doubt use the main toilet and ablutions block on the main site. That being the case it needs to be clearly confirmed that the new septic tank system will be capable of taking additional flows, and that the main site system can also accommodate potential additional use. The details of the proposed system should therefore be submitted now and the Environment Agency consulted to ensure they are content before planning permission is granted.

OTHER SUGGESTED CONDITIONS

-Restrict use of site only to be used as part of and in connection with the main site – a separate business use relating to the pods site in isolation would be prevented.

-Holiday occupancy condition

Restrict any form of lighting on the site including lights on the ground or on the buildings.

Detailed plan to be submitted showing the exact details of the proposed highway works, including materials to be used and width of roadways.

-The Authority's ecologist has requested conditions as set out in the survey report in respect of nesting boxes and landscaping.

Restrict other types of fencing between pods or elsewhere unless they are agreed in writing with the Authority.

Phasing plan to be submitted showing how pods, roadways etc. will be phased.

Landscape maintenance and phasing plan particularly requiring all new Devon hedge banks to be formed and planted up within six months of the first pod being brought to the site. Landscape condition to include future maintenance, particularly in relation to replacing plants that die, ensure appropriate weeding, and ensure any new hedgerows are retained at a height to allow proper screening of the site.

Details of any works to create a link between the site and the local right of way to the south east to be agreed.

Details of any hard surfaced areas between pods shall be submitted and no other hard surfaced areas shall be installed without a further approval.

-Details of materials to be used in toilet block

- Provision of additional sewage capacity before pods brought into use

It is recommended that if Members are 'minded to approve' the application that any permission

is delegated to the Director of Planning in consultation with the Chairman and Deputy Chairman. Details regarding landscaping and foul sewage disposal to be submitted now for consideration and approval rather than as a condition bearing in mind the critical importance of these two elements. Failure to approve these details will trigger the application being brought back to Committee.

| | | | |
|--------------------|--|-------------------|--------------------|
| 7. Application No: | 0690/14 | District/Borough: | West Devon Borough |
| Application Type: | Full Planning Permission | Parish: | Drewsteignton |
| Grid Ref: | SX695912 | Officer: | Jo Burgess |
| Proposal: | Change of use of land to use as part of the existing caravan site and siting of up to 20 pods with associated access road and parking spaces and siting of toilet and shower block | | |
| Location: | Woodland Springs Touring Park, Venton, Drewsteignton | | |
| Applicant: | Mr C Patrick | | |



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50m
Scale 1:1250 @ A4

Recommendation **That permission be REFUSED**

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It is proposed to change the use of land adjacent to the existing site to use it as part of the caravan site, siting twenty camping pods on the land, constructing access roads and a new toilet and shower block.

The application is presented to Members due to the comments by the Parish Council.

Planning History

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DNP - Ecology & Wildlife Conservation: Works shall proceed in strict accordance with the findings and recommendations of the Extended Phase 1 Survey dated 30 January 2014. In addition conditions in respect of items mentioned in the report to enhance biodiversity should be specifically imposed.

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Parish/Town Council Comments

Drewsteignton PC: The Parish Council unanimously agreed to support the application because it is the Council's policy to support sustainable development which enhances the local economy. Residents raised concerns about current and potential drainage issues and the Council ask that particular attention is paid to this part of the application

Relevant Development Plan Policies

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Observations

INTRODUCTION

Woodland Springs was purchased by the current owners in 2003. It is an important tourist

facility and has won many awards. This application is for 20 camping pods to service the new camping trend of 'glamping'. The pods are permanent structures and will have heat, light, power and a picnic table outside, but will not be furnished. Each pod is 2.65m high, 4.77m long and 2.83m wide and is clad with a roof tile that is marketed as the ideal replacement for wooden roof shingles.

PLANNING HISTORY

Planning permission was originally granted in 1986 for 100 units on land at Tordown Farm. That planning permission was implemented and in 1994 planning permission was granted for changes to the boundaries of the site, to the limits of the site that currently exist. The site is currently licenced by the Borough Council for 85 units. There is no permission for the use of this land for any use other than agricultural use.

PLANNING POLICY

Woodland Springs is no longer linked to Tordown Farm so as the provision of tourism accommodation in the open countryside, this application has to be assessed against policies COR1, COR2, COR18, COR19 DMD1a, DMD1b and DMD44 of the Development Plan.

Although the site is in a small hamlet and in open countryside as classified in policy COR2, it is very close to the primary highway network and Venton is served by public transport. Various businesses in the parish and close to the park benefit from customers staying at the park. COR18 supports appropriate sustainable tourism based on the intrinsic qualities of the National Park outside classified settlements, including holiday accommodation.

Policy DMD44 defines tourism accommodation that will be permitted and specifically allows for small scale tented camping sites including camping pods or other similar structures provided as part of a farm diversification exercise where there is no harm to the landscape and works to existing caravan, chalet or lodge sites to reduce environmental effects or improve visual amenity.

Although the preamble to DMD44 states that structures such as pods are often used to extend the range and choice of accommodation and further states that providing such structures are small scale and there is no adverse effect on landscape character, there is no reason why they should not be used to improve the accommodation on offer. However, although the pods are clad to have the appearance of having timber shingles and are small in size they are permanent structures and it is considered that this proposal unlike a more modest proposal discussed at the pre application stage; by virtue of the numbers and extent of the land to be used, is not on a small scale, is not part of a farm diversification exercise, does not reduce environmental effects or improve visual amenity.

Policy DMD5 is also relevant in that the use of the land will change from pasture/grassland to tourism use with 20 permanent pods and infrastructure and as such the development should conserve and/or enhance the character of Dartmoor's landscape.

LANDSCAPE/VISUAL IMPACT

The site falls within Landscape Character Type 2D Moorland Edge slopes. It is separated from the rest of the site by a bank with some planting on it. The site has recently been the subject of extensive works by the applicant to replace an old blocked land water system and replace it with a modern land water system restoring the land from its previously marshy state

to grassland in good condition. The land contains a reed bed system that deals with sewage generated by the site but this was not affected by the recent works.

The site is bounded to the east by a hedge separating it from a pastoral field crossed by a bridlepath. To the south is Merrivale Lane which is a byway. This is a largely sunken lane with hedgebanks on either side. To the west at a slightly higher elevation is the hamlet of Venton including agricultural, commercial and residential buildings.

The introduction of pods, a toilet block, parking spaces by each pod and access roads will change the character, quality and tranquillity of the landscape and will not protect the special qualities of the landscape as set out in the Landscape Character Assessment in particular its pastoral character. Rather than having a limited impact on the landscape as asserted by the applicant, it is considered that the impact will be significant and as such is unacceptable, despite some improvements to the south west boundary and landscaping within the site being proposed by the applicants.

The site is visible, especially in winter from the bridlepath, and adjacent by-way and although the tops of caravans on the existing site can be seen over the bund in certain locations and at certain times of year and although the pods are proposed to be clad with tiles to emulate timber shingles, the number of pods, infrastructure and activity associated with the use would be visually intrusive and impact on the enjoyment of users of the public rights of way. Although a pedestrian access from the site is proposed to the lane, there will be no increase in vehicular traffic on the public right of way so the proposal is in accordance with DMD38.

In terms of lighting the applicants have stated that there will be no lighting around the park, just movement and light activated lighting at the entrance to the toilet block. The clear view of the night sky is one of the draws of the site and they wish to maintain this.

ECOLOGY

At the time of the protected species survey the site comprised marshy grassland, bramble dominated scrub, species rich and species poor hedgebanks, streams and ditches. An extended phase 1 survey was submitted with the application. The marsh land has been identified as being favourable habitat for reptiles. In view of the drainage work that has been carried out the ecological value of the site has been reduced so it is important to enhance its biodiversity. The Ecologist has requested that providing conditions as set out in the survey report in respect of nesting boxes and landscaping are specifically imposed no objections are raised to the proposal. Although residents have drawn the attention of the Authority to nearby SSSIs and a possible impact on Marsh Fritillary butterflies the ecological report has not identified that the proposed development would have a detrimental impact on their habitat. Subject to conditions the proposal is therefore considered to be in accordance with policies COR7 and DMD14 of the Development Plan.

WATER QUALITY

Policy COR24 states that development will not be permitted if it would risk harm to the quality and yield of water resources. Residents raised concerns about the operation of the sewage system on the site, smells, possible pollution and the impact on biodiversity downstream. The application included the provision of a new toilet/shower block and stated that foul sewage would be disposed of to a septic tank and from there into existing reed beds.

The Environment Agency attended the site in November following concerns being raised and

identified that the sewage plant was not compliant with the ammonia condition of the discharge permit for the site. Having taken advice from a pollution control consultant, the blockage that was causing the problem was removed and the operation of the sewage system was reviewed for correct operation. In consultation with the Environment Agency it is proposed that a new sewage plant should be required prior to any pods being brought into use, in order to ensure that water quality is protected in future.

TRAFFIC

Although residents have raised additional traffic as a potential issue the highways officer has raised no highway objections stating that the proposed development will only represent a modest increase in use of the junction with the lane going through Venton.

CONCLUSION

Although Woodland Springs is an established tourist facility and tourism is essential to the economy of the National Park and is supported in principle by the National Planning Policy Framework and the Development Plan, the economic benefits of this proposal have to be balanced carefully against the environmental impact and impact on National Park purposes. Issues such as light, ecology and drainage could be dealt with by planning conditions; however in this case, although the individual scale of the pods is small and the design seeks to be appropriate for this rural setting, the development as a whole will have a detrimental impact on the character of the landscape.

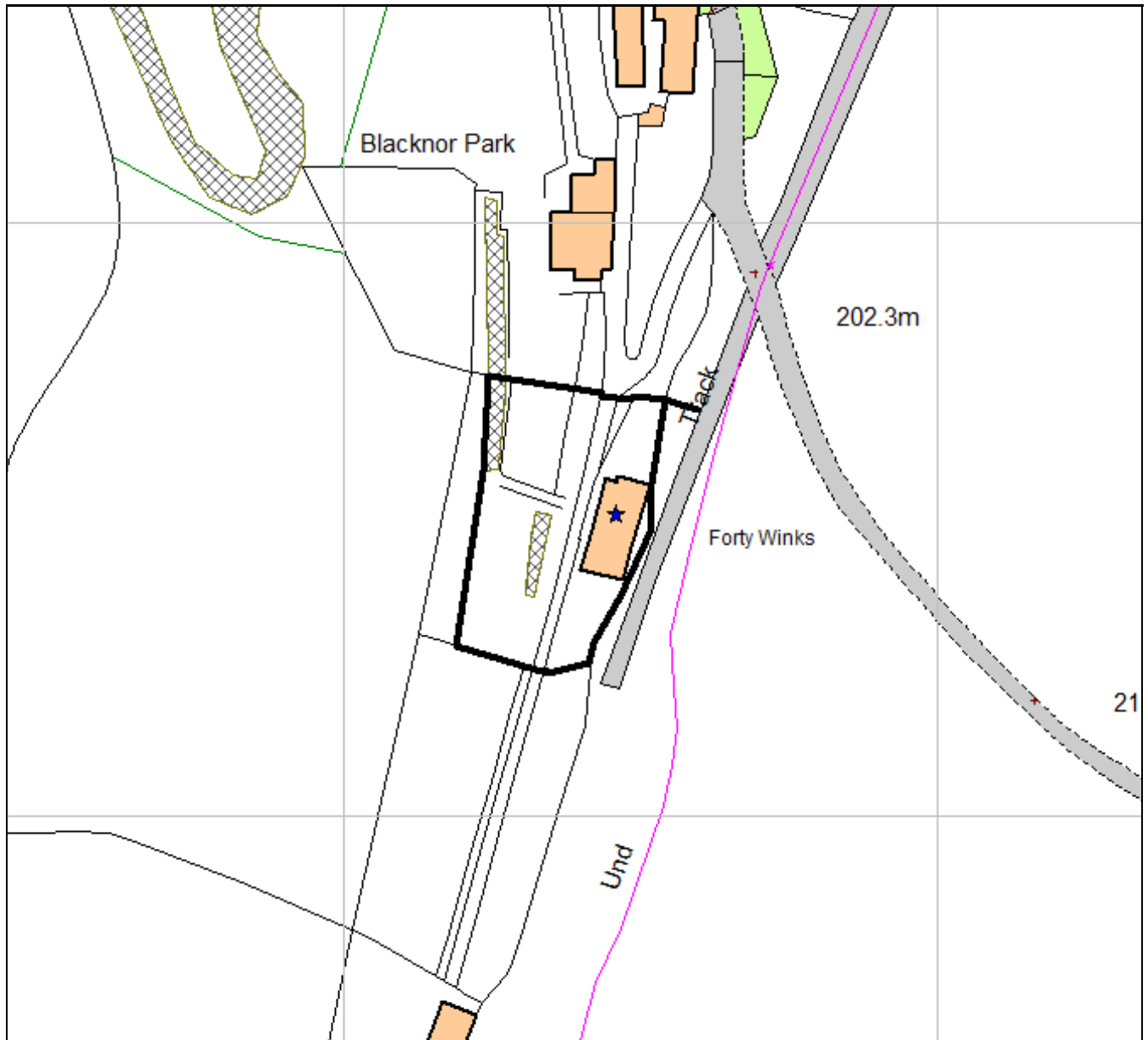
Although the site is close to the boundary of the National Park, it is within it and in these circumstances it is considered that the harm outweighs the benefits and planning permission should be refused.

4. Application No: **0061/15** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Brentor**
Grid Ref: **SX486801** Officer: **Jo Burgess**

Proposal: **Replacement dwelling and new garage/carport to replace existing garage/workshop**

Location: **Forty Winks, Brentor**

Applicant: **Mr & Mrs A & J Wilson**



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50m
Scale 1:1250 @ A4

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed replacement dwelling by reason of its scale, massing and design would not conserve or enhance the character and appearance of the local environment. This would be contrary to policies COR1, COR4, DMD7 and DMD27 of the Dartmoor National Park Development Plan and to the advice contained in the Dartmoor National Park Design Guide, the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.
2. The proposed replacement dwelling by virtue of its excessive size would not enhance the local environment or be on a scale that is sympathetic to its location, contrary to policies COR4, DMD7 and DMD27 of the Dartmoor National Park Development Plan and to the advice contained in the Dartmoor National Park Design Guide, the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.

Introduction

Forty Winks is an extended timber bungalow with a detached garage/workshop located on a steep slope overlooking the valley of the River Burn. Together with a large villa known as Blacknor Park, it is located on the edge of open access land that rises up to Gibbet Hill to the north and down to the River Burn to the south.

It is proposed to replace the existing dwelling with a new dwelling and existing garage/workshop with a new garage/carport.

The application is presented to Members due to the comments of the Parish Council.

Planning History

| | | | |
|----------------|---|---------------------|------------------|
| 3/31/124/95/04 | To continue use of outbuilding as dog grooming workshop | | |
| | Change of Use | Grant Conditionally | 04 July 1995 |
| 3/31/215/94/03 | Extension to existing bungalow | | |
| | Full Planning Permission | Grant Conditionally | 09 November 1994 |

Consultations

| | |
|--|---|
| West Devon Borough Council: | Condition for development on land affected by contamination requested |
| County EEC Directorate: | No highway implications |
| Environment Agency: | Flood Risk Zone 1 - standing advice applies |
| DNP - Trees & Landscape: | No objections. The proposed development will have a minimal impact on the trees growing around the site. A plan as been submitted showing the construction exclusion zone and design of the protective fencing. |
| DNP - Ecology & Wildlife Conservation: | Works should proceed in strict accordance with the recommendations of the bat and bird survey report submitted with the application. |

Parish/Town Council Comments

Representations

1 letter of support

The neighbour at Blacknor Park has written to support the application stating that he considers that the new dwelling will sit well in the area, has been planned sympathetically and will improve the site greatly.

Observations

INTRODUCTION

Forty Winks is a dilapidated timber framed and clad two storey chalet style dwelling within Brentor Parish. The original house has two bay windows within gables either side of a large patio door with a lean to on the north side. It was significantly extended under a planning permission granted in 1994 to the south end of the property and this extension projects forward of the original dwelling with stepped access up into a pair of patio doors on the front elevation. The extension is finished in smooth render. To the south some six metres away is a flat roof workshop and single garage on wooden supports.

The house is suffering from invasive damp and timber rot and contains large sections of internal asbestos linings with the original external walls not being thermally insulated. It is not considered to be economically viable to make the dwelling habitable to an acceptable level because of the extent of the works that would be required. The building is not a candidate for the Historic Environment Record (HER).

PLANNING POLICY

The dwelling is located in open countryside where policies restrict unjustified new dwellings. Policy DMD27 does however allow for the replacement of existing dwellings where the replacement and rebuilding would lead to :-

- Enhancement of the local environment and the removal of a structure in serious disrepair or which is a threat to public safety,
- A major additional improvement in energy efficiency which could not be achieved by modification or adaption of the existing building; and
- The building is not on or would not be a candidate for inclusion on the HER
- The proposed replacement is on a scale that is sympathetic to its location.

In all cases the volume of the replacement dwelling will not exceed the volume of the existing structure, excluding detached ancillary structures such as sheds and garages, plus an additional 15%.

In the policy commentary it is stated that although replacement dwellings can enable better quality housing to be provided, it can lead to major changes to the character of an area. It is stated that where there are demonstrable environmental benefits to be achieved, a replacement dwelling may be permitted.

Policies COR4 and DMD7 require development proposals to conserve and enhance the character of the local built environment and reinforce the distinctive qualities of places through the consideration of scale, height, solid form, design detailing, materials and finishes; and

reflect the principles set out in the Dartmoor National Park Design Guide supplementary planning document.

THE PROPOSAL

VOLUMETRIC INCREASE

DMD27 requires that the increase in volume should be no more than 15%.

