

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

04 July 2014

**SITE INSPECTIONS**

Report of the Director of Planning

1 Application No: **0193/14** District/Borough: **Teignbridge District**  
 Application Type: **Full Planning Permission** Parish: **North Bovey**  
 Grid Ref: **SX742838** Officer: **Oliver Dorrell**

Proposal: **Change of use of land from agricultural to site observatory and storage shed**

Location: **land adjacent to Greenbank, The Village, North Bovey**

Applicant: **Mr L Shorthouse**

Recommendation: **That permission be REFUSED**

**Reason(s) for Refusal**

1. The proposed development, by reason of its siting and design, would constitute a unjustified intrusion into the open countryside, to the detriment of local landscape character and harmful to the visual amenities of this part of the National Park. The development would therefore be contrary to policies COR1, COR3 and COR4 of the Dartmoor National Park Authority Core Strategy Document, policies DMD1b and DMD5 of the Dartmoor National Park Authority Development Management and Delivery Development Plan Document and statements of Government advice contained in English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.

Members met at Greenbank and walked into the field behind the house where the applicant had pegged out the combined footprint of the proposed two buildings. The planning officer talked through the proposal and Members considered the plans and the views from the site.

The Parish Council representative explained that they would prefer to see the proposed buildings erected in the top north east corner of the field but supported the proposal as it stood.

It was noted that the proposed siting was on a sloping field and that no information had been provided on any levelling of the site to accommodate the development. The case officer has now requested this information from the agent.

Queries were raised about the potential for the community to visit the observatory; the planning officer explained that the proposal was for the applicant's personal use but that the

applicant had indicated that there may be opportunities for interested parties from the village to visit.

Members were broadly supportive of an observatory but felt that the proposed siting, in an exposed and isolated position in the middle of the field, was inappropriate. Views from the high ground to the west and the Public Right of Way were acknowledged. It was also acknowledged that the proposed hedge around the buildings would draw attention to the building and would not relate to existing landscape features on the site.

Members expressed a preference for alternative locations to be explored and there was some discussion about a siting to the top north east corner of the field. An observatory in this location, however, would require the removal of a substantial line of trees in the hedgerow which would not be supported by the Authority's Tree and Landscape Officer and their removal would also make the structure appear more prominent in the landscape.

Notwithstanding this, a decision needs to be taken on the proposal before Members. The case officer has explored alternative locations with the applicant but agreement could not be found on a suitable alternative, hence the desire for a decision to be taken on this application.

The site is outside the residential curtilage, and settlement limits of North Bovey and subject to countryside policies of development restraint. A location closer to the residential curtilage, and existing building in the south west corner of the field, would be better related to existing developments and on lower ground which is less prominent in the landscape. Members are reminded that potential community use is not a material planning consideration in this case.

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**STEPHEN BELLI**

8. Application No: **0193/14** District/Borough: **Teignbridge District**  
Application Type: **Full Planning Permission** Parish: **North Bovey**  
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50m  
Scale 1:1250 @ A4

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### **Introduction**

The application seeks permission to erect an observatory and storage shed on land to the rear of Greenbank, North Bovey.

The proposal is for a circular building measuring 2.6m in diameter with a domed roof at 2.7m high. The observatory would be to accommodate a telescope for the applicant's personal use.

A further building consisting of timber shed is proposed immediately to the south-west of the observatory which would house additional equipment relating to the astronomical use, including computers and a second telescope.

Both buildings would be enclosed by mixed species hedge.

This is a re-submission of 0071/14 which was withdrawn on the advice of Officers following concern over visual and landscape impact.

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

### **Planning History**

0071/14	Change of use of land from agricultural to site observatory and storage shed		
	Full Planning Permission	Withdrawn	07 March 2014

### **Consultations**

Teignbridge District Council:	Does not wish to comment
County EEC Directorate:	No highway implications
South West Water:	No objections
Environment Agency:	Standing advice - flood zone 1
DNP - Trees & Landscape:	Recommend refusal. The proposal will have a detrimental visual and landscape character impact

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

North Bovey PC:	Support, subject to trees for hedgerows planted at the same time building commences
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### **Relevant Development Plan Policies**

COR1 - Sustainable Development Principles

COR2 - Settlement Strategies

COR4 - Design and sustainable development principles

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

DMD4 - Protecting local amenity

DMD5 - National Park Landscape

DMD7 - Dartmoor's built environment

### **Representations**

1 letter of objection

Concerns raised regarding siting of the buildings, scale of development and lack of substantial planting scheme

### **Observations**

#### PROPOSAL

The proposed observatory and ancillary storage building are intended to accommodate a telescope and associated equipment.

The observatory itself would be formed of a fibreglass shell with colour to be agreed while the shed would be stained timber with a dark grey profile metal roof.

It understood that the buildings will be for the applicant's personal use although it was indicated during a site visit that there may be opportunities for interested parties from the village to visit periodically.

#### SITING

The buildings would be located in the field to the north-east of Greenbank on the southern edge of the village. The field is enclosed with Devon banks with native hedgerows growing on top.

The land rises up from the house in a north-easterly direction and the buildings would be broadly centrally positioned within the field some 60m from the dwelling. Contrary to indications on the location plan there is no hedge running through field so the proposed development would be seen in isolation of any existing landscape features.

#### LANDSCAPE IMPACT

Development Plan policy DMD5 requires development proposals to conserve and/or enhance the character and special character of the Dartmoor landscape by respecting the valued attributes of the established landscape character types and avoiding development that will harm the wider landscape.

The site and field fall within Landscape Character Type 2D (Moorland Edge Slopes), identified in part by a strong pattern of medieval fields, mainly pastoral in character with prominent Devon hedgebanks.

It is considered that the proposed development, consisting of two isolated buildings in a field, would be inconsistent with the local landscape character. It would fail to conserve or enhance the special qualities of the local landscape type and would introduce a harmful urbanising element which would be at odds with the pastoral character of the medieval field system.

Moreover the mitigation proposed in the form of the hedge would neither respect the traditional field pattern nor adequately assimilate the proposed development into the landscape, and may even result in being as intrusive as the buildings themselves.

## VISUAL IMPACT

The proposed development would be visible from the public footpath to the south-west of the Greenbank, on the opposite side of the lane. There would also be glimpses from the road towards Fairbrook Bridge.

From both these locations the proposed buildings would be seen very much as isolated structures bearing no relationship to existing landscape features or buildings.

The buildings themselves would not reflect the local vernacular character of other buildings nearby.

Through its siting and form the proposed development would therefore be detrimental to the appearance of this part of the National Park, contrary to policies COR1 and COR4.

## ALTERNATIVE LOCATIONS

A number of alternative locations have been considered for the observatory and shed, including the far northern corner of the field and land within the domestic curtilage of the house, however none have been accepted by the applicant as viable options, the principal reason being that the development by its nature requires an open aspect on all sides to provide uninterrupted views of the night sky and there are a number of trees present in all but the central field location.

That said there are no allowances in policy terms to site buildings and development clearly associated with a hobby or pastime away from the house to which it relates. Whilst the development in itself is small scale an approval will set a precedent for other sporadic forms of development on agricultural land to the detriment of the character and beauty of the National Park. Building on agricultural land is restricted to that essential to serve the land or as allowed for in other adopted policies in the Development Management and Delivery Plan.

## CONCLUSION

The proposed development would constitute an unwarranted domestic intrusion into the open countryside. It would fail to respect valued local landscape character attributes and would have a harmful visual impact, to the detriment of the appearance of this part of the National Park.

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DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

04 July 2014

**APPLICATIONS FOR DETERMINATION BY THE COMMITTEE**

Report of the Director of Planning

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**Item No.** **Description**

1. 0667/13 - Extension to working plan area of existing quarry (Full Planning Permission), Yennadon Quarry, Iron Mine Lane, Dousland
2. 0141/14 - Erection of farmhouse/office and general agricultural unit with improved access (Full Planning Permission), Land at Pew Tor Farm, Sampford Spiney
3. 0160/14 - Conversion of redundant waterworks to dwelling (Full Planning Permission), The Waterworks, Bovey Cross, North Bovey

1. Application No: **0667/13**  
Application Type: **Full Planning Permission**  
Grid Ref: **SX542686**

District/Borough: **West Devon Borough**  
Parish: **Burrator**  
Officer: **James Aven**

Proposal: **Extension to working plan area of existing quarry**

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

Applicant: **Yennadon Stone Ltd**



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**50m**  
Scale 1:1250 @ A4



## Recommendation **That permission be REFUSED**

### Reason(s) for Refusal

1. The Environmental Statement is insufficient for the proposed development as it fails to assess the likely impacts of the development at the proposed upper limits of 10,000 tonnes per annum and 60 vehicle movements per week. It is not therefore possible to assess the proposal in terms of the NPPF (para 115 & 116) and policies COR22 and M4 of the Development Plan.
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, 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.
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. In this respect the proposal is contrary to the NPPF (para 115 & 116) and policies COR22 and M4 of the Development Plan.
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. 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 proposed extension area is immediately adjacent to the existing workings to the north and is around 1.25ha.

