

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

04 December 2015

**SITE INSPECTIONS**

Report of the Head of Planning

1	Application No: <b>0499/15</b>	District/Borough: <b>West Devon Borough</b>
	Application Type: <b>Full Planning Permission</b>	Parish: <b>Burrator</b>
	Grid Ref: <b>SX528654</b>	Officer: <b>Jo Burgess</b>
	Proposal: <b>Provision of an agricultural/equestrian building</b>	
	Location: <b>SX 5279 6465, Land at Clearbrook, Yelverton</b>	
	Applicant: <b>Mr &amp; Miss R Allan</b>	

Recommendation: **That permission be REFUSED**

**Reason(s) for Refusal**

1. The proposed building by virtue of its size and isolated location will not conserve or enhance what is special and locally distinctive about the pastoral character of this landscape contrary to policies COR1, COR3, DMD5, DMD33 and DMD34 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.

Members met at the road side and walked up the slope to the field in which the building is proposed to be located. The planning officer showed the drawings and the applicants had marked out the position of the gateway into the new yard and the corners of the proposed building to aid the Members in their assessment. The existing field shelters, other structures, water tap, dung heap and slope of the land were noted by Members, who were advised that the mobile field shelters have been in place since July 2015.

In terms of visual impact the officer drew attention to the views to Hoo Meavy to the north and the policy context was re-iterated to Members. It was confirmed that the building would be sunk into the ground and that the proposed hedgebank would be 1.2m above ground level along the eastern elevation.

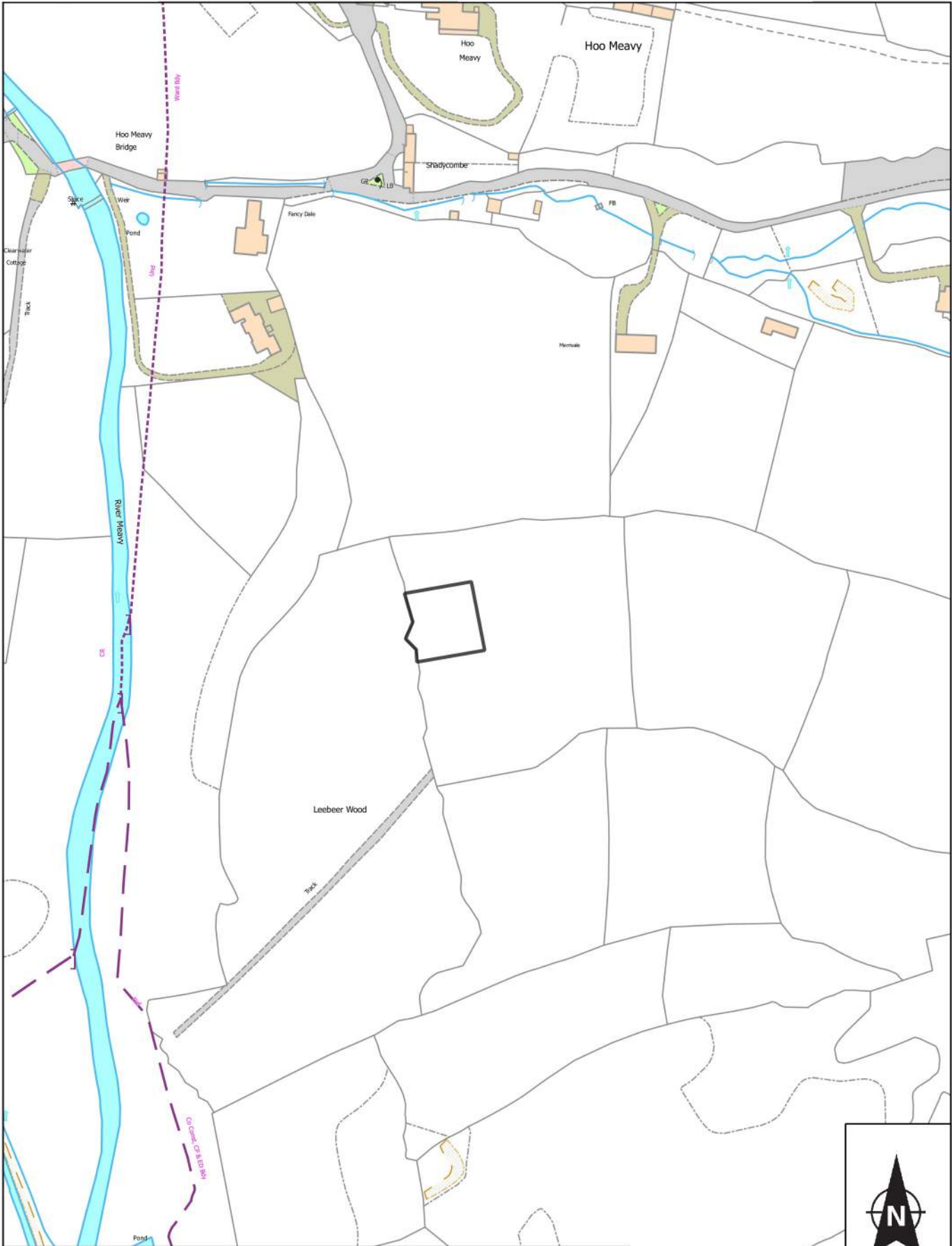
Members asked questions regarding controlling water collection from the roof, the use in terms of it being a mixed agricultural/equestrian use, removal of the mobile structures and details of the storage of dung.

The Parish Council representative reported that although the application was supported, some concerns had been raised about access and how prominent a permanent access track might

be.

The majority of the Members concluded that the site visit revealed that this was not the right place for such a large building which did not seem to be of an appropriate size for the number of stock or size of the holding. The officer recommendation in respect of the impact of the building and proposed new enclosure on the wider landscape was generally supported. Concerns were also expressed regarding the treatment of roof water, storage of dung and the ability of the Authority to control the use of the building and removal of existing structures.

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3. Application No: **0499/15** District/Borough: **West Devon Borough**  
Application Type: **Full Planning Permission** Parish: **Burrator**  
Grid Ref: **SX528654** Officer: **Jo Burgess**

Proposal: **Provision of an agricultural/equestrian building**

Location: **SX 5279 6465, Land at  
Clearbrook, Yelverton**

Applicant: **Mr & Miss R Allan**

Recommendation **That permission be REFUSED**

### **Reason(s) for Refusal**

1. The proposed building by virtue of its size and isolated location will not conserve or enhance what is special and locally distinctive about the pastoral character of this landscape contrary to policies COR1, COR3, DMD5, DMD33 and DMD34 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**

The land in question is to the south of Hoo Meavy and consists of several fields bounded to the west by a woodland. There are existing mobile field shelters to the south of the proposed site in the ownership of the applicant.

It is proposed to erect a building for equestrian and agricultural purposes which will be 18m long and 11m wide with a ridge height of 4.8m. It is proposed to erect a hedgebank to enclose a yard around the building.

The application is presented to Members in view of the Parish Council's comments.

### **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 - Trees & Landscape:	The field system around Hoo Meavy is likely to be mid to late medieval and is still mostly intact. The landscape has a strong agricultural character. The proposed isolated stable block is a feature that impacts on the character of the local landscape and its location, size and associated access do not conserve or enhance the pastoral character of the local landscape or character of the medieval field system.

### **Parish/Town Council Comments**

Burrator PC: Support the application

### **Representations**

4 letters of support

Four letters of support from nearby residents have been received referring to the local family connections and aspirations.

## **Observations**

### **INTRODUCTION**

It is proposed to erect a large building on 2.8ha (7 acres) of agricultural land near Clearbrook. The applicants live 250metres away in Clearbrook. They have four horses and a pony, 25 ewes and five highland cattle. Two thirds of the building will provide stables and tack/storage room for the horses while the other third will provide space for storing hay and feed as well as machinery and equipment used to produce hay and maintain the land.

### **PLANNING POLICY**

COR2 allows for development required to meet the proven needs of farming, and householder and domestic related development in the open countryside.

DMD33 states that development related to recreational horse keeping will be permitted subject to a number of criteria one of which is that it can be demonstrated that the proposal, on its own or cumulatively with other nearby horse related development will not harm landscape character.

DMD34 states that agricultural development will be permitted where amongst other things it relates well to the local landscape features and other building groups.

DMD5 requires development proposals to conserve and/or enhance the character and special qualities of the Dartmoor landscape by amongst other things reflecting the valued attributes of landscape character types identified in the Dartmoor National Park Landscape Character Assessment and ensuring that the location, site layout, scale and design conserves and/or enhances what is special or locally distinctive about landscape character.

Policies COR1(h) and COR3 also require that development respects or enhances the character, quality or tranquillity of the local landscape and conserve or enhance the characteristic landscapes and features that contribute to Dartmoor's special qualities.

The site lies within Landscape Character Type 2D Moorland Edge slopes and in this location the surrounding land is gently rolling farmland comprising small to medium fields enclosed by Devon hedge banks. It is a predominantly pastoral landscape which has a strong agricultural character. Broadleaved woodland is found growing along the river valley to the west.

The applicants propose to construct a hedgebank with a native hedge on top to create a yard. Although there are existing isolated buildings around Clearbrook, these pre-date the Development Plan. It is not considered that a new relatively large agricultural building in this location is in accordance with the policy requirements set out above.

There is an informal track across the adjacent field.

### **VISUAL IMPACT**

The building is predominantly horse related development relating to residential use. Normally it would be expected that development associated with domestic activity would be located close to dwellings. The applicants do not presently own the field adjacent to the road and there

are no other permanent buildings on the land.

The proposed building is a large and substantial building. Although the woodland to the west screens the proposed building from that direction, and the lie of the land is such that the building will not be visible from the public domain to the east and the south, there will be glimpsed views of the building from properties to the north, especially in the vicinity of Hoo Meavy chapel.

## DESIGN

It is proposed to erect a dual pitched building clad entirely in timber with a dark grey roof to have the appearance of an agricultural building. It is therefore in keeping with design guidance in respect of agricultural buildings.

## OTHER CONSIDERATIONS

The Parish Council has supported the application and four letters of support have been received from near neighbours supporting their efforts to set up a small holding on land that has been in the ownership of the applicant's family for several generations.

## CONCLUSION

The proposed building will be a large isolated building in the countryside which does not reflect the grouping of structures found in this landscape. There will be a limited visual impact however the proposed building and enclosure will not reflect the pastoral character of the landscape or character of the medieval field system and as such under the terms of policies COR1, COR3, DMD5, DMD33 and DMD34 is considered to be unacceptable. There is therefore an objection on landscape character grounds.

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2    Application No:    **0488/15**    District/Borough: **West Devon Borough**  
Application Type: **Full Planning Permission -**    Parish:    **Horrabridge**  
                         **Householder**  
Grid Ref:    **SX512693**    Officer:    **Jo Burgess**  
  
Proposal:    **Erection of detached workshop;enlargement of rear dormers; erection of front dormer with associated walkway**  
  
Location:    **The Glen, Plymouth Road, Horrabridge**  
Applicant:    **Mr D Full**

Recommendation: **That permission be REFUSED**

### **Reason(s) for Refusal**

1.    The proposed dormers by virtue of their design, scale and massing will have an adverse impact on the character and appearance of the property and this part of the National Park, contrary to policies COR4, DMD7 and DMD24 of the Dartmoor National Park Development Plan and the adopted Dartmoor National Park Design Guide.

Members met at the site and inspected the property from the front and the rear.

The planning officer showed Members the drawings and confirmed the location, height and width of the dormers. The officer re-iterated concerns that the dormer on the front elevation would dominate the building and be incongruous, visible and prominent from the A386 when compared with the simplicity of the building as it currently exists. At the rear the officer clarified the size of the proposed dormers and the way in which these dominate the roof to a much greater extent than the small flat roofed dormers that currently exist.

The Borough Council representative was of the view that as there was no standard design on this side of the road and the current roofscape was very bland, the proposed dormers would enhance the appearance of the dwelling. It was stated that some landscaping would help screen the new access bridge.

The Parish Council representative commented that in other locations a dormer of this size may be an issue but in this location and with the precedents elsewhere, the Council considered the proposals to be an improvement to the housing stock.

Members were unanimous in their support of the application, concluding that although they appreciated the concerns of officers regarding the size and location of the front dormer in particular, in this location the rear dormers and garage would be very discrete. With some additional landscaping, the walkway and front dormer would be acceptable in the streetscene and of an appropriate scale to the size of the building.

Although it is acknowledged that there are huge variety of property designs in the area, including substantial dormers on the front of properties, officer advice has been consistent in this respect and maintain their concerns about the design, scale and massing of the dormers and the adverse impact that they will have on the relatively simple appearance of the building

and this part of the National Park as set out in the reason for refusal.

However, taking into account the unanimous views expressed on site, if Members are minded to approve, conditions will be put forward at the meeting to cover issues of design, materials and landscaping.

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4. Application No: **0488/15** District/Borough: **West Devon Borough**  
Application Type: **Full Planning Permission - Householder** Parish: **Horrabridge**  
Grid Ref: **SX512693** Officer: **Jo Burgess**  
  
Proposal: **Erection of detached workshop; enlargement of rear dormers; erection of front dormer with associated walkway**  
  
Location: **The Glen, Plymouth Road, Horrabridge**  
  
Applicant: **Mr D Full**

Recommendation **That permission be REFUSED**

### **Reason(s) for Refusal**

1. The proposed dormers by virtue of their design, scale and massing will have an adverse impact on the character and appearance of the property and this part of the National Park, contrary to policies COR4, DMD7 and DMD24 of the Dartmoor National Park Development Plan and the adopted Dartmoor National Park Design Guide.

### **Introduction**

The Glen is a detached bungalow set below Plymouth Road (A386) on sloping ground. There is an existing garage adjacent to the highway.

It is proposed to enlarge existing rear dormers, erect a front dormer with a walkway to provide access from the garden which is at higher level and erect a detached workshop.

The application is presented to Members in view of the Parish Council's comments.

### **Consultations**

West Devon Borough Council: Does not wish to comment  
County EEC Directorate: No highway comments  
Environment Agency: Flood Risk Zone 1 - standing advice applies

### **Parish/Town Council Comments**

Horrabridge PC: Support - modernisation/enhancement of older property on large plot below level of main road

### **Relevant Development Plan Policies**

COR1 - Sustainable Development Principles  
COR2 - Settlement Strategies  
COR4 - Design and sustainable development principles  
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  
DMD7 - Dartmoor's built environment

## **Representations**

1 letter

The owner of the property to the south had written to state that she has no objections to the proposals.

## **Observations**

### **INTRODUCTION**

The property is a chalet style bungalow set below the level of Plymouth Road (A386) on the linear part of Horrabridge to the southern side of the settlement. Vehicular access to the property is adjacent to a timber clad garage/workshop at the same level as the road and the bungalow at a much lower level, such that only the roof is visible.

Plymouth Road is characterised by the diversity of building types mostly dating to the mid-twentieth century including a mixture of bungalows and houses. Although there is no unifying building type, the adjoining properties are mostly bungalows with hipped roofs which give a simple and low key appearance. They are visible from the road below the walls, fences and hedges that front the roadside. 'The Glen' has a low stone wall with some planting separating approximately half of its frontage with the main road.

### **DESIGN**

The main issue is the impact of the front dormer on the character of the property and the wider built environment. The long roof of the bungalow has a chimney but no other roof lights or dormers. There is a small flat roof dormer window on the west (front) elevation of the neighbouring property.

The property has existing living accommodation in the roof with existing dormers on the rear elevation which as part of this proposal are to be enlarged to contain doors rather than windows, with Juliette balconies. The proposed dormer on the front of the building has a pair of doors within it to gain access to a new walkway linking it to the bank at the higher level and will be 2.7m wide, 2.2m high to eaves and 3.2m high to the ridge of the gable roof. It will be 350mm above the eaves and 1.2m below the ridge of the main roof. Although the proposal creates additional volume there is no increase in habitable floorspace so the 30% restriction on floor space contained in DMD24 does not apply in this case.

The roof has cement tiles and it is proposed to finish the dormers in black fibre cement slates. The doors will be white upvc to match existing windows and doors.

The existing flat roof dormers on the rear elevation are modest in scale and set well within the roof so in keeping with the scale and appearance of the bungalow. The scale, height, materials and design of the much larger dormers would result in incongruous features that would be dominant to the overall façade and form of the bungalow. Although the advice in the design guide relates more to traditional buildings, it also states that when used in loft conversions, dormers should relate to the size and position of existing windows. On the rear of the building the dormers would retain some symmetry in terms of the bay windows at the lower level however they are substantially larger than the existing dormers large because they contain doors and have Juliette balconies, have pitch roofs and although it is not in the public domain, will dominate the rear elevation of the bungalow. On the front elevation there is no real relationship between the dormer and the existing windows because of the levels. Although

the proposed dormer will have a pitch roof, it is large because it contains doors, is much wider than the doors which exit the roof near to eaves level and has an associated walkway which will draw the eye to the structure. The design details of the dormer and its significant bulk and massing does not relate well to the form of the existing roof. It will be visible from the public domain and although the dormers do not impinge on the amenity of neighbours, the dormers are considered to be unacceptable and contrary to policies COR4, DMD7 and DMD24.

The new workshop will be a low simple structure that due to its location behind the existing garage will not have a harmful impact on the wider built environment or the adjacent neighbour. In view of the existing structure and size of the workshop and the proximity of the adjoining resident, a use restriction would be required to ensure that the use remains ancillary to the dwelling and does not become a business use.

