

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

10 January 2020

**APPLICATIONS FOR DETERMINATION BY THE COMMITTEE**

Report of the Head of Development Management

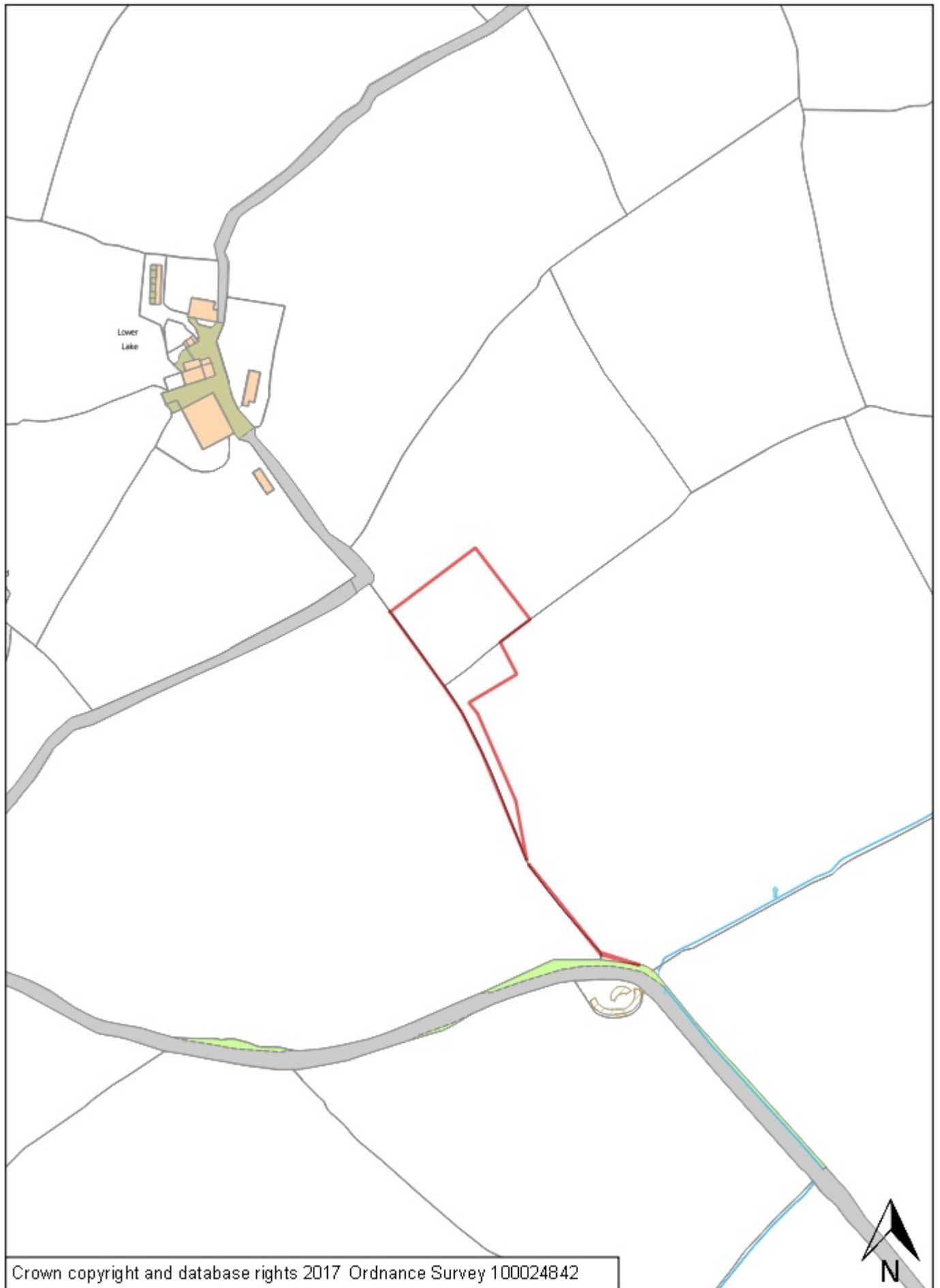
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# 0459/19 - Land at Meavy, Yelverton



