

**DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE**

29 July 2022

Present: A Cooper, W Dracup, G Gribble, P Harper, G Hill, J McInnes, S Morgan,
D Moyse, J Nutley, N Oakley, C Pannell, M Renders, L Samuel, P Sanders,
P Smerdon, D Thomas, P Vogel, P Woods

Officers: C Hart, Head of Development Management
S Williams, Planning Officer
N White, Planning Officer
O Dorrell, Planning Officer

Apologies: None

1492 Declarations of Interest and Contact

Members agreed to declare those interests set out in the matrix attached to the Agenda (Membership of Other Councils).

The Chair advised Members that there were two items on the Agenda that they did not need to declare an interest in, as follows:

0179/22 – Challacombe Farm – due to the tenant of the property being a Member of the Authority, and
0182/22 – Ingsdon View – due to the applicant being a member of staff of the Authority.

Mrs Oakley declared a personal interest in item 0179/22 – Challacombe Farm, due to her being the tenant of the property; she advised that she would leave the room for this item.

Mr Glanville declared a personal interest in item 0189/22 – Heatherside House, Dousland, due to being a member of the Parish Council.

Mr Smerdon asked that an error on the Matrix be noted in that he is not a Member elected by the County Council, rather he is a South Hams District Council elected Member.

1493 Minutes of the previous meeting

The Minutes of the meeting held on Friday 10 June 2022 were agreed and signed as a true record.

1494 Items requiring urgent attention.

None.

1495 Applications for Determination by the Committee

Members received the report of the Head of Development Management (NPA/DM/22/007).

Item 1 - 0056/22 Installation of 30m lattice tower supporting six antennas, four transmission dishes, two equipment cabinets, one meter cabinet and ancillary development, thereto including a generator and associated fuel tank, a hard standing area and a 2.4m fenced compound for the Shared Rural Network – Land at Blackingstone Wood, Doccombe.

The Head of Development Management advised Members that the agent for the applicant had, within the last 24 hours, tested positive for Covid; she had therefore requested that a written statement be read out on her behalf. The Chair would do this at the relevant point of the presentation.

The application formed part of a national network, sponsored by the Government, in order to ensure 4G coverage for telecommunications 'not spots'. The height of the proposed lattice tower, 30m, was required as a clear line of sight was needed to other towers in order to work. The proposal would greatly benefit visitors and homeowners alike.

15 letters of objection had been received, four letters of support and two of general comment. The need for the tower and six antennas has been clearly justified. Having analysed the visual impact and the impact on the landscape character, any issues were mitigated by the public benefit of the application.

The Head of Development Management advised that an existing mast, located nearby, could not be used; a complete rebuild would have been required.

Two additional conditions were proposed:

- (i) Biodiversity enhancement measures; and
- (ii) Any power cables to the site to be placed underground.

The Chair read out Ms Parsons' written statement, summarised as follows:

Cornerstone is progressing a number of sites across the UK as part of the Shared Rural Network programme, a Government backed programme that aims to improve service provision for Vodafone, Telefonica and Three, ensuring that reliable 4G coverage is provided to rural areas which are currently poorly served by telecommunications operators. This is in line with the Government's target to ensure geographic coverage is provided by at least one network operator in 95% of the UK by the end of 2025. The proposed site at Blackingstone Wood is part of the Shared Rural Network programme. The SRN roll-out differs to other projects, where operators have complete autonomy when selecting the preferred location. This project is being completed in agreement with the Government, and there are obligations which must be complied with as part of this agreement. The operators provided detailed plans in 2020 of how they are to comply with their coverage obligations, which were subsequently assessed and approved by Ofcom. The SRN project now requires delivery on these plans. The nature of the project, to deliver infrastructure that is shared by