### Planning History

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: Concerned about surface water run-off and would like this to be resolved if it could be established that this was from

the quarry.

County EEC Directorate: No objection. As there is no intensification in activity above the previously consented levels of vehicle movement to and from the site there can be no objection to the proposed development from a transportation point of view.

Environment Agency: Having reviewed the surface water drainage statement in the application the EA agrees with the methodology proposed.  
Flood Risk Zone 1 - standing advice applies.

South West Water: No objection

DNP - Archaeology: Archaeological concerns highlighted are:

- The track of the Plymouth and Dartmoor Tramway which still has many granite setts exposed, with the possibility of more lying buried. We need to see details of how this will be protected from machinery used to create the bund at the northern edge of the site.
- There are the remains of a possible field system recorded on Yennadon Down, date unknown. This possibly extends into the eastern side of the planned extension area. An archaeological condition therefore would be requested which would require the removal of the topsoil within the area to investigate this and to record as necessary. This should be followed by a watching brief condition over the whole area.

The archaeologist is content that the information submitted is sufficient for her to conclude that the excavation and recording she suggests would be sufficient mitigation.

DNP - Ecology & Wildlife Conservation: Considers that the ES is satisfactory in respect of habitats and notable species. The Ecological Habitats and Biodiversity Chapter of the ES and the Biodiversity Mitigation and Enhancement Plan (BMEP) submitted with the application 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. Without appropriate mitigation measures in place the report considers there would be an adverse impact on these habitats and species at a local level. With mitigation measures in place the ES/BMP consider that impacts would be 'negligible' on species and potentially 'beneficial' in the long-term for the grassland habitat following restoration. The DNPA ecologist has requested that measures are put in place to ensure that all ecology mitigation works identified in the ES/BMEP are fully implemented and monitored. The implementation of the 'Mitigation Strategy and Phasing Plan' (Section 4) of the Biodiversity Mitigation and Enhancement Plan (Acorn Ecology, August 2013) should therefore be a condition of approval.

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.

DNP - Trees & 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 visual impact. There is some debate about whether the level of impact will be moderate or high/moderate. However, the threshold for acceptable impact within a National Park is much higher and any development should conserve and/or enhance the character and special qualities of the Dartmoor landscape. At a basic level digging a large hole on open moorland, even if it is adjacent to an existing quarry, does not conserve or enhance the moorland character. A restored quarry will not restore the site back to the moorland, it will be a large hole in the ground which in time may naturally regenerate, but it will be a different and more intrusive feature than the existing moorland. Whilst there is history of mining and quarrying on Dartmoor this has to be balanced with the conservation of the National Park landscape in its present condition.

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 tranquility. 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.

Recommends that 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 COR1 (h) and COR3. 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 DMD5 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.

**Dartmoor Commoners Council:** The council is concerned that the extension to the Quarry will damage common land and reduce the area available to common grazing. Although it is understood that land will be restored the process of re-establishing common land is complex, costly and not straightforward. For this reason alone the DNPA is asked to consider the application carefully. Further concerns are raised relating to how potential unauthorised development, if the development was permitted, could affect commoners, though this is not a relevant material consideration and cannot be taken into account. In view of the potential loss of common land and the reduction in area available to common grazing the Council opposes the application.

**British Horse Society:** No comments received.

**The Ramblers' Association:** No comments received.

**Devon Stone Federation:** No objection.

**DNP - Recreation, Access & Estates:** The area of land is designated as common land and as such the public right of access is on foot and on horseback 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 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 Environmental Statement states that the extension of the quarry would result in a loss of approximately 1% of the common land (over which the public currently have a right of access). On this basis it is considered that the reduction to the area of access land available to the public is minimal. It is also stated that once land within the existing quarry is restored, (in line with the restoration plan) public access will become available, which is welcomed.

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

In conclusion, the adverse impact on public access is considered to be minimal, whilst the extent to which enjoyment of the area by the public is adversely affected, will depend on the intensity of the quarrying operation.

**Yennadon Commoners Association:** Opposed to any extension of the quarry and concerned about the impact on the down, visual damage and noise.

Yennadon is a relatively small common and the loss of grazing is important to the commoners. Additionally concerned about danger to children, walkers, riders, and livestock due to the inadequate fencing which is too close to the quarry faces. The unanimous decision to oppose the application was reached at a well attended meeting of the Association.

National Planning Casework Unit: Acknowledged receipt of notification/consultation.

Environmental Health (WDBC): No objections to the application. Some unsubstantiated dust complaints have been received in the past. 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.

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

Burrator PC: The Parish Council support the application providing that Authority applies clear comprehensive operating conditions, monitors compliance of the conditions regularly and undertakes enforcement action if necessary. Conditions should include permitted working area, hours of operation, noise, dust, lorry movements, surface water run off, drainage and maintenance of the access track.

### **Relevant Development Plan Policies**

COR1 - Sustainable Development Principles  
COR11 - Retaining tranquillity  
COR18 - Providing for sustainable economic growth  
COR22 - Provision for minerals development  
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 51 letters of support 3 other letters

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

51 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

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

- The noise 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 its 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.
- An assertion that the ES is insufficient in respect of archaeology and noise.
- A rebuttal of the socio economic aspects of 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 Lantoom Ltd's sites which would generate employment

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 it 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. The destruction of an area of common land which contains historic features and the resultant loss of that common land for grazing and public enjoyment is not, it states, consistent with National Park purposes, and is not in the public or national interest.

## **Observations**

### PLANNING HISTORY

The site is currently operated under a planning permission granted in 1990. 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.

### THE PROPOSAL

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 applicant estimates that at the current rate of extraction, the stone available to extract within the permitted area will be exhausted by 2015.

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 1.25ha.

The applicant proposes that the conditional parameters would remain the same, but with a reduction of annual tonnage to 10,000 tonnes per annum and a reduction of lorry trips to 30 (30 in 30 out, 60 movements in total) in any week.

The application site red line incorporates the existing quarry. 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 s106 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 that 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 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 downland.

Spoil would also be accommodated in a bund, which is proposed to surround the extension area. The bund would be 15m wide and 4m high enclosed by a post and rail fence. It is proposed that the bund would take two months to construct and it is postulated 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. This document assesses the impacts of the development on the environment, and proposes measures to mitigate the impacts of the development.

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.

In their representation, Lantoom Quarry asserts that the ES is predicated on max 5000 tonnes a year, whereas the application is for up to 10,000 tonnes a year. On asking the applicant's agent about this, they have confirmed that the ES is based on the current output and scale of working, which is identified by them as being characterised as output of between 5000 – 6000 tonnes.

It is considered that in this respect the ES is insufficient. The limits sought are those which could be reasonably controlled by condition (10,000 tonnes p/a and 30 return vehicle movements p/w). The impacts of that scale of working have not been considered by an ES. An ES is supposed to properly consider the impacts of the development proposed. The ES provided considers the scale of development significantly less than that sought. The agent argues that the development could not expand without changes to working practice, increased staffing and more water than is currently available. Though it may not be the intention of the current operator to effect those changes, the Authority would not be able to control this operator or any subsequent operator from doing so.

The agent argues that the output tonnage and vehicle numbers sought were chosen as arbitrary figures which represented a reduction from the previously permitted levels. There may be an argument that conditions could be applied to restrict the development to lower output and vehicle numbers than sought, in line with the levels assessed. However, officers do not believe that this approach is acceptable, as a condition limiting output to 5000 tonnes per annum would be difficult to justify if challenged by the operator.

**SCALE, NEED AND ALTERNATIVES**



## 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 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 proposal is 3.3ha, and the extension area accounts for more than half of this at 1.25ha. The proposal is effectively to double the size of the site 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 applicants agent says 'Over the past 6 years, annual production has averaged 5,310 tonnes, 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 twofold 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 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.

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.

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.

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

Dartmoor and fringes (including Tavistock, Ivybridge, Bovey Tracey and Okehampton) = 8%  
South Devon = 37%  
North Devon = 4%  
East Devon = 4%  
East/North Cornwall = 17%  
Mid Cornwall = 7%  
West Cornwall = 4%  
Other = 1%.

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 Hornfelses 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 over ride the need to protect the National Park.

Similar building stone is available in East Cornwall. Lantoom Ltd have made representations that building stone that they produce at Lantoom Quarry, Mill Hill Quarry, and other quarries in the area (which they do 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 application states that the reserves left in the site will not sustain production beyond 2015. If it is the case, and no extension is permitted, and the site closes prior to the permitted end date of 2025, there are mechanisms available to the National Park Authority to expedite the restoration of the site. This includes service of a Prohibition Order, 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.