## OTHER CONSIDERATIONS

The support of the neighbour and the Parish Council is noted. The applicant points to the dormer at Lavernock (0229/12) some 300m to the north on the upper side of the road which was granted permission by Members against the officer recommendation in July 2012. He considers that this creates a strong precedent.

The applicant contends that the proposal is to address an unsafe layout in fire safety terms with a first floor inner room entered off the ground floor kitchen. Officers are happy to work with the applicant to see if there is an alternative way to deal with this issue.

A protected species report has been submitted and the Ecologist has recommended that work proceeds in accordance with the report especially in relation to nesting birds.

## CONCLUSION

It is not considered that there is a precedent for the front dormer that should be replicated on the front elevation of other dwellings in the vicinity. It is considered that the pervading characteristic of properties in this area is that of simple roof profiles that have been un-altered. Rather than being subordinate and sympathetic it is considered that by virtue of its design, scale and massing the proposed dormers will have an adverse impact on the character and appearance of the property and this part of the National Park, contrary to policies COR4, DMD7 and DMD24 of the Dartmoor National Park Development Plan and the adopted Dartmoor National Park Design Guide.

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DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

04 December 2015

**APPLICATIONS FOR DETERMINATION BY THE COMMITTEE**

Report of the Head of Planning

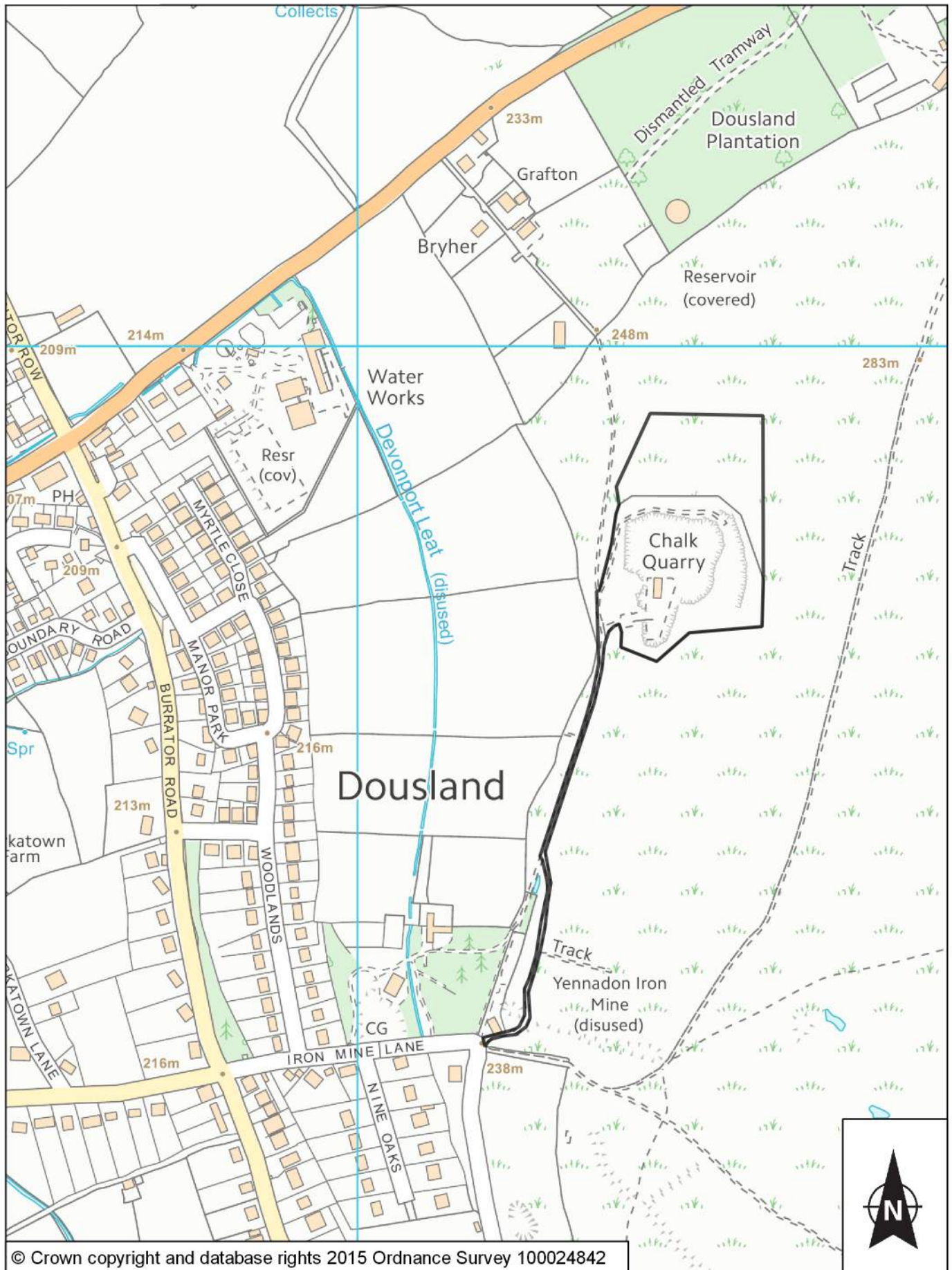
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2.	0473/15 – Change of Use of annexe and courtyard from hotel to residential (including independent dwelling) plus associated works (Full Planning Permission), Easton Court, Chagford	Pg.48
3.	0474/15 – Works to facilitate change of use of annexe and courtyard from hotel to residential (including independent dwelling) (Listed Building Consent), Easton Court, Chagford	Pg.55
4.	0505/15 – Erection of new office building and resiting of existing cycle hire buildings for continued use of remainder of the site for cycle hire and associated car parking (Full Planning Permission), Devon Cycle Hire, Sourton Down	Pg.60





Scale 1:5,000



1. Application No: **0348/15** District/Borough: **West Devon Borough**  
Application Type: **Full Planning Permission** Parish: **Burrator**  
Grid Ref: **SX542686** Officer: **James Aven**

Proposal: **Extension of the working plan area of the existing active quarry**

Location: **Yennadon Quarry, Iron Mine  
Lane, Dousland**

Applicant: **Yennadon Stone Ltd**

Recommendation **That permission be REFUSED.**

### **Reason(s) for Refusal**

1. The proposed extension would perpetuate the quarry and the related impacts in the long term, until 2025. The development is major and there is no overriding need for the development, or other exceptional circumstance demonstrated which would justify permitting that development in the National Park. In this respect the proposal is contrary to the NPPF (para 115 & 116) and policies COR22 and M4 of the Development Plan.
2. Acceptable alternative sources of stone exist to meet the demand currently met by the quarry. The alternative option for the quarry itself would be its restoration on exhaustion of the permitted reserves, thus reducing the current landscape impact, and enhancing the landscape. In this respect the proposal is contrary to the NPPF (para 115 & 116) and policies COR22 and M4 of the Development Plan.
3. The proposed development would have an unacceptable impact on the special qualities of the National Park, particularly in terms of amenity use, landscape and tranquillity. In this respect the proposal is contrary to the NPPF (para 115 & 116) and policies DMD5, COR1, COR3 and M4 of the Development Plan.

### **Introduction**

Yennadon Quarry is located in the south west of the National Park, 300m to the east of Dousland on the moorland fringe of Yennadon Down. The site is on common land that is owned by the Walkhampton Trust and administered by Lord Roborough's Maristow Estate and leased to the operator. The site produces dimensional building stone (stone with sawn faces to make a block suitable for construction) and stone used in walling and landscaping.

The application is to extend the existing stone quarry to the north, increasing its size by roughly a third. The red line covers the same area of land as the earlier application at around 1ha in area, however, the stone working area is reduced by roughly a third, although engineering works such as the erection of bund will disturb a larger area of the site.

Members will recall refusing a similar application at the Development Management Committee meeting in July 2014 (ref. 0667/13) for reasons the current application seeks to resolve.

### **Planning History**

0667/13	Extension to working plan area of existing quarry	
	Full Planning Permission	Refused 14 July 2014
0418/08	Installation of four exploratory boreholes to investigate potential site for	

	extension of existing quarry		
	Full Planning Permission	Grant Conditionally	15 September 2008
0979/04	Construction of replacement single storey stone-processing shed		
	Full Planning Permission	Grant Conditionally	26 January 2005
03/43/1075/90	Winning and working of minerals and continued use of existing buildings		
	Full Planning Permission	Grant Conditionally	10 April 1991

## Consultations

West Devon Borough Council: No comments received.

County EEC Directorate: .  
No objection as there is no intensification in activity above the previously consented levels of vehicle movements.

Environment Agency: .  
While the EA has no objections to the proposal, it wishes to make the following comments:  
We note the conclusions of the hydrogeological assessment (ES Chapter 11) and the apparent absence of groundwater dependent terrestrial ecosystems near the site.  
In relation to the proposed restoration scheme we note from section 2.2.4 of the ES that the applicant has discussed the principal of the proposals (inert soil infill) with other EA colleagues. This scheme is likely to require a Waste Recovery Plan and also a Restoration Permit.

Dartmoor Commoners Council: No comments received.

British Horse Society: No comments received.

The Ramblers' Association: No comments received.

Devon Stone Federation: The Federation has no objection to these proposals.

Yennadon Commoners Association: .  
The Yennadon Commoners Association's position remains the same as per its letter at the time of the previous planning application to extend the quarry. It has particular concerns regarding the casual regard the operators have to the security fencing and the current quarrying which is under mining the safety of the aforementioned fence. This situation is not only potentially detrimental to the safety of our livestock but could have catastrophic implications for the unwary person on the common.

Environmental Health (WDBC): .  
No objections to the application. No complaints have been received regarding noise and dust since the last application. Some unsubstantiated dust complaints had been received previously. In the event of permitting the development a dust management scheme should be established and should include the access road. A small number of noise complaints have been received (most recently spring 2011). No noise abatement notices have been served. Recommended that if permitted, conditions



be attached to ensure: 4m high bund is constructed; a noise limit of 50dB LAeq 1 hour at the boundary of noise sensitive properties; working hours controlled as they currently are.

National Planning Casework  
Unit:

No comments to make.

DNP - Archaeology:

An archaeological watching brief on topsoil stripping in extension area and exclusion of vehicular traffic from tramway to west and north of quarry is recommended. As stated in the Environmental Statement (Section 7.0) included with the application, there are two heritage assets in the vicinity of the quarry extension which will potentially be affected by its proposed development.

The first is the Plymouth and Dartmoor tramway, constructed in 1823, which runs along the western side of the quarry and the indicated extension area. This feature is vulnerable to damage or obstruction by the construction of the bund, which is planned to run along the western and northern edges of the extension area and its associated vehicle traffic.

Secondly, Yennadon Down contains a series of relict field systems of prehistoric, medieval and post medieval date which may encroach into the proposed extension area and will be destroyed by its development.

In accordance with policy DMD13 and in order to mitigate the threats outlined above the following measures are recommended:

1 – A watching brief be undertaken by qualified archaeological personnel on topsoil stripping in the proposed extension area ahead of development and appropriate investigation and recording be undertaken of any archaeological features identified.

2 – As stated in the Environmental Statement, damage to the Plymouth and Dartmoor tramway should be mitigated by the exclusion of vehicular traffic associated with the construction of the proposed bund to the north and west of the extension area. Care should also be taken that the bund does not encroach onto the tramway.

DNP - Recreation, Access &  
Estates:

Response is in relation to the likely impact of the expansion of Yennadon Quarry on public access and recreation of the area.

The expansion of the quarry will lead to a reduction of common land and grazing. The likely increase in noise, dust and vehicular traffic will have a direct impact on the public's enjoyment of the area for quiet recreation.

The area of land identified for the extension of the quarry is designated as common land and as such the public right of access is on foot and on horseback. The right of access on

common land is area based and there is no requirement to keep to defined public rights of way. The area around the development site has a network of informal paths and tracks, and in addition there is a public right of way – Public Footpath no. 13, Meavy, approximately 100m away.

It is considered that the proposed extension would not adversely impact on the public's use of the public footpath.

The extension of the quarry would result in a loss of common land (over which the public currently have a right of access), however it is considered that the reduction to the area of access land available to the public is minimal. The land within the quarried areas should be restored when quarrying activity finishes and public access should be made available once more.

The future recreational use and enjoyment of the area, whilst quarrying takes place, will to some degree, be determined by the amount and intensity of quarrying activity, and any resulting dust, noise and traffic movements.

Whilst the adverse impact on public access is considered to be minimal, it is difficult to quantify the extent to which enjoyment of the area by the public may be affected, as this will depend on the intensity of the quarrying operation.

On balance, I recommend that the application is refused on the grounds of incompatibility with National Park purposes and the adverse direct impact the quarrying is likely to have on the quiet enjoyment of the area.

DNP - Trees & Landscape:

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The application should be refused because it will have a detrimental visual impact and a detrimental impact on the character of the area, which is contrary to policy COR 1 (h) and COR 3. The development does not enhance what is special or locally distinctive about the landscape character, and it is an unsympathetic development that will harm the wider landscape. The development is also contrary to policy DMD 5 because it does not conserve/or enhance the character and special qualities of Dartmoor's landscape by respecting the valued attributes of this landscape type, specifically the dramatic moorland landscape, with wide open spaces, panoramic views and a strong sense of tranquility or the moorland grazed by Dartmoor ponies and native hill breeds of sheep and cattle.

DNP - Ecology & Wildlife Conservation:

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This appears to be the third iteration of the proposal to extend the working area of Yennadon Quarry. As such, the consultant hired by the applicant has undertaken an updated survey visit to verify the validity of previous survey

visits and follow-on recommendations. The consultant concludes that the habitats and species present are still very much as they were for when the Biodiversity Mitigation and Enhancement Plan (BMEP) was written in August 2013.

The BMEP has been updated to reflect changes in the proposals, an assurance that ecological matters have been incorporated into the overall scheme design, and adequate monitoring provisions. In as far the project goes, the proposed avoidance, mitigation and enhancement measures cover all the local species and habitat requirements and thus cover the proposal as much as is feasible to expect.

There is however a fundamental policy objection to development on S3 moorland and on priority habitat (unimproved dry acid grassland) as stated in DMD14, and there will be short to medium term adverse impacts to the local flora, as well as ground nesting birds and reptiles.

There is however scope to enhance the habitat, and species within, as part of the restoration for the longer term, as set out in the BMEP. If the Authority decides to grant permission for this application, detailed conditions will need to be drawn up to ensure the integration of the mitigation and monitoring strategy as set out in the BMEP into the scheme, and to ensure it being carried out.

I would like the consultant to include reporting at appropriate intervals to the Authority Ecologist how the works laid out in the BMEP are progressing (includes all aspects, including monitoring). I would suggest at first annually for the first five years from any permissions being granted, followed by every 5 years for the duration of the quarrying and restoration works.

### **Parish/Town Council Comments**

Burrator PC:

The Parish Council OBJECTS to the proposed extension as it will enlarge an already intrusive operation in the proximity of a residential area and which may be incompatible for the National Park in the current day. The proposal does not change the DNPA Refusal Notice dated 14 July 2014, para 2 "The proposed extension would perpetuate the quarry and the related impacts in the long term".

### **Relevant Development Plan Policies**

COR1 - Sustainable Development Principles

COR11 - Retaining tranquillity

COR18 - Providing for sustainable economic growth

COR22 - Provision for minerals development

COR23 - Dealing with waste issues

COR3 - Protection of Dartmoor's special environmental qualities

DMD5 - National Park Landscape

M2 - Environmental impact of mineral workings

M4 - New mineral workings

## **Representations**

92 letters of objection 50 letters of support 1 other letter

A substantial volume of representation have been received in relation to this proposal.

50 Letters of support have been received which raise the following material issues in relation to the proposal:

- The site is currently compliant
- The impacts of the proposed development are acceptable and/or can be controlled by condition
- The proposal will not have an unacceptable landscape impact
- The site is a sustainable source of stone
- The stone contributes to the character of the locality
- There will be no increase in vehicle numbers
- The site will be restored
- The site provides local employment
- The site contributes to the local economy

92 letters of objection have been received which raise the following material issues in relation to the proposal:

- The noise impacts of the proposal
- The visual impacts of the proposal
- The dust impacts of the proposal
- The traffic impacts of the proposal (including that tractors and trailers are not included in the stated figures, and unsuitable local roads)
- The landscape impacts of the proposal
- An extension to the south would have less impact
- Impacts of vibration
- Inaccuracies/criticisms of the Environmental Statement
- Loss of common ground
- Loss of amenity land
- Impact on the National Park
- Concerns that it would set a precedent for other industrial development
- Proximity to residential property
- Impacts on amenity uses in the vicinity
- Concerns about effects on drainage
- Lack of confidence that the site would be restored
- Effects on wildlife including reduction in wildlife habitat
- Perpetuation of the development and it's effects
- Concern about stability of the operations
- Scale of the proposal
- The stone is mainly used outside of Dartmoor and is not of national importance
- There is no national need for the development

Lantoom limited is a mineral producer in Cornwall which is in competition with the applicant. They have submitted an extensive objection to the proposal through their

solicitor and assessment by consultants. The objection focuses on:

- An assessment of policy which, it is concluded, does not support the proposal.
- A review of the submitted LVIA which found inconsistencies, omissions and incorrect assumptions.
- A review of the submitted noise assessment which indicates inflated proposed noise levels based on unrepresentative background noise levels.
- An assertion that the ES is insufficient in respect of noise.
- A rebuttal of the perceived benefits of the development which could be achieved through a ROMP review.
- A rebuttal of the socio-economic evidence in the ES.
- An assertion that other sources of stone with the same characteristics are available.
- An assessment that the proposal is major development and that there is no national need for the product.
- That the market for the stone is outside the National Park.
- An assertion that if production ceased at Yennadon Quarry then the demand for the stone could be met by an upturn at other quarries including Lantoom Ltd's sites which would generate employment.