Scale 1:2,500



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1. Application No: **0459/19** District/Borough: **West Devon Borough**  
Application Type: **Full Planning Permission** Parish: **Meavy**  
Grid Ref: **SX534676** Officer: **Ben Gilpin**

Proposal: **Erection of an agricultural building and associated access track**

Location: **land at Meavy, Yelverton**

Applicant: **Mr & Mrs Vanstone**

Recommendation **That permission be REFUSED**

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

1. The proposed development, by virtue of its location in a virtually complete historic field system, will not conserve or enhance what is special and locally distinctive about the historic character of this landscape contrary to policies COR1, COR3, DMD1b, DMD5 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 2019.
2. The proposed would result in an isolated development, visible and visually intrusive, detrimental to the character and appearance of this part of the Dartmoor National Park, contrary to policies COR1, COR3, DMD1b, DMD5 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 2019.

### **Introduction**

The site is an area of land measuring 0.34ha in area, to the northern side of an existing Devon Hedgebank, on land north of Meavy. The site also includes land to form an access track that would run to the east of an existing Devon hedgebank on land to the south of the main site that would link to the adopted highway.

The area is agricultural in character, set below the level of higher moorland to the south and east.

The site is circa 130m south/south-east of Lower Lake Farm and its associated farm buildings.

This application has been called to Committee by Miss Moyse concerning the conflict with policy DMD5 (landscape character) and DMD34 (agricultural justification).

### **Planning History**

0477/18	New road for agricultural vehicles (160m x 2.8)		
	Prior Approval	Prior Approval Refused	28 November 2018
0020/18	Erection of two agricultural buildings (323.3sqm each) and creation of new access track		
	Full Planning Permission	Refused	10 April 2018

### **Consultations**

West Devon Borough Council: Does not wish to comment  
County EEC Directorate: No objection  
Environment Agency: Flood Zone 1

DNP - Trees & Landscape: An application for two agricultural buildings and an access track was refused by the Authority in 2018. This submission has the access track in the same location, but locates a single agricultural building in the adjacent field. It also looks like a hard standing will be created at the end of the new drive. Access onto the site will be via an existing gateway. The land rises to the north and the building will be located on the higher part of the land. The site will have to be levelled and the building will be partly dug into the site.

The field and adjacent land are grazed pasture.

The fields are enclosed with Devon banks with mixed native hedgerow growing on top. The banks and hedges are in good condition. A new gateway will be created in the bank requiring the removal of one tree and a section of hedgerow. If the hedgerow is assessed against the criteria set out in the Hedgerows Regulations 1997 it would be classed as important because it appears on the Meavy Tithe map. There is general presumption against the removal of 'important' hedges.

Several trees are growing on the hedgebanks close to the development. A number of these trees are ash. Ash Die back is widespread across Dartmoor and it is highly likely that the ash trees will be infected and have a very short life expectancy.

The field system to the south is part of a strip field system enclosed in the 15th to 17th centuries and recorded in the Dartmoor Historic Landscape Assessment. The field system to the north is part of a medieval field system. The field system is virtually complete with only one small length of hedgerow removed since 1840.

Landscape character

Landscape Character Type - 2D Moorland Edge Slopes

The proposed development is located in enclosed farm land. The land around the site is undulating agricultural land comprising of small to medium sized fields enclosed by Devon hedge banks. Isolated and linear groups of trees are growing on the hedge banks. The agricultural land is grazed pasture. Winding lanes bounded by high hedges thread across the landscape with sunken lanes a feature of this landscape type. Small linear woods are found growing

along the bottom of shallow river valleys. There is a sparse settlement pattern with small hamlets, villages and nucleated farmsteads nestled into the folded rolling landform. The historic village of Meavy lies to the east and the modern housing development of Dousland lies to the east.

The Landscape character Assessment lists valued attributes for this landscape type as;

- A rich and intricate landscape full of contrasts.
- Strong pattern of medieval fields with prominent Devon hedgebanks and drystone walls.
- Pastoral character of fields contrasting with heathy moorland.
- Strong vernacular of granite colourwash and slate.
- Spectacular views to the moorland core of Dartmoor as well as surrounding countryside outside the National Park.
- Features associated with the area's mining heritage and historic land use.