The proposed increase in volume from 514m³ to 681m³ represents a percentage increase of 32.5%. The ground floor area remains the same and the finished floor level of the property will be slightly lower than the existing. The volume increase results from the increase in the size of the dwelling which includes the raising of the roof to give acceptable head height upstairs. The net increase in the ridge height will be 1.2m.

In addition it is proposed to replace an existing dilapidated garage and workshop that have a combined floor area of 31sqm. The proposed garage and open sided car port will have a combined floor area of 54sqm.

DESIGN AND LAYOUT

The existing house is built into the steeply sloping site. The Applicant's engineer has suggested moving the footprint of the house south west to avoid undermining the existing stone retaining walls, the important visual boundary with open access land to the rear.

The applicant's case is that Forty Winks is unusually small in comparison with surrounding properties and that a larger dwelling will be more in character with the area. He contends that the east elevation is largely hidden from view with the other three sides private. In support he states that the design is a modern interpretation of the original property at Forty Winks – with slate roofs, timber framework detailing, windows and doors, timber boarding and glazed areas taking in the important views of the valley to the west. He argues that the house will reinforce a sense of place by understanding and respecting the existing traditional characteristics of the local built environment as well as the surrounding natural environment. Energy efficiency and conservation measures are highlighted and it is stated that the proposal constitutes a 'Lifetime Home'. The applicant states that the proposed building has high eco-credentials where the presumption in favour of sustainable development within the National Planning Policy Framework (NPPF) should apply.

Officers recognise that the architect has consulted with the Design Guide and has incorporated many aspects of sustainable design good practice in coming to his design solution. It is also recognised that the extension permitted in 1994 had a significant impact on the symmetry and appearance of the original dwelling.

This site is unique in that it is located on the edge of open access land and the rear elevation is visible from it but has wide views over the Burn Valley to the south and west and towards Brentor itself. This means short views are to the rear where instead of a stepped roof, the view of the new roof would be a continuous ridge some 2 metres longer than the existing. There are long views of the front of the property because to the west the ground falls away to the valley of the River Burn, however there is open access land in the vicinity of the Gliding Club on the other side of the valley. The site is also visible from other vantage points in the vicinity of South Brentor and from Brentor itself which is 1.5km to the west.. Although the property to the north is a three storey villa it is surrounding by trees whereas views to Forty

Winks from the south are open and it is seen against the open moor to the east. Notwithstanding views being relatively distant, it is considered that the increased scale, height and massing of the proposed dwelling over that of the very modest bungalow currently on the site, will result in a dwelling that would be considerably more prominent in the wider landscape and would be out of character with that landscape.

The design of the dwelling is asymmetric with a balcony and associated doors at first floor level and large central gable with extensive glazing at first floor level. This is not considered to reflect the Dartmoor tradition and although stone, timber boarding and slate are proposed, the extensive glazing, fussy detailing and balcony and long roof plane do not conserve or enhance the character and appearance of the local built environment.

In addition the size of the garage and car port is significantly larger than the structures that it seeks to replace. It will be nearly twice as high as the existing garage when viewed from the common land, access lane and Brentor Road to the East. It is also positioned six metres from the proposed dwelling.

OTHER ISSUES

The Trees Officer is satisfied that providing conditions are imposed to require works to proceed in accordance with the tree protection plan and submitted drawings, the proposed development will have minimal impact on the trees growing around the site.

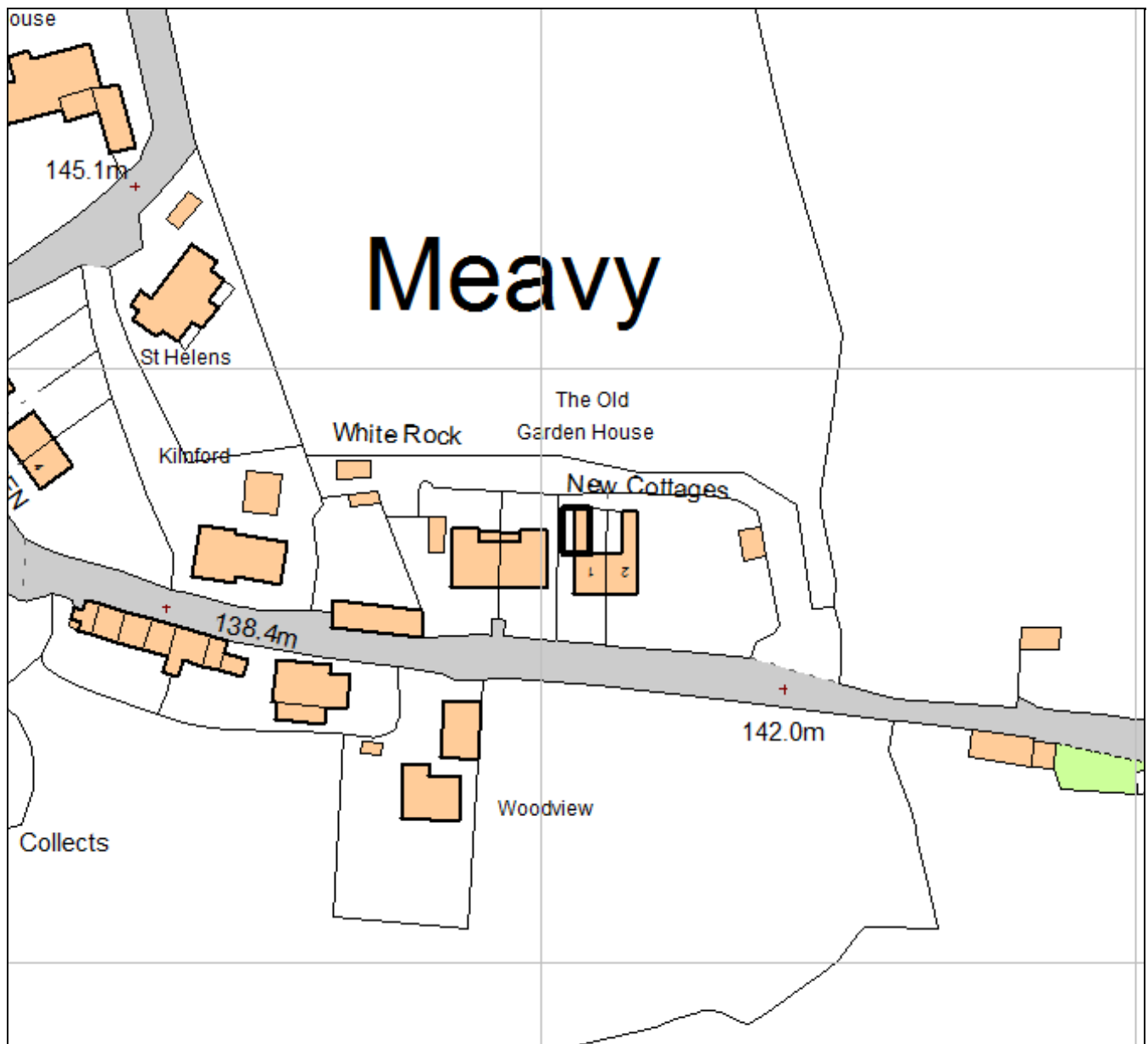
Provided work is carried out in accordance with the protected species report the proposal is in accordance with policies COR7 and DMD14.

CONCLUSION

Although the Parish Council and nearest neighbour have supported the application and architect makes a strong case for the improvements to energy efficiency to be achieved as a result of replacing this dilapidated property, which is of no historic merit, the preamble to the policy makes it clear that the increase in volume should be limited to limit visual impact. In this case the increase is well in excess of the 15% set out in policy DMD27. This is only one aspect.

It is considered that the resultant scale, massing and design of the replacement dwelling together with the new garage, fails to meet the test of preserving and enhancing this location. The resultant property would be more conspicuous and harmful to the character and visual amenity of this location.

5. Application No: **0074/15** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission -
Householder** Parish: **Burrator**
Grid Ref: **SX542671** Officer: **Jo Burgess**
Proposal: **Single storey rear extension**
Location: **1 New Cottages, Meavy**
Applicant: **Mr & Mrs Jackson**



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50m
Scale 1:1250 @ A4

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed development by virtue of its form and design would be detrimental to the character and appearance of the cottage and the character and appearance of the Meavy Conservation Area contrary to policies COR4, DMD7, DMD12 and DMD24 of the Dartmoor National Park Authority Development Plan and the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.

Introduction

1 New Cottages is one of pair of semi-detached cottages within the Meavy Conservation Area.

It is proposed to demolish the rear tenement and erect a single storey extension that projects beyond the side of the house.

The application is presented to the Committee in view of the comments received from the Parish Council.

Consultations

West Devon Borough Council: Does not wish to comment

County EEC Directorate: No highway implications

Environment Agency: Flood Risk Zone 1 - standing advice applies

DNP - Archaeology: No archaeological concerns associated with this proposal

Parish/Town Council Comments

Burrator PC: Support

Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR2 - Settlement Strategies

COR3 - Protection of Dartmoor's special environmental qualities

COR4 - Design and sustainable development principles

COR5 - Protecting the historic built environment

COR6 - Protecting Dartmoor's Archaeology

DMD12 - Conservation Areas

DMD13 - Archaeology

DMD1a - Presumption in favour of sustainable development

DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities

DMD24 - Extensions and alterations to dwellings

DMD4 - Protecting local amenity

Representations

None to date.

Observations

INTRODUCTION

New Cottages are an attractive pair of late Victorian estate cottages built in stone with brick dressings by the Maristow Estate with distinctive single storey rear tenements. The cottages are set back from the road at a higher level with hedges enclosing the front garden of no 1.

It is proposed to demolish all but the wall forming the east elevation of the rear tenement and erect a dual pitch single storey extension that projects 2.4m beyond the side of the house.

DESIGN

The pair of cottages have a symmetry at the front and rear. The site faces open agricultural fields to the rear that are included within the boundary of the Conservation Area and is visible from the lane running north from the centre of the village. This important view is recognised in the Meavy Conservation Area Appraisal.

To the west and within the former garden of number 1 is a pair of modern semi-detached houses. The house adjacent to 1 New Cottages has a single storey dual pitch extension permitted in 2011.

Although the extension is of a form that would normally be considered to be acceptable, in this case the proposed development would destroy the symmetry of the pair when viewed from the rear and to a lesser extent the front of the dwelling. It would extend the footprint beyond the side elevation in a way that would not reinforce the distinctiveness of the traditional floor plan of the existing dwellings or the wider conservation area. Significant original fabric will be lost and the configuration and increased height of the roof will also result in a significant area of the rear wall being obscured and the legibility of the pair being diminished.

Policies COR4, DMD7 and DMD24 state that development proposals should conserve and enhance the character of the local built environment and reinforce the distinctive qualities of places through the consideration of amongst other things scale, height, solid form, design and detailing. It is not felt that in this case this has been achieved

IMPACT ON CONSERVATION AREA

Policy DMD12 states that the extension of a building within the conservation area will only be permitted where the character or appearance of the area is preserved or enhanced. Although not listed, New Cottages are identified as notable buildings in the Conservation Area Appraisal.

Although the adjacent dwelling has been extended with planning permission, the dwelling is modern development and the extension does not project beyond the side of the dwelling so has a neutral impact on the character of the conservation area. It has therefore been concluded that the development will not preserve or enhance the character and appearance of the conservation area and is therefore considered contrary to policy DMD12.

IMPACT ON RESIDENTIAL AMENITY

No comments have been received from the neighbours and the fence to the west will ensure that there is no loss of privacy or outlook. The proposed development is therefore considered to be in accordance with policy DMD4.

CONCLUSION

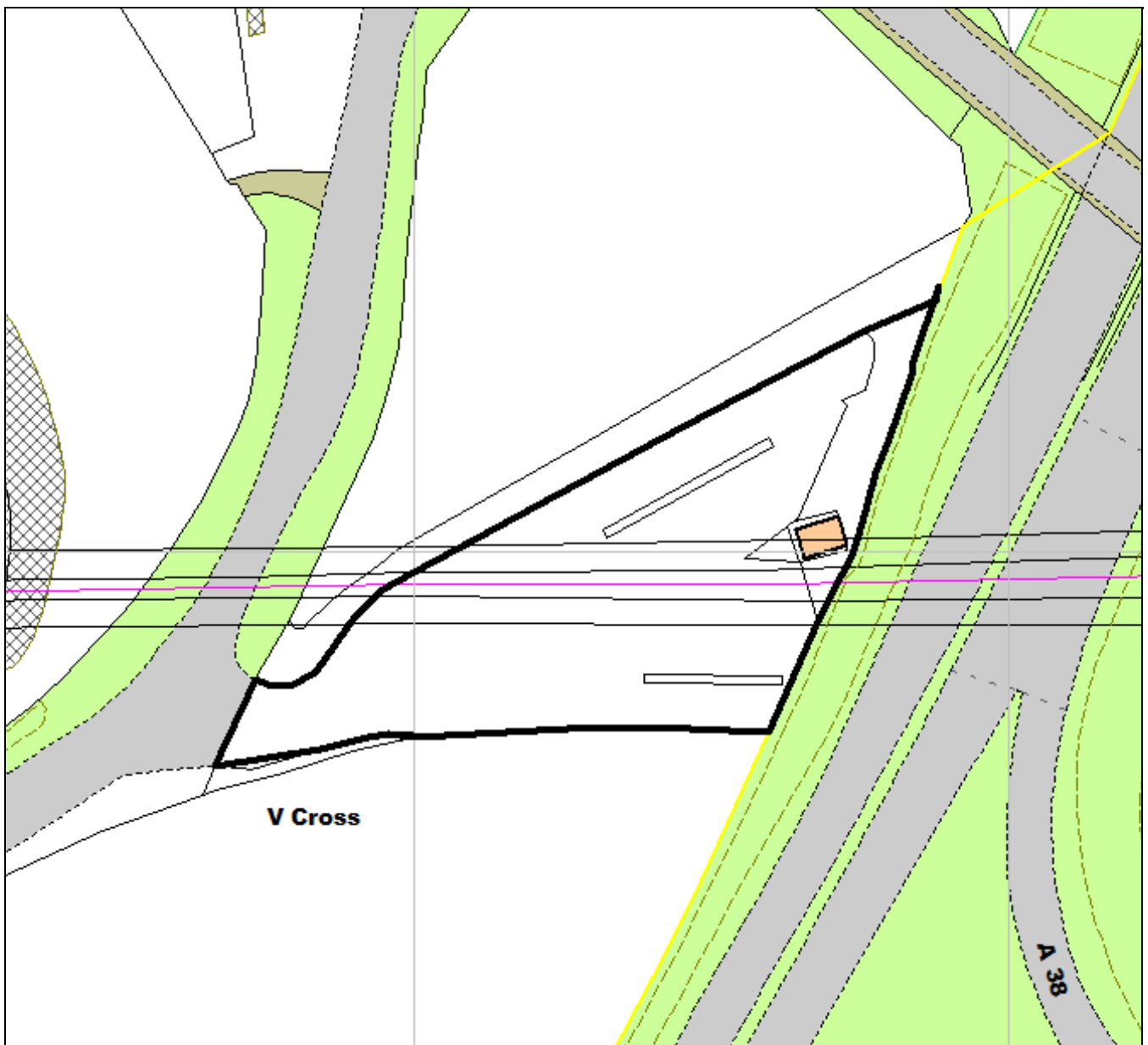
Although the proposed extension will only add 18% to the floor area of the cottage, the impact of the extension on the character and appearance of the cottage and the wider conservation area is such that it is considered to be contrary to policies DMD7, DMD24 and DMD12.

6. Application No: **0017/15** District/Borough: **South Hams District**
Application Type: **Full Planning Permission** Parish: **South Brent**
Grid Ref: **SX720607** Officer: **Andy West**

Proposal: **Change of use of former petrol filling station for temporary storage, sorting/processing and recycling of inert material back into the market and erection of fence inside boundary for security purposes**

Location: **Former PFS/HGV Training Centre, Marley Head, South Brent**

Applicant: **Mike Spray and Sons**



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50m
Scale 1:1250 @ A4

Recommendation **That, subject to the consideration of any comments from Network Rail and the receipt of an amended Landscaping Plan/Scheme, permission be GRANTED**

Condition(s)

1. Plant and machinery shall only be operated on the site between the times of 8am - 6pm Monday to Friday and 8am - 1pm on Saturdays. No plant or machinery shall be operated at any time on Sundays, Bank or Public Holidays.
2. The total amount of material to be stored on the site at any one time shall not exceed 4000 tonnes.
3. The material stockpiles shall at no time exceed 4m in height.
4. Within 3 months of the date of the permission a 2m high black painted metal palisade fence shall be installed around the perimeter of the site in accordance with the details shown on the approved plan received 19 March 2015. The fencing shall be maintained in position for the duration of the approved use.
5. Outside of the approved working hours of operation all plant and machinery shall be stored at ground level within the identified site.
6. There shall be no retail sales of materials directly from the site.
7. The landscaping and planting shall be carried out in accordance with the approved scheme by the end of December 2015, or such longer period as the Local Planning Authority shall specify in writing. The landscaping and planting shall be maintained for a period of five years from that date, such maintenance shall include the replacement of any trees or shrubs that die or are removed.

Introduction

The application site is located some 2km to the north-east of the centre of South Brent.

The site is bounded by the A38 (to the east), the B3372 (to the west) and by agricultural land to the immediate north and south.

The site is currently being used for the processing of inert material. The stockpiles of material and the machinery that is operated within the site are both clearly visible from the surrounding land and also from both the A38 and B3372.

The application is retrospective and seeks to regularise the use of the land, as well as for the erection of security fencing around the perimeter of the site.

The matter is before Members in view of the comments of South Brent Parish Council.