The applicants consider that the reports submitted by competitors referred to above should be regarded as unsupported and unsubstantiated in that there are errors in these reports, including false assumptions on extraction rates, and have been prepared by persons who have not visited the site or undertaken appropriate surveys or full assessments in accordance with EIA guidance.

A representation has been received from CPRE which weighs up the pros and cons of the development and concludes that it neither supports nor objects to the application.

The Dartmoor Preservation Association objects to the application which, despite the changes made since the rejection of the previous application, it still considers to be contrary to the two purposes of National Park designation and to policy COR22. It does not consider the duty 'to seek to foster the economic and social well-being of local communities' to be of sufficient weight to override these matters. Alternative sources of stone exist and the Association does not believe that the applicant has made a compelling economic argument for the development. Although the applicant has put forward new landscaping proposals, the Association has serious reservations as to their effectiveness or enforceability. The destruction of an area of common land and the resultant loss for grazing and public enjoyment is not, it states, consistent with National Park purposes, and is not in the public or national interest.

The Dartmoor Society fully supports this application for what it describes as a modest expansion. The application, it states, reaches to the heart of understanding and awareness of the cultural history and landscape of Dartmoor, and of sustainability and the wise use of resources.

Yennadon is the last active stone quarry working on moorland Dartmoor, out of scores that once existed. As such, the Society considers it a cultural icon and living heritage link to the previous generations of quarrymen, who have shaped what is one of the finest cultural landscapes in the world.

Amazingly, this small-scale enterprise supports a workforce of twenty-seven. It provides stone for a wide area of west Devon and beyond, and is maintaining the historical value of Dartmoor which has always shared its resources beyond the limits of Dartmoor itself. Its scale is entirely appropriate to modern Dartmoor and adds character to the Dartmoor landscape.

The proposed expansion poses no significant threat to archaeology, ecology or the wider landscape and, once the quarry has ceased working (2025), it will become an intriguing site, sitting quietly within a moorland setting. After abandonment, we advise that foundations of any structures within the quarry should be left undisturbed, for the education and interest of future generations.

This quarry is exactly the type of small-scale locally distinctive enterprise, making wise use of Dartmoor's resources, that deserves widespread encouragement. The Society urges the Authority to approve this application.

## **Observations**

### **PLANNING HISTORY**

The site is currently operated under a planning permission granted in 1991. As with all mineral consents, this is a temporary permission and will expire in 2025.

The current planning permission contains the following conditional limits:

- Maximum tonnage removed from the site of 14,000 tonnes per annum
- Operating hours of 07:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturday (essential maintenance may be carried out outside these times)
- No more than 35 lorry trips per week (tractors and trailers are excluded from this total)
- Lorry movements between 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 Saturday
- A minimum of 75% of the total tonnage of stone leaving the site each year shall be building and walling stone
- Restoration conditions.

In 2008 planning permission was granted for exploratory boreholes. These were drilled in 2010.

A similar application to that now before Members but for a larger working area was the subject of a Committee site inspection in June 2014 before being considered and refused at the Development Management Committee meeting in July 2014 (ref.0667/13). That application was refused for the same reasons as those recommended with the current application, with an additional reason concerning the inadequacy of the Environmental Statement submitted at that time.

The reasons for refusal of the previous application can be summarised as:

1. Failure of the Environmental statement to assess the likely impacts of the development at the proposed upper limits of 10,000 tonnes per annum.
2. The proposed extension would perpetuate the quarry and the related impacts in the long term until 2025. The development is major and there is no overriding need for the development.
3. Acceptable alternative sources of stone exist to meet the demand currently met by the quarry. The alternative option for the quarry itself would be its restoration on exhaustion of the permitted reserves, thus reducing the current landscape impact, and enhancing the landscape.
4. The proposed development would have an unacceptable impact on the special qualities of the National Park, particularly in terms of amenity use, landscape and tranquillity.

These reasons for refusal contain a number of elements which the applicants have sought to address through the current application:

Reason 1: In respect of the accuracy of the information contained in the previous ES, the applicants acknowledged that there was a degree of confusion over the tonnage of quarrying proposed per annum. This ES has been revised based on a uniform figure of 10,000 tonnes/annum in each appropriate section. A recalculation of the extraction area required to deliver at this reduced maximum rate until 2025 has resulted in a smaller quarry area which allows for an enhanced landscape strategy.

Reason 2: The applicants state that it was an incorrect assumption by the DNPA that in the absence of a further planning permission the quarry would close before 2025 (the time limit of the existing planning permission.) Without the grant of a further planning permission, the quarry, they state, will continue to operate albeit with a reduced output and with reducing levels of staff arising from the physical constraints of working within such a tight area.

Reasons 3 and 4: The question of the availability of alternative sources of stone is addressed below. With regard to the significant landscape issues identified in these two reasons, the applicants have sought the advice of a landscape consultants and a revised extraction and restoration scheme was established, which they believe enhances the visual impact of the landscaping at the same time as reducing the impact of the working faces. This, they state, will deliver a greater restored area of moorland and the potential for public access over the whole restored quarry area.

## THE PROPOSAL

The application sites is unchanged from the previous application but there have been some changes to the proposal; the area delineated for extraction has been reduced in size by approximately 35%, the screening bund configuration has changed, as have the proposed landscape mitigation measures.

The existing quarry is very close to its permitted boundaries. Quarries can only be worked to a depth that can be safely achieved, given the need to access working at depth and to have faces which are not liable to failure.

The quarry operators are seeking the extension to enable production to continue, as a minimum at current extraction rates and up to the maximum permitted, until the current planning permission expires in 2025.

The application area includes the existing permission (as in the event of permission it would be necessary to amend the approved phasing in this area and access through that area, necessitating new conditions and any legal agreement necessary) and is a total of 3.3ha. The proposed extension area amounts to around 1ha.

The site predominantly produces dimensional building stone (which is stone sawn on several faces to make a rectangular block suitable for construction) and stone used in walling and landscaping. The applicant proposes that the conditional parameters would remain the same, but with a reduction of annual tonnage of that approved (14,000 tonnes) to 10,000 tonnes per annum and a reduction of lorry trips from 35 to 30 (30 in 30 out, 60 movements in total) in any week, which could be reasonably controlled by condition.

The application site red line incorporates the existing quarry and access track. In the event of the grant of planning permission this would allow the same conditions to apply to all parts of the quarry. This is necessary as reduced parameters are proposed to control output, vehicle numbers, and the depth of working would be less under the proposal than is currently permitted. In the event that the development was permitted, it would be necessary for a S.106 Agreement to obtain agreement to the revocation of the existing permission to ensure that there can be no argument that both permissions can be implemented concurrently.

The proposal includes those areas of the site that are worked out would be progressively backfilled and restored as extraction moved forward. This is an appropriate way to dispose of reject material and would ensure that the restoration works were not left to the end of the scheme. The site would be restored to a lower level than its original profile in a bowl running north/south. Some quarry faces on the western side would be left suitable to attract nesting raptors to the site. The land would be allowed to naturally re-vegetate (with seeding if necessary) to return the land to grassland consistent with the surrounding common.

As before, spoil would also be accommodated in a 15m wide and 4m high bund, which is proposed to be constructed along the western boundary of the extension and graded into the existing slope profile along the northern boundary. The lower 1m of the bund would be planted with trees/native plants and the upper bund grassed. On completion of quarrying the upper bund would be removed and planted with similar trees and native plants.

The un-vegetated northern end of the existing bund would be battered back to a lower angle and graded into the new bund, soiled and planted, all as part of pre-excavation works. The eastern side of the existing bund would be re-graded and upper 4m soiled and planted to improve view points from the east.

The applicants believe that the bund will serve to screen the site and reduce the landscape impact and attenuate the impact of noise. This is further discussed below.

All mineral working is a temporary use of the land and it is proposed that the working and restoration would be concluded by 2025, consistent with the current end date.

The application is accompanied by an Environmental Statement which assesses the impacts of the development on the environment, and proposes measures to mitigate the impacts of the development.

## SCALE OF DEVELOPMENT

The Development Management Procedure Order identifies that all mineral extraction development is 'major'. Notwithstanding this, Policy COR22 identifies that quarrying may be 'small scale' and therefore it is appropriate to consider whether the proposal is major development within the terms of the Core Strategy.

The application site is approximately 3.3ha, the extension area accounts for almost one third of this at 1ha, with the extraction area proposed covering 0.53ha. The remaining extension area comprising a screening bund and landscaped buffer.

The proposal is effectively to double the size of the working area which is considerable. If the site produced 10,000 tonnes per year for the operational life proposed this would amount to a maximum of 200,000 tonnes, though the application does not state a total reserve estimate.



It is likely that substantially less than 10,000 tonnes would be worked each year and the applicant's agent states that over the past seven years the quarry has produced on average approximately 5,500 tonnes per annum, based on the current production method and employee numbers.

Yennadon Stone has voluntarily requested that the annual maximum is reduced to 10,000 tonnes; although it should be noted that 10,000 tonnes per annum is unrealistic without increasing almost two-fold the employee numbers or working hours, or increasing the size of the site offices and processing shed (for which there is no planning permission to do so). In addition, there is understood to be an insufficient water supply at the quarry to enable processing of 10,000 tonnes of material. Even at a reduced rate of extraction, the overall reserve realised would be substantial.

It is for the National Park Authority to determine whether development is small scale. Given:

- the size of the site and the proposed extension relative to that;
- the tonnage arising;
- the operating parameters;
- the alternative to the development which is that either the impacts would be lesser as less intensive development would take place or the site may be restored more quickly;
- the location of the site on open moorland; and
- the location of the site in the National Park, it is considered that the proposal is major development.

Given the size of the site and the proposed extension, the tonnage arising, the operating parameters and the location of the site in the National Park, it is considered that the proposal is major development.

This is not the view of the applicants however who make reference to the text contained within Core Strategy Policy 22, one of the key policies against which the application needs to be tested. The applicants go on to point out that the matter of 'need' is not applied to "small scale quarry of traditional building stone" or "other mineral development".

## POLICY

Relevant Development Management and Delivery Plan Document Policies:

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered to be a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2008 and saved policies in the Dartmoor National Park Local Plan 2004. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF with regard to the issues that are raised.

The NPPF para's 115 and 166 state that:  
Great weight should be given to conserving landscape and scenic beauty in National Parks,

the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.

Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

- the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

Policy COR22 reflects this part of the NPPF specifically in terms of stating that major minerals development will not be allowed unless, after rigorous examination, it can be demonstrated that there is a national need which cannot reasonably be met in any other way, and which is sufficient to override the potential damage to the natural beauty, wildlife, cultural heritage or quiet enjoyment of the National Park.

Policy COR22 goes on to state that small scale quarrying of traditional building stone will be granted in locations where this would not be damaging to the landscape, archaeological, ecological or geological interests, or to the amenity of local residents and where the local road network is adequate to cope with the traffic generated by or associated with the proposed development.

Policy M4 of the Mineral Local Plan states that applications for new mineral workings; extension of existing workings; mineral waste tipping; and ancillary development, will be rigorously examined and determined having regard in particular to the following factors:

- (i) evidence of the presence of the mineral;
- (ii) the loss of agricultural land;
- (iii) the effects on the local environment, including the generation and routing of heavy lorry traffic, potential nuisance by noise, dust or vibration, and interference with, or pollution of, water supplies;
- (iv) the effect on landscape and on land with recognised conservation interest, including sites of nature conservation importance, and on Ancient Monuments and other archaeological remains and their settings;
- (v) the local, regional or national economic benefits of extracting the mineral;
- (vi) the local, regional or national need for the particular mineral, and alternative ways of meeting that need;
- (vii) the proposals by the applicant for the method of working, and for restoration to agriculture, forestry or other appropriate use (to include details for the aftercare necessary to ensure proper establishment to a condition suitable for that use);
- (viii) the effects of the proposal on flood risk;
- (ix) the effects of the proposal on the amenities of local residents;
- (x) the effects of the proposal on recreational use in the locality;
- (xi) the potential for mitigating adverse effects through the use of planning obligations.

## NEED AND ALTERNATIVES

The application includes information which relates to the markets for Yennadon stone, which are shown below as a percentage of stone sales by area:

Dartmoor and fringes (including Tavistock, Ivybridge, Bovey Tracey and Okehampton) = 10%  
South Devon = 45%  
North Devon = 5%  
East Devon = 5%  
East/North Cornwall = 21%  
Mid Cornwall = 9%  
West Cornwall = 5%  
Other = 0.6%.

It is clear that the majority of the stone is used outside the National Park. The application itself notes that the National Park is largely characterised by granite building stone.

The figures provided show that there is a significant market for the stone within Cornwall and Devon, outside of Dartmoor.

The application argues that the stone is unique and cannot be sourced elsewhere. It is stated that the deposits of Hornfelsed Slate (which the quarry produces) are within the National Park and are therefore not easily exploited. It would normally be expected that where stone is used to maintain local distinctiveness, buildings of the stone are normally found in close proximity to the source of the stone. However, in this case the market for the stone predominantly lies beyond the National Park.

It appears that while there is a demand for the stone this is not tantamount to a demonstrable 'need' for the stone. Little of the stone is used to maintain the locally distinctive built environment of the National Park. The demand for the stone is largely beyond the reaches of the National Park. The application demonstrates a demand but not a need akin to a national need, or other exceptional circumstance which would override the need to protect the National Park.

Similar building stone is available in East Cornwall. Lantoom Ltd has made representations that building stone that it produces at Lantoom Quarry, Mill Hill Quarry, and other quarries in the area (which it does not control), produce stone with a similar appearance to the stone produced by Yennadon Quarry. Evidence is submitted by Lantoom Ltd to show that their quarry has planning permission until 2042 and have considerable reserves. These quarries are located within the main market for stone from Yennadon Quarry and are better placed to meet the demand, in terms of: the sustainability of transport; production of a local stone for a local market, maintenance of the locally distinctiveness of the area of main demand, and production of stone without impact to the National Park. If stone of this nature were required within Dartmoor, these quarries would also be able to meet this demand.

The applicants consider that the Authority previously gave significant weight to the assertions of a competitor company, Lantoom Quarry, without the provision of substantiation.

There are a variety of different 'slate' stone types that have historically been quarried throughout Devon and Cornwall. The term 'slate' for building stone is loosely applied to mudstones and siltstones that have undergone various grades of metamorphism. The nature and appearance of these stones varies greatly; and can be weak or strong, durable or non-durable, dark or light grey, have green, to yellow, to red hues, and be characterised by brown iron oxide and/ or quartz veining.

The applicants state that most other existing 'slate' quarries in the region produce a dark grey "Blue" slate (which can be used as both traditional roofing slate and dimension stone, etc.). There are limited other sources of 'Rustic Stone' within the Southwest. Whilst there are slates that share some 'characteristics' with Yennadon Stone, none, they state, extract the high quality Hornfelsed Slate produced at Yennadon. As such, there are none that can provide exact and viable alternatives in terms of stone type, quality, shape, colour, strength and durability that exist.

The applicants acknowledge that there are two other sources of a rustic stone with some similarities in appearance available within a 30 mile radius of Yennadon, namely Mill Hill Quarry and Lantoom Quarry. Neither, they state, provide appropriate replacements with regard to stone type, quality, colour, strength and durability.

The Authority is advised that further work has been undertaken by Yennadon Stone which demonstrates that the Lantoom stone is of a lesser quality in a number of respects including: colour, strength, weathering, water resistance, shape and appropriateness to the character of the area. In this latter respect, the applicants state that it is worth noting that the use of Lantoom Stone would be alien to many of the sites in the National Park and also to the recommendations of the DNPA Design Guide on the importance of using local metamorphic stone in construction projects in the "moorland fringe" areas.

The Applicant's state that Lantoom Quarry produces a stone that has some similarities in appearance but many differences in terms of strength and durability. Laboratory testing has apparently been carried out in order to provide an indication of the difference in the performance of Yennadon Stone with that of Lantoom Stone (as a possible alternative source).

The results suggest that Yennadon Stone is stronger, more durable and less prone to damage (flaking and delamination) due to weathering than stone quarried from Lantoom. There are also key differences in colour and tone. Whilst natural faces from Yennadon predominantly ranges from mellow yellow to brown hues with some hints of bluish grey; natural facing from Lantoom tends to have more dark yellow to orange brown hues. It is also quite different as a cornering material, Lantoom Stone needs to be cut to work at right angles to produce a quoin. Unlike Yennadon Stone which produces natural quoins.

The main reason for these differences, they state, is that the two quarries fall within different underlying geological areas; Yennadon in the Tavy Formation and Lantoom in the Saltash Formation.