The proposed development will have an impact on the local landscape character. The building, the excavation works necessary to create a level site, the areas of hardstanding and track will inevitably alter the character of the grazed pasture.

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 historic field system and the pastoral character of the area. 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 clearly contrary to policy.

DMD34 states that agricultural development will be permitted where there is demonstrable need that is proportional to the land use, the development relates well to the local landscape features and other building groups, it is located to reduce intrusive effects and it will not cause harm to archaeological and cultural heritage. The proposed development is poorly related to other buildings and it does not reflect the agricultural building pattern found in this landscape. Most agricultural buildings are found in the folds of the landform and not on high prominent parts of the land. The development will also have a significant impact on the historic field system, which could be one of the most complete systems of this type on Dartmoor.

The Authority refused a similar application for an agricultural building on land at Blindfield Meadow, Murchington. Whilst the application site is on the other side of the moor, it lies within the same landscape Character Type as the site in Meavy. The applicant appealed against the Authority's decision. The appeal was dismissed (Appeal Ref: APP/J9497/W/18/3215190). In dismissing the appeal the Inspector acknowledged the need for an agricultural building and accepted that seen from further afield the building would not appear incongruous. However, the building would fail to preserve the landscape or scenic beauty of the site and its more immediate landscape. He also stated he was sympathetic to farming and the rural economy and that farming and the rural economy are supported within local and national and national planning policies. He concluded that the development would have a detrimental impact on the character and appearance of the area, which would fail to preserve the character and appearance of the area and would fail to preserve the landscape and scenic beauty of the Dartmoor National Park. The development would conflict with COR1, COR3, DMD1b, DMD5 and DMD34.

In my opinion the proposed development at Meavy would have a greater impact on the landscape than the site at Murchington.

Visual amenity

The site is very visible in the landscape. The proposed building will be seen as isolated structure poorly related to other farm buildings or the main settlements. The development will be visually intrusive. The loss of ash trees in this landscape will make the building more visible than is suggested in the submitted landscape report.

The historic enclosed landscape is a feature of the area and many visitors travel to this part of Dartmoor to experience the time depth found in this landscape.

#### Mitigation

The applicants intend to enclose the building with two hedge banks. The track will also be planted with a hedger to create a Devon lane. The proposed mitigation will go some way to help integrate the development into the landscape, by mimicking traditional forms of enclosure, but it will not mitigate the substantial landscape harm the development will have or its significant visual impact.

DNP - Ecology & Wildlife Conservation:

The creation of the new access will result in the removal of a short section (4m) of hedgerow. It must be ensured that safeguards are in place to prevent threat or harm to any legally protected species which may be present, including nesting birds and dormice. Vegetation removal should take place outside of the bird nesting season and at a time when it is least damaging for Dormice.

#### Parish/Town Council Comments

Burrator PC: Support

#### Relevant Development Plan Policies

COR1 - Sustainable Development Principles

COR13 - Providing for high standards of accessibility and design

COR2 - Settlement Strategies

COR3 - Protection of Dartmoor's special environmental qualities

COR4 - Design and sustainable development principles

COR7 - Providing for the conservation of Dartmoor's varied plant and animal life and geology

COR8 - Meeting the challenge of climate change

DMD13 - Archaeology

DMD14 - Biodiversity and geological conservation

DMD1a - Presumption in favour of sustainable development

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

DMD34 - Agricultural and forestry

DMD38 - Access onto the highway

DMD5 - National Park Landscape

## **Representations**

14 letters of support

Comments include:

- Will benefit animal welfare;
- Land management/livestock benefits;
- Sustainable development;
- Beneficial to encourage young farmers into the industry;
- No impact on landscape character;
- Suitable design of the building;
- Social and cultural benefits (local communities and people);
- Beneficial to the rural economy;
- It would assist with agricultural education (Apprenticeships)

## **Observations**

### THE PROPOSAL

This is an application for the erection of an agricultural building (26.5m long by 12m wide by 4m high (eaves)/5.6m high (ridge)) and the creation of a new yard in the south-west corner of an agricultural field in open landscape to the north west of Meavy. The proposal also seeks permission for the formation of an access track that is to run parallel with the hedgebank to the south of the site (to link with the adopted highway (Meavy Lane)). The access track is to be enclosed with the creation of an additional Devon hedgebank that would run alongside the track to the east.