Planning History

| | | | |
|---------|---|---------|------------------|
| 0268/12 | Change of use of land to gypsy and traveller site accommodating up to fourteen pitches; revised scheme with 50% transit pitches | | |
| | Full Planning Permission | Refused | 07 August 2012 |
| 0489/09 | Temporary change of use for five years from a disused HGV training centre to a gypsy and traveller site accommodating up to 15 pitches, with construction of bin storage area | | |
| | Full Planning Permission | Refused | 16 December 2009 |

| | | | | |
|----------------|--|-----------------------------|---------------------|------------------|
| 0058/09 | Change of use from HGV training centre to gypsy and traveller site accommodating up to 25 pitches, with construction of bin storage area | Full Planning Permission | Refused | 10 August 2009 |
| 9/45/009/97/03 | Demolition of existing garage kiosk and erection of a storage building | Full Planning Permission | Grant Conditionally | 14 May 1997 |
| 9/45/036/96/04 | Use of land as practice manoeuvring area for trainee fork lift truck operators and HGV drivers | Change of Use | Refused | 09 May 1996 |
| | Appeal lodged: 31 July 96 | Result: | Allowed | |
| 9/45/020/95/04 | Use of land as a practice manoeuvring area for trainee HGV drivers | Change of Use | Grant Conditionally | 18 April 1995 |
| 9/45/1601/90/1 | Outline application for the erection of a motorist facility comprising filling station, shop/control room, restaurant and car parking | Outline Planning Permission | Refused by SHDC | 20 February 1991 |
| 9/45/0176/90/1 | Erection of motorist facility comprising petrol filling station and associated shop/control room, restaurant and car parking | Outline Planning Permission | Refused by SHDC | 04 April 1990 |
| 09/45/2374/89 | Erection of motorist facility to comprise petrol station with associated shop/control room and HGV parking; restaurant, lodge, car and caravan parking with tourist information centre | Outline Planning Permission | Refused | 02 February 1990 |
| | Appeal lodged: 05 March 90 | Result: | Dismissed | |
| 9/45/2480/89/4 | Use of land as a manoeuvring area for training for HGV drivers | Change of Use | Granted by SHDC | 01 February 1990 |
| 09/45/1056/89 | Erection of motorist facility to comprise petrol filling station together with associated shop/control room and car wash, restaurant, lodge and carparking | Outline Planning Permission | Refused | 28 July 1989 |
| | Appeal lodged: 30 August 89 | Result: | Dismissed | |
| 9/45/1645/80/4 | Temporary use of land as a manoeuvring area for training HGV drivers | Change of Use | Granted by SHDC | 16 December 1980 |
| 9/45/0568/79/4 | Continuation of change of use for light agricultural repairs | Change of Use | Granted by SHDC | 17 July 1979 |
| 9/45/0274/79/4 | Use of land as a manoeuvring area for training HGV drivers | Change of Use | Refused by SHDC | 17 April 1979 |
| 9/45/0115/79/1 | Circular 49/63 application to determine whether or not planning permission would be given for office or light industrial development, or use as a depot or storage | Outline Planning Permission | Refused by SHDC | 20 March 1979 |
| 9/45/0662/74/1 | Construction of transit site providing filling station, Cafe(s), Public Conveniences, lorry and caravan parks and a picnic area | Deemed Consent (Outline) | Withdrawn | 25 March 1976 |
| 09/45/0662/74 | Construction of transit site for filling station, Cafe, public conveniences, | | | |

lorry and caravan parks and picnic area

Other

Objection

22 November 1974

Consultations

| | |
|------------------------------|--|
| South Hams District Council: | Do not wish to comment. |
| County EEC Directorate: | The details have been inspected and it is considered that there are no highway implications. |
| South West Water: | Do not wish to comment. |
| Environment Agency: | Flood Risk Zone 1 - Standing Advice applies. |
| Network Rail: | Comments awaited |
| Environmental Health (SHDC): | Environmental Health have no comments to make on this application, other than; The site is adjacent to the A38 and therefore it is felt that any noise generated by the operation will be masked by the elevated background noise levels. Should noise cause a problem then the local authority can use powers under the Environmental Protection Act 1990 to abate a nuisance should it deem that one has arisen. |

Parish/Town Council Comments

| | |
|-----------------|---|
| South Brent PC: | The Parish Council recommends refusal of this application as it is contrary to Core Strategy policy 23, and policies DMD4 and DMD5. |
|-----------------|---|

Relevant Development Plan Policies

COR1 - Sustainable Development Principles
COR11 - Retaining tranquillity
COR23 - Dealing with waste issues
COR3 - Protection of Dartmoor's special environmental qualities
DMD16 - Hazardous installations and potentially polluting activity
DMD17 - Development on contaminated land
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities
DMD3 - Sustaining the quality of places in Dartmoor National Park
DMD4 - Protecting local amenity
DMD5 - National Park Landscape

Representations

1 letter of objection 1 letter of support
1 letter of support.

This states that the application is supported on the basis that a condition is attached limiting the times of operation of the site.

3 letters of objection.

These letters of objection focus on concerns over the sustainability of the operation, impact upon the environment, and highway safety and upon the mainline railway tunnel

running beneath the site.

Various issues have been raised about the type of material that is being brought onto the site and whether the relevant licenses are in place. However, these issues are not relevant to the determination of this application.

Observations

SITE HISTORY

The application site is situated immediately adjacent to the south-eastern boundary of the National Park, and to the north-west of the village of South Brent.

It is understood that the site was originally used as a petrol filling station, before a number of successive planning permissions were granted in the 1980s and 1990s for the use of the site as a manoeuvring area for the training of HGV drivers.

Latterly, the land has been the site of an unauthorised traveller encampment that was vacated following managed enforcement action by the Authority.

Following the removal of the unauthorised encampment, works were undertaken by the Authority to ensure that any remaining debris and detritus was removed from the land and that the site was secured, in order to deter further attempts to occupy the site.

The site is now owned and used by the applicant, who has begun to use the site for the recycling (through screening and crushing) of inert builders waste, for re-sale back into the market.

THE PROPOSAL

The application seeks retrospective permission to regularise the current use of the land, and to erect a 2 metre high palisade boundary fence around the perimeter of the site to secure the site and the machinery operated within it and to act as screening.

POLICIES

The specific issue of recycling waste materials does not often present itself within the National Park. The provision of local recycling facilities fits well with the Authority's sustainability agenda. In this case materials are being brought in and reprocessed from building works and demolition sites in the locality. More recently material has also been brought onto the site from nearby road/bridge re-building works at Rattery - the location of the site lends itself to this style of operation. The re-use of materials in other building projects is laudable.

The impact of this development must be judged against its harm to National Park principles and its localised impact. While the development per-se may be contrary to policies which seek to limit visual harm and landscape character (COR3, DMD1b, DMD3 & DMD5) the site in question is on the periphery of the Park visually connected with the A38 and road junction at Marley Head.

The policies related to retention of tranquillity and neighbourly development (COR11 and DMD4) are addressed by the detailed analysis of impact later in the report.

VISUAL IMPACT

In its present form the operation of the site has a significant visual impact upon its immediate vicinity and the wider area.

The material that is brought onto the site and is then processed is stockpiled through the centre of the site. At the present time these stockpiles protrude above the existing boundary hedging and are therefore highly visible.

However, it is considered that with an appropriate landscaping scheme to bolster the existing hedgerows and the erection of boundary fencing, the visual impact of the stockpiles could be reduced to an acceptable level.

It is suggested that the hard and soft landscaping be supplemented by conditions which require the machinery that is used on the site to be stored within the yard area rather than on top of the stockpiles, and for the stockpiles to be of no more than 4 metres in height.

A landscaping scheme and plan has been submitted to the Authority prior to the matter being put before Members. This is considered to be acceptable in principle, but further amendments have been requested of the applicant and his agent.

Any changes to the scheme will be reported to Members, in detail at the Committee meeting.

NOISE IMPACT

The Parish Council have objected to the application due to its impact upon local amenity and the landscape of this part of the National Park.

Whilst the amenity of individuals or properties can be affected by a number of different factors, the operation of large machinery within the site could be considered likely to cause considered audible disturbance.

However, in this case it is considered that the majority of the noise caused by the tracked excavators that are operated on the site is masked by the background noise created by the traffic on the A38.

The crusher and screener that are used on the site are sited in the centre of the site and are surrounded by the stockpiled material. This has the effect of deadening and containing any noise that they may create.

The site is some 400 metres from the nearest residential property and no concerns have been raised by the owner/occupant of this property regarding the impact of the proposal upon his property or amenity.

South Hams District Council have confirmed that it does not wish to make any formal comment on the application, because they consider that any noise created by the operation will be masked by traffic and road noise from the A38 and B3372.

DUST AND DEBRIS

Conditions are attached to the applicant's license from the Environment Agency that required the stockpiles of material to be no higher than 5.0 metres to prevent dust and debris from

being carried from the site by wind.

In order to reduce the visual impact of the stockpiles and to reduce the likelihood of dust being blown across the adjacent highways it is proposed to include a condition in any approval which would limit the maximum height of any stockpiles to no more than 4.0 metres in height.

The site owner/operator is required under his vehicle operator's license to ensure that debris is not carried from the site on to the highway by vehicles exiting the site. The Highways Officer has raised no objection in terms of highways safety to this application.

AMOUNT OF MATERIAL STORED AT THE SITE

The current Waste Exemption License that has been issued to the landowner by the Environment Agency allows for 5,000 tonnes of material to be stored on the site.

If planning permission were to be granted, an application would need to be made to the Environment Agency for a further license. If granted this would allow the site to accommodate up to 75,000 tonnes on the site per annum.

The size of the site limits the amount of material that can be stored on the site at any one time. Furthermore, the owner has indicated that the way in which he works is likely to limit the amount of material that is stored on the land. i.e. a certain amount of room is required for the machinery to operate and for any vehicles to access and safely manoeuvre within the site, thus leaving only a particular area that can be utilised for the storage of material.

Aside from these issues, and in order to positively control the level of activity on the site, it is considered appropriate to attach a condition to any approval which would limit the total amount of material to be stored on the site to no more than 4,000 tonnes at any one time.

This proposed condition along with another which limits the maximum height of the stockpiles will not only limit the amount of material stored on the land but also its visual impact.

OUTSIDE AGENCIES

- Environment Agency

The Environment Agency has offered no formal comment on the matter. However, the Case Officer is aware that the site is covered by a Waste Transfer License.

Any activities associated with this are monitored and enforced by the Environment Agency.

- Network Rail

Concerns have been raised with the Authority about the impact that the storage of waste material may have on the Penzance to London main railway line and more specifically, Marley Tunnel which runs directly beneath the site.

It is understood that representatives of Network Rail have visited the site and are satisfied that they are no concerns over the use of the site and its impact upon the structural integrity of the tunnel. However, this has not been confirmed by Network Rail who at present have offered no formal comment on the application.

The Case Officer will be contacting Network Rail further and will update Members in more detail at the Committee meeting.

N.B The Parish Council have been asked for their views on the amended landscaping scheme together with the suggested planning conditions limiting the use.

CONCLUSION

Whilst it is accepted that the proposal in its current form has a considerable visual impact, it is considered that this impact can be mitigated (through the appropriate use of conditions and compliance with the already submitted landscaping scheme) to an acceptable level.

Whilst the proposed use of the site would clearly have some impact on the amenity and tranquillity of the surrounding area, this is considered to be relatively minimal given the site's isolated position on the edge of the National Park and close to a major Trunk road. Furthermore, the continued use of the site for this commercial venture would also prevent the site from being left vacant and relatively unsecured, thus greatly reducing the risk of the site being re-occupied by other unauthorised uses.

In view of the above, and having considered all of the related issues in the round it is recommended that the application is approved, with appropriate conditions.

NPA/DM/15/020

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

10 April 2015

MONITORING AND ENFORCEMENT

Report of the Director of Planning

INDEX

Item No. **Description**

1. ENF/0012/15 - Unauthorised residential and educational use of woodland and associated structures, Steward Community Woodland, Moretonhampstead

1 Enforcement Code: **ENF/0012/15**

Grid Ref: **SX766853**

District/Borough: **Teignbridge District**

Parish: **Moretonhampstead**

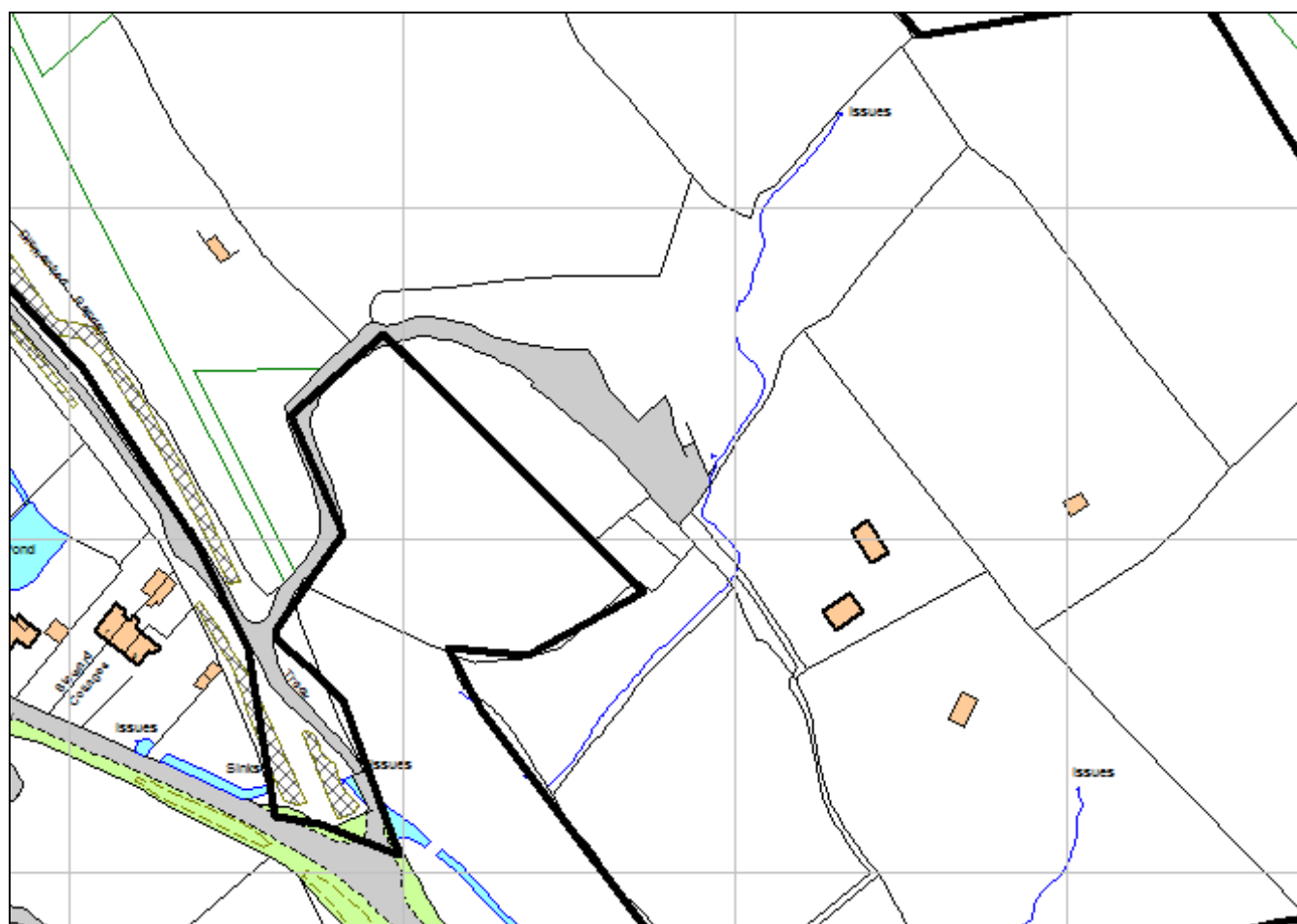
Officer: **Andy West**

Description: **Unauthorised residential and educational use of woodland and associated structures**

Location: **Steward Community Woodland, Moretonhampstead**

Land owner: **Affinity Woodland Workers Co-operative Limited**

Recommendation **That the appropriate legal action be authorised to;**
1. secure the cessation of the unauthorised use(s) of the land, and
2. secure the removal of the various unauthorised structures.



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Relevant Development Plan Policies

COR1 – Sustainable Development Principles

COR2 – Settlement Strategies

COR3 – Protection of Dartmoor's Special Environmental Qualities

COR4 – Design and Sustainable Development Principles

COR7 – Providing for the Conservation of Dartmoor's Varied Plant and Animal Life and Geology

COR8 – Meeting the Challenge of Climate Change

COR11 – Retaining Tranquillity

COR15 – Providing for Limited New Housing to Meet Local Needs

COR18 – Providing for Sustainable Economic Growth

COR21 – Dealing with Development and Transport Issues in a Sustainable Way

DMD1a – Presumption in Favour of Sustainable Development

DMD1b – Delivering National Park Purposes and Protecting Dartmoor National Park's Special Qualities

DMD3 – Sustaining the Quality of Places in Dartmoor National Park

DMD4 – Protecting Local Amenity

DMD5 – National Park Landscape

DMD6 – Dartmoor's Moorland and Woodland

DMD7 – Dartmoor's Built Environment

DMD14 – Biodiversity and Geological Conservation

DMD23 – Residential Development Outside Local Centres and Rural Settlements

DMD30 – Low Impact Dwellings in the Countryside

DMD34 – Agriculture and forestry

DMD42 – Public Rights of Way

Representations & Parish/Town Council Comments

The Parish Council supports planning application ref. 0054/15 for the reasons stated in the report on this agenda. Any further comments will be reported at the meeting.

Observations

INTRODUCTION

This report should be read in conjunction with the report into application 0054/15.

Steward Wood is located approximately 1.5 kilometres south east of Moretonhampstead town centre, on the eastern side of the A382 Bovey Tracey to Moretonhampstead road. There is a significant planning and enforcement case history relating to the site.