A further area of concern they state, arises from the Authority's assertion that Lantoom Quarry could readily take up the production that would be lost at Yennadon should the application be refused. Detailed evidence provided within the Environmental Statement suggests that this may not be the case. The applicants state that Lantoom Quarry does not have the production capacity that Yennadon has. It is considered likely that Lantoom Quarry would be the main alternative source should Yennadon Quarry reduce capacity but, the applicants state, would be unlikely to meet future demand based on current rates of production. As a result, they state, either costs of construction will increase or customers will seek alternative building styles, adversely impacting on the policies for preserving local character in new design.

Notwithstanding arguments advanced by the applicants it appears to the Authority that Lantoom is a reasonable alternative source of supply for a very similar type of stone.

## EMPLOYMENT

As well as the statutory purposes for National Parks in England and Wales, National Parks also have the duty to seek to foster the economic and social wellbeing of local communities within the National Parks. It is therefore appropriate to consider the impacts of the proposal on the employment and local economy.

The application states that the site employs 27 people (up from 21 previously), 11 of which are aged between 18 and 24 with a further nine aged between 25 and 30. It states that 12 of these employees reside in West Devon, Dartmoor, South Hams and South East Cornwall.

If the proposal was granted, this level of employment would be sustained rather than increased. The effect of refusing the proposal may well be the loss of these jobs. Some of these employees may well fall outside of the term 'local communities' and certainly a high proportion reside outside the National Park.

The application states that the closure of the quarry would imply an annual loss from the West Devon and Dartmoor economies of between £159,264 and £827,075. The application itself states that whilst 'this is a small percentage of the region's total output, under current economic conditions, any potential loss to the economy should be resisted unless planning policies dictate to the contrary.

The loss of most of these jobs and the revenue generated by them is beyond the terms of consideration set out in the 'duty' of National Parks, as employees are predominantly not resident in local communities in the National Park.

The objection to the development made by Lantoom Ltd suggests that replacement jobs would arise from increased demand from other sites. This cannot be guaranteed, and may represent a simplified approach, as quarry output can sometimes increase without significant increase in employees.

Policy COR18 sets out development outside of settlements that will be supported to sustain opportunities for employment. The proposed development does not fit into any of the types of business or development envisaged as acceptable and the development is not considered to be in accordance with this policy.

The socio-economic benefit of such small scale employment and contribution to the economy cannot override the need to protect, conserve and enhance the National Park.

## ENVIRONMENTAL IMPACTS OF THE DEVELOPMENT

### LANDSCAPE

One of the reasons for refusal of the previous application was the impact the development would have on the character of Dartmoor's landscape. A revised and detailed landscape report has been submitted with the application, including an assessment of visual impact and impact on landscape character, which has been assessed by the Authority's Landscape Officer. The landscape and visual impact of the proposal is a major consideration given its position in the National Park, a landscape with the highest level of landscape designation and protection.

The landscape assessment makes reference to landscape character type 2D Moorland Edge

Slopes having an influence on the local landscape. There is a strong division between the open moorland site and the enclosed land to the west. Mines and quarries are not a feature of Moorland Edge Slopes and in this situation the influence of the landscape has less relevance.

The key conclusions of the baseline assessment states that quarries are an important and visible part of the Dartmoor landscape. Former mineral workings including medieval and 19th Century mineral workings are a feature of the upland landscape, but there are no active quarries on the open moor and these abandoned quarries have a significantly different character than a modern working quarry.

One of the key conclusions states that the 'upland fringe' adjacent to the site is naturally regenerating small trees. The land surrounding is open grazed common. The commoners will maintain an open landscape and will resist the development of scrub. This upland fringe tree screen is outside of the control of the applicants and there is no way of maintaining this scrub in the long term. An expansion of the scrub fringe is unlikely given the grazing pressure on the common.

The report makes reference to the area around the quarry not being part of the remote upland moorland that contributes strongly to the iconic vision of Dartmoor and does not exhibit the remoteness or high tranquillity. Whilst the site is not remote and in the middle of the moor it does not mean it is of lesser quality.

The report identifies the land as highly sensitive but states that the development will lead to a moderate change and that the revised proposal will result in a significant benefit to the landform within the site. In terms of landform however, the development will result in a change to the open common. The restored land will not reflect the form of the existing common and whilst it may improve the landform within the site, it will not restore the character of the local landscape.

It is stated that the development will have an adverse impact on 1ha of grassland, but this will only be significant at a local level. The land around the site has a high recreational use and the local impact is of particular significance.

The main thrust of the argument in the landscape report seems to be that there is no requirement to restore the existing quarry once it stops working and that by giving permission to extend the quarry a landscape scheme can be part of the permission and these benefits will outweigh any landscape impacts caused by the quarry extension.

## Site Description

The site lies on the edge of open grazed moorland. The land to the west is enclosed pasture with a strong equestrian use. The land to the south and east is open grazed moorland. The land to the north is undulating agricultural land comprising small to medium sized fields enclosed by Devon hedge banks. Isolated and linear groups of trees are growing on these hedge banks. Large conifer woodlands are a dominant feature of this landscape. The linear settlement of Dousland lies to the west on lower ground. This settlement is mostly individual dwellings with small to medium sized gardens.

## Landscape Character

The Dartmoor LCA identifies the site as lying within Landscape Character Type1L Upland Moorland With Tors. The key characteristics for this landscape type include:

- A gently rolling, large scale moorland landscape with a strong sense of exposure, tranquillity and far reaching, often panoramic views.
- Tors punctuate the smooth moorland slopes, fringed by scatterings of granite boulders and clutter slopes. The tors form characteristic silhouettes on smooth, uninterrupted skylines.
- Strong pattern of late 18th and 19th century 'newtakes' surround the moorland core, defined by a regular pattern of granite drystone walls and low hedgebanks enclosing rough grazing land.
- Numerous sites and features of high archaeological significance include prehistoric cairns, ceremonial monuments, round houses, hut circles, deserted medieval settlements, ancient field systems and boundary markings. Often constructed from granite, these features add to the 'rocky' appearance of the moor.
- Former mineral workings and associated buildings dating from the medieval period onwards and 19th century quarries scatter the landscape, providing evidence of a long history of a moorland exploited by people.
- Local vernacular is characterised predominantly by granite and slate. Settlements are small and clustered around bridging points or crossroads nestled into the folds of the landscape. Isolated farmsteads, often with colour washed walls, are dotted across the moorland; commonly framed by trees providing shelter from the elements.

The valued attributes for this landscape type are;

- Dramatic moorland landscape, with wide open spaces, panoramic views and a strong sense of tranquillity.
- Traditional upland farming communities with the moorland grazed by Dartmoor ponies and native hill breeds of sheep and cattle.
- Valued wildlife habitats including blanket bogs, mires and heather moorland – home to rare upland birds.
- Hill tops dominated by granite tors and other geological features.
- Rich archaeological heritage with numerous archaeological remains.
- Unifying granite local vernacular displayed in farmhouses, bridges, stone walls and settlements linked by deep lanes.
- Valued area for recreation, with large tracts of open access land.

### Impact on Landscape Character

Extending the quarry will inevitably have an impact on the character of the local landscape, it will no longer be open grazed moorland. The introduction of bunds along the northern and north western are alien features into this open moorland landscape and whilst part of the bunds will be removed the lower parts of the bunds will be retained in perpetuity.

It is proposed that the quarry would not be restored back to its previous landform. The feature that would be created would contrast with the moorland landscape. It would create new habitat and may be interesting to see in the future from a cultural heritage perspective, but the development would change the character of the gently sloping moorland into a large depression with seasonal wetlands and man-made slopes. The quarried land would have a different character than and would not conserve the surrounding open moorland.

The argument put forward is that the restoration works will enhance the landscape and these benefits outweigh and adverse impact of the quarry extension. Whilst restoration is to be welcomed, do the benefits outweigh the impact? If the quarry ceased working and all activity stopped the bund to the west and the open spoil heap to the north would soon be covered in naturally regenerating vegetation. The impact of the quarry workings would soon be softened.

The removal of the bund would be welcomed, but the installation of the new bunds would negate any landscape improvements by removing the existing bund. The initial infilling of the quarry void will have limited landscape benefits during the working life of the quarry. The restoration works will not restore the land to the same form as the surrounding common land. A large area of land will be disturbed under the latest proposal and the impact on the character will outweigh the benefits of restoring the whole site once it becomes redundant.

The impact on landscape character has to be balanced by the fact that old quarries are found scattered across Dartmoor, including within this landscape type and quarries are a feature of Dartmoor's historical landscape. However, there are no active quarries on the open moor and these quarries are part of the historic character of Dartmoor. These abandoned quarries have a significantly different character than a modern working quarry. Also the scale of the development has to be considered in relation to the local landscape, this area of moorland is smaller than the other areas of Dartmoor and the quarries found within it are modest in size. The extension of the quarry will increase its size making it substantially larger than other quarries on this part of the moor and its impact will not reflect the size of other quarry development on this moorland.

The quarry exists and the extension will not introduce a new form of harm into the landscape, it will only increase the harm caused by the presence of the quarry.

### Visual Impact

A detailed visual impact assessment has been carried out. The assessment appears to assess the impact of the quarry in the final stage of restoration. It is stated that the impact of the permission will either have no change or be slightly better. The conclusion reached is confusing because building the new bunds will be visually intrusive and this must have an adverse visual impact when viewed from the open common and the track running to the north west of the quarry. The bunds will also be visible from the lands to the west. The bunds will appear as alien features in this otherwise open landscape.

### Tranquillity

The quarry working will be at a similar level to the existing operation and noise levels will be at the same level which means its impact on tranquillity will be no worse, although initially noise level will be higher. However, there seems to be no evidence that extending the quarry workings will conserve and/or enhance the sense of tranquillity. Policy DMD5 is very strong in that we should be seeking some enhancement on levels of tranquillity and not just maintaining the status quo.

It is stated that the revised restoration scheme will provide a number of positive contributions to tranquillity, including improving the naturalness of the landscape and enhancing the openness of the landscape. However, neither of these factors will help reduce the levels of tranquillity, it will be a fully operating quarry with all the sounds and movement associated with quarrying activity. Increased activity leads to greater vehicle movements and more noisy quarrying activity. Once the quarry ceases working, the site will be far more tranquil than when it is operating.

### Mitigation

The visual impact of the quarry workings will be initially reduced by building bunds along the western and northern boundaries of the quarry extension. These bunds will screen the quarry



from views to the west and north, but the bunds themselves will be alien features in the moorland landscape and will have an impact on the character of the area.

The applicants have submitted a phased restoration of the worked quarry. If permission is granted the phased working would be acceptable.

The existing planning permission runs until 2025, if the extension is granted there will be more workable stone which could mean the final landscape restoration scheme will be delayed and the proposed benefit of early completion will be lost.

The Mineral Products Association has a Restoration Guarantee Fund scheme but Yennadon Quarry does not appear to be a member of this organisation. There may, therefore, be difficulties in securing the restoration of the site should, for instance, the company go bankrupt.

### Landscape Policy

The primary National Park purpose is to conserve and enhance the natural beauty, wildlife and cultural heritage. The landscape assessment considers the development to have high/moderate impact, which means it is at odds with the primary purpose because it is not conserving the landscape. It is stated that there are significant benefits in extending the quarry and implementing a programme of restoration. It is stated that this enhancement outweighs the impact the development will have on the character of the landscape or its visual impact. Clearly changing moorland to a quarry cannot be described as conserving and enhancing this area of moorland and the benefits of adopting the revised landscape restoration scheme are not considered to outweigh the harm caused to the landscape by extending the quarry onto open grazed moorland.

Local plan policy DMD5 sets out how Dartmoor's internationally renowned landscape should be protected. It is recognized that landscapes change, but the emphasis is on protecting the character and special qualities of Dartmoor's landscape. The policy states that:

Development proposals should conserve and/or enhance the character and special qualities of the Dartmoor landscape by:

- respecting the valued attributes of landscape character types identified in the Dartmoor National Park Landscape Character Assessment;
- ensuring that location, site layout, scale and design conserves and/or enhances what is special or locally distinctive about landscape character;
- retaining, integrating or enhancing distinctive local natural, semi-natural or cultural features;
- avoiding unsympathetic development that will harm the wider landscape or introduce or increase light pollution;
- respecting the tranquillity and sense of remoteness of Dartmoor.

The policy is very clear that development should conserve and/or enhance the character of Dartmoor's landscape. The development will have a detrimental impact on the landscape. The development does not respect the valued attributes as set out in the Landscape Character Assessment and it does not conserve and or enhance the character of the landscape, the development is contrary to policy.

Planning permission was refused by Members in 2014, this application is slightly smaller and has a slightly different restoration scheme with a different phasing of works. However, it is fundamentally the same proposal and the development will cause similar harm to the

landscape.

The quarry extension will have an impact on the adjacent moorland and the character of the local landscape. The quarry is very visible in the landscape and the new bund and the quarry workings will have a high/moderate level of visual impact. Extending the quarry into open moorland, even if it is adjacent to an existing quarry, does not conserve or enhance the moorland character. On redundancy and after landscaping the quarry will not be restored back to a landform that reflects the surrounding moorland topography. Essentially, there will be a large hole in the ground which in time will scrub up, but the redundant quarry will be a different and more intrusive feature in the landscape. Former mineral workings are a feature of the upland landscape, but there are no active quarries on the open moor and these abandoned quarries have a significantly different character than a modern working quarry.

Unless there is overlying strategic need for the stone from this quarry permission should be refused because the development will be contrary to policy COR1 in that it does not respect or enhance the character, quality or tranquillity of the local landscape. It is contrary to policy COR3 in that the development does not conserve or enhance the characteristic landscapes and features that contribute to Dartmoor's special environmental qualities. The development is also contrary to DMD5 because it does not conserve/or enhance the character and special qualities of the Dartmoor landscape by respecting the valued attributes of the Dartmoor landscape, specifically the dramatic moorland landscape, with wide open spaces, panoramic views and a strong sense of tranquillity. The development does not enhance what is special or locally distinctive about the landscape character, and it is an unsympathetic development that harms the wider landscape.

## NOISE AND TRANQUILLITY

The application states that the proposed extension would bring the quarry within 90m of the nearest residential property. The ES includes details of noise monitoring at locations, including at the boundary of this property.

A large proportion of letters of objection raise issues of existing noise, and concerns about possible increased levels.

The NPPF includes a technical annex which specifically aims to address noise issues at minerals sites. This states:

'Subject to a maximum of 55dB(A)LAeq, 1h (free field), mineral planning authorities should aim to establish a noise limit at the noise-sensitive property that does not exceed the background level by more than 10dB(A). It is recognised, however, that in many circumstances it will be difficult to not exceed the background level by more than 10dB(A) without imposing unreasonable burdens on the mineral operator. In such cases, the limit set should be as near that level as practicable during normal working hours (0700-1900) and should not exceed 55dB(A) LAeq, 1h (free field).'

The noise survey shows that the noise levels at the recording points are similar when the quarry is operating and when it is closed. During week day working hours the levels were between 36 – 57 dB LAeq. During a weekend when the quarry was not operating the levels were 40 - 57 dB LAeq. It can be concluded that there are noise sources affecting properties other than the quarry.

The current and predicted noise levels are all under 55dB and do not exceed 10dB above the background noise levels. In this respect the development proposed is compliant with the

NPPF. The operator proposes a more restrictive upper noise limit of 50 dB LAeq be applied (with exceptions for limited periods of works close to the surface, for example the creation of the proposed bund) to ensure that the amenity of the neighbour is protected.

The Environmental Health Officer previously confirmed that the noise survey is satisfactory and that it demonstrates that the site would not constitute a statutory nuisance. He also confirms that no complaints have been received regarding noise and dust since the last application.

Notwithstanding this, it is clear from the letters of objection that individuals consider that, at nearby property or when using the moor for recreation, a lower level of noise than the current situation is desirable and an increased level of noise, or an increased period of disturbance is not acceptable. It can be considered that there is a strong, and reasonable, expectation of tranquillity in this location associated with an open moorland/moorland fringe setting within the National Park.

The noise level arising in this case is not considered appropriate given the special qualities of the area and high levels of recreational use. Perpetuating the mineral development as proposed could change the character of the area with a long term urbanising effect of consistent audible levels of industrial noise.

The proposal is not in accordance with the NPPF's requirement that planning should protect and enhance valued landscapes, and that great weight should be given to conserving landscape and scenic beauty in National Parks. The NPPF also states that, to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. It goes on to say that efforts should be made to identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

The quarry working will be at a similar level to the existing operation and noise levels will be at the same level which means its impact on tranquility will be no worse, although initially noise level will be higher (during the formation of the bund). Given the low levels of remaining reserves, the proposal would perpetuate the current impacts. There is no evidence that the proposal would conserve and enhance the sense of tranquility. Policy DMD5 requires that development should enhance levels of tranquility and not maintain the existing levels or reduce the sense of tranquility.

The proposal is not in accordance with Policy DMD5, COR11 or the NPPF as it would have a detrimental impact on the tranquillity of the area.

## OTHER ISSUES

The proposal and Environmental Statement (ES), and the consultation exercise, have raised other issues to do with matters which are considered minor and could be dealt with by condition in the event that the development was permitted. These matters are summarised as follows:

Groundwater and Surface Water Run Off:

The Environment Agency is satisfied with the methodology proposed for surface water run-off. However, the District Council has raised an issue of surface water run-off from the moor/quarry running along the access road and causing problems for neighbours including flooding in the garden and against the property. In the event that permission was granted, this could be resolved by further investigation and submission of a scheme for diverting, capturing or otherwise controlling this run-off.