3 mobile network operators, is fully in line with local planning policy and National Planning Policy Framework, which aim to provide improved network service whilst also minimising the number of telecommunications sites to reduce proliferation. The proposed tower will be viewed in the context of the conifer wood, where trees rise to some 18 metres above ground level. There are no properties nearby and the site is approximately 210 metres away from the nearest road and approximately 300 metres away from the nearest property, separated from both by a large copse of trees. There is a technical requirement for the proposed tower height of 30 metres which is acknowledged throughout the Supplementary Information document submitted as part of the application's supporting documentation. The antennas need to be able to "see" over surrounding trees in order to deliver the required levels of coverage to the target coverage area. A number of the objections received on this proposal relate to an adverse impact on the character and appearance of the area, and an adverse visual impact from the nearby Blackingstone Rock and other areas in the wider vicinity. It is acknowledged that the installation will be at least partly visible from public vantage points in the surrounding area; however, it is considered that this location, where the trees provide a significant level of screening, is the most appropriate solution in this sensitive area of the National Park, close to a number of important tourist attractions. Many visitors are now reliant on mobile networks to maximise their activities whilst visiting tourist attractions.

The social and economic benefits of providing reliable and high quality 4G mobile coverage supports growth in productivity, efficiency and labour force participation across the whole economy, whilst also addressing the urban rural digital divide and levelling up this rural community. This is an aim which is fully supported by the National Planning Policy Framework and the Heart of the South West Local Enterprise Partnership's Strategic Economic Plan, which covers the Dartmoor area. It is considered that these social and economic benefits outweigh the perceived visual impact to the National Park. Cornerstone therefore respectfully asks for the approval of the proposed works, subject to the conditions as outlined in the planning officer's report which they are happy to comply with.

In response to a Member query, it was confirmed that the area surrounding the proposed works is South West Lakes Trust conifer plantation.

Mr Sanders proposed the recommendation, which was seconded by Mr McInnes.

The proposed area to be covered would include the Tottiford reservoir area which is frequented by many tourists. 4G coverage could greatly improve conditions for workers within the area, emergency services etc. A Member commented that proposed condition 3, the removal of the tower and associated equipment upon its redundancy, should put everyone's minds at rest.

RESOLVED: That, subject to the following conditions :

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby approved, shall be carried out strictly in accordance with the approved Site Location Plan (100B), and drawings Detailed Site

Location (101B), Proposed Site Plan (201B), and Proposed Site Elevation (301B), valid 9 February 2022.

3. Upon redundancy, the telecommunications mast and equipment shall be permanently removed and the land reinstated to its former condition within a period of six months.
4. Prior to commencement of the development hereby approved, a Construction and Environmental Management Plan including details of environmental protection measures to be implemented throughout the construction phase, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved Plan.
5. The lattice tower hereby approved shall be painted RAL 6022 Olive Drab in colour not later than 30 days after the substantial completion of the development.
6. Notwithstanding the submitted detail, prior to first use of the development hereby permitted, the compound shall be enclosed with a 2.4m high feather board fence, with 2.4m high timber gates and maintained as such in perpetuity.
7. Prior to the commencement of the development hereby permitted, details of the construction and surfacing of the proposed stone track, turning area, and tower foundation, shall be submitted to the Local Planning Authority for written approval.
8. The generator as included with the proposal shall be for emergency back up use only in the event of a short term loss of mains power to the site.
9. No external lighting shall be installed or used in association with the development hereby approved.
10. Prior to the erection of the tower/compound, details of the positive biodiversity enhancement measures shall be submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be undertaken before the first operation of the mast.
11. All electricity power cables shall be laid underground.

Permission be **GRANTED**.

Item 2 – 0073/22 – Installation of 35m lattice tower supporting six antennas, four transmission dishes, two equipment cabinets and ancillary developments including generator and associated fuel tank, a hard standing area, fenced compound and gabion wall – Land at Snider Park Plantation, Dartmeet.

The Head of Development Management advised Members that the agent for the applicant had, within the last 24 hours, tested positive for Covid; she had therefore requested that a written statement be read out on her behalf. The Chair would do this at the relevant point of the presentation.

The application formed part of a national network, sponsored by the Government, in order to ensure 4G coverage for telecommunication 'not spots'. Revised plans had been received for this application with regard to the relocation of the structures to avoid the leat which is an undesignated heritage asset; the Parish Council had been consulted, no further comments had been received. The height of the proposed lattice tower, 35m, was required to ensure a clear line of sight over the deciduous trees in the area. An archaeological watching brief was proposed should the application be approved.