The application is major development for which there is no national need. The application fails to demonstrate a need for the development which would justify major development in the National Park. Evidence exists that alternatives exist which could meet the demand for the product. The development is not in accordance with the NPPF, with policy COR22, policy M4.

## EMPLOYMENT

As well as the statutory purposes for National Parks in England and Wales:

1. Conserve and enhance the natural beauty, wildlife and cultural heritage
2. Promote opportunities for the understanding and enjoyment of the special qualities of National Parks by the Public

National Parks also have the duty to:

Seek to foster the economic and social well being 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 21 people, 13 of which are aged between 18 – 30. The application includes a chart which shows that the majority of employees reside in Plympton/Plymouth, West Devon, 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 '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 benefit of employment and contribution to the economy cannot over ride the need to protect the conserve and enhance the National Park.

## ENVIRONMENTAL IMPACTS OF THE DEVELOPMENT

### LANDSCAPE

The Environmental Statement includes a landscape assessment, 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 application is to extend an existing stone quarry, increasing its size by roughly a third. 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.

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 cutter 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, but 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.

The applicants have submitted a landscape character and visual impact assessment following the Landscape Institute's Guidelines. The report states that the overall sensitivity from all the viewpoints has been assessed as medium. This is confusing visual impact with impact on landscape character. The proposal would result in a change to the physical character of the landscape by extending the quarry into open moorland.

It is considered that the assessment has been incorrectly made and the overall sensitivity should be 'high'.

In the ES the assessment for magnitude of impact the characteristic features that are lost is regarded as 'low'. Depending 'small quantity' is defined, the magnitude of impact could be reasonably assessed as 'medium' rather than 'low'.

If the development is assessed in this way, the significance would be substantial rather than, moderate.

It is considered that the final statement on landscape character, which concludes that the mitigation, ground shaping, restoration and new planting will have a significant positive impact, is not correct because all of these actions have been a necessary part of the scheme from the outset and offer no additional environmental or landscape benefits.

The existing permission requires the existing quarry to be landscaped on conclusion of workings. Due to the diminishing reserves in the site, the applicant estimates that the reserves will be exhausted by 2015, this is the fall-back position if the proposal is refused. The baseline to assess the scheme against is the alternative, which is that the existing quarry will be restored and the extension would not take place. It cannot be concluded that extending the quarry further will give a significant positive landscape gain.

It appears absurd for the application to conclude suggest that the restoration will have a significant impact on the landscape, but that the quarrying operation itself will not. This also contrasts strongly with the argument that there will only be a moderate impact on the landscape.

It is proposed that the restored quarry would not be restored back to its previous landform (and there would not be sufficient quarry waste to achieve that). 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 that of the surrounding moorland. The restored quarry can only have, at best, a neutral impact.

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. Furthermore the quarry is existing and the extension will not introduce a new form of harm into the landscape, it will only increase and compound the harm caused by the presence of the quarry.

A detailed visual impact assessment has also been carried out. Table 1 'Sensitivity of Viewpoint' has combined impacts from residences, public access areas and roads in one table. The report concludes that the development will have moderate visual impact. However, it appears from the table that the development will have:

- a high visual impact on residences,
- a high impact on public access areas (the ES states that that the public access land is infrequently used by few people, but this is considered incorrect, it is a popular area used by many walkers and visitors and should be classed as frequently used)
- a low impact from roads.

It is considered that the ES's conclusion that the development would have a medium impact is incorrect.

Table 2 'Magnitude of Impact' again has highlighted several different boxes within the table. The Authority's Landscape Officer considers that the zone of influence should be medium as should the orientation of the site and the primary secondary elements visible. This would result in two high results, four medium results, three low results and one negligible result meaning the magnitude is medium rather than low.

If the sensitivity is high and magnitude is medium, the assessment of potential significance of visual impacts would conclude that the proposal would have substantial significance.

The study states that the bund will initially have a high impact and overall the quarry extension

will have a moderate impact. The impact of the screening bund will initially have high potential visual impact, but this will drop to medium because it will provide increased habitat, visual continuity and public access. The impact of the bund will be much longer than 2 months. The vegetation will take several years to grow and the bund itself is a manmade feature in an otherwise open landscape.

It is proposed that the visual impact of the proposed development would 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 a detrimental impact on the character of the area.

The development proposed is contrary to policy DMD5, which requires that development proposals should conserve and/or enhance the character and special qualities of the Dartmoor landscape. The quarry extension would have an impact on the adjacent moorland contrary to policy COR1 as 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 and M4 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 confirms that the noise survey is satisfactory and that it demonstrates that the site would not constitute a statutory nuisance.

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. Policy DMD 5 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 DMD 5, COR 11 or the NPPF as it would have a detrimental impact on the tranquillity of the area.

## OTHER ISSUES

The proposal and 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 Ecological Habitats and Biodiversity Chapter of the ES and the Biodiversity Mitigation and Enhancement Plan (BMEP) submitted with the application 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. This can be mitigated by the implementation of the 'Mitigation Strategy and Phasing Plan' (Section 4) of the Biodiversity Mitigation and Enhancement Plan (Acorn Ecology, August 2013) should therefore be a condition of approval.

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 recommends conditions to:

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

#### 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.

## SITE INSPECTION

A site inspection was carried out on 20 June 2014 when Members of the panel, accompanied by the applicants, their agent and representatives of the Parish Council, viewed the site of the proposed quarry extension and noted the location and extent of the proposed screening bund and working phases that had been marked out on the ground. This application has not been presented to the Development Management Committee previously and as the panel did not have all the necessary facts and information before it, no debate was held and no opinions given.

## CONCLUSIONS

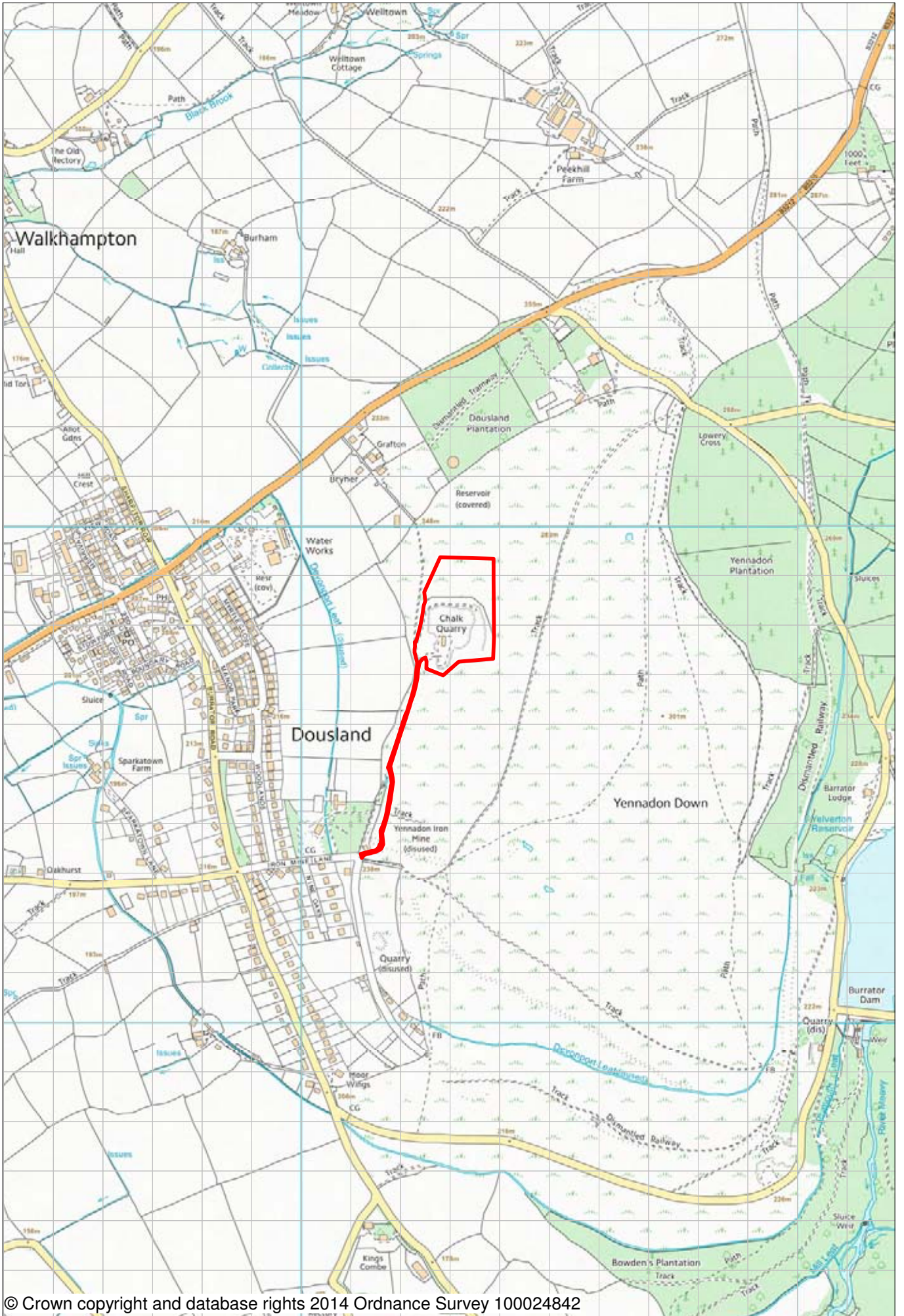
The proposed extension would perpetuate the quarry and the related impacts in the long term, until 2025. The development is major and there is no overriding need for the development, or other exceptional circumstance demonstrated which would justify permitting that development in the National Park. In this respect the proposal is contrary to the NPPF (para 115 & 116), COR22, and M4.