#### Ecology:

The Biodiversity Mitigation and Enhancement Plan (BMEP) submitted with the application covers a summary of the habitat and species surveys undertaken, the findings, and an impact assessment of the development on the ecological features present. It also covers recommendations aimed at avoiding, reducing and mitigating the impacts of the proposal on the habitats and species present, and also provides information on restoration measures, principally for habitats, and finally, an outline monitoring programme.

The Ecological Habitats and Biodiversity Chapter of the ES and the BMEP identify that the development would result in the loss of 1.0 ha of unimproved acid grassland, bracken and scrub mosaic and therefore loss of potential nesting habitat for linnet, skylark, yellowhammer, stonechat and meadow pipit and loss of habitat for common butterfly species and one UK BAP butterfly species.

There is a fundamental policy objection to development on S3 moorland and on priority habitat (unimproved dry acid grassland) as stated in DMD14, and there will be short to medium term adverse impacts to the local flora, as well as ground nesting birds and reptiles.

There is however scope to enhance the habitat, and species within, as part of the restoration for the longer term, as set out in the 'Mitigation Strategy and Phasing Plan' (Section 4) of the BMEP. If the Authority decides to grant permission for this application, detailed conditions will need to be drawn up to ensure the integration of the mitigation and monitoring strategy as set out in the BMEP into the scheme, and to ensure it being carried out.

In addition, prior to development the applicant should submit detailed proposals for each of the following:

- Grassland habitat creation and management statement (including species mixes, management regimes and habitat provision for ground nesting birds)
- Pond creation and management statement (including provision for fairy shrimp)
- Post quarry restoration habitat and species management plan.

#### Archaeology:

The following information would be required by condition:

- A scheme for the protection of the track of the Plymouth and Dartmoor Tramway.
- A scheme for the excavation and recording of the remains of a possible field system on Yennadon Down.
- A watching brief for soil stripping in the whole area.

#### Highways and Traffic Issues:

Though many letters of objection raise concerns about traffic, the County Council does not feel it could sustain an objection as the current levels would be maintained and not increased. This is not considered to represent the situation entirely accurately, as a grant of permission

would perpetuate the development. Notwithstanding that, the County Council does not raise any concerns about the suitability of the road network or vehicle numbers and so conditions restricting the development to the current levels is considered appropriate in the event of a grant of permission.

Dust:

A number of objections concern dust arising from the development. The District Council Environmental Health Officer previously recommended conditions to:

- improve the access road, and;
- to require the submission of a dust management scheme.

These conditions are still considered to be appropriate should permission be granted.

Common Land:

Section 38 of the Commons Act 2006 sets out a general prohibition on any “restricted works” on common land without the prior consent of the Secretary of State. Restricting public access to the commons by fencing or other means (whether on a temporary or permanent basis) falls within the definition of “restricted works”. This means that the prior consent of the Secretary of State will be required for any extension of the quarry onto the commons, including the erection of bunds or fencing, if it will have the effect of preventing or impeding public access to or over any common land.

## PERCEIVED BENEFITS

With the coming in to force of the Growth and Infrastructure Act 2013 (which amended the Review of Old Mineral Permissions (ROMP) provisions in the Environment Act 1995), the Authority can request or require a ROMP review of the existing permission and conditions.

Accordingly, the Authority may apply amended restoration and aftercare conditions to the permission, without fear of paying compensation for so doing. As such, the ‘benefit’ of securing improved restoration as described in the application is of little benefit as that restoration could feasibly be achieved through a ROMP review.

There are other mechanisms available to the National Park Authority to expedite the restoration of the site. This includes service of a Prohibition Order, in the event that working had permanently ceased, which would remove the mineral permission and allow restoration works to be specified. It should be noted that the landowner is ultimately responsible for the restoration of sites if an operator did not carry out works.

## CONCLUSIONS

The proposed extension would perpetuate the quarry and the related impacts in the long term, until 2025. The application is for a major development for which there is no overriding or proven national need, or other exceptional circumstance demonstrated which would justify permitting the development in the National Park. Evidence suggests that alternative sources of stone exist which could meet the demand for the product.

The proposed extension would have an unacceptable impact on the special qualities of the National Park, particularly in terms of amenity use, landscape and tranquillity. It is contrary to the NPPF (para 115 & 116) and policies DMD5, COR1, COR3 COR22 and M4, and is therefore recommended for refusal.



LEGEND:-

- (A)

VEGETATED SLOPE TO REMAIN
- (B)

EXISTING BUND UN-VEGETATED AREA HATCHED TO BE PROFILED (WEST FACING SLOPE ANGLE TO BE REDUCED AND LANDSCAPED) SOILED AND PLANTED
- (C)

LANDSCAPE BUFFER ZONE - TO BE PLANTED / PROTECTED TO ALLOW TREES / VEGETATION TO ESTABLISH. ONCE ESTABLISHED FENCING CAN BE MOVED INWARDS
- (D)

POSITION OF V-NOTCH DUG INTO OVERBURDEN TO ALLOW ESTABLISHMENT OF VEGETATION. THIS WILL PROGRESS 1-2 MONTHS AHEAD OF TOPSOIL STRIPING
- (E)

POSITION OF 3m WIDE, 45° ANGLED SLOPE THROUGH OVERBURDEN. TO BE PLANTED IMMEDIATELY TO ENABLE VEGETATION TO ESTABLISH
- (F)

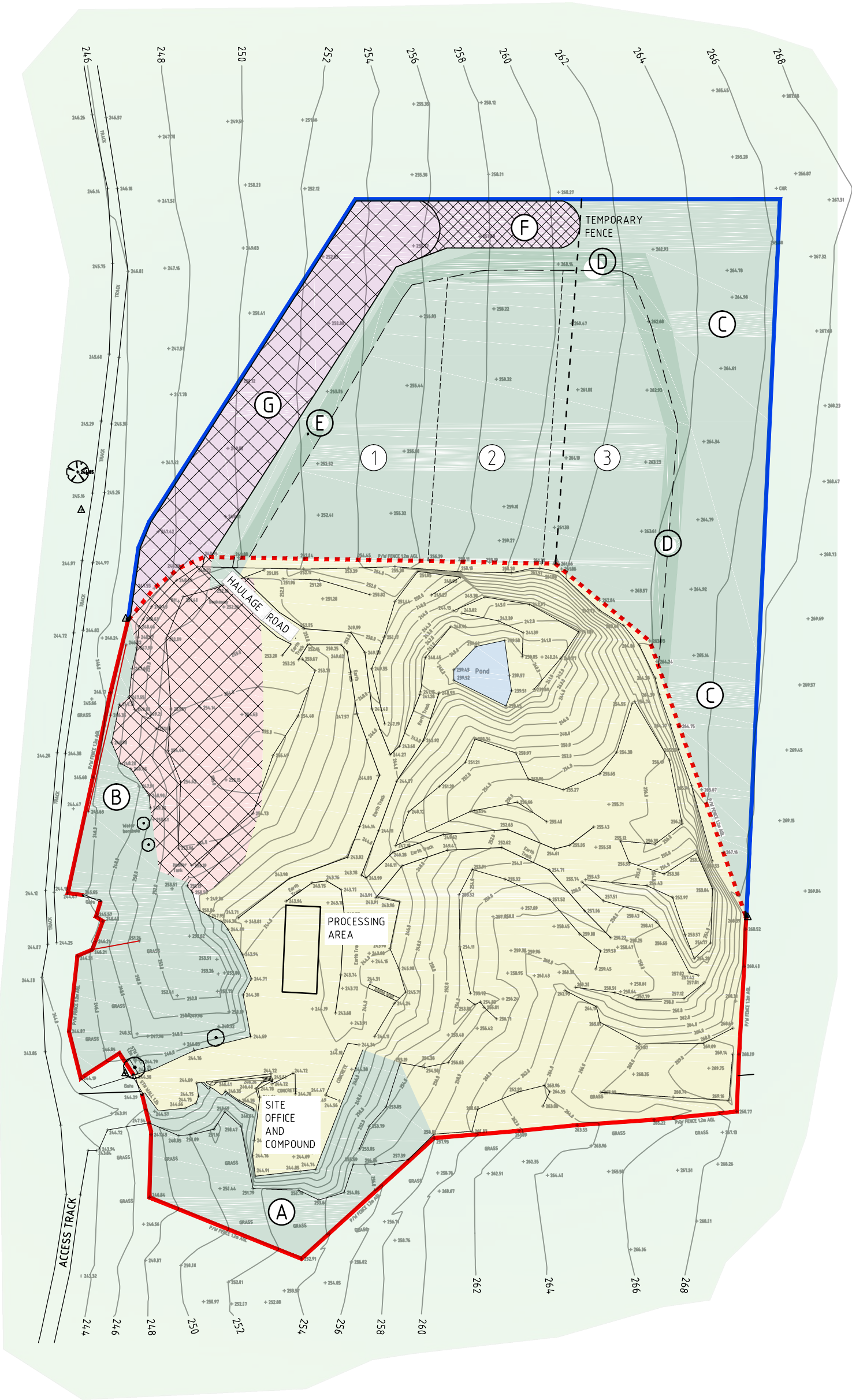
MAX 1m HIGH BUND WITH TREES PLANTED ON OUTSIDE FACE TO BE LANDSCAPED TO PROVIDE 'NATURAL' PROFILE
- (G)

PROPOSED NEW TEMPORARY BUND (MAX 4m HIGH) (TREES / SHRUBS PLANTED ON OUTSIDE FACE ON LOWER 1m ; UPPER SLOPE GRASSED. UPPER BUND TO BE REMOVED AS PART OF RESTORATION WORKS
- (1, 2 & 3)

FOR PHASE 1, 2 & 3 LAYOUTS, SEE DRAWING 7397-08

- VEGETATED AREAS
- NEW BUND'S TO BE LANDSCAPED
- EXISTING UN-VEGETATED BUND TO BE RE-GRADED, SOILED AND VEGETATED
- WORKING AREA
- POND
- CURRENT SITE BOUNDARY
- PROPOSED SITE BOUNDARY

CONTOURS BASED ON SURVEY DATED OCTOBER 2014



					Client <b>Yennadon</b> STONE LIMITED		Project PROPOSED EXTENSION TO YENNADON QUARRY		<b>JGP</b> <b>JOHN GRIMES</b> <b>PARTNERSHIP</b>	
					Status REPORT		Title PRE EXCAVATION WORKS LAYOUT PLAN		Leonards Road, Ivybridge, Devon, PL21 0RU	
					© Copyright reserved		First Issue Signatures		Tel: +44 (0)1752 690533 Fax: +44 (0)1752 690570	
R2	REVISED DRAWING	17JUN16	TG	AR	Scales	1:1000	Author	T. Grimes	post@johngrimes.co.uk www.johngrimes.co.uk	
R1	REPORT ISSUE	10JUN15	TG	AR	Original Size	A3	Checker	A. Robertson	Project No. 7397 Drawing No. RP-01 Rev. R2	
Issue Description										

50mm on Original

FILENAME: P:\7000-7999\7397 Yennadon Quarry\Drawings\Drawings\JGP\Drawings\Current\Restoration Plan\7397-RP01-R2, PLOTTED BY: Tim Grimes, DATE: 24 June 2015 14:20:50



# Easton Court 0473/15

Scale 1:1,250



2. Application No: **0473/15** District/Borough: **West Devon Borough**  
Application Type: **Full Planning Permission** Parish: **Chagford**  
Grid Ref: **SX719887** Officer: **Louise Barattini**

Proposal: **Change of Use of annexe and courtyard from hotel to residential (including independent dwelling) plus associated works**

Location: **Easton Court, Chagford**

Applicant: **Mr & Mrs P Witting**

Recommendation **That permission be GRANTED**

### **Condition(s)**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. All new stonework shall be laid and pointed using traditional techniques and materials (lime mortar) so as to match the stonework on the existing building.
3. Notwithstanding the plans hereby approved, large scale section drawings of the proposed new joinery (windows and doors) shall be submitted to the Local Planning Authority for approval prior to their installation. Thereafter, the development shall be implemented and maintained in accordance with the approved drawings.
4. All new external joinery shall receive a painted finish within one month of its installation.
5. Unless otherwise agreed in writing by the Local Planning Authority, all existing fabric shall be made good using traditional techniques and matching materials following the removal of the fire escape, bathroom dormer and water tank.
6. The roof of the lean-to shall be covered in a matching natural slate which shall be fixed by nailing only, unless otherwise previously agreed by the Local Planning Authority in writing.
7. The use as single dwelling house authorised by this permission shall not begin until the works in respect of the water tank, toilet roof dormer, external fire escape stairs and flat-roofed extensions shown on the drawings numbered EC1/001, EC1/006, EC1/017, EC1/018, EC1/020 and EC1/024 hereby approved have been completed in accordance with those drawings and have been certified in writing as complete by the Local Planning Authority.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking and re-enacting that Order with or without modification, no building, enclosure, structure, erection, hard surface, swimming or other pool shall be constructed or erected in or around the curtilage of the dwelling hereby permitted without the prior written authorisation of the Local Planning Authority.

### **Introduction**

Easton Court is a former farmhouse dating back to the 16th and 17th Century which has been enlarged, modernised and converted into a hotel. The northern hotel accommodation wing was constructed in the 1920's.

In October 2002, permission was granted to convert part of the hotel (the former farmhouse)



back into private residential use.

An application is submitted now for the change of use of the hotel wing to an independent dwelling as the owners are struggling to turn a workable profit on the business and the property has been marketed now for over 18 months with no uptake. The application includes associated works.

The application is presented to Members due to the conflict with policies in the Development Plan. An application for listed building consent follows this application.

### **Planning History**

0374/15	Change of use of annexe, part building and courtyard from hotel to residential including independent dwelling plus associated works	Listed Building Consent	Withdrawn	19 November 2015
0373/15	Change of use of annexe, part building and courtyard from hotel to residential including independent dwelling plus associated works	Full Planning Permission	Withdrawn	19 November 2015
0375/15	Alterations to modern single storey extension and access to create undercover parking.	Full Planning Permission	Withdrawn	19 November 2015
0376/15	Alterations to modern single storey extension and access to create undercover parking	Listed Building Consent	Withdrawn	19 November 2015
0471/15	Part demolition of single storey extension, widening of access and associated works	Full Planning Permission	Grant Conditionally	30 October 2015
0472/15	Part demolition of single storey extension, widening of access and associated works	Listed Building Consent	Grant Conditionally	30 October 2015
0659/02	Change of use of part of hotel and gardens to private accommodation for owners use. Replacement of one window with external door, repositioning/reinstatement/removal of several internal doors	Listed Building Consent	Grant Conditionally	07 October 2002
0660/02	Change of use of part of hotel and gardens to private use for owners	Full Planning Permission	Grant Conditionally	07 October 2002
0099/01	Provision of new toilets	Listed Building Consent	Grant Conditionally	30 July 2001
0100/01	Improvement to existing car park, new toilet accommodation and garden extension	Full Planning Permission	Grant Conditionally	03 July 2001
3/08/224/97/03	Build new timber fence 1m high on top of existing wall. Extend wall adjacent to cottage to provide a single entrance and raise height of gate piers	Full Planning Permission	Grant Conditionally	31 October 1997
03/08/0073/86	Change of use from part cottage to tearoom with associated parking area			

	Change of Use	Refused	04 July 1986
03/08/0024/82	Display internally illuminated advertisement sign		
	Advertisement Consent	Grant Conditionally	05 February 1982
0474/15	Works to facilitate change of use of annexe and courtyard from hotel to residential (including independent dwelling)		
	Listed Building Consent	Not yet determined	

## Consultations

West Devon Borough Council:	Does not wish to comment
County EEC Directorate:	No objection
Environment Agency:	Flood zone 1 - standing advice applies
Historic Buildings Officer:	The proposed change of use of the annexe hotel building through alterations outlined in the application are the least invasive and most appropriate for the grade II listed building. Whilst policy would normally require creation of two dwellings within the annexe building, in this case this approach would require substantial alterations which would cause substantial harm to the significance of the designated heritage asset. Enhancement opportunities like the loss of water tank and external stairway, removal of inappropriate single storey extensions within the yard etc. will better reveal the character and significance of the earlier cross passage house and the probably 1920s annexe building, and setting of the designated heritage assets. Further details to appropriate scale of new external joinery will be required as a condition to any consent which may be considered.

## Parish/Town Council Comments

Chagford PC:	No objection/neutral view
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## Relevant Development Plan Policies

COR15 - Providing for limited new housing to meet local needs  
 COR2 - Settlement Strategies  
 COR4 - Design and sustainable development principles  
 COR5 - Protecting the historic built environment  
 DMD10 - Enabling development  
 DMD1a - Presumption in favour of sustainable development  
 DMD23 - Residential development outside Local Centres and Rural Settlements  
 DMD24 - Extensions and alterations to dwellings  
 DMD4 - Protecting local amenity  
 DMD7 - Dartmoor's built environment  
 DMD8 - Changes to Historic Buildings  
 DMD9 - The re-use and adoption of historic buildings in the countryside

## Representations

None to date.

## Observations

### THE PROPOSAL

Easton Court is a grade II listed building comprised of two elements; the former farmhouse which is a residential dwelling and a five bedroom annexe currently used as a hotel. While the whole property was previously in commercial use as a hotel a planning permission, granted in 2003, allowed for the separation of the owners accommodation from the hotel annexe.