The need for the tower and six antennas has been clearly justified. Having analysed the visual impact and the impact on the landscape character, any issues would be mitigated by the public benefit of the application which would provide 4G coverage.

Alternative sites had been considered but discounted for various reasons. With regard to screening provided by the trees, felling had already taken place; the trees shown in the photographs within the presentation would be retained and would provide good cover. One of the letters of objection referred to the generator. The Head of Development Management confirmed that this would only be used in an emergency – the mast being served by a mains electricity connection

Two additional conditions were proposed:

- (i) Biodiversity enhancement measures; and
- (ii) Any power cables to the site to be placed underground.

The Chair read out the statement provided by the agent, summarised as follows:

Cornerstone are in the process of progressing a number of sites across the UK as part of the Shared Rural Network programme, which is a Government backed programme that aims to improve service provision for Vodafone, Telefonica and Three, ensuring that reliable 4G coverage is provided to rural areas which are currently poorly served by telecommunications operators. This is in line with the Government's target to ensure geographic coverage is provided by at least one mobile network operator in 95% of the UK by the end of 2025. The proposed site at Snider Park Plantation is part of the Shared Rural Network programme. The SRN roll-out differs to other projects, where operators have complete autonomy when selecting the preferred location. This project is being completed in agreement with the Government, and there are obligations which must be complied with as part of this agreement. The operators provided detailed plans in 2020 of how they are to comply with their coverage obligations, which were subsequently assessed and approved by Ofcom. The SRN project now requires delivery on these plans. As such, the general location of the proposed sites and the area which they must cover are set out within these agreements. This severely restricts the search areas for the sites. The Supplementary Information document submitted as part of the application's supporting documentation detailed a number of other sites which had been investigated but were subsequently discounted. The nature of the project, to deliver infrastructure that is shared by 3 mobile network operators, is fully in line with local planning policy and National Planning Policy Framework, which aim to provide improved network service whilst also minimising the number of telecommunications sites to reduce proliferation. The proposed tower will be viewed in the context of the surrounding trees in the conifer plantation. The chosen location is in an area where felling has already taken place, and it remains surrounded by trees which are to be retained, as identified in the Forestry Commission England's Dartmoor Forest Plan 2016-2026. As such, these retained trees will provide significant levels of screening for the proposed equipment. There is a technical requirement for the proposed tower height of 35 metres which is acknowledged throughout the Supplementary Information document submitted as part of the application's supporting

documentation. The antennas need to be able to “see” over surrounding trees in order to deliver the required levels of coverage to the target coverage area.

It is acknowledged that an objection has been received to this application. To clarify, the generator is only proposed to be used in the event of a power outage, and will ensure that coverage to this large area is not interrupted in the event of an emergency situation.

The social and economic benefits of providing reliable and high quality 4G mobile coverage supports growth in productivity, efficiency and labour force participation across the whole economy, whilst also addressing the urban rural digital divide and levelling up this rural community. This is an aim which is fully supported by the National Planning Policy Framework and the Heart of the South West Local Enterprise Partnership’s Strategic Economic Plan, which covers the Dartmoor area. It is considered that these social and economic benefits outweigh the perceived visual impact to the National Park. Cornerstone therefore respectfully ask for the approval of the proposed works, subject to the conditions as outlined in the planning officer’s report which they are happy to comply with.

Mr Sanders proposed the recommendation, which was seconded by Mr McInnes.

RESOLVED: That, subject to the following conditions :

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby approved, shall be carried out strictly in accordance with the approved Site Location Plan (100C), and drawings Detailed Site Access Map (101C), Proposed Site Plan (201E), and Proposed Site Elevation (301D), valid 7 July 2022.
3. No work shall commence on the development hereby permitted until a written scheme providing for an appropriately qualified archaeologist to carry out a full archaeological watching brief during all stages of the development has been submitted to and approved in writing by the Local Planning Authority. The watching brief shall include all associated ground works, both internal and external, the laying of services and landscaping. The scheme, which shall be written and implemented at the applicant’s expense, shall provide for the observation, recording and recovery of artefacts and post-excavation analysis. A full report detailing the findings shall be submitted to and approved in writing by the Local Planning Authority before the substantial completion of the development.
4. Prior to commencement of the development hereby approved, a Construction and Environmental Management Plan including details of environmental protection measures to be implemented throughout the construction phase, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved Plan.
5. The lattice tower hereby approved shall be painted RAL 6022 Olive Drab in colour not later than 30 days after the substantial completion of the development.