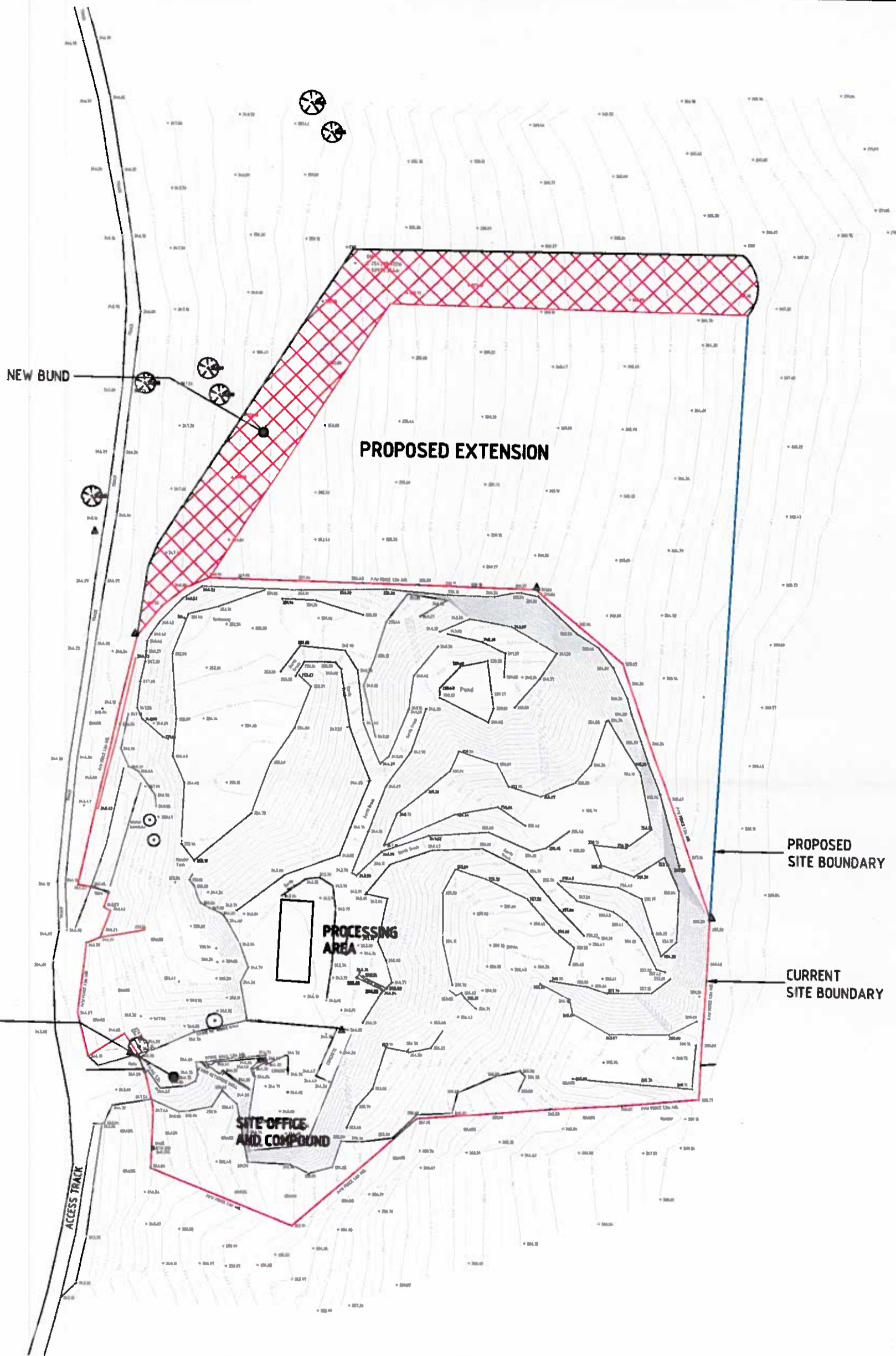
Acceptable alternative sources of stone exist to meet the demand currently met by the quarry. The alternative option for the quarry itself would be its restoration on exhaustion of the permitted reserves, thus reducing the current landscape impact, and enhancing the landscape. In this respect the proposal is contrary to the NPPF (para 115 & 116), COR22, and M4.

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. In this respect the proposal is contrary to the NPPF (para 115 & 116), DMD5, COR1, COR3 and M4.