The application seeks permission for a change of use of that part of the property used as a hotel to a separate residential property. This is presented on the basis that the hotel use is unviable and that attempts to market the whole property as a going concern over a substantial period have been unsuccessful.

The proposed change of use comes with works that seek to enhance the overall appearance of the listed building. This includes the demolition of a later extension, the representation of the internal yard area to provide off road parking, the removal of an unsightly water tank, fire escape and various other internal alterations to facilitate the change.

### LOSS OF TOURIST ACCOMMODATION

Planning policy COR18 seeks to retain existing employment uses. Proposals that seek to replace employment uses will only be permitted where there are extenuating circumstances. Typically applicants are required to demonstrate that there are genuine reasons for ceasing a business use; the accepted requirement being evidence to suggest that the business use is no longer appropriate. Marketing of the business as a going concern for a period of at least 12 months is required to assist in this process.

In support of their application the applicants maintain there is an oversupply of tourist accommodation in the area, providing for a range of needs and tariffs. Many are within Chagford itself, enabling easy access to local facilities, dining options and walking direct from accommodation onto the moors. A number of these have recently been upgraded and extended. They suggest that, having regard to these factors, combined with the dwindling occupancy rates at Easton Court, the loss of this tourist accommodation here would not compromise the accommodation offer in the locality or directly impact on the number of visitors to the area.

The trading accounts show a limited and potentially unsustainable business income for the last 5 years.

The property has been marketed for over 18 months with two agents. National agents Jackson Stops & Staff have marketed the property from May 2014 to present, advertising the property online, direct to potential purchasers and providing articles in national press. The property has undergone a series of price reductions in 2015 from the original asking price of £1,550,000 to £975,000. This led to a further 210 potential purchasers reviewing the property, 10 viewings taking place but no firm offers. The agents consider the lack of finance available for the commercial element of the business to have led to limited interest. Taking into account the added responsibility for the upkeep of the listed building and the proximity of the site to the road, they consider that the use of the site for residential purposes would widen the availability of potential buyers and lead to a sale. In this respect, they recommend subdivision into smaller lots as the market remains extremely difficult for properties with a

value of over £500,000.

Local agents, Fowlers, have also been marketing the property since 2014. They explain that they have had 2 viewings over the course of the marketing period with no offers received. They acknowledge the value of the building, its listed status and proximity to the highway being as being the major reasons against a sale.

## POLICY IMPLICATIONS

Part of the premises is already in use as a private dwelling and the proposal seeks to convert the remaining hotel accommodation, contained within the attached annexe, into a further independent dwelling.

Planning policies COR15 and DMD23, in principle, seek to focus new housing in designated settlements where there are a range of facilities – locations that would be considered sustainable for a variety of reasons. New dwellings in the countryside per se are strictly controlled however they can be provided by appropriate conversion of existing buildings (DMD9), (including a change of use) where there are extenuating circumstances. It would normally be a requirement that such dwellings are restricted in size and occupancy to that which conforms to the Authority's adopted model for intermediate affordable housing.

Critically, policy DMD10 recognises that there will be the opportunity for enabling development which secures the future for heritage assets which may require an alternative to the strict application of other policies.

In this application the applicants are presenting a case where they consider there is overriding justification to allow an unfettered market dwelling on the basis of the package of improvements to the listed building and its setting.

## JUSTIFICATION

Easton Court is located on the A382, approximately 2.5km from the centre of Chagford, one of Dartmoor's more vibrant Local Centres. There is a bus stop immediately opposite the site. It has good access to the A382 road but limited on-site parking.

When balanced against a hotel containing 5 bedrooms, it is considered that use as a dwelling house would not present a less sustainable use of the site. Indeed, it would also make better use of this building which is being under used as tourist accommodation and provide a more viable use.

While housing policies seek to provide affordable units of accommodation for local persons the location of this building and its listed status do not make it a suitable candidate for conversion to affordable housing. To follow this approach would require consideration of subdivision of the annexe part of the property to provide smaller units. The Authority's affordable housing SPD recognises that certain properties will not be suitable. The proposed dwelling will have a floor area of approximately 200sqm.

The best use for a listed building is often the use to which it was originally intended. The retention of the original use should be the first option when the future of a building is being considered. The significance of this grade II listed building is focused around the original 3-room-and-through-passage plan 16th Century farmhouse (the main dwelling). The later 1920's accommodation wing is not of high significance, reads as a distinct modern addition/entity.

The use of the building as a hotel has been reduced through time and the proposal is now to relinquish this hotel use to enable a new viable use. Enabling development is development that would be unacceptable in planning terms but for the fact that it would bring public benefits to justify it being carried out (policy DMD10).

The proposed works incorporate a number of enhancements for the listed building as a whole, notably the removal of incongruous prominent modern elements such as the water tank on the roof, modern toilet addition, fire escape and flat roofed extensions. These works will have a clear positive impact on the setting of the historic building. Internal works to the modern wing will have a neutral impact on the significance of the listed building. The proposed works and subdivision of the more modern wing from the main historic part of the heritage asset will not materially harm the significance of the asset or its setting. It will retain its listed status. The works will serve to enhance the setting.

The proposed use will help to secure the long term future of the heritage asset. There are no sources of funding which could assist in the retention of the existing tourism use of the building which has been struggling and for which there has been no uptake for new owners/managers in the 18 months that the property has been marketed.

## CONCLUSION

On balance, the proposal is considered to represent the best way forward for this designated heritage asset in light of the fact that the current use is considered unviable. To adhere strictly to a solution that meets the policy requirement of providing affordable housing would lead to a harmful subdivision of the listed building and could potentially have a damaging effect on the structure and its setting. The proposal involves minimal works, and no harmful works to key historic fabric.

The proposed off road parking arrangements are welcome improvements in this location. The proposed change of use would have a neutral impact on the residential amenities of neighbouring occupiers.

For these reasons officers consider that, as an overall package, the conservation merits of the scheme outweigh the policy requirement to pursue affordable housing in this location.

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# Easton Court 0474/15

Scale 1:1,250



3. Application No: **0474/15** District/Borough: **West Devon Borough**  
Application Type: **Listed Building Consent** Parish: **Chagford**  
Grid Ref: **SX719887** Officer: **Louise Barattini**

Proposal: **Works to facilitate change of use of annexe and courtyard from hotel to residential (including independent dwelling)**

Location: **Easton Court, Chagford**

Applicant: **Mr P Witting**

Recommendation **That consent be GRANTED**

### **Condition(s)**

1. The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.
2. All new stonework shall be laid and pointed using traditional techniques and materials (lime mortar) so as to match the stonework on the existing building.
3. Notwithstanding the plans hereby approved, large scale section drawings of the proposed new joinery (windows, external and internal doors, staircase) shall be submitted to the Local Planning Authority for approval prior to their installation. Thereafter, the development shall be implemented and maintained in accordance with the approved drawings.
4. All new external joinery shall receive a painted finish within one month of its installation.
5. Unless otherwise agreed in writing by the Local Planning Authority, all existing fabric shall be made good using traditional techniques and matching materials following the removal of the fire escape, bathroom dormer and oil tank.
6. The roof of the lean-to shall be covered in a matching natural slate which shall be fixed by nailing only, unless otherwise previously agreed by the Local Planning Authority in writing.
7. The oil tank, toilet roof dormer, fire escape and flat roofed extensions shall be removed in accordance with the approved drawings prior to the occupation of the new independent dwelling.

### **Introduction**

Easton Court is a former farmhouse dating back to the 16th and 17th Century which has been enlarged, modernised and converted into a hotel. The northern hotel accommodation wing was constructed in the 1920's.

In October 2002, permission was granted to convert part of the hotel (the former farmhouse) back into private residential use.

This application seeks consent for the works that are deemed necessary to the listed building to allow for the change of use described in the preceding report on this agenda (ref 0437/15).

The application is presented to Members in view of its association with that application and the conflict with policies in the Development Plan.

### **Planning History**

0374/15 Change of use of annexe, part building and courtyard from hotel to

	residential including independent dwelling plus associated works		
	Listed Building Consent	Withdrawn	19 November 2015
0373/15	Change of use of annexe, part building and courtyard from hotel to residential including independent dwelling plus associated works		
	Full Planning Permission	Withdrawn	19 November 2015
0375/15	Alterations to modern single storey extension and access to create undercover parking.		
	Full Planning Permission	Withdrawn	19 November 2015
0376/15	Alterations to modern single storey extension and access to create undercover parking		
	Listed Building Consent	Withdrawn	19 November 2015
0471/15	Part demolition of single storey extension, widening of access and associated works		
	Full Planning Permission	Grant Conditionally	30 October 2015
0472/15	Part demolition of single storey extension, widening of access and associated works		
	Listed Building Consent	Grant Conditionally	30 October 2015
0659/02	Change of use of part of hotel and gardens to private accommodation for owners use. Replacement of one window with external door, repositioning/reinstatement/removal of several internal doors		
	Listed Building Consent	Grant Conditionally	07 October 2002
0660/02	Change of use of part of hotel and gardens to private use for owners		
	Full Planning Permission	Grant Conditionally	07 October 2002
0099/01	Provision of new toilets		
	Listed Building Consent	Grant Conditionally	30 July 2001
0100/01	Improvement to existing car park, new toilet accommodation and garden extension		
	Full Planning Permission	Grant Conditionally	03 July 2001
3/08/224/97/03	Build new timber fence 1m high on top of existing wall. Extend wall adjacent to cottage to provide a single entrance and raise height of gate piers		
	Full Planning Permission	Grant Conditionally	31 October 1997
03/08/0073/86	Change of use from part cottage to tearoom with associated parking area		
	Change of Use	Refused	04 July 1986
03/08/0024/82	Display internally illuminated advertisement sign		
	Advertisement Consent	Grant Conditionally	05 February 1982
0473/15	Change of Use of annexe and courtyard from hotel to residential (including independent dwelling) plus associated works		
	Full Planning Permission	Not yet determined	

## Consultations

West Devon Borough Council: Does not wish to comment

County EEC Directorate: No objection



Environment Agency:	Flood zone 1 - standing advice applies
Historic Buildings Officer:	The proposed change of use of the annexe hotel building through alterations outlined in the application are the least invasive and most appropriate for the grade II listed building. Whilst policy would normally require creation of two dwellings within the annexe building, in this case this approach would require substantial alterations which would cause substantial harm to the significance of the designated heritage asset. Enhancement opportunities like the loss of water tank and external stairway, removal of inappropriate single storey extensions within the yard etc. will better reveal the character and significance of the earlier cross passage house and the probably 1920s annexe building, and setting of the designated heritage assets. Further details to appropriate scale of new external joinery will be required as a condition to any consent which may be considered.

### **Parish/Town Council Comments**

Chagford PC:	No objection/neutral view
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### **Representations**

None to date.

### **Observations**

### **THE PROPOSAL**

Easton Court is a grade II listed building comprised of two elements; the former farmhouse which is a residential dwelling and a five bedroom annexe currently used as a hotel. While the whole property was previously in commercial use as a hotel a planning permission, granted in 2003, allowed for the separation of the owners accommodation from the hotel annexe.

The application requests consent for works associated with a change of use of that part of the property used as a hotel to a separate residential property. The works seek to enhance the overall appearance of the listed building. This includes the demolition of a later extension, the representation of the internal yard area to provide off road parking, the removal of an unsightly water tank and various other internal alterations to partitions and doorways to facilitate the change.

### **POLICY IMPLICATIONS**

Part of the premises is already in use as a private dwelling and the proposal seeks to convert the remaining hotel accommodation, contained within the attached annexe into a further independent dwelling.

The works required to facilitate this change are in accordance with the principles of policy COR5.

The scale and detail of the proposed changes acknowledge the importance of the historic

asset and propose change that is consistent with the vision contained in policies DMD7 and DMD8.

As detailed in the preceding report, the change of use is considered to be consistent with the requirements of policies DMD9 and DMD10 in that it provides a viable alternative long term use for designated heritage asset.

## JUSTIFICATION

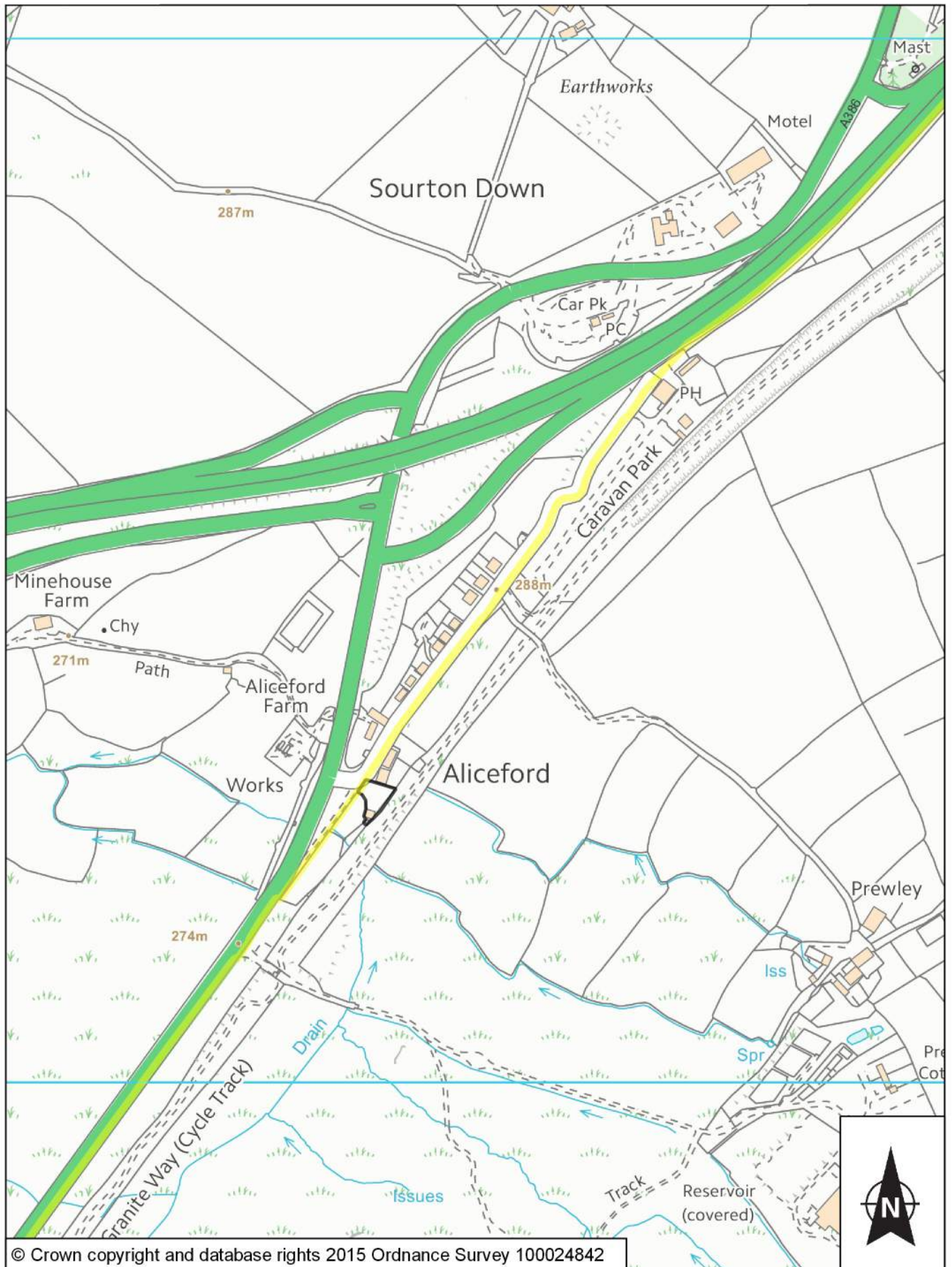
The best use for a listed building is often the use to which it was originally intended. The retention of the original use should be the first option when the future of a building is being considered. The significance of this grade II listed building is focused around the original 3-room-and-through-passage plan 16th Century farmhouse (the main dwelling). The later 1920's accommodation wing is not of high significance, reads as a distinct modern addition/entity.

The proposed works incorporate a number of enhancements for the listed building as a whole, notably the removal of incongruous prominent modern elements such as the water tank on the roof, modern toilet addition, fire escape and flat roofed extensions. These works will have a clear positive impact on the setting of the historic building. Internal works to the modern wing will have a neutral impact on the significance of the listed building. The proposed works and subdivision of the more modern wing from the main historic part of the heritage asset will not materially harm the significance of the asset or its setting. It will retain its listed status. The works will serve to enhance the setting.

## CONCLUSION

The application proposes works that will positively enhance the listed building and its setting. There are no harmful works to key historic fabric.

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4. Application No: **0505/15** District/Borough: **West Devon Borough**  
 Application Type: **Full Planning Permission** Parish: **Sourton**  
 Grid Ref: **SX543912** Officer: **Louise Barattini**

Proposal: **Erection of new office building and resiting of existing cycle hire buildings for continued use of remainder of the site for cycle hire and associated car parking**

Location: **Devon Cycle Hire, Sourton Down**

Applicant: **Dartmoor Cycle Hire**

Recommendation **That permission be REFUSED**

### **Reason(s) for Refusal**

1. In the absence of any overriding need, the introduction of buildings providing new, unjustified commercial office accommodation in a location outside a designated settlement would be contrary to the Dartmoor National Park Development Plan in particular policies COR1, COR18 and DMD1a 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**

Devon Cycle Hire operate from a building located at Sourton adjacent to the Granite Way cycleway. The site is adjacent to the A386/A30 junction at Sourton approximately 6km west of Okehampton and 3km north of Sourton village.