It is proposed to provide new Devon hedgebanks to the north east and south east of the new enclosure. The proposed access track will run from an existing access gate which will be widened along the western boundary of the field that is to the south of the site. It is proposed that the access track is surfaced with hardcore.

To access the site from the field to the south a 4m wide aperture in the existing hedgebank is proposed. This would require the removal of one existing tree (this tree is an Ash tree and is suffering from Ash Dieback Disease).

The building is to be finished with concrete panel walls up to 1.8m high, then timber cladding above with a fibre cement grey roof.

Rainwater collection tanks will be provided linking to a soakaway within the field. A deep litter system will be used where no slurry will be produced.

### THE HOLDING

The application has been supported by an agricultural appraisal which states that the applicants own 4.26ha (10.53 acres) of land. This constitutes the field to the south of the site that is proposed to accommodate the access track. The site itself is under option to purchase from the owners of Lower Lake Farm, subject to securing the requisite planning permission. The site and land in the applicants' ownership is part of a 30.72ha (76 acre) block, the remainder of which is rented on a Farm Business Tenancy of 30 years which runs to 2047. The applicants have other land in the local area on other tenancy agreements and grazing licences as well as 250 units of moorland grazing on Yennadon Common, Lynch Common



(above Meavy) and the Forest southeast of Whiteworks. The applicants consider that any buildings should be close to the commons so that stock can be walked to the commons rather than transported by vehicle. Having built up their business over 10 years, currently the applicants have 2,000 sheep and 190 cattle (at the time of the 0020/18 applicant these numbers had been 1215 sheep and 146 cattle – the increase evidences a period of growth for the farm) together with 6 Dartmoor ponies.

There are no buildings on the land or in close proximity as the traditional buildings at Meavy Barton were sold with the house. The applicants currently rent buildings on an unsecure basis away from the land with the largest rented building at risk of being taken away. The applicants have no buildings currently under their control.

It is argued that buildings are required predominantly for the lowland breeds of stock at varying times of the year including the cattle during the winter months as well as the ewes during lambing season, for welfare and cross compliance rules to prevent poaching of land. The size of the building in relation to the number of livestock has been carefully considered and the applicants argue that the proposed building would be proportionate to the current needs of the farm business as well as being affordable and one that seeks to address the reasoning for refusal of the previous planning application (0020/18).

## POLICY

Policy COR2 states that 'Outside settlements development will be acceptable in principle if it is necessary to meet the proven needs of farming'. Policy COR18 states that outside classified settlements local employment and business opportunities will be sustained by ... support for development to assist the agricultural sector.

DMD34 - Agricultural related development will be permitted where there is a demonstrable need that is proportional to the use of the land, it relates well to local landscape features and other building groups, it is located and orientated with respect to local topography so as to reduce intrusive effects, it demonstrates a scale and form that is well related to its function, will not cause unacceptable harm to amongst other things natural drainage and efficient use is made of existing buildings.

Clearly there is a demonstrable need for a building on the holding. In response to historic advice that the size of the two buildings that had been proposed and refused (deemed to be slightly oversized to serve their purpose), one building is now proposed. Nonetheless, even with the size having been reduced, the proposal would still be considered an isolated building, distant to other building groups (namely those at Lower Lake Farm circa 130metres to the north). In this respect the proposed buildings are considered, to be contrary to policy DMD34.

## LANDSCAPE IMPACT

Policy COR1 requires that development respects or enhances the character of the local landscape and Policy COR3 requires that development conserves or enhances the characteristic landscapes that contribute to Dartmoor's special qualities.

In addition DMD5, with reference to the Landscape Character Assessment states that development should respect the valued attributes of landscape character types. The Landscape Character Type has been identified as '2D Moorland Edge Slopes'.