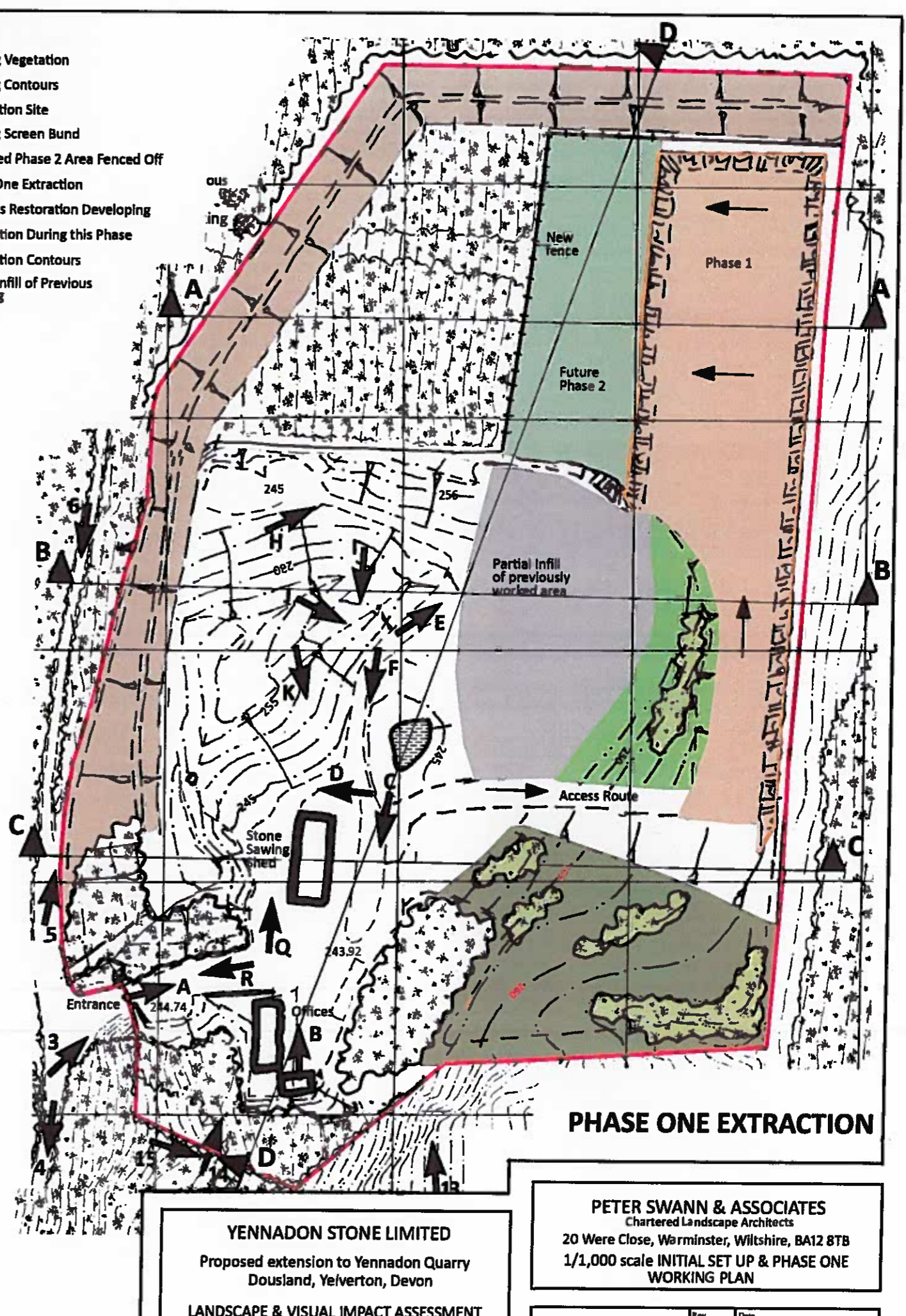
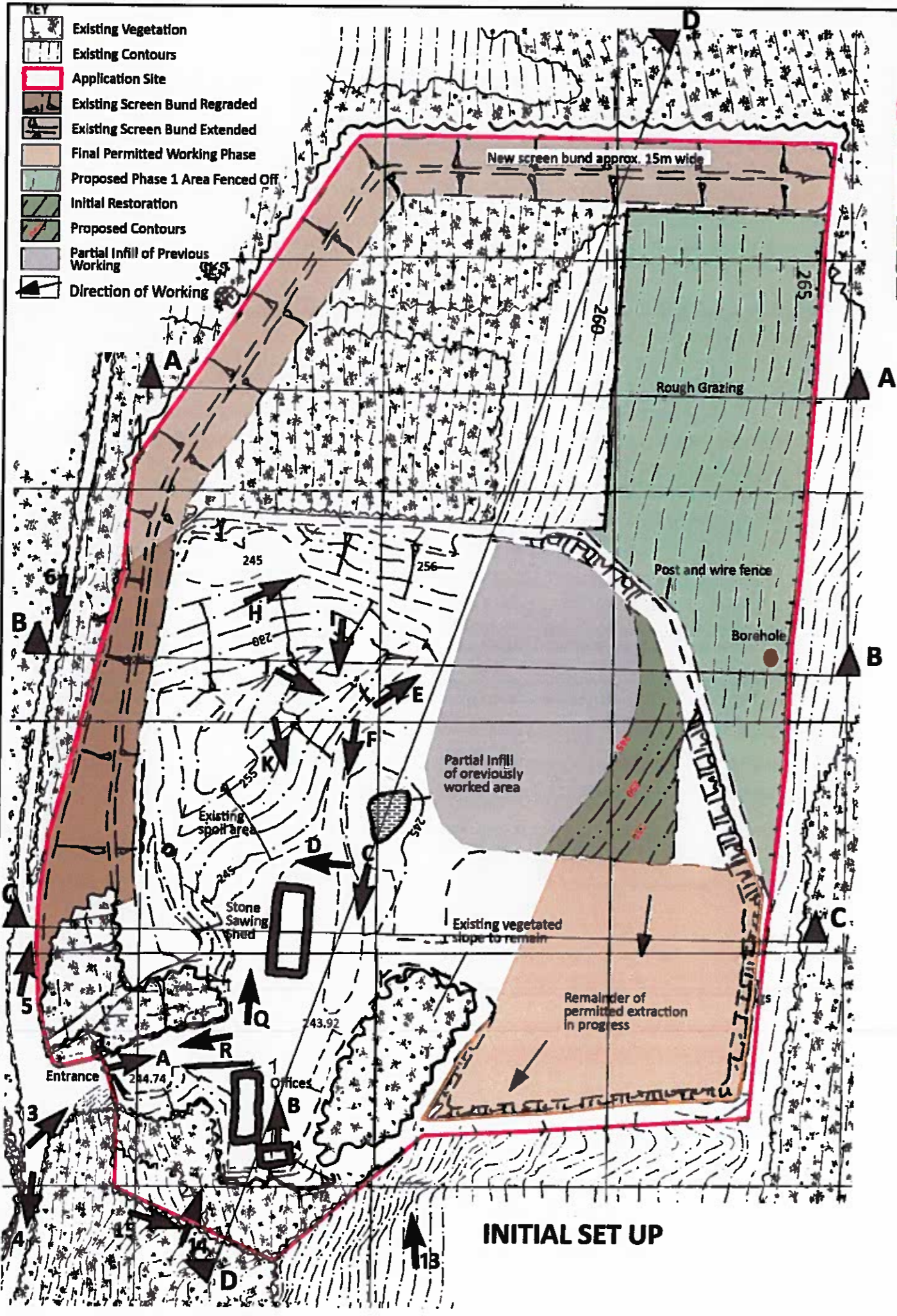
The proposed extension is contrary to policy and should be refused.

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		Client <b>Yennadon</b> STONE LIMITED		Project <b>PROPOSED EXTENSION TO YENNADON QUARRY</b>		John Grimes Partnership Ltd Consulting Engineers & Engineering Geologists	
		Status <b>REPORT ISSUE</b>		Title <b>SITE PLAN SHOWING PROPOSED EXTENSION</b>		Leonards Road, Ivybridge, Devon, PL21 0RU Tel: +44 (0)1752 690533 Fax: +44 (0)1752 690570 e-mail: post@johngrimes.co.uk www.johngrimes.co.uk	
R2	NEW BUND EXTENDED	25APR13	MV	AR	Author	T. Grimes	Project No. <b>7397</b>
R1	REPORT ISSUE	FEB12	TG	AR	Checker	A.ROBERTSON	Figure No. <b>02</b>
Issue	Description	Date	Drawn	Chkd	Original Size	<b>A3</b>	Rev. <b>R2</b>