6. Upon redundancy, the telecommunications mast and equipment shall be permanently removed and the land reinstated to its former condition within a period of six months.
7. Notwithstanding the submitted detail, prior to first use of the development hereby permitted, the compound shall be enclosed with a 2.4m high feather board fence, with 2.4m high timber gates, constructed from natural timber and maintained as such in perpetuity.
8. Prior to the commencement of the development hereby permitted, details of the construction and surfacing of the proposed stone track, turning area, and tower foundation, shall be submitted to the Local Planning Authority for written approval.
9. The generator as included with the proposal shall be for emergency back up use only in the event of a short term loss of mains power to the site.
10. No external lighting shall be installed or used in association with the development hereby approved
11. Prior to the erection of the tower/compound, details of the positive biodiversity enhancement measures shall be submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be undertaken before the first operation of the mast.
12. All electricity power cables shall be laid underground.

Permission be **GRANTED**.

Item 3 – 0189/22 – Change of Use from a residential care home to education use with associated external alterations – Heatherside House, Princetown Road, Dousland, Yelverton

Speaker : Mr Smith, Objector
Ms K Thomas, Applicant

The Case Officer advised Members that the application was recommended for approval; it had been brought before Members in the light of public opinion. The site occupies 0.8ha; the property was formerly a care home. It is proposed to change the use to a special educational needs school, to include minor works and 23 parking spaces. The school would cater for up to 60 pupils, addressing their social, emotional and mental health needs. The applicants have consulted with Cornwall County Council, Devon County Council and Plymouth City Council; the school would, in addition, serve the needs of those outside of the National Park, to an approximate 20 mile radius. The site is easily accessible, with good road links. Pupils would benefit from the tranquil setting of the proposed school.

The proposals fit within Strategic Policy 4.1 – in support of the provision of new facilities. The Parish Council and Devon County Council have no objection to the application. Plymouth City Council and Cornwall County Council support it.

The Authority is in receipt of a 21 signature petition; however, nine of those signatories have already send in their own letters of objection, therefore there are nine duplicates.

With regard to Highways safety, a detailed transport statement had not been submitted; however, short term drop-offs and pick-ups would take place at specific times. She stated that the Highways Officer had advised that the additional traffic

would lead to a change in traffic pattern but the impact would be neutral in comparison with the permitted use. Two properties share the existing track.

With regard to neighbour amenity, there would be some additional use of the green areas at break times and the occasional use of the paddock – during term time. These uses would all but cease during holiday times, weekends and evenings.

At the invitation of the Chair, Mr Philip Townsend, Devon CC Highways Officer, stated that he would reinforce the comments of the Case Officer. The current use class in which the care home sits includes several other possibilities which could easily intensify traffic movements. He advised that with regard to accessibility, the direction towards Yelverton provides better visibility than would normally be required; it is more than adequate in the opposite direction. The surface condition of the access was not ideal; he commented that he had raised this issue the Devon CC maintenance team who have responsibility for this section of highway. In response to a comment from a Member, Mr Townsend advised that the access road joins a main B road; increased traffic would, in his opinion, be minimal.

In his statement to Members, Mr Smith proposed that the application for the change of use to a school would create a black spot due to the subsequent increase in traffic flow. There would be an increase in the number of taxis to drop-off and collect pupils. He added that, in his opinion, part of the access road was not conducive to two way traffic which would therefore cause a queue out onto the main road thus reducing visibility even further. He felt that the Highway Authority should give this application further consideration.

On behalf on the applicant, Ms Thomas, Executive Director, Spaghetti Bridge, stated that the aims of the company were to help young people with autism, social and mental health needs and re-connect them with education. The site of the proposed school would provide an inviting and safe environment, different to previous education establishments they may have attended, one that would provide excellent access to many different pursuits. She added that the National Planning Policy Framework (NPPF) requires authorities to give great weight to proposed educational establishments.