The site is occupied by members of the Affinity Woodland Workers Cooperative Ltd. A number of buildings and/or structures have been erected on the site, some of which are considered to constitute dwellings in planning terms whilst some are considered to be structures used in connection with residential purposes. There are also a number of structures on the land which are associated with and help to facilitate the Cooperative's occupation of the land.

A temporary planning permission, granted on appeal in 2009, expired on 30 June 2014 and no further planning permission has been granted. The use of the land for residential purposes continues in breach of planning control and the structures have not been removed from the land as required by the 2009 permission.

An application for planning permission (reference: 0054/15) has been submitted which seeks permission for "Low impact development involving the change of use to forestry, agriculture, residential and education (informed by permaculture) together with the erection of dwellings and structures". This application has been considered by officers and is reported for determination earlier on the agenda for this meeting. The officer recommendation is that permission should be refused. Members are asked to refer to that report for the detail of the application and the reasons for the recommendation of refusal.

If Members determine that planning permission should be granted, this enforcement report will be withdrawn. However, if Members determine that the planning application should be refused,

Members will also wish to be in a position to make a fully informed decision as to whether it is expedient for the Authority to take enforcement action in respect of the ongoing breach of planning control.

BACKGROUND/HISTORY

In May 2000, it was brought to the attention of the National Park Authority that an area of woodland known as Steward Wood was being used for residential purposes.

A planning application was made for 'Low impact, sustainable development associated with agricultural/forestry enterprise incorporating educational and residential elements'. Permission was refused on 14 Nov 2000. The subsequent appeal was dismissed on 3 September 2001.

An Enforcement Notice was served in May 2001 requiring the cessation of the unauthorised use of the land and removal of various structures. An appeal was allowed in 2002. The enforcement notice was quashed and a temporary planning permission granted for a five year period for the residential use together with the erection of six residential and one visitors' benders, communal longhouse and kitchen, a compost toilet, the siting of a cycle shelter, workshop and educational benders, and the laying out of a parking area.

A further five year temporary permission was granted, again at appeal, on 1 June 2009 for 'low impact living development incorporating sustainable agriculture and forestry, permaculture and education'. That permission expired on 30 June 2014.

POLICY

The development is considered to be harmful in terms of its effect on the purposes of National Park designation and in terms of its effect on the character and appearance of the National Park, contrary to Policies COR1, COR2, COR3, COR4, COR15, DMD1, DMD3, DMD5, DMD6, DMD23 and DMD30 and paragraph 115 of the National Planning Policy Framework. It is not in accordance with the development plan, and there are no material considerations indicating that planning permission should be granted nonetheless.

Policies COR1, COR4, DMD1, DMD3 and DMD5 set out objectives for conserving and enhancing the character and appearance of the Dartmoor National Park.

Particular regard should be had to Policy DMD5, which sets out how Dartmoor's internationally renowned landscape should be protected. Although it is recognized that landscapes change over time, the emphasis in the policy is on protecting the character and special qualities of Dartmoor's landscape. The policy is clear that development should conserve and/or enhance the character of the landscape, with any level of landscape harm normally regarded as unacceptable.

Steward Wood is designated as woodland of conservation importance under section 3 Wildlife & Countryside (Amendment) Act 1985 and shown as such on the Development Management and Delivery Development Plan Document Policies Map. Policy DMD6 states that within areas of woodland of conservation importance such as Steward Wood, development will only be permitted where it meets specific criteria. The current use and structures do not meet any of these criteria.

Policy DMD30 allows for certain low impact residential development in the open countryside, subject to a number of cumulative criteria. The development at Steward Wood does not comply with this policy because:

- not all structures on site are low impact (criteria (ii))
- the built structures are not well integrated into the landscape and have adverse visual effects (criteria (iv))
- the Co-operative does not require a countryside location and is not tied directly to the land on which it is located (criteria (v)) and
- the Co-operative does not provide sufficient livelihood for and substantially meet the needs of residents on the site (criteria (vi))

In addition, in a Co-operative without an upper limit on numbers (as recently proposed):

- the number of adult residents would not be directly related to the functional requirements of the enterprise (criteria (vii))

HARM

The 2009 Inspector made express findings about the harm caused by the use of the site at that time:

A.CONFLICT WITH HOUSING POLICIES

“...Furthermore, it seems to me that the proliferation of any development in the open countryside of the National Park undermines both the first purpose set out in S61 of the Environment Act 1995 and the fundamental objective of CS policy COR2. I therefore consider that, in introducing a primarily residential development into the open countryside of the National Park, conflict with DP policy CO2 and CS policies COR2 (a) and (f) and COR15 has been and would be caused by the proposal that is the subject of these appeals.” (para 49)

B.CONFLICT WITH LANDSCAPE POLICIES

“... the photographic evidence of the Authority shows that during the winter months some of the dwellings are visible from across the valley and Mr Thompson-Mills acknowledged that the settlement is also visible from a few places along the road throughout the year. In my opinion, the urbanising effect of these dwellings, which is emphasised by the smoke rising from them and the cleared ground surrounding them, and the other operational development that has been carried out and is planned reduces the area covered by woodland. The character and appearance of the wood itself and therefore the National Park has been and would be harmed as a result. In this regard the development that is the subject of the appeals is and would be in conflict with CS policies COR1 (h) and COR3.” (para 53)

The landscape report that has been commissioned by the Authority in relation to the recent planning application states that the development will have a “moderate to significant” adverse impact on the local landscape. The development does not conserve and/or enhance the character and special qualities of the Dartmoor landscape and is contrary to Policy DMD5.

The woodland is not being managed intensively and there is no requirement for anyone to be resident within the wood, let alone a large community group, to manage it. The development is wholly at odds with policy DMD6.

The development is not well integrated into the landscape and it has an adverse visual impact. It does not need to be in this location and does not provide a sufficient livelihood for the adults involved. Furthermore, there is no link between the number of residents and the requirements of managing the land. It is not in accordance with policy DMD30.

NEED TO LIVE ON SITE

The 2009 Inspector was clear that there is no functional need for on-site residential accommodation:

“As the development is not primarily for the purposes of either forestry or agriculture it follows that there can be no proven need for the development to serve these uses and the appellants did not seek to argue this as a main plank of their case. The evidence is that only a small proportion of the Community’s income has been and is projected to be earned directly from the use of the land. I can appreciate that the appeal site is a desirable location at which to pursue the aims set out in the Community’s mission statement. However, I have no evidence that this location is essential for their achievement and do not believe that the development can be characterised as an essential rural business.” (para 48)

and

“ Mr Goldring also conceded that it was not necessary to live on the appeal site to undertake any of the Community’s activities in isolation.” (para 72)

INNOVATION

He also commented on the absence of truly innovative features:

“It does not appear that any of the individual elements of the project are innovative in themselves. The renewable energy systems are well known and the building techniques, both used and proposed, have been demonstrated elsewhere. While CCF is relatively untried in this country there are other locations where it is in operation. Mr Goldring accepted that there were also a number of other groups applying an interpretation of the permaculture concept to their situation and that some of these projects were also in a woodland setting.” (para 72)

BALANCING FACTORS

The 2009 Inspector was persuaded that a further temporary planning permission should be granted to allow the experiment to continue as a demonstration project:

“ ... it is my view that the value of the project is its holistic nature. Mr Goldring explained that the Community was one of the best developed and most cohesive and that a number of lessons were being learned about how it might be possible to live in and from a wood. I have noted the many representations from those who have visited the Community and gained from the experience and heard the evidence of interested parties about the contribution that the Community members make to the local area and the flexible skills resource that they can offer to those involved with environmental projects. Mr Goldring emphasised the value to be gained from what is in effect a working example of a permaculture system and, in my view, the increased educational role planned represents a further stage in the project. (para 73)

I consider that the venture has evolved into one where the education resource provided by what is, in effect, a demonstration project of permaculture principles being applied in practice is of significant wider benefit. I believe that this role distinguishes the project now from that granted planning permission in 2002 and justifies setting aside the usual presumption against a second temporary planning permission being granted set out in paragraph 112 of Circular 11/95, The Use of Conditions in Planning Permissions.” (para 76)

CURRENT SITUATION

The recent application proposes a permanent residential use, with no numerical limit on the number of residents / visitors. The focus now appears to have moved away from an experimental demonstration project, to establishing an alternative way of living in the open countryside of the National Park.

Development plan policies exist to regulate such activity and ensure that great weight is given to the conservation of the natural beauty, wildlife and cultural heritage of the National Park.

The 2009 temporary planning permission expired on 30 June 2014 and no further planning permission has been granted. The use for residential purposes continues, the structures have not been removed from the land as required by the 2009 permission and further works have taken place.

Officers believe that the continued use for residential purposes in breach of planning control is unjustified and harmful. It contravenes development plan policies on the purposes of National Park designation/character and appearance and the NPPF. There is no material planning consideration justifying a residential use in this location. In the absence of any overriding justification, the use is harmful and unauthorised.

WELFARE CONSIDERATIONS & PERSONAL CIRCUMSTANCES

The site is occupied by members of the applicant, many of whom consider it to be their home. The Co-operative currently comprises 13 adults, 7 young children and 2 teenagers. A number of the adult population have found employment nearby, and 4 of the children are currently pupils at Moretonhampstead Primary School. Clearly this demonstrates that members of the Co-operative have integrated with the local community.

Members of the Co-operative have been invited to notify the Authority of any particular welfare needs or requirements (through confidential welfare inquiry forms). None has been received in response. It is not clear how many of the community would have immediate access to/use of other accommodation off-site (eg the ability to stay with family or friends, or to use other property).

The welfare of the Co-operative's members has to be taken into account, along with their human rights (especially Article 8 ECHR (right to respect for private and family life and home) and Article 1 of Protocol 1 (peaceful enjoyment of possessions)) and the best interests of the children as a primary consideration which should be given no less weight inherently than any other consideration as a starting point. The starting point should be to give those interests great weight, and, absent any completed welfare inquiry forms, the prudent assumption is that the children's best interests would be served by remaining on site. This does not necessarily mean that no enforcement action or legal action may be taken.

Officers consider, having regard to all these matters and the way in which they have been discussed in the courts, that even if the best interests of the children is served by staying on site and attracts great weight in the particular circumstances of this case, and even assuming that the Co-operative's members have no alternative accommodation, that the clear and wide-ranging policy conflict associated with the development is such that enforcement action would be in accordance with the law, necessary, proportionate and justified. If the residential use of the land is required to cease through an Enforcement Notice, sufficient time should be given to allow individuals/families to make suitable arrangements and seek alternative accommodation. A compliance period of 12 months should be given in any Enforcement Notice.

CONCLUSION

Officers believe that the continued use for residential purposes and retention of associated structures in breach of planning control is unjustified and harmful. It contravenes development plan policies on the purposes of National Park designation/character and appearance and the NPPF. There is no material planning consideration justifying a residential use or the structures in this

location. In the absence of any overriding justification, the use is harmful and unauthorised.

Officers recommend that Members resolve to authorise officers to take enforcement action on behalf of the Authority (i.e. issue and serve an enforcement notice and/or serve a breach of condition notice), with a compliance period of 12 months included in any enforcement notice.

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

10 April 2015

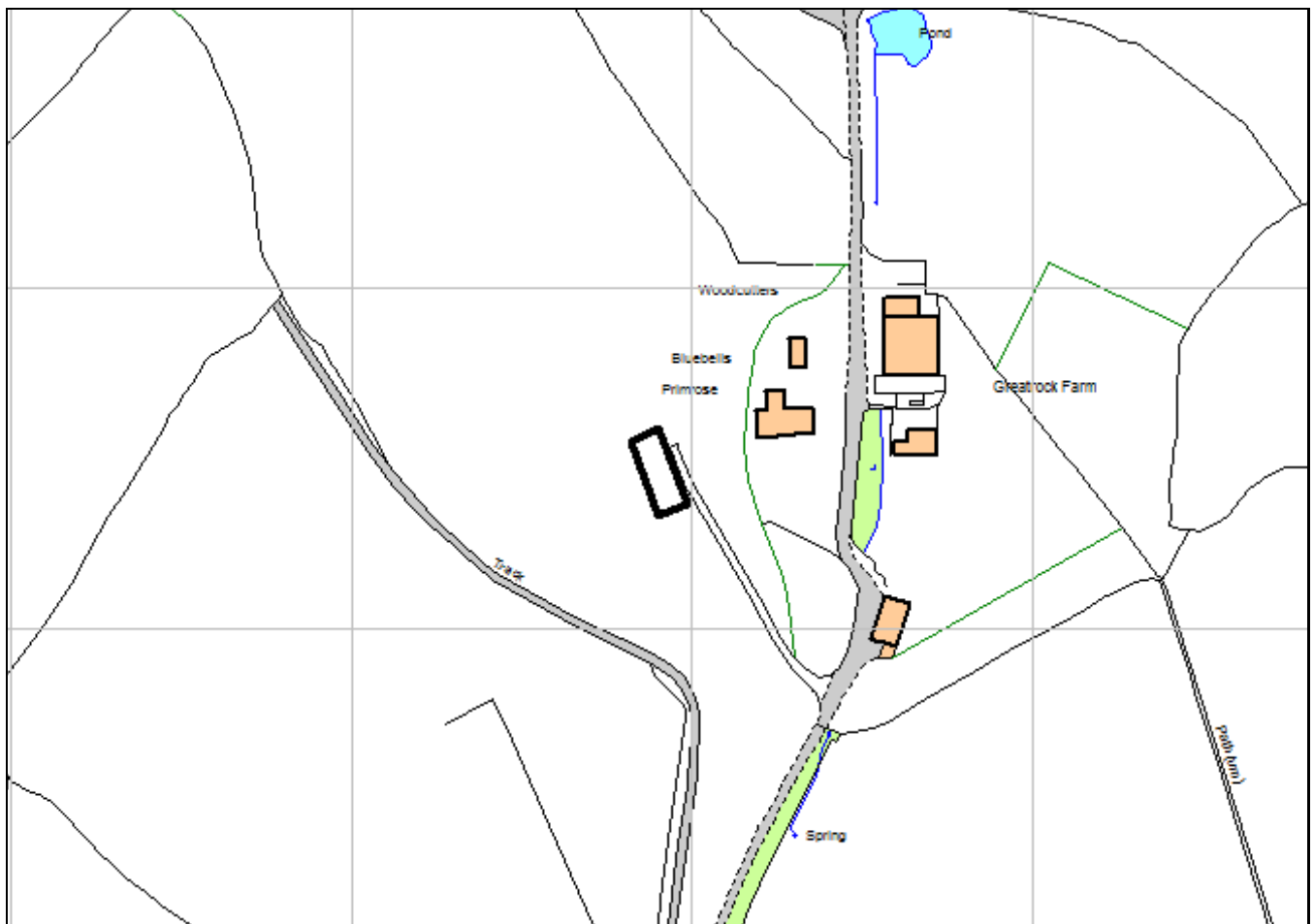
APPEALS

Report of the Director of Planning

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

The following appeal decision(s) have been received since the last meeting.

| | | | |
|-------------------|---|-------------------|----------------------|
| 1 Application No: | C/14/2218454 | District/Borough: | Teignbridge District |
| Appeal Type: | Enforcement Notice | Parish: | Hennock |
| Proposal: | Unauthorised residential use of a mobile home | | |
| Location: | Land at Great Rock Farm, Hennock | | |
| Appellant: | Miss K Reader | | |
| Decision: | DISMISSED AND NOTICE UPHeld | | |



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The enforcement appeal was made in respect of the unauthorised material change of use of the land to a use for the siting of caravans (2) used for residential purposes and the associated operational development, porch and decked area.

The enforcement notice required the cessation of the use of the land for the siting of residential caravans used for residential purposes. The period for compliance with the notices was 6 months.

The planning appeal was made in respect of the refusal of planning permission for the stationing of two caravans for holiday purposes and the temporary use of one of those caravans as a self-contained annex.

The Inspector identified the main issue as the effect of the development on the character and appearance of the area.

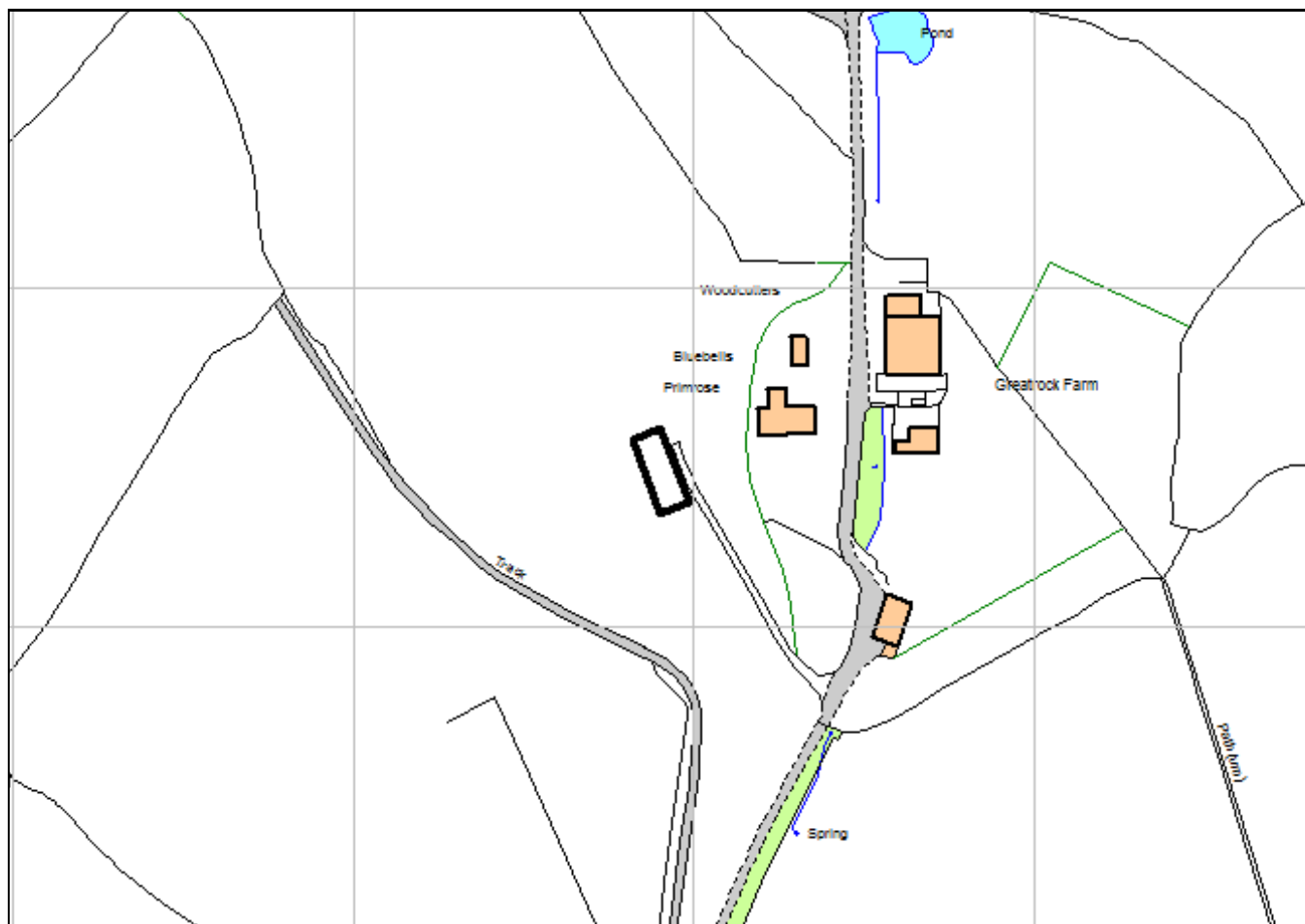
The inspector outlined the value of the local landscape and that the National Park benefits from the highest status of protection in relation to the landscape and scenic beauty. He stated that the two mobile homes and their decked areas had a domestic appearance incongruous with the quality and beauty of the natural surroundings.