**INITIAL SET UP**

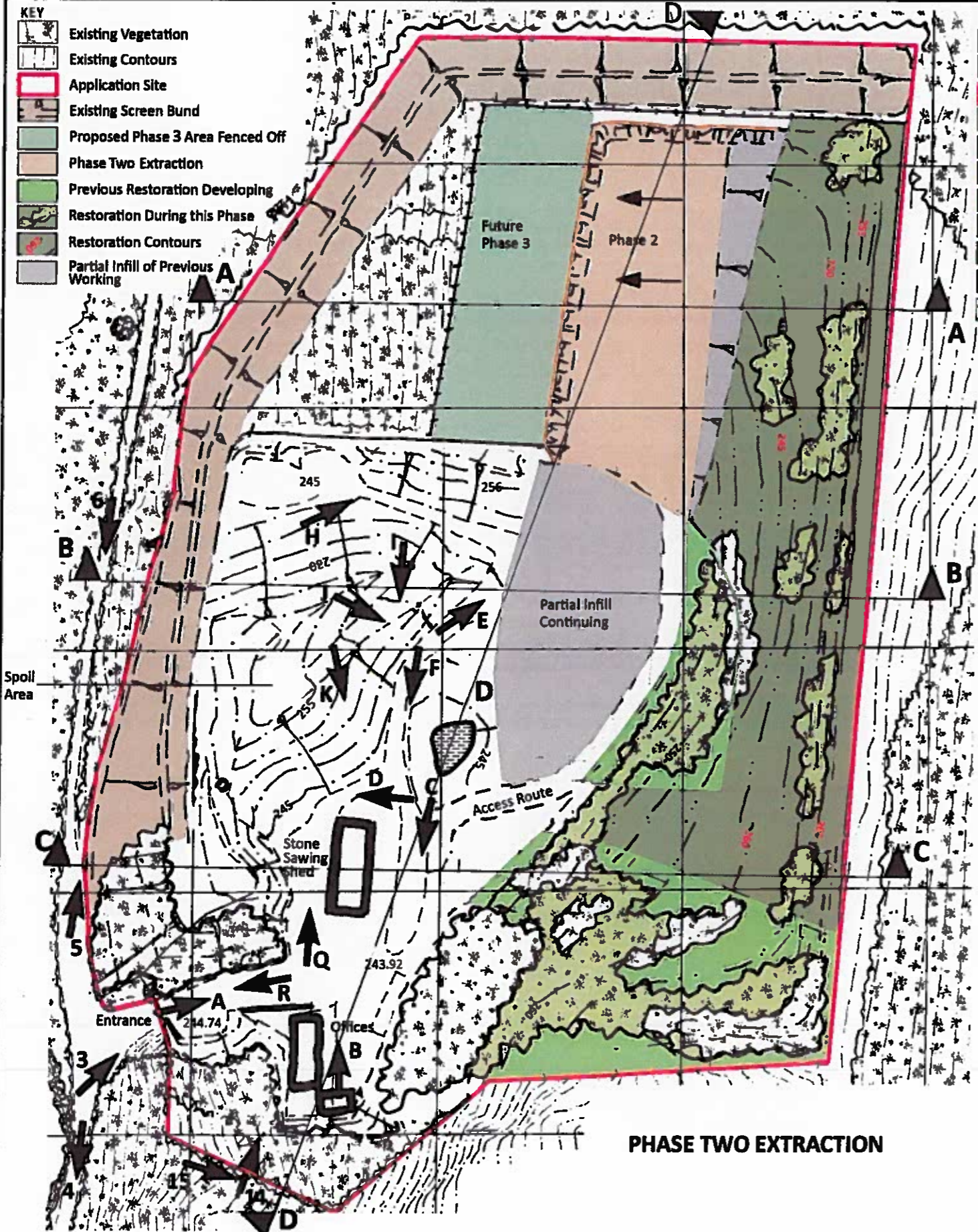
**PHASE ONE EXTRACTION**

See Drawing No. 957/PL11 for Cross Sections

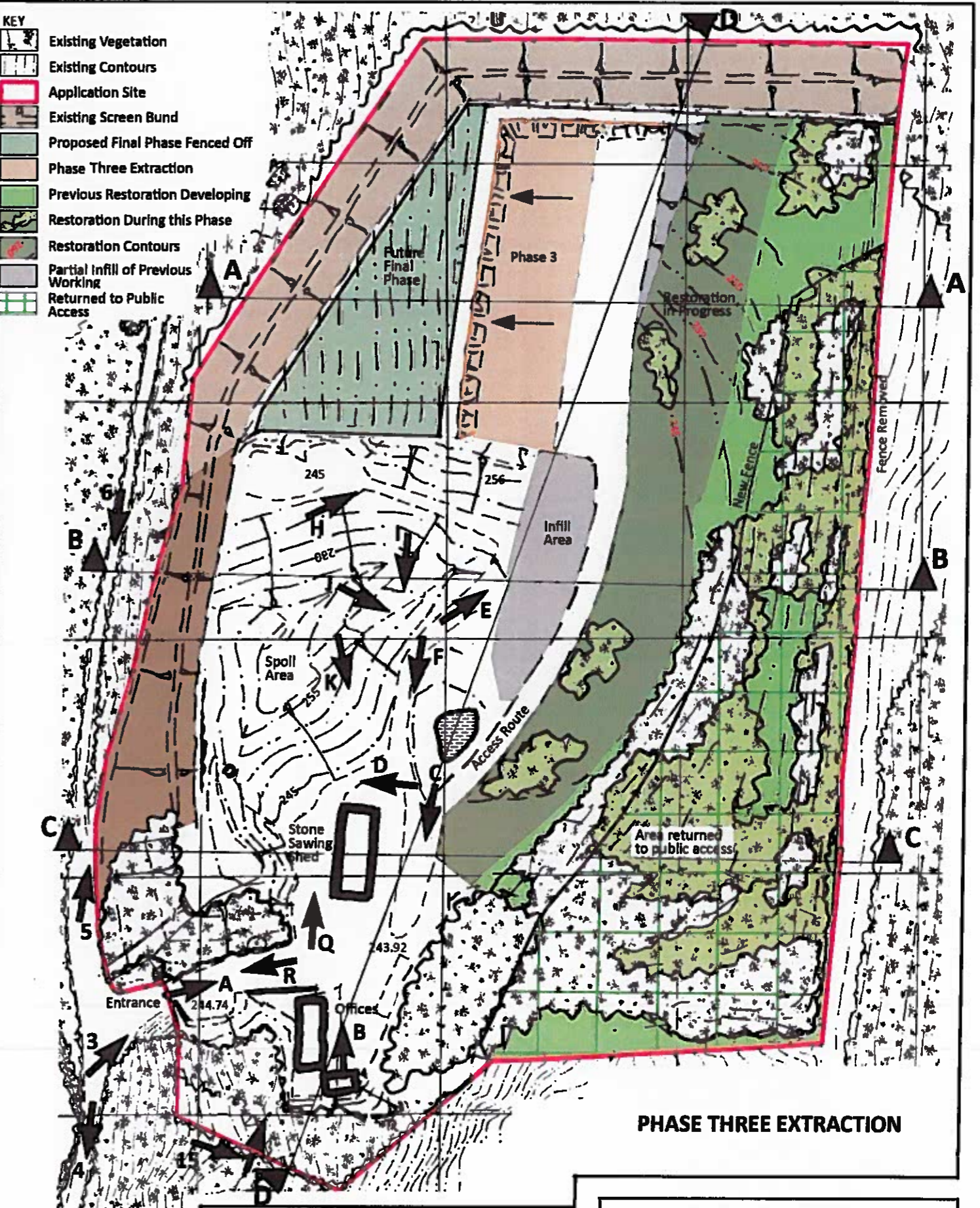
**YENNADON STONE LIMITED**  
 Proposed extension to Yennadon Quarry  
 Dousland, Ye'verton, Devon  
**LANDSCAPE & VISUAL IMPACT ASSESSMENT**

**PETER SWANN & ASSOCIATES**  
 Chartered Landscape Architects  
 20 Were Close, Worminster, Wiltshire, BA12 8TB  
 1/1,000 scale INITIAL SET UP & PHASE ONE  
 WORKING PLAN

Drawing No. 957/PL8    Rev.    Date  
 11th July 2013



**PHASE TWO EXTRACTION**



**PHASE THREE EXTRACTION**

- KEY**
- Existing Vegetation
  - Existing Contours
  - Application Site
  - Existing Screen Bund
  - Proposed Phase 3 Area Fenced Off
  - Phase Two Extraction
  - Previous Restoration Developing
  - Restoration During this Phase
  - Restoration Contours
  - Partial Infill of Previous Working

- KEY**
- Existing Vegetation
  - Existing Contours
  - Application Site
  - Existing Screen Bund
  - Proposed Final Phase Fenced Off
  - Phase Three Extraction
  - Previous Restoration Developing
  - Restoration During this Phase
  - Restoration Contours
  - Partial Infill of Previous Working
  - Returned to Public Access



See Drawing No. 957/PL11 for Cross Sections

**YENNADON STONE LIMITED**  
 Proposed extension to Yennadon Quarry  
 Dousland, Yelverton, Devon  
 LANDSCAPE & VISUAL IMPACT ASSESSMENT

**PETER SWANN & ASSOCIATES**  
 Chartered Landscape Architects  
 20 Were Close, Warminster, Wiltshire, BA12 8TB  
 1/1,000 scale PHASES 2 & 3 WORKING PLANS

Drawing No. 957/PL9	Rev.	Date
		12th July 2013

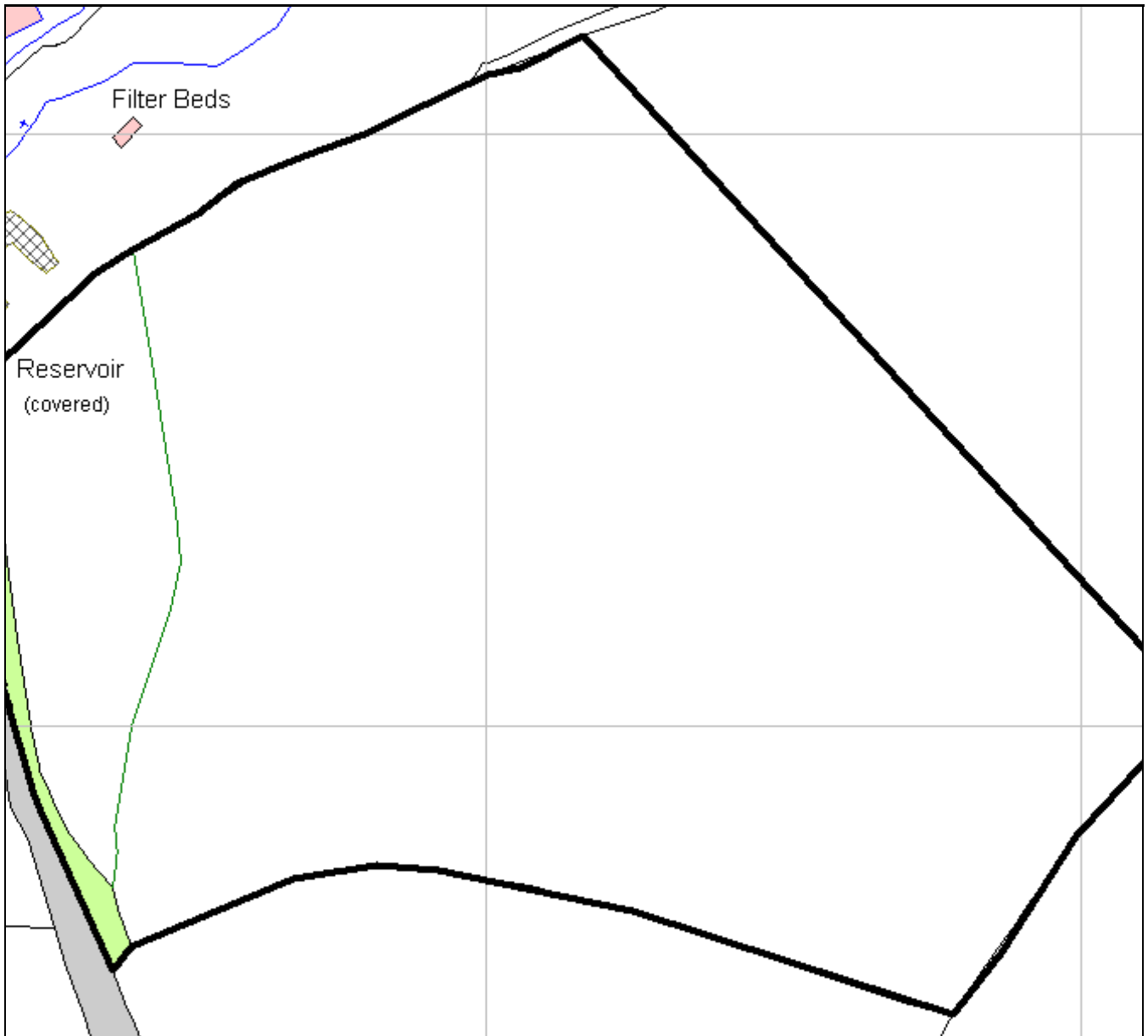
2. Application No: **0141/14**  
Application Type: **Full Planning Permission**  
Grid Ref: **SX530720**