The Landscape Character Assessment for Dartmoor National Park (LCA) states that the 'Valued Landscape Attributes' in this '2D' area include:

- A rich and intricate landscape full of contrasts;
- Strong pattern of medieval fields with prominent Devon hedgebanks and dry stone walls;
- Pastoral character of fields contrasting with areas of heathy moorland;
- Strong local vernacular of granite, colourwash and slate;
- Spectacular views to the moorland core of Dartmoor as well as the surrounding countryside outside the National Park, including granite church towers as landmarks;
- Traditional orchards; and
- Features associated with the area's mining heritage and historic land uses.

The applicant has submitted a Landscape and Visual Impact Assessment which asserts that views of the site are generally lost within the wider landscape panorama and any negative effect by the proposed development is minimal or non-existent. Mitigation is proposed and with this in place the scheme, the applicant states, will address all potentially negative visual impacts as identified in the report.

It is accepted that the site is in a very unique part of the landscape which the Dartmoor Historic Landscape Assessment indicates as a 'late medieval enclosure of strip fields to the north of the village'.

The site and the surrounding fields to the south and east are very distinctive. Careful evaluation from the site and from the wider area confirm that it would be visible from public vantage points to the south and east (due in part to the fact that the location of the proposed building has been sited to the north of the existing Devon hedgebank (as opposed to the location to the south of this hedgebank that would have left the site very exposed)) resulting in the upper timber clad elements of the building being visible (as opposed to the whole building as would have previously been the case).

The Landscape Officer has suggested that the development would be 'very visible' in the wider landscape. The prevalence of Ash Dieback on Dartmoor, and its potential to result in the death of trees along the southern hedgerow, means that there could be a degree of visibility of the site and development in the wider context.

The main issue for consideration in this instance is whether the provision of an agricultural building of appropriate vernacular would appear as incongruous when seen from further afield and whether the building would preserve the landscape and scenic beauty of the site and its more immediate landscape - the policy tests set out in DMD5 and DMD34.

It is noted that the site does not relate directly to any other building groups in a landscape dominated by a historic field system, which is one of the most complete systems of this type on Dartmoor. It is considered that the proposed building would appear to be isolated, and by virtue of the location, size and the new access track, could have a detrimental impact on the character of the immediate landscape. It is therefore considered that it is contrary to policies COR1, COR3, DMD5 and DMD34.

The track would be visible through the gate from the highway, but would have any short term impact mitigated over time with the provision of an additional Devon hedgebank to the east of the track, which in turn could provide long term habitat and foraging opportunities for wildlife in the area. The provision of the access track, with the mitigation proposed is not considered to have an excessively detrimental impact on the character and appearance of this part of the

Dartmoor landscape.

Although mitigation is proposed in the form of two new hedgebanks this will not mitigate the accepted landscape harm or the building's visual impact.

The applicants have met with officers to examine alternative sites and it was clear from the visit that they are constrained by the proximity of dwellings, levels, drainage and potential contamination issues.

## OTHER MATTERS

There will be no foul water to dispose of. Straw dung will build up under the cattle when they are housed in the winter and will be spread on the land providing natural fertiliser in the spring/summer months. Clean surface water will be dealt with by means of soakaway. Infiltration tests have been carried out to demonstrate that the soil will accommodate this.

## CONCLUSION

The Parish Council has supported the application as have nearby residents, farmers and those with associations to the applicants such as the Hill Farm Project Officer and the vet.

During deliberations the potential for 'planning creep' has been considered, but as each application is considered on its' own merits, and that the scheme presented is for a singular livestock shed, the issue of future change and additions does not carry material weight in determination of this application.

The applicants are young farmers committed to hill farming and with a substantial number of livestock. The size of the building is more appropriate for the needs as detailed than the previous application. It is also understood that siting the buildings on their own land is preferable and that the stock are important to the management of the commons. The applicants are not however the only farmers with grazing rights on the commons involved.

Clearly officers want to support the farming community but this application once again raises the dilemma of balancing the desire of farmers for buildings to meet the modern demands of agriculture against the permanent impact of those buildings on what is unique and special about the Dartmoor landscape.