He recognised the benefits that tourism bring to the Dartmoor but that the conservation and enhancement of the National Park's natural beauty, wildlife and cultural heritage must be given priority over other considerations in the determination of development proposals.

He identified that the six months to comply with the enforcement notice fell short of what should be reasonably allowed in relation to one of the caravans which was lived in by one of the appellant's mother. He stated that twelve months was more appropriate.

He dismissed the enforcement appeals with a variation allowing for a twelve month for compliance relating to one of the two caravans and dismissed the planning appeal.

2 Application No: C/14/2218455 District/Borough: Teignbridge District
Appeal Type: Enforcement Notice Parish: Hennock
Proposal: Unauthorised residential use of a mobile home
Location: **Land at Great Rock Farm, Hennock**
Appellant: **Mrs L Mumford**
Decision: **DISMISSED AND NOTICE UPHELD**

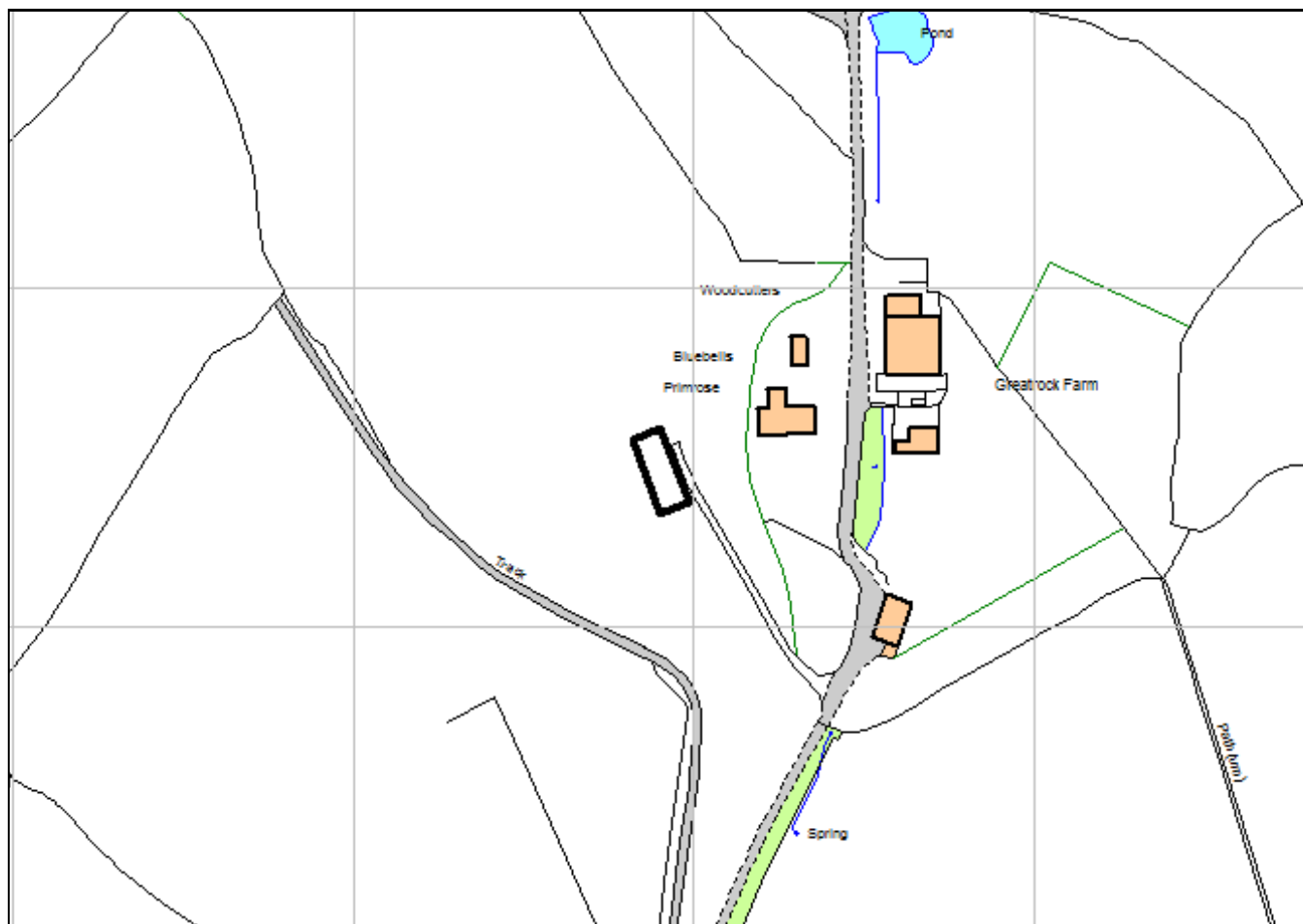


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See Report 1.

3 Application No: C/14/2218456 District/Borough: Teignbridge District
Appeal Type: Enforcement Notice Parish: Hennock
Proposal: Unauthorised residential use of a mobile home
Location: **Land at Great Rock Farm, Hennock**
Appellant: **Mr S Robinson**
Decision: **DISMISSED AND NOTICE UPHELD**

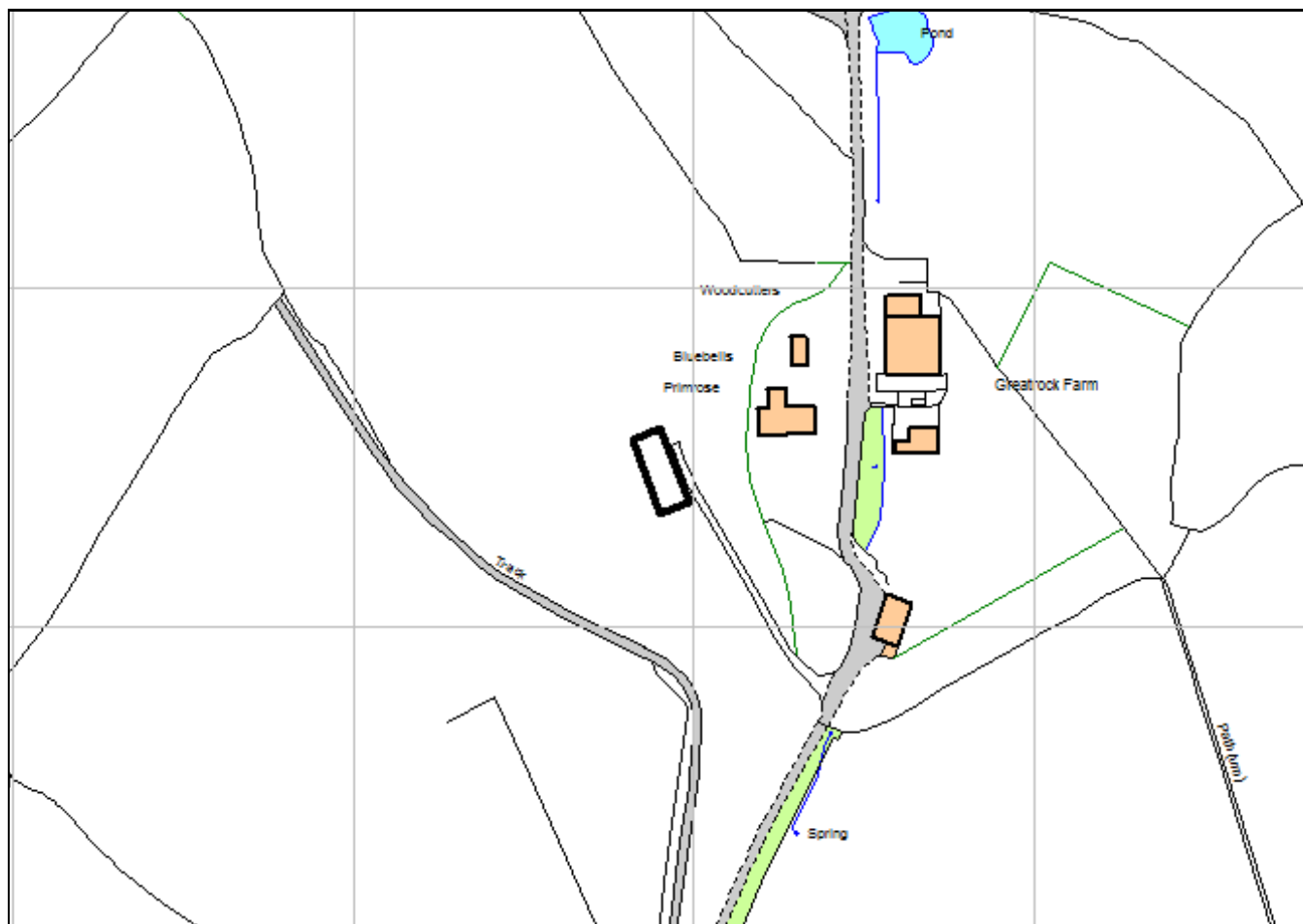


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See Report 1.

4 Application No: C/14/2218457 District/Borough: Teignbridge District
Appeal Type: Enforcement Notice Parish: Hennock
Proposal: Unauthorised residential use of a mobile home
Location: **Land at Great Rock Farm, Hennock**
Appellant: **Mrs F Robinson**
Decision: **DISMISSED AND NOTICE UPHELD**

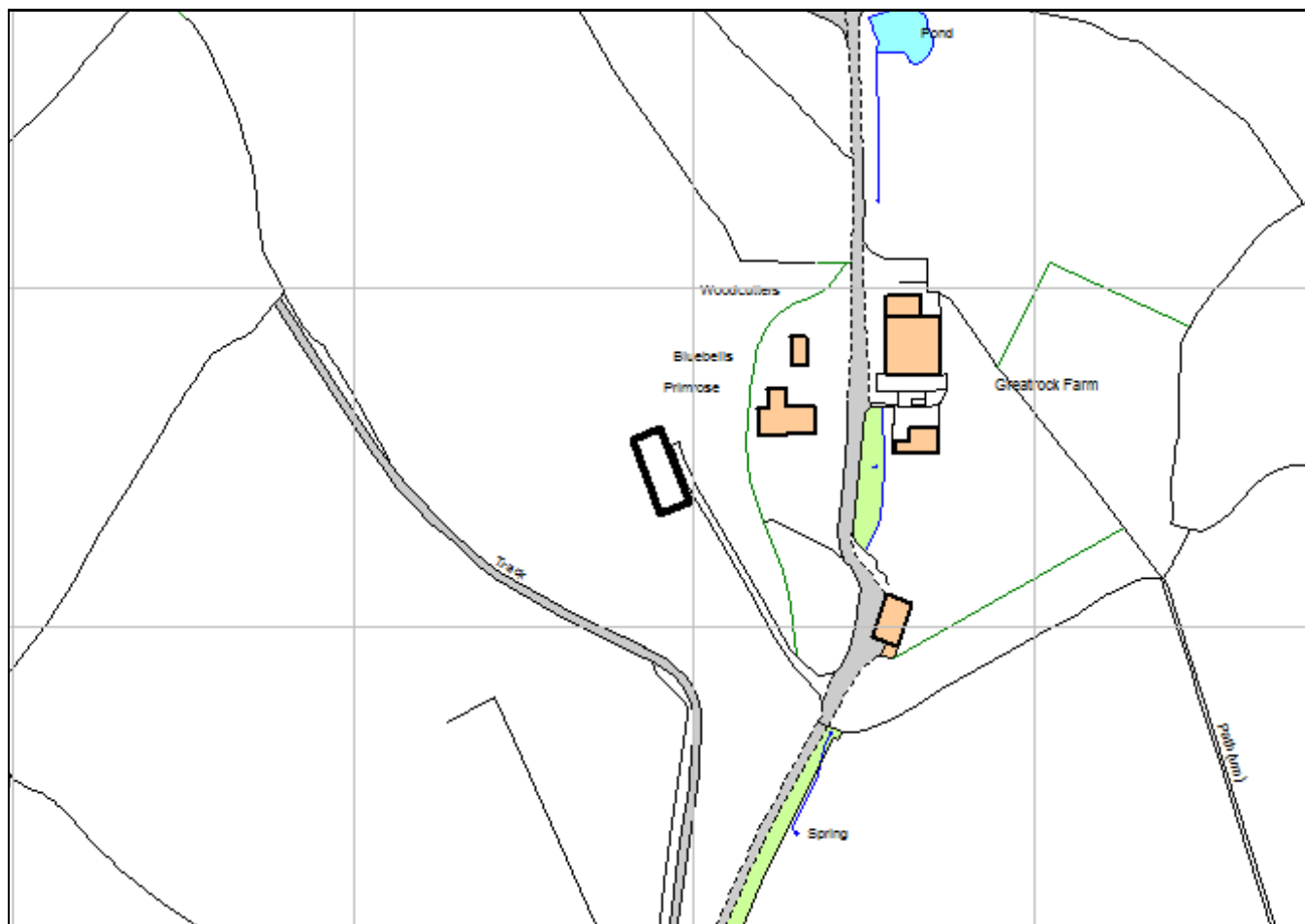


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See Report 1.

5 Application No: C/14/2218461 District/Borough: Teignbridge District
Appeal Type: Enforcement Notice Parish: Hennock
Proposal: Unauthorised residential use of a mobile home
Location: **Land at Great Rock Farm, Hennock**
Appellant: **Miss K Reader**
Decision: **DISMISSED AND NOTICE UPHELD**

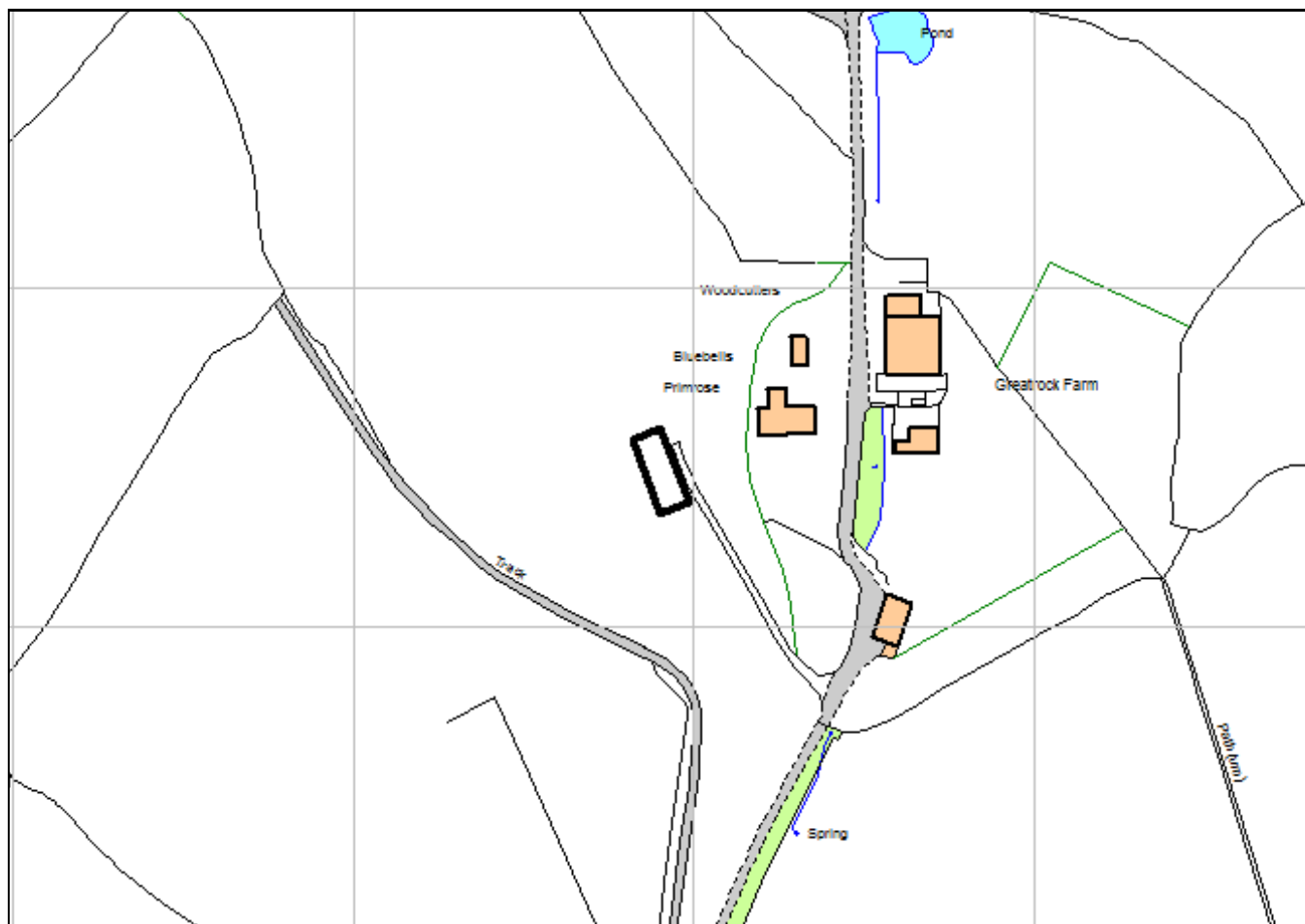


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See Report 1.