District/Borough: **West Devon Borough**  
Parish: **Sampford Spiney**  
Officer: **Jo Burgess**

Proposal: **Erection of farmhouse/office and general agricultural unit with improved access**

Location: **Land at Pew Tor Farm, Sampford Spiney**

Applicant: **Mr & Mrs N Cole**



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50m  
Scale 1:1250 @ A4

Recommendation **That, subject to;**

**i) the completion of a legal agreement relating to the phasing of the development to ensure a functional need exists prior to occupation of the new dwelling ; and**

**ii) a Tree Preservation Order to protect trees on the western, north west, north east and south east existing field boundaries (to be confirmed if unopposed), permission be GRANTED**

**Condition(s)**

1. The development hereby permitted shall be begun before the expiration of one year from the date of this permission.
2. No development shall take place until a construction management plan detailing routing for construction traffic, areas for the storage of materials and equipment, hours of working and the disposal of surplus excavated materials has been submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved construction management plan unless otherwise agreed in writing with the Local Planning Authority.
3. No development shall take place until a phasing plan and planting scheme setting out the formation and planting of the new hedgebanks in accordance with the approved details has been submitted to and approved in writing by the Local Planning Authority. The hedgebanks and landscaping shall be maintained for a period of not less than 5 years from the date of the completion of the landscaping scheme, such maintenance to include the replacement of any trees or shrubs that die or are removed.
4. No development shall take place until all existing trees, shrubs and hedges to be retained have been protected by fences or suitable barriers erected beyond their dripline. Such fences or barriers shall be maintained until the completion of the development on the land. Within these protected areas there shall be no storage, deposit, tipping or placing of any materials, soil, spoil or other matter, no parking or movement of vehicles or trailers, no erection or siting of buildings or structures, no excavation or raising of ground levels and no disposal of water or other liquid. Furthermore, no fire(s) shall be lit within 20m of any protected area without the prior written authorisation of the Local Planning Authority.
5. No tree or hedge on the land (other than one permitted to be felled or removed as shown on the approved plans) shall be felled, lopped, topped, cut down or grubbed out without the prior written consent of the Local Planning Authority. Any tree or hedge removed without consent, or found to be dying, damaged or diseased, shall be replaced on a like for like basis unless otherwise agreed in writing by the Local Planning Authority.
6. No works to construct any of the buildings hereby approved shall take place until the improved access, turning area and surface water drainage of the yard and access have been provided. The access, turning area and surface water drainage shall be maintained in accordance with the approved drawings and retained for that purpose at all times.
7. Notwithstanding the details of chemical storage hereby approved, prior to the approved chemical store being constructed, details confirming the bunding of the store shall be submitted to and approved in writing by the Local Planning Authority.



8. Notwithstanding the drawings hereby approved, no roof water from the agricultural buildings shall be discharged into the stream. Details of rainwater harvesting shall be submitted to and approved in writing by the Local Planning Authority before construction of the agricultural buildings commences and shall be provided to the satisfaction of the Local Planning Authority before the buildings are brought into use.
9. The agricultural buildings hereby approved shall not be brought into use until the foul and surface water drainage systems for the agricultural buildings and yard have been provided to the satisfaction of the Local Planning Authority, with all clean roof and surface water being kept separate from foul drainage.
10. All foul drainage, including foul surface water run-off, shall be disposed of in accordance with the Manure Management Plan dated 15 May 2014 and in such a way as to prevent any discharge to a well, borehole, spring or any watercourse, including dry ditches with a connection to a watercourse.
11. Slurry and silage liquor must be stored within a sealed system, in accordance with the 2009 edition of the DEFRA "Code of Good Agricultural Practice for the Protection of Water, Soil & Air".
12. The roofs of the dwelling and garage hereby approved shall be covered in natural slate, a sample of which shall be submitted to the Local Planning Authority for approval prior to the commencement of any roofing work. At all times thereafter the roofs shall be maintained in the approved natural slate. The slates used for the slate hanging hereby approved shall match the approved roofing slate.
13. The roofs and slate hanging on the dwelling and garage hereby approved shall be natural slate which shall be fixed by nailing only, unless otherwise previously agreed by the Local Planning Authority in writing.
14. The rooflights on the garage hereby approved shall, unless otherwise agreed by the Local Planning Authority in writing, be of the "conservation type" with a frame flush with the outer face of the roof slope.
15. Unless otherwise agreed in writing by the Local Planning Authority, all external doors and windows in the dwelling and garage hereby permitted, shall be of timber construction and shall at all times thereafter be retained as timber framed windows and doors. All new external joinery shall receive a painted finish within one month of its installation.
16. The vehicular access doors of the garage hereby approved shall, unless otherwise previously agreed by the Local Planning Authority in writing, be of vertical timber boarded construction.
17. All new stonework on the dwelling shall be laid and pointed using traditional techniques and materials. A sample panel shall be prepared for inspection by the Local Planning Authority and no stonework shall be carried out until the sample panel has been inspected, and approved by, the Local Planning Authority.
18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking and re-enacting that Order with or without modification, no material alterations to the external appearance of the dwelling hereby permitted shall be carried out and no extension, building, enclosure, structure, erection, hard surface, swimming or other pool shall be constructed or erected in or around the curtilage of the dwelling hereby permitted, and no windows or roof lights other than those expressly authorised by this permission shall be created, formed or installed, without the prior written authorisation of the Local Planning Authority.

19. The occupation of the dwelling hereby approved shall be limited to a person (together with their spouse or partner, children and dependents) solely or mainly working, or last having worked, in the locality in agriculture or forestry, as defined in Section 336(1) of the Town & Country Planning Act 1990 (as amended).
20. The agricultural buildings hereby approved shall only be used for agricultural purposes reasonably necessary on the holding to which they relate. Upon becoming redundant for such purposes, the buildings shall be removed and the land reinstated to its former condition within a period of six months, unless the Local Planning Authority shall grant planning permission for an alternative use of the buildings.
21. The garage hereby permitted shall only be used for the storage of private motor vehicles and incidental domestic or agricultural storage in association with the farm enterprise.
22. At no time should any exterior lighting be installed within the development without the prior written consent of the Local Planning Authority.

### **Introduction**

The site for the new farmhouse and agricultural unit is in a shallow valley in open countryside 0.5km south west of Sampford Spiney. It is to be located in the corner of field adjacent to a wooded copse and an unclassified road. A public footpath runs immediately to the north of the site.

It is proposed to erect a farmhouse (149sqm), garage, two general purpose agricultural buildings (37m x 27m and 28m x 14m), all within a new farm unit separated from the rest of the field by a new Devon hedgebank.

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

### **Planning History**

0135/13	Erection of farmhouse (agricultural worker's dwelling), yard complex and new driveway	Full Planning Permission	Refused	10 October 2013
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### **Consultations**

West Devon Borough Council: Does not wish to comment

County EEC Directorate: It is now clear from the plans that have been provided that an access of suitable gradient (rising no steeper than 1 in 10 for the first 6 metres from the edge of the existing carriageway) can be provided. A condition requiring the improved access, turning area and access drainage to be provided before the commencement of development should be considered.

South West Water: No objections

Environment Agency: Suggest Manure Management plan and relevant conditions

DNP - Ecology & Wildlife Conservation: No ecological comments to make on this application. The applicant should be encouraged to incorporate bat and bird features into the new house and garage.

## DNP - Trees & Landscape:

The woodland adjacent to the site has not been managed for many years and is in fair condition. The woodland is an important feature in the landscape. The development is set away from the woodland and should have no adverse impact on it. Several trees are growing on the hedge banks surrounding the field. The trees are mostly in good health. They are very visible in the landscape and add to the character of the local landscape. The proposed development will have no direct impact on the trees. It is important to retain the trees and woodland in the long term and if permission is granted the trees along the northern boundary of the site and the woodland should be protected with a Tree Preservation Order.

The northern, eastern and southern boundaries of the field are formed by Devon banks with mixed native hedgerows growing on top. The banks and hedgerow are in a good state of repair. The proposed development will have no impact on the hedgerows.