There may be a need for an agricultural building to serve this particular land holding and it has proved difficult to find a solution which does not have an unacceptable impact in this sensitive location. In this case the needs of the farming business should be carefully assessed against the landscape impact of this proposed development.

The provision of the livestock accommodation would undoubtedly provide a degree of stability to the holding, allowing for the resistance to the break-up of land to hobby farm level. In addition, the provision of such a livestock facility would allow for the continued farming of the land by a local family who would then be in a position to assist with the wider management of the Moor, as prescribed in the LCA (detailed above in this report). This would help meet the wider objectives and aspirations of adopted Policy of the Development Plan.

However, the balance in this case is fine, but due to the degree of separation from other existing buildings (being 'isolated' in its context and contrary to adopted Policy DMD34 which seeks developments to relate well with other buildings or landscape features). The need is

not considered to be enough to outweigh the harm that would be caused by the proposed development in this location the proposal would not sufficiently conserve or enhance the character of Dartmoor's landscape (being an historic field system which is considered to be one of the most complete systems of this type on Dartmoor), nor satisfactorily reinforce locally distinctive patterns of development, landscape and cultural heritage in this location.

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**CHRISTOPHER HART**

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

10 January 2020

**APPEALS**

Report of the Head of Development Management

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

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

1 Application No:	C/19/3224891	District/Borough:	South Hams District
Appeal Type:	Enforcement Notice	Parish:	Holne
Proposal:	Breach of condition for occupation and use, change of use to commercial equestrian facility		
Location:	<b>Middle Stoke Farm, Holne</b>		
Appellant:	<b>Mrs P Melville</b>		
Decision:	<b>ALLOWED AND NOTICE QUASHED</b>		

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2 Application No:	X/18/3218382	District/Borough:	South Hams District
Appeal Type:	Refusal to issue a Certificate of Lawfulness	Parish:	Holne
Proposal:	Residential use of The Old Stables		
Location:	<b>Ground floor of building know as The Old Stables, Middle Stoke Farm, Holne</b>		
Appellant:	<b>Mrs P Melville</b>		
Decision:	<b>DISMISSED</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/19/3238941	District/Borough:	West Devon Borough
Appeal Type:	Refusal of Full Planning Permission	Parish:	Whitchurch
Proposal:	Change of use from agricultural (sui generis) to B1, B8 and sui generis		
Location:	<b>Longford Quarry, Moorshop</b>		
Appellant:	<b>Mr &amp; Mrs Alford</b>		

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2 Application No:	W/19/3240412	District/Borough:	Teignbridge District
Appeal Type:	Refusal of Full Planning Permission	Parish:	Hennock
Proposal:	Agricultural dwelling		

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

10 January 2020

**ENFORCEMENT ACTION TAKEN UNDER DELEGATED POWERS**

Report of the Head of Development Management

**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/0051/19</b>	District/Borough: <b>Teignbridge District</b>
Grid Ref : <b>SW378349</b>	Parish : <b>Ashburton</b>
Breach : <b>Unauthorised satellite dish on listed building</b>	
Location : <b>10 St Lawrence Lane Ashburton</b>	
Action taken / Notice served	<b>No further action taken</b>

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2 Enforcement Code: <b>ENF/0152/19</b>	District/Borough: <b>West Devon Borough</b>
Grid Ref : <b>SX512700</b>	Parish : <b>Horrabridge</b>
Breach : <b>Unauthorised 6ft wall adjacent to a highway</b>	
Location : <b>2 Greenaway Close, Horrabridge</b>	
Action taken / Notice served	<b>No further action taken</b>

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**CHRISTOPHER HART**

Location: **land adjacent to Beadon Lane, Hennock**  
Appellant: **Mr A Coaker & Miss A Geen**

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3 Application No: W/19/3240883 District/Borough: West Devon Borough  
Appeal Type: Refusal of Full Planning Permission Parish: Whitchurch  
Proposal: Variation of condition 3 of planning decision ref 0746/00 to allow the number of mobile homes to be increased to twenty five units at any one time  
Location: **Silent Women Mobile Home Park, Moorshop**  
Appellant: **Mr & Mrs I Stainer**

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**CHRISTOPHER HART**