The application is for the relocation of existing buildings on the site, retaining the cycle hire facility and the erection of new office buildings on the site.

The application is brought before the committee in view of the comments from the Parish Council.

### **Planning History**

0403/11	Erection of storage shed		
	Full Planning Permission	Grant Conditionally	31 August 2011
0225/05	Change of use of land to small family-run bike hire business to include car parking area, three timber buildings and installation of septic tank to serve WC		
	Full Planning Permission	Grant Conditionally	11 May 2005
0190/04	Low-cost housing development		
	Outline Planning Permission	Refused	07 May 2004
03/25/2568/88	One dormer bungalow		
	Outline Planning Permission	Refused	06 January 1989

### **Consultations**

West Devon Borough Council: Does not wish to comment

County EEC Directorate: No highway implications  
Environment Agency: Flood zone 1 - standing advice applies

### **Parish/Town Council Comments**

Sourton PC: The PC support this application. There will be no visual or other detrimental effects from the re-arrangement of the buildings some of which now need renewing. The planned modifications to the current business, including additional offices, seem to be an excellent use of the site which is well situated for the type of small business development which the council wish to encourage in the parish.

### **Relevant Development Plan Policies**

COR1 - Sustainable Development Principles  
COR18 - Providing for sustainable economic growth  
COR21 - Dealing with development and transport issues in a sustainable way  
COR4 - Design and sustainable development principles  
DMD1a - Presumption in favour of sustainable development  
DMD4 - Protecting local amenity  
DMD41 - Parking provision - Non Residential

### **Representations**

None to date.

### **Observations**

#### **THE PROPOSAL**

Devon Cycle Hire has operated from the site since 2005 following the opening of the 'Granite Way' cycleway which runs alongside the site. In 2011 permission was granted for a small additional storage building to assist the running of the business. Parking is provided on site for clients who wish to use the cycle hire facility. There is direct access from the site onto the cycleway.

The application seeks permission to relocate the buildings associated with the cycle hire business to a position alongside the south eastern boundary of the site. The proposed building for this use reflects the size of the existing buildings on site (78sqm of floor area). This would allow space for the erection of an additional new building (19m x 5m, 95sqm of floor space) on the south western aspect. The new building is intended to be split into four small units, restricted to class B1(a) (office) type use. The proposed buildings are simple in appearance; single storey industrial units clad with timber and roofed with corrugated sheeting. Parking would be retained for 15 vehicles, shared between the proposed uses on the site.

#### **POLICY CONSIDERATIONS**

Local Plan policy COR18 provides support for small scale business opportunities that are compatible with National Park purposes. It favours locating such opportunities within designated settlements, advocating the re-use of existing employment sites before the creation of additional sites. Within designated settlements policy recognises the opportunity to develop and expand existing businesses and offers support for creative small scale

development aimed at light industrial uses. The object of this policy is to direct employment opportunities to sustainable locations near to existing settlements.

Outside of designated settlements, as in this case, there is more limited opportunity aimed at sustaining existing businesses rather than creating new premises.

While the site is located approximately 3km north of the hamlet of Sourton it is nevertheless outside of a designated settlement where one could expect to see new business premises located. The establishment and proposed retention of the cycle hire business is directly related to the adjacent cycleway; a principle which has a special justification in this location. The provision of new business premises that are not directly justified by a specific need generated from the locality are not permitted by policy. The applicant has not provided any reasoned justification for the new units other than as a method of providing additional, alternative income to support the cycle hire business. There are no specified users of the additional units.

## SUMMARY

The continuation of a successful cycle hire business serving users of the 'Granite Way' is an objective that the Authority would wish to support. The relocation of the buildings on the site to serve this purpose is not of concern.

However, that part of the application which proposes a new suite of office accommodation is clearly at odds with adopted policy. This is a location which falls outside of a designated settlement where there is general restraint on development and in particular, unjustified commercial development for reasons of sustainability. While it could be argued that the development is located adjacent to major arterial roads it is still distant from settlements which may benefit from the employment opportunities it seeks to provide. Most trips to the site would inevitably be by private vehicle.

The site is relatively discreet set against the backdrop of the former railway embankment therefore the erection of the proposed buildings is unlikely to have any adverse visual impact over and above what is already located on the site. The scale of the buildings and simple palette of materials are acceptable in form and design. There are no anticipated adverse impacts on neighbouring residents save for an increase in the level of use at the site if this proposal was to be approved. It is noted that the Highway Officer does not raise any concerns in this respect.

## CONCLUSION

Despite the local support for this proposal, there is no demonstrated and overriding local need to justify a departure from adopted policy in this location.

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NPA/DM/15/058

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

04 December 2015

**MONITORING AND ENFORCEMENT**

Report of the Head of Planning

INDEX

**Item No.**   **Description**

1.       ENF/0186/15 - Unauthorised sub-division of the single dwellinghouse, Trevery, Easton Cross, Chagford, TQ13 8JL



# Dartmoor National Park Authority

## Trevery, Easton Cross, Chagford - ENF/0186/15



Scale 1:1,250

Compiled by chart on 20/11/2015





1	Enforcement Code: <b>ENF/0186/15</b>	District/Borough: <b>West Devon Borough</b>
	Grid Ref: <b>SX719886</b>	Parish: <b>Chagford</b>
		Officer: <b>Keith Palmer</b>

Description:	<b>Unauthorised sub-division of the single dwellinghouse</b>
Location:	<b>Trevery, Easton Cross, Chagford, TQ13 8JL</b>
Land owner:	<b>Mr Hooper</b>
Recommendation	<b>That, subject to the consideration of any comment from the Parish Council, the appropriate legal action be authorised to:</b> <b>1. Secure the cessation of the residential use of Trevery other than as a single dwellinghouse, and</b> <b>2. Remove from the building all fittings and fixtures which would facilitate use as two separate dwellings.</b>

### **Relevant Development Plan Policies**

COR1 & DMD1a – Sustainable Development

COR2 – Development in the Countryside

COR15 & DMD23 – Provision of housing to meet the proven needs of rural workers.

DMD1b – Delivering National Park purposes and protecting Dartmoor's Special Qualities

DMD4 – Protecting local amenity.

DMD25 – Ancillary residential accommodation.

### **Representations & Parish/Town Council Comments**

Any comments from the Parish Council will be reported at the meeting.

### **Observations**

#### **INTRODUCTION**

Trevery is located in countryside on the A382 at Easton Cross and outside any defined development boundary, approximately 2.5km east of Chagford and 5km north of Moretonhampstead. The building subject of this report is an extended two storey roadside dwelling at right angles to the A382 and adjacent to a complex of traditional stone barns in the same ownership, two of which have been converted to dwellings.

#### **HISTORY**

Permission was granted in February 2009, application 0790/08, for a two storey extension to the house (Trevery) including infill of downstairs space. This was a revision of application 0680/07, granted in 2007, for a first floor bedroom extension over a garage. However, it is clear, when comparing the façade of the 'as built' extended Trevery, that the revised two storey extension has not been built in accordance with 0790/08 nor the 0680/07 approved drawings. According to building control records, the two storey extension was completed in May 2010.

#### **BREACH OF DEVELOPMENT CONTROL**

In September 2015, it was brought to the Authority's attention that the extension to Trevery was in use as a separate dwellinghouse. A site visit revealed that the original dwellinghouse was separately occupied by a couple and their child and the unauthorised extension was occupied as a further dwelling, independent of the original dwellinghouse, by another couple and their child.

The landowner has stated that the extension to Trevery was substantially complete by May 2010. Building Control records show that completion occurred on 24 May 2010. Therefore, the building works to erect the extension, being substantially complete for a period in excess of four years, is immune from enforcement action. However, use of the building as two dwellings did not begin until October 2012.

This start date for the use of Trevery as two dwellings has been calculated on the information provided by the landowner on the completed PCN. The landowner has stated that he lived in the extended Trevery until December 2011 as a single dwellinghouse and that both the [original] dwellinghouse and its extension were left empty and unoccupied from December 2011 until March 2012. The PCN then lists the names of the tenants / occupiers and the dates they occupied both the dwelling and the extension as two dwellings independent of each other.

Neither the extension to Trevery nor its sub-division to provide two residential planning units has been granted express consent.

Where there has been a breach of planning control consisting in the change of use of any building to use as a single dwelling house, no enforcement action may be taken after the end of four years beginning with the date of the breach.

The landowner has stated that he built the extension himself and completed the building in May 2010. He then lived in the extended Trevery, as a single dwellinghouse, until December 2011. Trevery was then let to tenants as a single dwelling in January 2012. In October 2012 the use of the single dwellinghouse was materially changed by subdivision and letting the original part of the dwellinghouse to one couple whilst letting the extension to another couple for use as a dwelling independent of the other half. Consequently, on the balance of probabilities, Trevery and its extension have only been occupied as two dwellings since October 2012.

Clearly this constitutes a "breach of planning control" consisting in "the change of the use" of a single dwelling house within the meaning of s.171B(2). On the balance of probabilities this change of use occurred less than four years ago, therefore, enforcement action can still be taken to cease the unauthorised use, should Members be minded to do so.

## KEY ENFORCEMENT ISSUES

The expediency for Enforcement action has been assessed with reference to guidance contained in the National Planning Policy Framework (NPPF).

Expediency has also been assessed with regard to the Development Plan policies. The policies relevant to this report include the following:

- COR1 & DMD1a – Sustainable Development
- COR2 – Development in the Countryside
- OR15 & DM23 – Provision of housing to meet the proven needs of rural workers.
- DMD1b – Delivering National Park purposes and protecting Dartmoor's SpecQualities
- DMD4 – Protecting local amenity.
- DMD25 – Ancillary residential accommodation.

The NPPF, Chapter 7, paragraph 55 advises that to promote sustainable development in rural areas, LPA's should avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their

place of work in the countryside. This aim is reflected in Dartmoor National Park Authority Local Development Framework policies.

In this particular case, the owner of Treverry has not demonstrated that an additional dwelling on the land is required to meet the needs of an essential rural worker.

## HUMAN RIGHTS ACT

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and the Authority's policies. This will enable them to make an informed decision in respect of an application.

In addition, Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Authority to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

The power to issue an Enforcement Notice is discretionary and should only be used where the Local Planning Authority are satisfied that there has been a breach or breaches of planning control. It must also be satisfied that it is expedient to issue the Notice having regard to the provisions of the Development Plan and to any other material considerations. Consequently the decision must be based on the particular circumstances of each individual case.

The decision to take enforcement action must be reasonable and not based on irrational factors or taken without proper consideration of the relevant facts and planning issues or based on non-planning grounds. Enforcement action should not be taken purely to regularise the situation.

## CONCLUSION

The sub-division of the dwelling at Treverry has resulted in an additional open market dwelling in the countryside outside any defined settlement limit. This is unauthorised development contrary to the DNPA Local Development Framework and to advice contained in the NPPF.

The breach of development control is considered unacceptable and enforcement action to protect the interests of the National Park, its users and the wider community is considered necessary and

in the public interest. Having regard to the development plan and other material considerations, the issue of an enforcement notice requiring the cessation of the residential use of Trevery other than as a single dwellinghouse and for removal from the building the items which facilitate use as two separate dwellings ( e.g. second kitchen), is considered expedient. Consequently, Members are requested to authorise the appropriate legal action.

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DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

04 December 2015

**APPEALS**

Report of the Head of Planning

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

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

1 Application No:	A/14/2228309	District/Borough:	West Devon Borough
Appeal Type:	Refusal of Change of Use	Parish:	Drewsteignton
Proposal:	Change of use of land from agricultural to garden		
Location:	<b>Middle Venton Farm, Drewsteignton</b>		
Appellant:	<b>Mrs L Sowrey</b>		
Decision:	<b>ALLOWED</b>		

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2 Application No:	C/14/222835	District/Borough:	West Devon Borough
Appeal Type:	Enforcement Notice	Parish:	Drewsteignton
Proposal:	Change of use of land to domestic curtilage		
Location:	<b>Middle Venton Farm, Drewsteignton</b>		
Appellant:	<b>Mrs L Sowrey</b>		
Decision:	<b>ALLOWED</b>		

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3 Application No:	F/15/3004774	District/Borough:	West Devon Borough
Appeal Type:	Enforcement Notice	Parish:	Drewsteignton
Proposal:	Various unauthorised developments		
Location:	<b>Middle Venton, Drewsteignton</b>		
Appellant:	<b>Mrs L Sowrey</b>		
Decision:	<b>PART DISMISSED PART ALLOWED</b>		

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4 Application No:	F/15/3004776	District/Borough:	West Devon Borough
Appeal Type:	Enforcement Notice	Parish:	Drewsteignton
Proposal:	Various unauthorised developments		
Location:	<b>Middle Venton, Drewsteignton</b>		
Appellant:	<b>Mrs L Sowrey</b>		
Decision:	<b>NOTICE VARIED AND UPHELD</b>		

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5 Application No:	F/15/3004778	District/Borough:	West Devon Borough
Appeal Type:	Enforcement Notice	Parish:	Drewsteignton
Proposal:	Various unauthorised developments		
Location:	<b>Middle Venton, Drewsteignton</b>		
Appellant:	<b>Mrs L Sowrey</b>		
Decision:	<b>DISMISSED AND NOTICE UPHELD</b>		

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

1 Application No:	W/15/3132273	District/Borough:	Teignbridge District
Appeal Type:	Refusal of Full Planning Permission	Parish:	Ashburton
Proposal:	Conversion of store into a 1/2 bed mews cottage		
Location:	<b>The Tin Shed, Kingsbridge Lane Mews, Ashburton</b>		
Appellant:	<b>Mr F Christophers</b>		

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**STEPHEN BELLI**

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

04 December 2015

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

Report of the Head 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	<b>Application No:</b> 0461/15	<b>District/Borough:</b> South Hams District
	<b>Application Type:</b> Listed Building Consent	<b>Parish:</b> South Brent
	<b>Proposal:</b> Renovation and alteration to dwelling	
	<b>Location:</b> Lydia Mill, Lydia Bridge, South Brent	
	<b>Decision:</b> Refused	
2	<b>Application No:</b> 0472/15	<b>District/Borough:</b> West Devon Borough
	<b>Application Type:</b> Listed Building Consent	<b>Parish:</b> Chagford
	<b>Proposal:</b> Part demolition of single storey extension, widening of access and associated works	
	<b>Location:</b> Easton Court, Chagford	
	<b>Decision:</b> Grant Conditionally	
3	<b>Application No:</b> 0506/15	<b>District/Borough:</b> West Devon Borough
	<b>Application Type:</b> Full Planning Permission - Householder	<b>Parish:</b> Sticklepath
	<b>Proposal:</b> Construction of an extension	
	<b>Location:</b> 28 Oaktree Park, Sticklepath	
	<b>Decision:</b> Grant Conditionally	
4	<b>Application No:</b> 0483/15	<b>District/Borough:</b> West Devon Borough
	<b>Application Type:</b> Change of Use	<b>Parish:</b> Horrabridge
	<b>Proposal:</b> Change of use from A1 to a mixed use of A1 and B1(c)	
	<b>Location:</b> Saddlers Shop, Plymouth Road, Horrabridge	
	<b>Decision:</b> Grant Conditionally	

5 **Application No:** 0493/15 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning **Parish:** Christow  
Permission - Householder  
**Proposal:** Erection of single garage and log store  
**Location:** Gleneagles, Christow  
**Decision:** Withdrawn

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6 **Application No:** 0494/15 **District/Borough:** West Devon Borough  
**Application Type:** Full Planning **Parish:** Burrator  
Permission - Householder  
**Proposal:** Erection of garage  
**Location:** Midtors, Walkhampton  
**Decision:** Grant Conditionally

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7 **Application No:** 0496/15 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning **Parish:** Buckfastleigh  
Permission - Householder  
**Proposal:** Extension to form sitting room and various internal alterations  
**Location:** 11 Wallaford Road, Buckfastleigh  
**Decision:** Grant Conditionally

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8 **Application No:** 0509/15 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning **Parish:** Moretonhampstead  
Permission - Householder  
**Proposal:** New timber-framed garage  
**Location:** Parford, Moretonhampstead  
**Decision:** Grant Conditionally

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9 **Application No:** 0449/15 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning **Parish:** Buckland-in-the-Moor  
Permission - Householder  
**Proposal:** Extension and alterations  
**Location:** Challamoor Farm, Elliots Hill, Buckland-in-the-Moor  
**Decision:** Grant Conditionally

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10 **Application No:** 0451/15 **District/Borough:** South Hams District  
**Application Type:** Full Planning **Parish:** Shaugh Prior  
Permission - Householder  
**Proposal:** Construct extension to form garage with bedroom over and demolish existing garage  
**Location:** Copperhayes, Shaugh Prior  
**Decision:** Grant Conditionally