6 Application No: C/14/2218462 District/Borough: Teignbridge District
Appeal Type: Enforcement Notice Parish: Hennock
Proposal: Unauthorised residential use of a mobile home
Location: **Land at Great Rock Farm, Hennock**
Appellant: **Mrs L Mumford**
Decision: **DISMISSED AND NOTICE UPHELD**

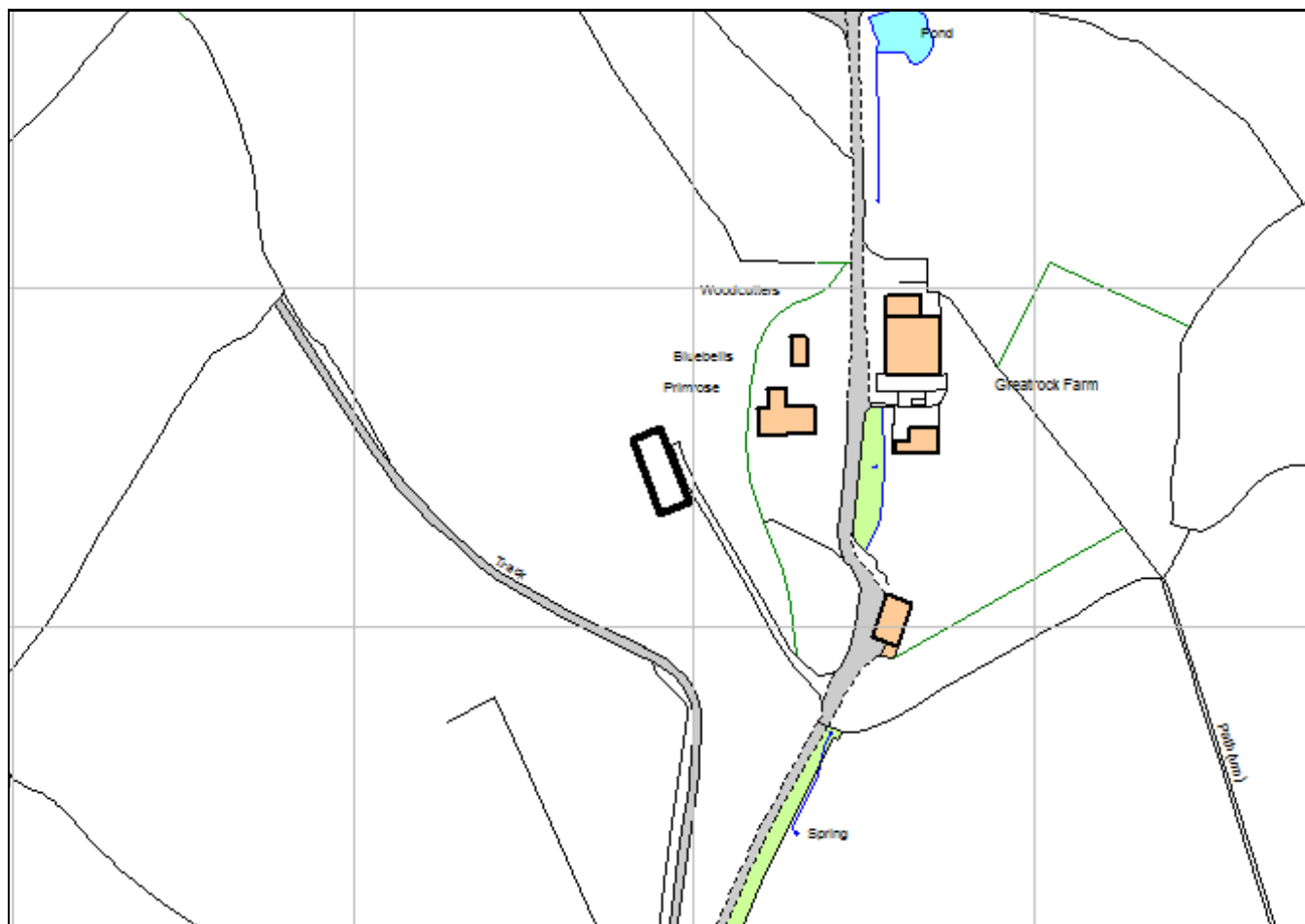


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See Report 1.

7 Application No: C/14/2218463 District/Borough: Teignbridge District
Appeal Type: Enforcement Notice Parish: Hennock
Proposal: Unauthorised residential use of a mobile home
Location: **Land at Great Rock Farm, Hennock**
Appellant: **Mr S Robinson**
Decision: **DISMISSED AND NOTICE UPHELD**

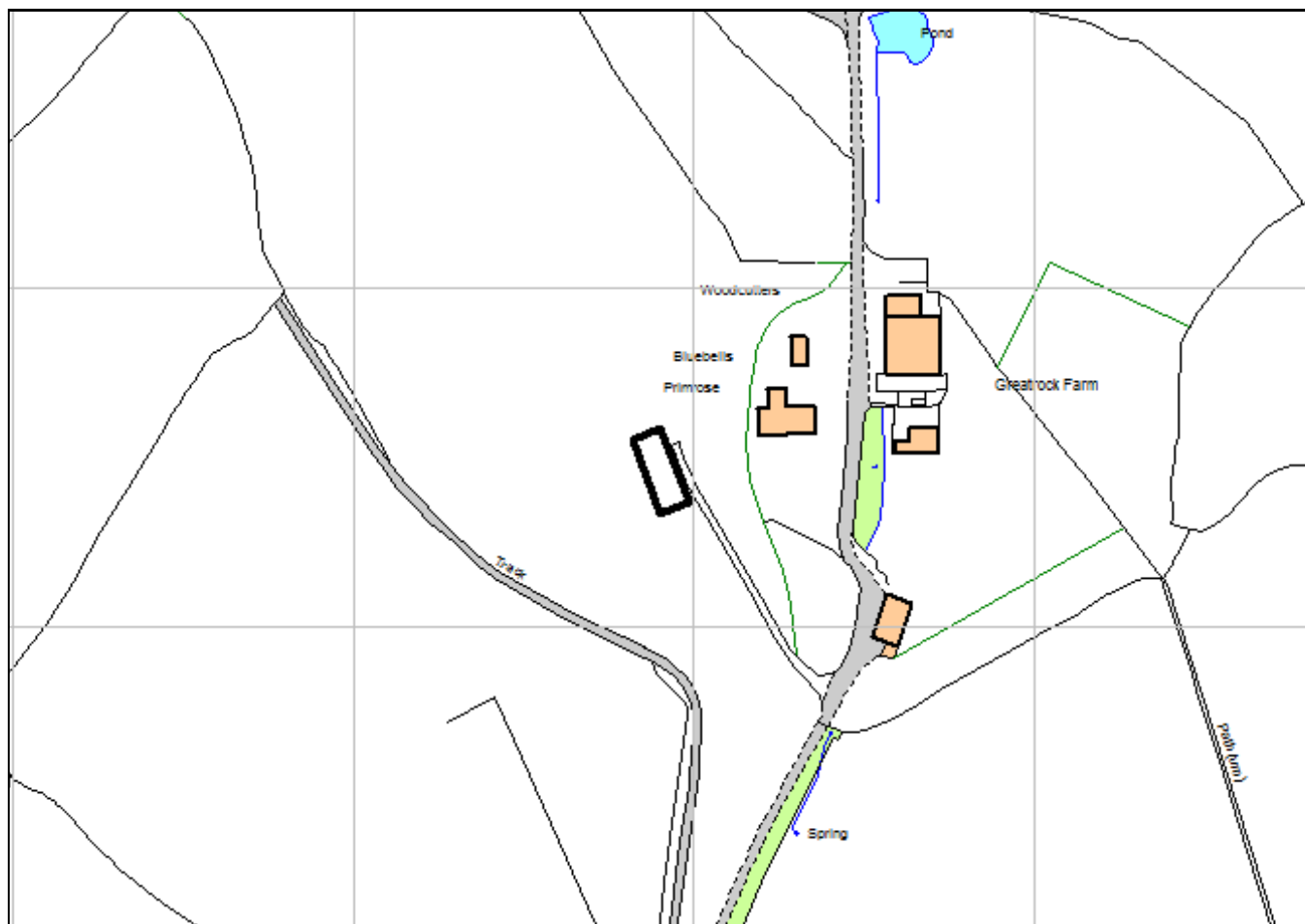


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See Report 1.

8 Application No: C/14/2218464 District/Borough: Teignbridge District
Appeal Type: Enforcement Notice Parish: Hennock
Proposal: Unauthorised residential use of a mobile home
Location: **Land at Great Rock Farm, Hennock**
Appellant: **Mrs F Robinson**
Decision: **DISMISSED AND NOTICE UPHELD**

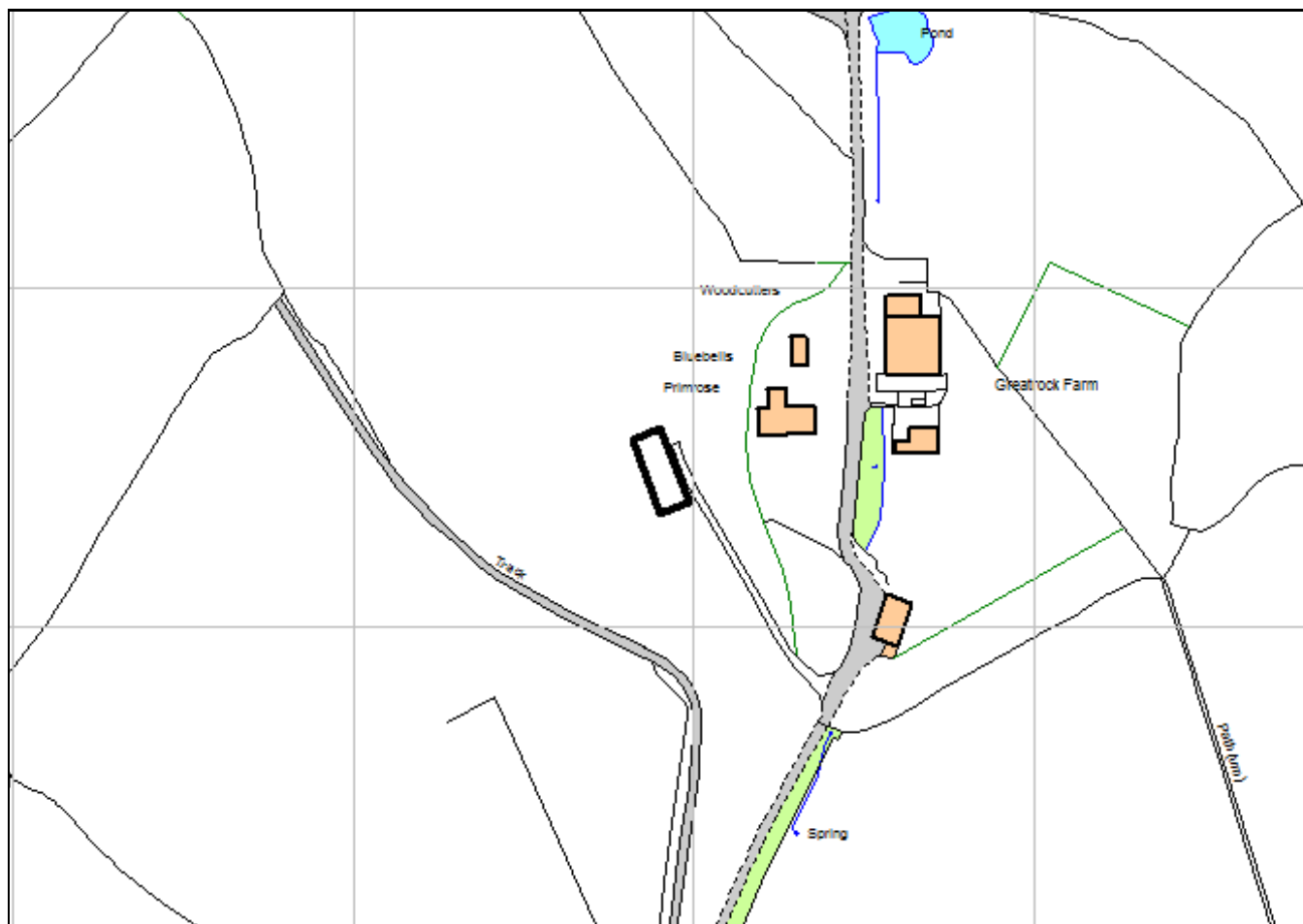


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See Report 1.

9 Application No: C/14/2218466 District/Borough: Teignbridge District
Appeal Type: Enforcement Notice Parish: Hennock
Proposal: Unauthorised residential use of a mobile home
Location: **Land at Great Rock Farm, Hennock**
Appellant: **Miss K Reader**
Decision: **DISMISSED AND NOTICE UPHELD**

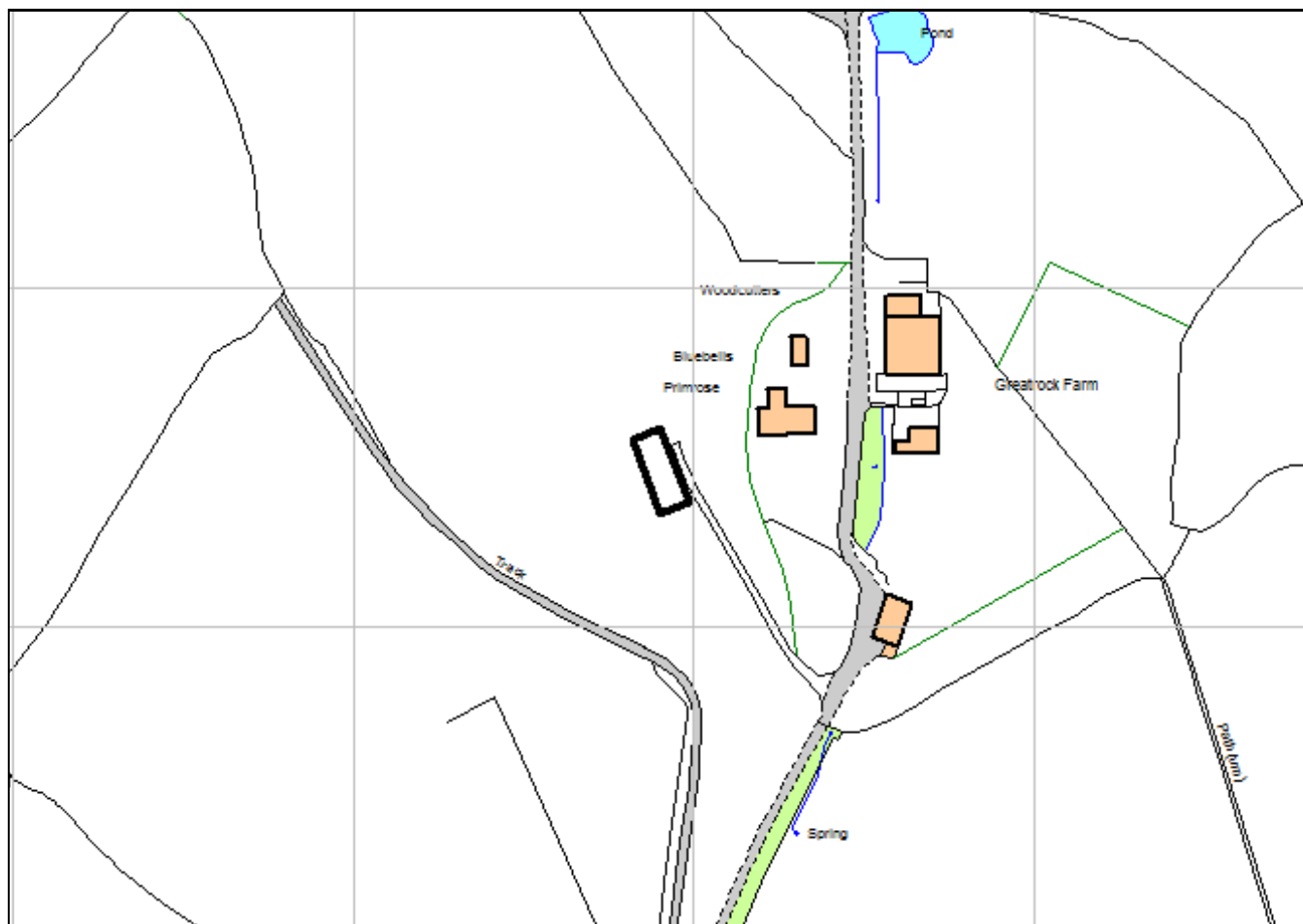


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See Report 1.