In response to Member queries, Ms Thomas advised the following :

- Opening times would be 9.30am to 2.30 daily; drop-offs would commence no earlier than 9.15am;
- There has never been an issue at other schools regarding drop-off. With this site, there is a good sized turning circle at the house; the access track is considered wide enough for two way traffic; vegetation would be kept in check around the access point off the B road;
- It is expected that there would be around 40-45 pupils at the school at any one time;
- The buildings at the rear of the site would be completed and made into two classrooms
- Every child is individually assessed and will receive their own individualised learning EHCP (Educational Health Care Plan).
- A lot of investment is put into each school; any permission which was limited to three years would, she felt, be unfair;

- There are no proposals to build additional structures within the ground, these would need planning permission, therefore there would be no impact on neighbouring properties.

The Case Officer advised that a 1.8 hit and miss fence was proposed around the boundary of the site; no alterations were proposed to the access road; she also confirmed that there was no proposed closure of a Public Right of Way.

Mr Sanders proposed the recommendation, which was seconded by Mr McInnes.

Members debated the case, recognising the concerns raised by objectors with regard to traffic and road safety issues. The need for this facility in the locality and wider catchment area was also discussed. In coming to their decision, Members considered that the benefits of the scheme outweighed the concerns raised.

RESOLVED: That, subject to the conditions outlined within the report, permission be **GRANTED**.

Mrs Oakley left the Meeting Room.

Item 4 – 0179/22 - Installation of vertical slate rainscreen cladding to south elevation – Challacombe Farm, Postbridge

The Case Officer advised Members that the application was for the slate hanging of the south elevation of the house, due to there having been increased water ingress to that part of the property. A small extension to the existing roof slating was proposed, the width of one slate, to allow for an oversail of the proposed slate hanging. She advised that the proposal was acceptable and in accordance with policy 2.7 as it would conserve a non-designated heritage asset which appears on the historic environment register.

In response to a Member query, the Case Officer confirmed that, had a Member not been a tenant of the property, the application would have been dealt with under delegated powers.

Mr Sanders proposed the recommendation, which was seconded by Mrs Pannell.

RESOLVED: That, subject to the conditions within the report, permission be **GRANTED**.

Mrs Oakley re-joined the Meeting.

Item 5 – 0182/22 - Ingsdon View, Liverton

The Case Officer advised that the application was for a side extension and outbuildings and was presented to committee because the Applicant was a member of the Authority's staff.

The ad hoc pitched roof extension and garage would be replaced by a coherent timber and slate extension with a pitch to bring the roof mass away from the boundary rather than, as it was currently, right alongside it.

The application was for a continuation of the modernisation of the property in terms of energy efficiency and exposing the original character and simplicity of the building; the poor materials and previous work would be removed. The extension would show an improvement in living arrangements using the most locally appropriate materials within a size and design supported by policy.

Mr Thomas proposed the recommendation, which was seconded by Mr Harper.

RESOLVED: That, subject to the conditions within the report, permission be **GRANTED.**

Item 6 – 0205/22 - Change of Use of Shop, Café and Post Office counter to residential accommodation as part of the existing dwelling – The Stores, South Zeal

Speaker: Mr Hill, Applicant

The Case Officer advised Members that the proposal related to the post office and stores at South Zeal. There were two applications before Members; an application for planning permission and an application for listed building consent dealt with in the following report. This application was for planning permission, for the change of use of the shop, cafe and post office counter to residential accommodation as part of the existing dwelling. The building is grade II listed, located within the South Zeal conservation area. The site is located in the historic core of the village, occupying a prominent position adjacent to the main road and on the corner of Tawton Lane with South Tawton Primary School located to the north; the grade II listed chapel of St Mary's to the east and the grade II* Oxenham Arms pub on the opposite side of the road.

The building's principal elevation has a simple, uncluttered appearance, the features defining its use as a shop being the stepped access, timber painted shop sign, moderately sized display window and the folded projecting canopy which sits above it. Revised plans had been received proposing to retain the post office counter but to remove the security glazing above it.