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11	<b>Application No:</b> 0481/15	<b>District/Borough:</b> Teignbridge District
	<b>Application Type:</b> Full Planning Permission	<b>Parish:</b> Ashburton
	<b>Proposal:</b> External alterations to existing building	
	<b>Location:</b> Unit 1, 31a East Street, Ashburton	
	<b>Decision:</b> Grant Conditionally	
<hr/>		
12	<b>Application No:</b> 0482/15	<b>District/Borough:</b> West Devon Borough
	<b>Application Type:</b> Certificate of Lawfulness for an existing use	<b>Parish:</b> Chagford
	<b>Proposal:</b> Certificate of lawfulness for the use of land for a mobile home with associated curtilage, fencing and decking	
	<b>Location:</b> Higher Weddicott Farm, Chagford	
	<b>Decision:</b> Certificate issued	
<hr/>		
13	<b>Application No:</b> 0495/15	<b>District/Borough:</b> West Devon Borough
	<b>Application Type:</b> Full Planning Permission - Householder	<b>Parish:</b> Horrabridge
	<b>Proposal:</b> Single storey side extension	
	<b>Location:</b> 76 Station Road, Horrabridge	
	<b>Decision:</b> Grant Conditionally	
<hr/>		
14	<b>Application No:</b> 0467/15	<b>District/Borough:</b> West Devon Borough
	<b>Application Type:</b> Listed Building Consent	<b>Parish:</b> Mary Tavy
	<b>Proposal:</b> Alterations to existing agricultural barns to form holiday cottages and games room for use incidental to the residential use of Wringworthy Farm House	
	<b>Location:</b> Wringworthy Farm, Mary Tavy	
	<b>Decision:</b> Grant Conditionally	
<hr/>		
15	<b>Application No:</b> 0518/15	<b>District/Borough:</b> Teignbridge District
	<b>Application Type:</b> Prior Notification	<b>Parish:</b> Moretonhampstead
	<b>Proposal:</b> New building for machinery, straw and feed (111sqm)	
	<b>Location:</b> Lowton Farm, Moretonhampstead	
	<b>Decision:</b> Prior Approval not required	
<hr/>		
16	<b>Application No:</b> 0497/15	<b>District/Borough:</b> South Hams District
	<b>Application Type:</b> Full Planning Permission	<b>Parish:</b> South Brent
	<b>Proposal:</b> Erection of extension to timber framed agricultural storage building (22.86sqm)	
	<b>Location:</b> Hillyfield Farm, Harbourneford, South Brent	
	<b>Decision:</b> Grant Conditionally	
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17	<b>Application No:</b> 0100/15	<b>District/Borough:</b> West Devon Borough
	<b>Application Type:</b> Listed Building Consent	<b>Parish:</b> South Tawton
	<b>Proposal:</b>	Change of use from agriculture to residential dwelling (C3) and ancillary joinery workshop for the construction period, demolition of existing buildings and associated works
	<b>Location:</b>	East Week Farm, South Zeal
	<b>Decision:</b>	Grant Conditionally
<hr/>		
18	<b>Application No:</b> 0103/15	<b>District/Borough:</b> West Devon Borough
	<b>Application Type:</b> Full Planning Permission	<b>Parish:</b> South Tawton
	<b>Proposal:</b>	Change of use from agriculture to residential dwelling (C3) and ancillary joinery workshop for the construction period, demolition of existing buildings and associated works
	<b>Location:</b>	East Week Farm, South Zeal
	<b>Decision:</b>	Grant Conditionally
<hr/>		
19	<b>Application No:</b> 0498/15	<b>District/Borough:</b> South Hams District
	<b>Application Type:</b> Full Planning Permission	<b>Parish:</b> South Brent
	<b>Proposal:</b>	Erection of timber framed agricultural storage building (36sqm)
	<b>Location:</b>	Hillyfield Farm, Harbournford, South Brent
	<b>Decision:</b>	Withdrawn
<hr/>		
20	<b>Application No:</b> 0475/15	<b>District/Borough:</b> West Devon Borough
	<b>Application Type:</b> Full Planning Permission - Householder	<b>Parish:</b> Chagford
	<b>Proposal:</b>	Construction of rear and side extension to form new garden room
	<b>Location:</b>	Denshams Cottage, Chagford
	<b>Decision:</b>	Grant Conditionally
<hr/>		
21	<b>Application No:</b> 0356/15	<b>District/Borough:</b> Teignbridge District
	<b>Application Type:</b> Full Planning Permission	<b>Parish:</b> Bridford
	<b>Proposal:</b>	Erection of rural worker's dwelling
	<b>Location:</b>	Poole Farm, Bridford
	<b>Decision:</b>	Refused
<hr/>		
22	<b>Application No:</b> 0503/15	<b>District/Borough:</b> Teignbridge District
	<b>Application Type:</b> Full Planning Permission	<b>Parish:</b> Bovey Tracey
	<b>Proposal:</b>	Variation of condition 6 to permission ref. 0237/06 to allow for extended farm shop opening hours
	<b>Location:</b>	Ullacombe Farm Shop, Haytor Road, Bovey Tracey
	<b>Decision:</b>	Withdrawn

23	<b>Application No:</b> 0333/15	<b>District/Borough:</b> South Hams District
	<b>Application Type:</b> Full Planning Permission - Householder	<b>Parish:</b> Dean Prior
	<b>Proposal:</b> Replacement of single garage with double garage and balcony to first floor of main house	
	<b>Location:</b> 6 Lower Dean, Buckfastleigh	
	<b>Decision:</b> Grant Conditionally	
<hr/>		
24	<b>Application No:</b> 0452/15	<b>District/Borough:</b> West Devon Borough
	<b>Application Type:</b> Full Planning Permission - Householder	<b>Parish:</b> Dartmoor Forest
	<b>Proposal:</b> Single story extension attached to side elevation of property for use as garage	
	<b>Location:</b> 5 Woodville Avenue, Princetown	
	<b>Decision:</b> Withdrawn	
<hr/>		
25	<b>Application No:</b> 0492/15	<b>District/Borough:</b> South Hams District
	<b>Application Type:</b> Full Planning Permission - Householder	<b>Parish:</b> Ugborough
	<b>Proposal:</b> Ground floor extension to provide guest bedroom and verandah	
	<b>Location:</b> Brookwood House, Moorhaven, Ivybridge	
	<b>Decision:</b> Grant Conditionally	
<hr/>		
26	<b>Application No:</b> 0471/15	<b>District/Borough:</b> West Devon Borough
	<b>Application Type:</b> Full Planning Permission	<b>Parish:</b> Chagford
	<b>Proposal:</b> Part demolition of single storey extension, widening of access and associated works	
	<b>Location:</b> Easton Court, Chagford	
	<b>Decision:</b> Grant Conditionally	
<hr/>		
27	<b>Application No:</b> 0470/15	<b>District/Borough:</b> Teignbridge District
	<b>Application Type:</b> Full Planning Permission - Householder	<b>Parish:</b> Ashburton
	<b>Proposal:</b> Erection of garage	
	<b>Location:</b> Little Court, Western Road, Ashburton	
	<b>Decision:</b> Grant Conditionally	
<hr/>		
28	<b>Application No:</b> 0480/15	<b>District/Borough:</b> Teignbridge District
	<b>Application Type:</b> Full Planning Permission	<b>Parish:</b> Ilsington
	<b>Proposal:</b> Erection of storage shed; retention of small storage building and bird hide plus creation of new track	
	<b>Location:</b> land to west of Liverton at Lounston	
	<b>Decision:</b> Refused	
<hr/>		

29 **Application No:** 0468/15 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission **Parish:** Widecombe-in-the-Moor  
**Proposal:** Replacement dwelling  
**Location:** Woodcott (formerly Spitchwick Bungalow), Spitchwick, Poundsgate  
**Decision:** Grant Conditionally

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30 **Application No:** 0490/15 **District/Borough:** South Hams District  
**Application Type:** Full Planning Permission **Parish:** South Brent  
**Proposal:** Extension to existing building to provide cover over an existing yard  
**Location:** Higher Beara Cross, South Brent  
**Decision:** Grant Conditionally

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31 **Application No:** 0443/15 **District/Borough:** West Devon Borough  
**Application Type:** Listed Building Consent **Parish:** Drewsteignton  
**Proposal:** Convert former piggery into additional bedroom and utility accommodation  
**Location:** Knowle Cottage, Drewsteignton  
**Decision:** Grant Conditionally

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32 **Application No:** 0489/15 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission - Householder **Parish:** Manaton  
**Proposal:** Extension to the rear elevation to form enlarged study  
**Location:** Tor Cottage, Manaton  
**Decision:** Grant Conditionally

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33 **Application No:** 0479/15 **District/Borough:** West Devon Borough  
**Application Type:** Listed Building Consent **Parish:** Chagford  
**Proposal:** Remove asbestos sheeting and replace with slate; enlarge bedroom window opening  
**Location:** Waye Farm, Chagford  
**Decision:** Grant Conditionally

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34 **Application No:** 0442/15 **District/Borough:** West Devon Borough  
**Application Type:** Full Planning Permission - Householder **Parish:** Drewsteignton  
**Proposal:** Convert former piggery into additional bedroom and utility accommodation  
**Location:** Knowle Cottage, Drewsteignton  
**Decision:** Grant Conditionally

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35	<b>Application No:</b> 0445/15	<b>District/Borough:</b> Teignbridge District
	<b>Application Type:</b> Full Planning Permission - Householder	<b>Parish:</b> Dunsford
	<b>Proposal:</b> Conversion of existing workshop to residential annex and construction of new workshop	
	<b>Location:</b> Old Cawte Farm, Dunsford	
	<b>Decision:</b> Grant Conditionally	
<hr/>		
36	<b>Application No:</b> 0457/15	<b>District/Borough:</b> West Devon Borough
	<b>Application Type:</b> Full Planning Permission	<b>Parish:</b> Belstone
	<b>Proposal:</b> Construction of outdoor manege (40m x 20m)	
	<b>Location:</b> Pear Trees, Belstone	
	<b>Decision:</b> Grant Conditionally	
<hr/>		
37	<b>Application No:</b> 0465/15	<b>District/Borough:</b> West Devon Borough
	<b>Application Type:</b> Full Planning Permission	<b>Parish:</b> Chagford
	<b>Proposal:</b> Extension of general purpose agricultural building	
	<b>Location:</b> land at Thorn, Chagford	
	<b>Decision:</b> Grant Conditionally	
<hr/>		
38	<b>Application No:</b> 0476/15	<b>District/Borough:</b> Teignbridge District
	<b>Application Type:</b> Full Planning Permission	<b>Parish:</b> Widecombe-in-the-Moor
	<b>Proposal:</b> Full reinstatement of the building to its original condition following a fire	
	<b>Location:</b> Dunstone Cottage, Lady Meadow Terrace, Widecombe-in-the-Moor	
	<b>Decision:</b> Grant Conditionally	
<hr/>		
39	<b>Application No:</b> 0448/15	<b>District/Borough:</b> Teignbridge District
	<b>Application Type:</b> Listed Building Consent	<b>Parish:</b> Dunsford
	<b>Proposal:</b> Conversion of existing workshop to residential annex and construction of new workshop	
	<b>Location:</b> Old Cawte Farm, Dunsford	
	<b>Decision:</b> Grant Conditionally	
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40	<b>Application No:</b> 0484/15	<b>District/Borough:</b> Teignbridge District
	<b>Application Type:</b> Full Planning Permission	<b>Parish:</b> Buckfastleigh
	<b>Proposal:</b> Replacement of dwelling with new on the same footprint as the existing	
	<b>Location:</b> 4 Northwood Lane, Buckfastleigh	
	<b>Decision:</b> Grant Conditionally	
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41	<b>Application No:</b> 0455/15	<b>District/Borough:</b> West Devon Borough
	<b>Application Type:</b> Full Planning Permission - Householder	<b>Parish:</b> Sourton
	<b>Proposal:</b> Construction of double garage in garden	
	<b>Location:</b> Prewley Cottages, Sourton Down	
	<b>Decision:</b> Grant Unconditionally	
<hr/>		
42	<b>Application No:</b> 0478/15	<b>District/Borough:</b> Teignbridge District
	<b>Application Type:</b> Full Planning Permission - Householder	<b>Parish:</b> Ashburton
	<b>Proposal:</b> First floor rear extension to existing dwelling with some minor internal alterations	
	<b>Location:</b> Maidenbrook House, Dolbeare Road, Ashburton	
	<b>Decision:</b> Grant Conditionally	
<hr/>		
43	<b>Application No:</b> 0486/15	<b>District/Borough:</b> Teignbridge District
	<b>Application Type:</b> Full Planning Permission - Householder	<b>Parish:</b> Moretonhampstead
	<b>Proposal:</b> Two-storey rear extension	
	<b>Location:</b> 26 Fordlands Road, Moretonhampstead	
	<b>Decision:</b> Grant Conditionally	
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44	<b>Application No:</b> 0453/15	<b>District/Borough:</b> Teignbridge District
	<b>Application Type:</b> Full Planning Permission - Householder	<b>Parish:</b> Lustleigh
	<b>Proposal:</b> Conversion of timber framed workshop/store room to ancillary residential accommodation for elderly relative; includes new flue terminal to roof and small porch to front	
	<b>Location:</b> Ash Cottage, Manaton	
	<b>Decision:</b> Grant Conditionally	
<hr/>		
45	<b>Application No:</b> 0469/15	<b>District/Borough:</b> West Devon Borough
	<b>Application Type:</b> Full Planning Permission	<b>Parish:</b> Brentor
	<b>Proposal:</b> Replacement stock shed	
	<b>Location:</b> Burnville Farm, Brentor	
	<b>Decision:</b> Grant Conditionally	
<hr/>		
46	<b>Application No:</b> 0491/15	<b>District/Borough:</b> South Hams District
	<b>Application Type:</b> Full Planning Permission	<b>Parish:</b> South Brent
	<b>Proposal:</b> General purpose building for storage of fodder, bedding, machinery and livestock (18.2m x 9m)	
	<b>Location:</b> Higher Beara Cross, South Brent	
	<b>Decision:</b> Grant Conditionally	
<hr/>		

47 **Application No:** 0459/15 **District/Borough:** West Devon Borough  
**Application Type:** Full Planning **Parish:** Mary Tavy  
Permission - Householder  
**Proposal:** Porch/garden room extension  
**Location:** Balwynd, Bal Lane, Mary Tavy  
**Decision:** Grant Conditionally

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48 **Application No:** 0460/15 **District/Borough:** South Hams District  
**Application Type:** Full Planning **Parish:** South Brent  
Permission - Householder  
**Proposal:** Renovation and alteration to dwelling  
**Location:** Lydia Mill, Lydia Bridge, South Brent  
**Decision:** Refused

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**STEPHEN BELLI**

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

04 December 2015

**ENFORCEMENT ACTION TAKEN UNDER DELEGATED POWERS**

Report of the Head 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 James Aven)**

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

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1 Enforcement Code:	<b>ENF/0030/15</b>	District/Borough:	<b>Teignbridge District</b>
Grid Ref :	<b>SX742702</b>	Parish :	<b>Ashburton</b>
Breach :	<b>Installation of an air source heat pump on the exterior face of a listed building and conversion of garage to recording studion.</b>		
Location :	<b>2 Hele House, Ashburton TQ13 7NW</b>		
Action taken / Notice served .	<b>No further action taken</b>		

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2 Enforcement Code:	<b>ENF/0083/15</b>	District/Borough:	<b>Teignbridge District</b>
Grid Ref :	<b>SX827804</b>	Parish :	<b>Hennock</b>
Breach :	<b>Unauthorised extension/use of outbuilding</b>		
Location :	<b>Bottor Cottage, Hennock TQ13 9PU</b>		
Action taken / Notice served .	<b>Enforcement Notice</b>		

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3 Enforcement Code:	<b>ENF/0093/12</b>	District/Borough:	<b>Teignbridge District</b>
Grid Ref :	<b>SX745677</b>	Parish :	<b>Ashburton</b>
Breach :	<b>Erection of lighting columns in car park</b>		
Location :	<b>St Boniface House, Furzleigh Farm, Buckfast</b>		
Action taken / Notice served .	<b>Enforcement Notice</b>		

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4 Enforcement Code: **ENF/0111/15** District/Borough: **West Devon Borough**  
Grid Ref : **SX537730** Parish : **Sampford Spiney**  
Breach : **Unauthorised "slate" track**  
Location : **Hecklake Farm, Sampford Spiney**  
Action taken /  
Notice served **No further action taken**  
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5 Enforcement Code: **ENF/0124/14** District/Borough: **Teignbridge District**  
Grid Ref : **SX836816** Parish : **Hennock**  
Breach : **Multiple subdivision of dwellinghouse**  
Location : **Hyner Bridge, Lower Ashton, Christow EX6 7RQ**  
Action taken /  
Notice served **Enforcement Notice**  
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6 Enforcement Code: **ENF/0133/14** District/Borough: **West Devon Borough**  
Grid Ref : **SX489818** Parish : **Brentor**  
Breach : **Creation of hardstanding, erection of garage/outbuilding, demolition of existing barns and Devon banks and various works to main dwelling**  
Location : **Burn Lane House, Burn Lane, North Brentor**  
Action taken /  
Notice served **No further action taken**  
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7 Enforcement Code: **ENF/0198/15** District/Borough: **Teignbridge District**  
Grid Ref : **SX775736** Parish : **Ilsgington**  
Breach : **Unauthorised change of use of Carport with incidental use accommodation to dwellinghouse independent of the primary dwelling.**  
Location : **Hooks Farm, Sigford, Newton Abbott, TQ12 6LF**  
Action taken /  
Notice served **Enforcement Notice**  
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**STEPHEN BELLI**