10 Application No: C/14/2218467 District/Borough: Teignbridge District
Appeal Type: Enforcement Notice Parish: Hennock
Proposal: Unauthorised residential use of a mobile home
Location: **Land at Great Rock Farm, Hennock**
Appellant: **Mrs L Mumford**
Decision: **DISMISSED AND NOTICE UPHELD**

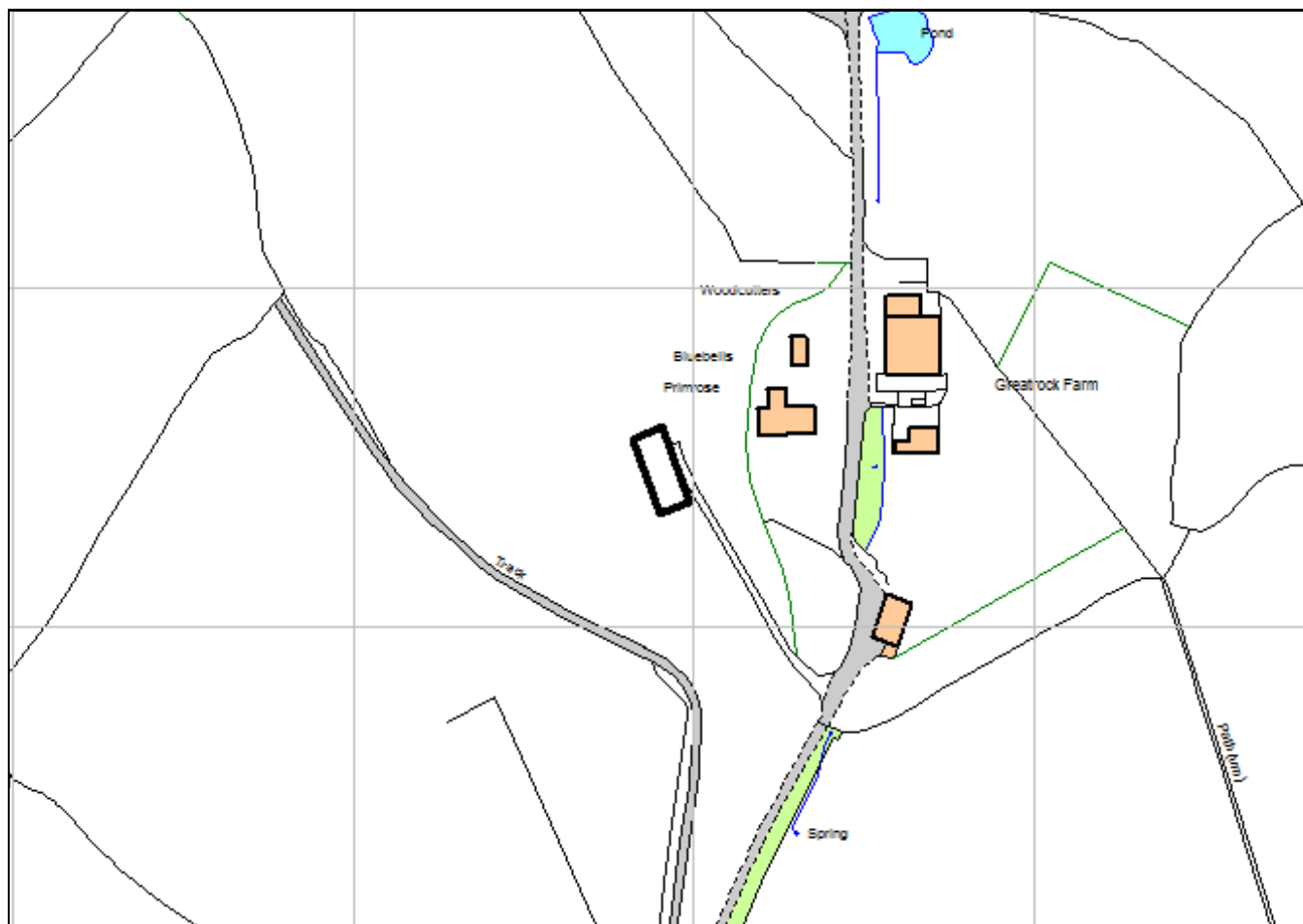


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See Report 1.

11 Application No: C/14/2218468 District/Borough: Teignbridge District
Appeal Type: Enforcement Notice Parish: Hennock
Proposal: Unauthorised residential use of a mobile home
Location: **Land at Great Rock Farm, Hennock**
Appellant: **Mr S Robinson**
Decision: **DISMISSED AND NOTICE UPHELD**

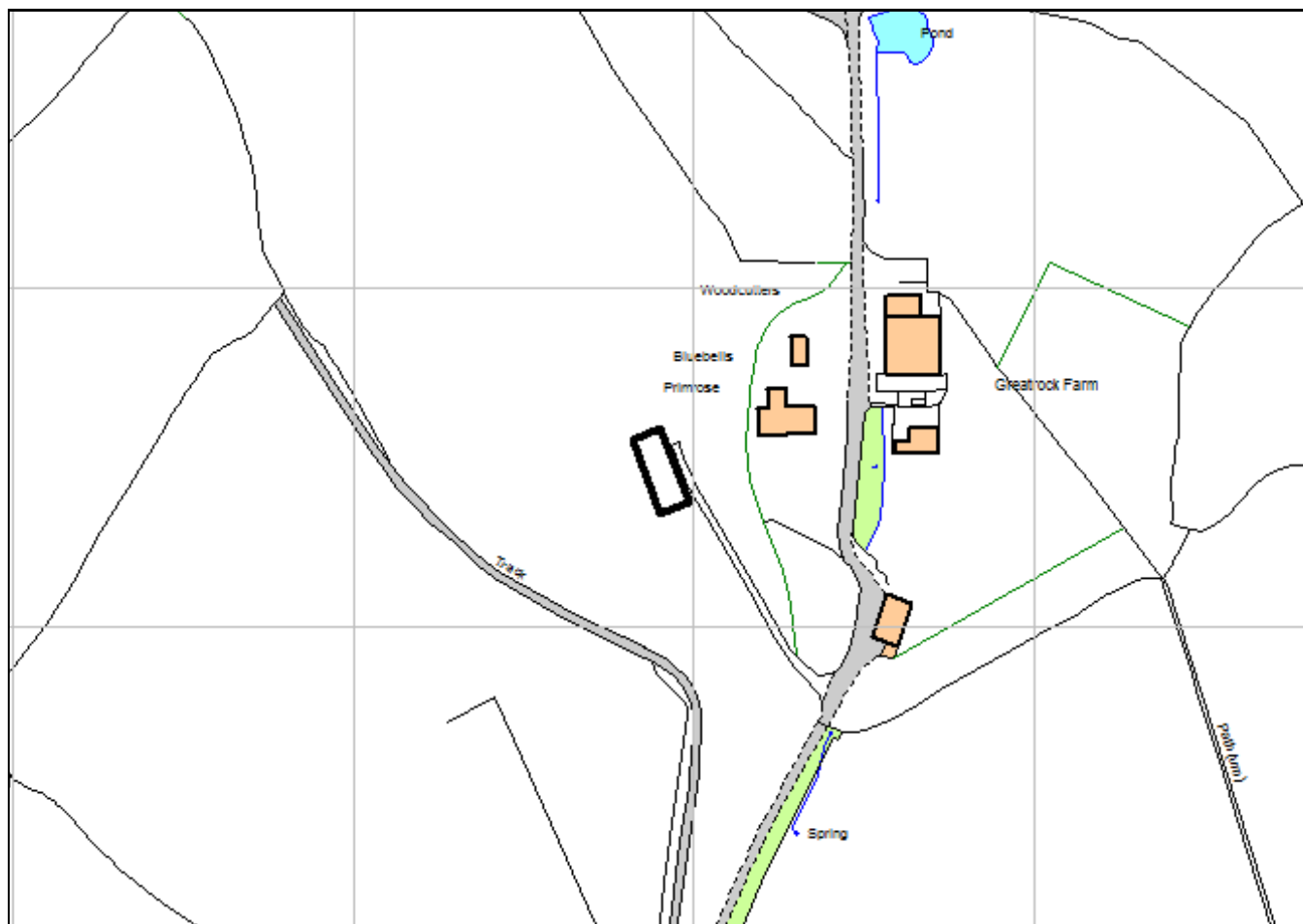


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See Report 1.

| | | | |
|--------------------|---|-------------------|----------------------|
| 12 Application No: | C/14/2218469 | District/Borough: | Teignbridge District |
| Appeal Type: | Enforcement Notice | Parish: | Hennock |
| Proposal: | Unauthorised residential use of a mobile home | | |
| Location: | Land at Great Rock Farm, Hennock | | |
| Appellant: | Mrs F Robinson | | |
| Decision: | DISMISSED AND NOTICE UPHELD | | |

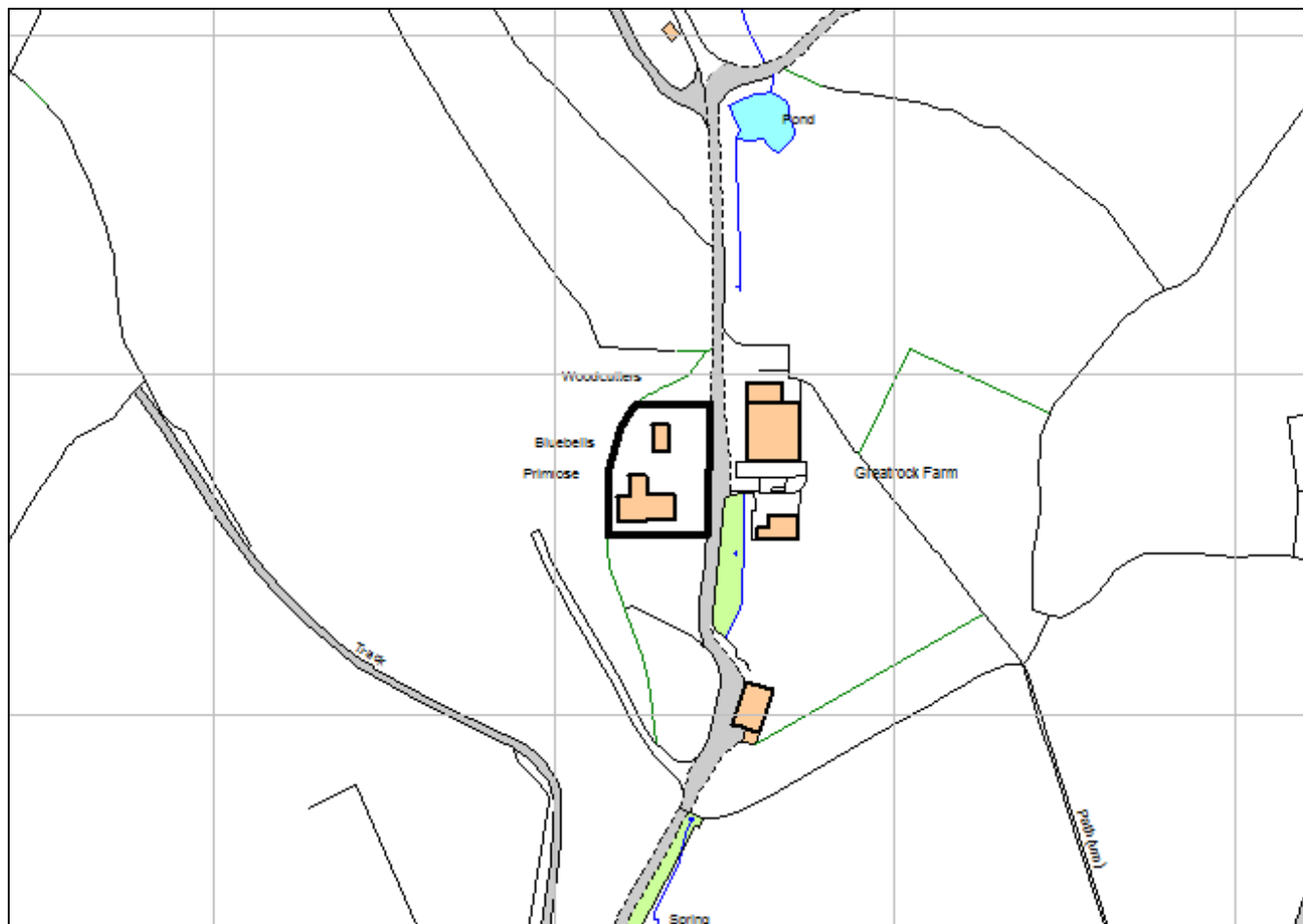


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See Report 1.

| | | | |
|--------------------|---|-------------------|----------------------|
| 13 Application No: | A/14/2218992 | District/Borough: | Teignbridge District |
| Appeal Type: | Refusal of Full Planning Permission | Parish: | Hennock |
| Proposal: | The use of land for the stationing of two caravans for holiday purposes and the temporary use of one of those caravans as a self-contained annexe | | |
| Location: | Great Rock Farm, Hennock | | |
| Appellant: | Ms Reader & Mr Robinson | | |
| Decision: | DISMISSED AND NOTICE UPHeld | | |



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See Report 1.

14 Application No: C/14/2219430 District/Borough: South Hams District
Appeal Type: Enforcement Notice Parish: Dean Prior
Proposal: Unauthorised building/hard standing and new or altered access
Location: **The Barn, Whiteheads Cross, Dean Prior**
Appellant: **Mr P Goss**
Decision: **ALLOWED AND NOTICE QUASHED**
APPLICATION FOR AWARD OF COSTS REFUSED



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The enforcement appeal was made in respect of the unauthorised operational development consisting of the levelling and hard surfacing of the land, the laying of a hard surfaced pedestrian path with steps and timber hand rails, and the erection of a timber building.

The enforcement notice required removal of the development from the land including all debris and materials and to restore the land to its former condition. The period for compliance with the notice was 60 days.

The planning appeal was made in respect of the refusal of planning permission for the erection of a building for agricultural purposes, provision of a hard surface and improvement of the existing access.

The Inspector identified the main issue as the effect of the development on the character and

appearance of the area.

The inspector stated that in his opinion the building was discreetly sited, shielded from view and did not look out of place in its rural setting and caused no harm to the character and appearance of the area. He went on to say that he was satisfied there was a demonstrable need for the building for keeping chickens and associated feedstuffs.

He noted that the appearance of the hard surface had softened significantly since the works were carried out and that the wooden steps with timber handrails and the short length of gravel path have a negligible impact on the local scene.

He allowed both the enforcement appeal (quashing the notice) and the planning appeal granting planning permission for the development subject to a condition requiring the building to be used for agricultural purposes.

The following appeal(s) have been lodged with the Secretary of State since the last meeting.

| | | | |
|-------------------|---|-------------------|---------------------|
| 1 Application No: | D/15/3006960 | District/Borough: | South Hams District |
| Appeal Type: | Refusal of Full Planning Permission - Householder | Parish: | South Brent |
| Proposal: | Retrospective application for the provision of studio/shed to front of property | | |
| Location: | Stockbridge Cottage, Stockbridge Lane, South Brent | | |
| Appellant: | Mrs S Downham-Lotto | | |

| | | | |
|-------------------|-------------------------------------|-------------------|--------------------|
| 2 Application No: | F/15/3004774 | District/Borough: | West Devon Borough |
| Appeal Type: | Enforcement Notice | Parish: | Drewsteignton |
| Proposal: | Various unauthorised developments | | |
| Location: | Middle Venton, Drewsteignton | | |
| Appellant: | Mrs L Sowrey | | |

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| 3 Application No: | F/15/3004776 | District/Borough: | West Devon Borough |
| Appeal Type: | Enforcement Notice | Parish: | Drewsteignton |
| Proposal: | Various unauthorised developments | | |
| Location: | Middle Venton, Drewsteignton | | |
| Appellant: | Mrs L Sowrey | | |

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| 4 Application No: | F/15/3004778 | District/Borough: | West Devon Borough |
| Appeal Type: | Enforcement Notice | Parish: | Drewsteignton |
| Proposal: | Various unauthorised developments | | |
| Location: | Middle Venton, Drewsteignton | | |
| Appellant: | Mrs L Sowrey | | |

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| 5 Application No: | W/15/3004654 | District/Borough: | Teignbridge District |
| Appeal Type: | Refusal of Full Planning Permission | Parish: | Lustleigh |
| Proposal: | Retrospective alterations to building and use as a holiday let | | |
| Location: | The Great Hall, Mapstone Hill, Lustleigh | | |
| Appellant: | Ms P Wellby | | |

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|-------------------|-------------------------------------|-------------------|----------------------|
| 6 Application No: | W/15/3004667 | District/Borough: | Teignbridge District |
| Appeal Type: | Refusal of Full Planning Permission | Parish: | Bridford |
| Proposal: | Agricultural worker's dwelling | | |
| Location: | Poole Farm, Bridford | | |

Appellant: **Mr M Amos & Mr M Totterdell**

7 Application No: W/15/3004706 District/Borough: Teignbridge District
Appeal Type: Refusal of Full Planning Permission Parish: Widecombe-in-the-Moor
Proposal: Construction of a new stock manager's dwellinghouse
Location: **Blackdown Piper Farm, Widecombe-in-the- Moor**
Appellant: **Cator Blackaton Farming Ltd**

STEPHEN BELLI

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

10 April 2015

**APPLICATIONS DETERMINED UNDER DELEGATED POWERS
AND APPLICATIONS WITHDRAWN**

Report of the Director of Planning

Members are requested to contact the Office before 5pm on Thursday if they wish to raise questions concerning any of the above.