There has been a high level of response from the local community following publicity of the application. The responses received have been overwhelmingly of objection to the proposed change of use. This has demonstrated that there is clearly a desire to retain the shop and post office which has led to the nomination of the facility as an asset of community value (ACV) by the Parish Council to West Devon BC. No decision has yet been issued regarding the proposed nomination; however, this would not prevent Members from reaching a decision on the planning merits of the case. The Government policy statement on Assets of Community Value advises that it is up to the Local Planning Authority to determine whether the listing of an ACV is a material planning consideration. As a decision on the listing has yet to be made officers suggested that limited weight was placed on this matter.

The applicant, Mr Hill stated that the property had been actively advertised by the leading estate agent for post offices since March 2019. There had been three viewings since that time; two thirds of those viewings had been undertaken by residents within the local community. This, he felt, invalidated the assertion that

there had been insufficient local marketing coverage. He added that he had engaged a lawyer to respond to the proposed ACV who had looked at prices in South Zeal and found asking prices for residential properties between £357 and £374 per square foot. In contrast, The Stores was valued at £243 per square foot, priced at a low level to stimulate interest. This figure was for the private accommodation only, assuming the shop space had nil value. Mr Hill advised that the application for a change of use was because the business was not financially viable as it was not sufficiently used by the local community and cited strategic policy 4.1 c which states that loss of community facilities will be permitted if the facility is not viable. The shop itself had made a loss since 2018 with the post office salary covering these losses but leaving very little income. There used to be a number of shops in South Zeal but they have all closed.

In response to Member queries, Mr Hill responded:

- The shop, with or without the post office, would not be able to continue indefinitely; Mr Hill advised that he was personally subsidising the business;
- With regard to opening hours, the busiest times of the day are when children are being dropped off or collected from the local school; at all other times the shop is extremely quiet.

In response to Member queries, the Case Officer advised/clarified:

- Paragraph 199 of the National Planning Policy Framework defines the level of harm to designated heritage assets; that could be in the form of listed buildings, conservation areas or scheduled monuments. There are three levels:
 - the first most severe is the total loss of an asset;
 - the second is substantial harm to an asset; and
 - the third is less than substantial harm - in planning terms this does not indicate that there is no harm but it is the lowest level of harm that has been identified. This needs to be justified and there needs to be overriding public benefits in order for officers to be able to accept a proposal which would lead to less than substantial harm
- a correction was required on Page 51 - should refer to policy 2.7, not 2.8;
- the application is for the change of use of the shop, the cafe and the post office to residential accommodation. The physical post office counter would remain.
- Officers have not received an independent assessment of the facility to understand better whether or not it could be operated more successfully either with different stock or operating at different hours. On the basis of the information provided, Officers have made their recommendations;
- the status of a building as an asset of community value can be a material planning consideration but at the moment that would only carry limited weight and it would be for Members to decide on that weight
- it was confirmed that this is the last shop in the village – the nearest other facilities being in neighbouring Sticklepath

Mr Thomas proposed that the application be **DEFERRED** until the Development Management Committee meeting on 7 October 2022, by which time West Devon Borough Council will have determined the nomination of the facility as an asset of community value (ACV) by the Parish Council. This was seconded by Miss Moyse.

RESOLVED: That the application be **DEFERRED** until the scheduled Development Management Committee meeting on 7 October 2022 for the reason detailed above.

Item 7 – 0206/22 – Works to facilitate a change of use to shop, café and post office counter to residential accommodation as part of the existing dwelling (Listed Building Consent) – The Stores, South Zeal

In view of Item 6 – 0205/22 being Deferred until the Development Management Committee on Friday 7 October 2022, the Head of Development Management recommended that this item be deferred also.

The recommendation to defer this item was proposed by Mr Sanders and seconded by Mr McInnes.

RESOLVED: That the application be **DEFERRED** until the Development Management Committee meeting on 7 October 2022.

1496 Tree Preservation Orders, Section 211 Notifications (Works to Trees in Conservation Areas) and Hedgerow Removal Notices Determined Under Delegated Powers

Members received the report of the Trees and Landscapes Officer (NPA/DM/22/008).

RESOLVED Members NOTED the content of the report.