(For further information please contact Stephen Belli)

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

| | | |
|---|--|---|
| 1 | Application No: 0053/15 | District/Borough: Teignbridge District |
| | Application Type: Full Planning Permission - Householder | Parish: Ilsington |
| | Proposal: Replace timber stables with timber shed | |
| | Location: Highgrove, Ilsington | |
| | Decision: Grant Conditionally | |
| 2 | Application No: 0076/15 | District/Borough: Teignbridge District |
| | Application Type: Prior Notification | Parish: Ashburton |
| | Proposal: Demolition of three buildings and removal of a portacabin | |
| | Location: former site of Outdoor Experience Ltd, Chuley Road, Ashbuton | |
| | Decision: Prior Approval not required | |
| 3 | Application No: 0037/15 | District/Borough: Teignbridge District |
| | Application Type: Certificate of Lawfulness for an existing use | Parish: Dunsford |
| | Proposal: Building operations to erect and use as a single dwelling house | |
| | Location: The Cabin, Square Bookhams, Dunsford | |
| | Decision: Certificate issued | |
| 4 | Application No: 0034/15 | District/Borough: Teignbridge District |
| | Application Type: Full Planning Permission - Householder | Parish: Ashburton |
| | Proposal: Erection of single storey extension | |
| | Location: Badgers Barn, Ashburn Close, Ashburton | |
| | Decision: Grant Conditionally | |

5 **Application No:** 0041/15 **District/Borough:** Teignbridge District
Application Type: Change of Use **Parish:** Ashburton
Proposal: Change of use from mixed use retail and residential to full residential use
Location: The Bookshop, 2 Kingsbridge Lane, Ashburton
Decision: Grant Conditionally

6 **Application No:** 0009/15 **District/Borough:** West Devon Borough
Application Type: Certificate of Lawfulness for a proposed development **Parish:** Whitchurch
Proposal: Certificate of Lawfulness for the erection of an outbuilding
Location: Lower Venn, Casey Town Lane, Whitchurch
Decision: Certificate issued

7 **Application No:** 0029/15 **District/Borough:** South Hams District
Application Type: Full Planning Permission - Householder **Parish:** South Brent
Proposal: Erection of polytunnel in garden
Location: Whinfield, South Brent
Decision: Grant Conditionally

8 **Application No:** 0035/15 **District/Borough:** West Devon Borough
Application Type: Change of Use **Parish:** Burrator
Proposal: Change of use of ground floor offices to allow extension to existing residential use, change of use of toilet block into garden storage and change of use of land to domestic garden
Location: Burrator Lodge, Road over Norsworthy Bridge, Sheepstor
Decision: Grant Unconditionally

9 **Application No:** 0036/15 **District/Borough:** Teignbridge District
Application Type: Certificate of Lawfulness for an existing use **Parish:** Dunsford
Proposal: Building operations to erect and use as a single dwelling house
Location: Square Bookhams, Dunsford
Decision: Certificate issued

10 **Application No:** 0028/15 **District/Borough:** West Devon Borough
Application Type: Full Planning Permission - Householder **Parish:** South Tawton
Proposal: Erection of detached garage
Location: Harlyn, South Tawton
Decision: Grant Conditionally

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| 11 | Application No: 0008/15 | District/Borough: South Hams District |
| | Application Type: Change of Use | Parish: South Brent |
| | Proposal: Change of use of ground and first floor rooms from mixed use (A1, B1 and D1) to A1 retail use | |
| | Location: 15 Station Road, South Brent | |
| | Decision: Grant Conditionally | |
| <hr/> | | |
| 12 | Application No: 0016/15 | District/Borough: Teignbridge District |
| | Application Type: Full Planning Permission | Parish: Ilsington |
| | Proposal: Erection of timber framed stables | |
| | Location: Little Sigford Farm, Sigford | |
| | Decision: Grant Conditionally | |
| <hr/> | | |
| 13 | Application No: 0049/15 | District/Borough: South Hams District |
| | Application Type: Full Planning Permission | Parish: Ugborough |
| | Proposal: Single storey extension to dwelling and erection of garage | |
| | Location: Gate Lodge, Moorhaven Village, Bittaford | |
| | Decision: Grant Conditionally | |
| <hr/> | | |
| 14 | Application No: 0069/15 | District/Borough: South Hams District |
| | Application Type: Full Planning Permission - Householder | Parish: South Brent |
| | Proposal: Erection of garden shed to side of house | |
| | Location: 12 Higher Green, South Brent | |
| | Decision: Grant Unconditionally | |
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| 15 | Application No: 0006/15 | District/Borough: Teignbridge District |
| | Application Type: Full Planning Permission | Parish: Lustleigh |
| | Proposal: Relocate existing oil tank to west of Yew tree in churchyard | |
| | Location: The Church of St John's, Lustleigh | |
| | Decision: Refused | |
| <hr/> | | |
| 16 | Application No: 0493/14 | District/Borough: West Devon Borough |
| | Application Type: Full Planning Permission - Householder | Parish: Buckland Monachorum |
| | Proposal: Single storey rear extension to extend existing single storey lean-to | |
| | Location: Barn Court, Yelverton | |
| | Decision: Grant Conditionally | |
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| 17 | Application No: 0065/15 | District/Borough: South Hams District |
| | Application Type: Full Planning Permission - Householder | Parish: Ugborough |
| | Proposal: Extension to provide accomodation for elderly relative | |
| | Location: North East Barn, West Peekes Farm, Bittaford | |
| | Decision: Grant Conditionally | |
| <hr/> | | |
| 18 | Application No: 0021/15 | District/Borough: South Hams District |
| | Application Type: Full Planning Permission | Parish: Buckfastleigh West |
| | Proposal: Extension to existing agricultural building plus new hay, straw and machinery store (total new floorspace 151sqm) | |
| | Location: Scae Ranch, Cross Furzes, Buckfastleigh | |
| | Decision: Grant Conditionally | |
| <hr/> | | |
| 19 | Application No: 0043/15 | District/Borough: West Devon Borough |
| | Application Type: Full Planning Permission - Householder | Parish: Lydford |
| | Proposal: Slate cladding to one section of rear wall of detached cottage | |
| | Location: Clear View, Lydford | |
| | Decision: Grant Conditionally | |
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| 20 | Application No: 0012/15 | District/Borough: Teignbridge District |
| | Application Type: Full Planning Permission | Parish: Ashburton |
| | Proposal: Conversion of existing outbuilding to self-contained annexe | |
| | Location: 26 St Lawrence Lane, Ashburton | |
| | Decision: Withdrawn | |
| <hr/> | | |
| 21 | Application No: 0013/15 | District/Borough: Teignbridge District |
| | Application Type: Listed Building Consent | Parish: Ashburton |
| | Proposal: Conversion of an existing outbuilding to a self-contained annexe | |
| | Location: 26 St Lawrence Lane, Ashburton | |
| | Decision: Withdrawn | |
| <hr/> | | |
| 22 | Application No: 0018/15 | District/Borough: West Devon Borough |
| | Application Type: Full Planning Permission - Householder | Parish: Burrator |
| | Proposal: Erection of two-storey extension | |
| | Location: 42 Barons Road, Dousland | |
| | Decision: Grant Conditionally | |
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| 23 | Application No: 0712/14 | District/Borough: Teignbridge District |
| | Application Type: Full Planning Permission | Parish: Widecombe-in-the-Moor |
| | Proposal: Construction of farm track to aid the movement of stock and machinery across the holding | |
| | Location: Blackdown Piper Farm, Widecombe-in-the-Moor | |
| | Decision: Grant Conditionally | |
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| 24 | Application No: 0704/14 | District/Borough: Teignbridge District |
| | Application Type: Full Planning Permission | Parish: Widecombe-in-the-Moor |
| | Proposal: Create new access from highway to farmland and existing farm buildings as a modification to existing approval | |
| | Location: Lower Dunstone Farm, Widecombe in the Moor | |
| | Decision: Grant Conditionally | |
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| 25 | Application No: 0003/15 | District/Borough: West Devon Borough |
| | Application Type: Full Planning Permission | Parish: Mary Tavy |
| | Proposal: Sand school for equestrian use | |
| | Location: Holditch Farm, Mary Tavy | |
| | Decision: Refused | |
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| 26 | Application No: 0005/15 | District/Borough: Teignbridge District |
| | Application Type: Certificate of Lawfulness for an existing use | Parish: Christow |
| | Proposal: Certificate of Lawfulness for the existing use of land as part of domestic curtilage for dwelling | |
| | Location: Court Barton, Dry Lane, Christow | |
| | Decision: Certificate issued | |
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| 27 | Application No: 0023/15 | District/Borough: Teignbridge District |
| | Application Type: Full Planning Permission - Householder | Parish: Ashburton |
| | Proposal: Alteration and extension to house and erection of garage | |
| | Location: Little Court, Western Road, Ashburton | |
| | Decision: Withdrawn | |
| <hr/> | | |
| 28 | Application No: 0050/15 | District/Borough: West Devon Borough |
| | Application Type: Full Planning Permission | Parish: Belstone |
| | Proposal: Erection of stable | |
| | Location: Plot 3, Land at part Greenhill Farm, Sticklepath | |
| | Decision: Withdrawn | |

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| 29 | Application No: 0001/15 | District/Borough: Teignbridge District |
| | Application Type: Full Planning Permission - Householder | Parish: Bridford |
| | Proposal: Single storey extension | |
| | Location: Amerys, Bridford | |
| | Decision: Grant Conditionally | |
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| 30 | Application No: 0011/15 | District/Borough: Teignbridge District |
| | Application Type: Full Planning Permission | Parish: North Bovey |
| | Proposal: New steel-framed building to house plant and machinery associated with the hotel | |
| | Location: Bovey Castle Hotel, North Bovey | |
| | Decision: Grant Conditionally. That permission be GRANTED | |
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| 31 | Application No: 0002/15 | District/Borough: West Devon Borough |
| | Application Type: Full Planning Permission - Householder | Parish: Buckland Monachorum |
| | Proposal: Enlargement of converted roof space, addition of single storey extension and glass roofed veranda | |
| | Location: Home, Elford Park, Yelverton | |
| | Decision: Grant Unconditionally | |
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| 32 | Application No: 0052/15 | District/Borough: South Hams District |
| | Application Type: Full Planning Permission - Householder | Parish: Harford |
| | Proposal: Alteration and extension to provide additional bedroom and accommodation for senior relatives | |
| | Location: Meads Farm, Harford | |
| | Decision: Grant Conditionally | |
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| 33 | Application No: 0042/15 | District/Borough: South Hams District |
| | Application Type: Full Planning Permission | Parish: South Brent |
| | Proposal: Erection of stables, tack and feed storage, associated new highway access and change of use of land for horses | |
| | Location: Land at Court Gate Farm, South Brent | |
| | Decision: Refused | |
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| 34 | Application No: 0031/15 | District/Borough: South Hams District |
| | Application Type: Full Planning Permission - Householder | Parish: Cornwood |
| | Proposal: Single storey rear extension including conversion of garage and increased pitched roof above | |
| | Location: 3 Abbots Park, Cornwood | |
| | Decision: Grant Conditionally | |

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| 35 | Application No: 0026/15 | District/Borough: Teignbridge District |
| | Application Type: Full Planning Permission | Parish: Lustleigh |
| | Proposal: Closing up of field gate entrance for formation of new access | |
| | Location: Land at Mapstone Hill, Lustleigh | |
| | Decision: Grant Conditionally | |
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| 36 | Application No: 0039/15 | District/Borough: Teignbridge District |
| | Application Type: Listed Building Consent | Parish: Ashburton |
| | Proposal: Replacement of corrugated sheet material roof with slate roof (amendment to Planning Ref 0645/13) | |
| | Location: 44 East Street, Ashburton | |
| | Decision: Grant Conditionally | |
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| 37 | Application No: 0007/15 | District/Borough: Teignbridge District |
| | Application Type: Full Planning Permission - Householder | Parish: Ashburton |
| | Proposal: Erect PVCu conservatory on side of property | |
| | Location: Copperfield, Place Lane, Ashburton | |
| | Decision: Grant Unconditionally | |
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| 38 | Application No: 0004/15 | District/Borough: West Devon Borough |
| | Application Type: Full Planning Permission - Householder | Parish: South Tawton |
| | Proposal: First floor extension with pitched roofs over existing single storey flat-roofed extension | |
| | Location: Highfield Spinney, South Zeal | |
| | Decision: Grant Conditionally | |
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| 39 | Application No: 0010/15 | District/Borough: West Devon Borough |
| | Application Type: Certificate of Lawfulness for an existing use | Parish: Sampford Spiney |
| | Proposal: Certificate of Lawfulness for the continued use of dwelling in breach of agricultural tie restriction | |
| | Location: Lower Brook Farm, Sampford Spiney | |
| | Decision: Certificate issued | |
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| 40 | Application No: 0051/15 | District/Borough: Teignbridge District |
| | Application Type: Full Planning Permission - Householder | Parish: Bridford |
| | Proposal: Amendment to approved 0026/14 to insert new window and omit door | |
| | Location: Pound Cottage, Bridford | |
| | Decision: Grant Conditionally | |
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| 41 | Application No: 0014/15 | District/Borough: West Devon Borough |
| | Application Type: Full Planning Permission | Parish: Chagford |
| | Proposal: | Conversion of first floor space to accommodate office facility, modifications to ground floor to provide access stairs to first floor rooms and installation of toilets, plus maintenance and repair to existing brick chimney stacks |
| | Location: | Chagford House Stables, Chagford |
| | Decision: | Grant Conditionally |
| <hr/> | | |
| 42 | Application No: 0015/15 | District/Borough: West Devon Borough |
| | Application Type: Listed Building Consent | Parish: Chagford |
| | Proposal: | Conversion of first floor space to accommodate office facility, modifications to ground floor to provide access stairs to first floor rooms and installation of toilets, plus maintenance and repair to existing brick chimney stacks |
| | Location: | Chagford House, Chagford |
| | Decision: | Grant Conditionally |
| <hr/> | | |
| 43 | Application No: 0046/15 | District/Borough: South Hams District |
| | Application Type: Full Planning Permission | Parish: Dean Prior |
| | Proposal: | New single storey office building and store including replacement of the existing oil-fired boiler with two domestic-sized log/pellet-fired boilers |
| | Location: | Dean Forge Ltd, Lower Dean |
| | Decision: | Grant Conditionally |
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| 44 | Application No: 0030/15 | District/Borough: West Devon Borough |
| | Application Type: Certificate of Lawfulness for an existing use | Parish: Tavistock |
| | Proposal: | Use as a single dwellinghouse (Use Class C3) |
| | Location: | Harford Stables, Harford Bridge, Tavistock, |
| | Decision: | Certificate issued |
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| 45 | Application No: 0048/15 | District/Borough: Teignbridge District |
| | Application Type: Full Planning Permission | Parish: Ashburton |
| | Proposal: | Construction of an 8-bay mobility scooter hut in the rear of the communal grounds |
| | Location: | Mill Path, St Andrews Close, Ashburton |
| | Decision: | Grant Unconditionally |
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| 46 | Application No: 0040/15 | District/Borough: Teignbridge District |
| | Application Type: Listed Building Consent | Parish: North Bovey |
| | Proposal: | Refurbish the Hall and Parlour to create a kitchen and dining room on first floor on the ground floor with bedroom and en-suite above |
| | Location: | Higher Lettaford Farm, North Bovey |
| | Decision: | Grant Conditionally |

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| 47 | Application No: 0071/15 | District/Borough: West Devon Borough |
| | Application Type: Full Planning Permission - Householder | Parish: Dartmoor Forest |
| | Proposal: Insulate external walls to west, north and east elevations of house | |
| | Location: Wheal Lucky, Princetown | |
| | Decision: Grant Unconditionally | |
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| 48 | Application No: 0058/15 | District/Borough: South Hams District |
| | Application Type: Full Planning Permission - Householder | Parish: South Brent |
| | Proposal: Addition of a day/sun room to the rear | |
| | Location: Manadon, Hillside, South Brent | |
| | Decision: Grant Conditionally | |
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| 49 | Application No: 0055/15 | District/Borough: West Devon Borough |
| | Application Type: Certificate of Lawfulness for a proposed development | Parish: Chagford |
| | Proposal: Construction of small timber-framed garden room to rear of property | |
| | Location: Moorholme, 9 Stannary Place, Chagford | |
| | Decision: Certificate issued | |
| <hr/> | | |
| 50 | Application No: 0057/15 | District/Borough: Teignbridge District |
| | Application Type: Full Planning Permission | Parish: Ashburton |
| | Proposal: Conversion and change of use of an existing stable block into two holiday units; ancillary accommodation located between Rew Farm Cottage and the proposed units will comprise of a WC and breakfast room plus addition of solar panels to the existing barn roof | |
| | Location: Rew Farm Cottage, Rew Road, Ashburton | |
| | Decision: Refused | |
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| 51 | Application No: 0083/15 | District/Borough: South Hams District |
| | Application Type: Full Planning Permission | Parish: Holne |
| | Proposal: Replacement of existing cottage with high performance dwelling | |
| | Location: Little Cross Cottage, Holne | |
| | Decision: Withdrawn | |
| <hr/> | | |
| 52 | Application No: 0059/15 | District/Borough: Teignbridge District |
| | Application Type: Full Planning Permission - Householder | Parish: North Bovey |
| | Proposal: Demolition of single storey rear lean-to extension and construction of two-storey rear extension for larger kitchen and dressing room to bedroom | |
| | Location: Lower Hill Cottage, North Bovey | |
| | Decision: Grant Conditionally | |
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53 **Application No:** 0068/15 **District/Borough:** West Devon Borough
Application Type: Full Planning Permission **Parish:** Buckland Monachorum
Proposal: Replacement house
Location: Roughways, Chub Tor, Yelverton
Decision: Withdrawn

54 **Application No:** 0060/15 **District/Borough:** Teignbridge District
Application Type: Full Planning Permission **Parish:** Ilsington
Proposal: Dwelling for trust administrator and associated site improvements
Location: Rora House, Halford, Liverton
Decision: Withdrawn

55 **Application No:** 0056/15 **District/Borough:** Teignbridge District
Application Type: Full Planning Permission **Parish:** Ilsington
Proposal: Relocation of existing horse training manege
Location: Lookweep Farm, Liverton
Decision: Grant Unconditionally

STEPHEN BELLI