The site lies within a historic field system, it is difficult to date, but it is likely to be mid to late medieval. The field system is mostly intact, see attached tithe map and 2010 aerial photograph.

This is a large development on enclosed farmland and the main issue with the proposal is still its impact on the landscape.

The site is within Landscape Character Type - 2D Moorland Edge Slopes

The proposed development will inevitably have an impact on the local landscape character. Building a large agricultural unit on the land will impact on the pastoral character of the landscape and will impact on the virtually intact medieval field system.

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

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 strong pattern of medieval fields 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.

The buildings will be very visible in the landscape. There are views of the site from the high ground to the north (the southern slope leading up to Pew Tor) and the road which runs to the south of the site. The unit will be visible from the entrance into the site, though the woodland and from the higher part of the road to the west. There will also be views from the public footpath that runs immediately to the west of the site, particularly through the existing field gates. There are also distant views from the minor road to the north and from Sampford Spiney church yard

The receptors will be people using the minor roads during local travel. The people visiting Pew tor and the surrounding open land will be there to enjoy the scenery and panoramic views.

The applicants have submitted a visual impact assessment, the key viewpoints were selected following discussion with the Authority. There are views of the site from the southern slopes of Pew Tor, particularly by the old quarry. The submitted visual impact assessment suggests there is no visual impact from this high ground whereas part of the site will be visible. Many people park to the south of Pew Tor and walk up and down the slope specifically to look at the views and appreciate the landscape. In my opinion we should consider views from the southern slopes of Pew Tor as having moderate impact.

The application will have a visual impact and a detrimental impact on the landscape 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 contrary to policy DMD 5 because it does not conserve and/or enhance the character and special qualities of Dartmoor's landscape by respecting the valued attributes of this landscape type, specifically the strong pattern of medieval fields with prominent Devon hedgebanks and the pastoral character of fields which contrast with areas of healthy moorland.

The applicants have designed the scheme as a nucleated farmstead, the buildings whilst large are linked and have a cohesive relationship. The site will be enclosed with Devon banks planted mixed native hedgerow and individual trees. Stone walls link the entrance to the farm house and Devon banks that help integrate the development into the landscape. Parts of the agricultural buildings will be cut into the ground reducing their prominence in the

landscape. The unit has been designed to mitigate, as far as is feasible the visual impact, whilst maintaining the character of the local landscape. However, the development will be visible in the landscape and the proposed mitigation will only go part way in reducing its visual impact.

However, if there is overwhelming justification for a large agricultural unit on this land, in terms of landscape, this is the best location for it. The unit will be located in a shallow valley and would be nestled into the rolling landform. The development is well designed and will create a nucleated farmstead reflecting the character of other traditional nucleated farmsteads found locally. The access tracks are kept to a minimum with access immediately off an adjacent road. There is also a good relationship with the adjacent woodland again reflecting the character of other local farmsteads.

The trees and woodland around the site are important features in the landscape and will help integrate the development into the landscape.

If permission is granted the trees and woodland should be protected with a Tree Preservation Order and the recommendation to committee should include a recommendation to protect the trees and woodland around the site with a Tree Preservation Order and the Order be confirmed if unopposed.

NPS South West Ltd:

The Cole family operate two separate business which operate independantly - the business in which the applicants mother and brother are partners based at Greenwell Farm and Lovaton Farm and the second business owned by the applicant and his brother at Prison Farm, Princetown and Pewtor Farm. Having reviewed the farm enterprise there are four key questions that need to be addressed.

#### i) Justification for the new agricultural buildings

Two new buildings are being proposed. The first is 37m x 27m general purpose clear span steel portal frame building and the second a 28m x 14m) similar building to accommodate four bull pens and sufficient storage to keep all plant and equipment and consumables under cover and out of sight. The larger building will be used to accommodate the pedigree ewe flocks and some of the mules during lambing. Moving the pedigree flock to this land to graze will bring forward the lambing interval thus potentially benefitting from premium seasonal demand for finished progeny. The building will also be used to over winter the pedigree South Devon cattle enterprise.

All existing buildings at the Prison Farm at Princetown are fully utilised and there is no spare capacity. Recent storm damage at Princetown means that the existing enterprise is short of winter livestock accommodation therefore it is concluded that it is reasonably necessary for the purposes of agriculture for replacement buildings to be constructed for the enterprise.

In terms of size, the applicants wish to enable all livestock to be housed over winter under cover, leaving no open yards and thereby significantly reducing the quantity of slurry and dirty water produced and obviating the need for expensive slurry and dirty water storage facilities. This is generally a more cost-effective and practical farming solution where new build facilities are required.

In summary the proposed buildings are reasonably necessary and their proposed size is commensurate to the needs of the enterprise concerned. The revised design and layout is appropriate and allows for cost effective and sympathetic future expansion should the need arise.

#### ii) Justification for new agricultural buildings in this location

If all the land farmed by the Cole family was part of a single business it would be argued that the proposed buildings should be constructed at Greenwell Farm or Lovaton Farm. However, the distance of the first business base from Pewtor Farm and the Prison Farm, the fact that they are farmed by a separate trading partnership and that the applicants do not wish to invest in new buildings on tenanted land, mean that constructing new buildings on owned land at Pewtor Farm is a reasonable proposition.

#### iii) Justification for new dwelling

When considering the overall enterprise operated by the Cole Family the existing three dwellings owned by the family members at Greenwell Farm, Lovaton Farm and at Clearbrook would be sufficient to meet the existing functional needs of the overall enterprise.

However with the independent business being established, the overall size of the land holding and type and number of breeding stock farmed at Pewtor Farm and Prison Farm would be of sufficient scale and nature to create a need related to at least a full time worker. Furthermore the system of farming proposed once the proposed new buildings have been constructed and in operational use at Pewtor Farm, would satisfy the functional test for a worker to be readily available at most times day and night.

The NPPF and policy DMD23 require an existing functional

need to be established. An existing need for a dwelling at Pewtor Farm has not yet been established. Until such times as the proposed buildings are constructed and the proposed system of farming is adopted at Pewtor Farm, there is no existing functional need for a dwelling.

The applicants currently rent on the edge of Princetown but it is considered that this is not nearby or within sufficient close proximity to Pewtor Farm to meet the functional needs of the proposed farming activity based around the new agricultural buildings.

#### iv) Size of the dwelling

The floor area of the dwelling is 149sqm internally and this and the associated domestic garage and store are acceptable in size and commensurate with the needs of the holding.

#### Financial Test

The agricultural activity carried out by the Prison Farm/Pew Tor Farm business has been established for at least three years, has been profitable for at least one of them, is financially sound and has a clear prospect of remaining so.

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

- Plasterdown Grouped PC: The Parish Council considers the development to be too large, has the potential to cause pollution and contaminate water supply and will have a visual impact on landscape.
- Plasterdown Grouped PC: No comment received
- Plasterdown Grouped PC: No comment received

### **Relevant Development Plan Policies**

- COR1 - Sustainable Development Principles
- COR2 - Settlement Strategies
- COR21 - Dealing with development and transport issues in a sustainable way
- COR3 - Protection of Dartmoor's special environmental qualities
- 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
- DMD23 - Residential development outside Local Centres and Rural Settlements
- DMD38 - Access onto the highway
- DMD5 - National Park Landscape
- DMD7 - Dartmoor's built environment

### **Representations**

19 letters of objection 44 letters of support 2 other letters

Letters of support have been received from local businesses, several individuals including local farmers, the Friends of the Dartmoor Hill Pony, the National Farmers Union and the Country Landowners Association, all of whom praise the applicants as hard-working, dedicated farmers in need of a home base for their livestock enterprise and dedicated to looking after Dartmoor and its environment, in particular native breeds. Reference is made to the need for a well-designed holding to comply with European Union welfare standards and to high house prices in the vicinity.

Letters of objection have been received from nearby residents and five from outside the parish, the Council for the Preservation of Rural England (CPRE) and Dartmoor Preservation Association (DPA). The DPA is concerned that, notwithstanding the validity of the case, the scale and nature of the proposed development it will undoubtedly have a significant and lasting impact on the character and landscape of the local area. This is echoed by the CPRE who highlight its visibility from Pew Tor and the church at Sampford Spiney.

Local residents query the agricultural case, the future expansion shown on the plans, the design and visibility of the development on a green field site, possible light pollution and the impact on recreational users in particular those using the footpath. They also highlight that property has been on the market in the vicinity since the last application and express concerns about loss of view.

Particular concerns have been expressed regarding the source and adequacy of the water supply and pollution of the leat which runs into other farms and into Horrabridge, potential flooding, distribution of dung and additional surface water. In addition the steepness of the access and the likely increase in traffic on the lane as a result of the feed and bedding demands of the buildings and livestock.

The Dartmoor Society has also raised the issue of Watery Ford (where the adjacent stream crosses the road) being notorious in 1960 as the source of a radioactive water supply to Horrabridge and elsewhere.

## **Observations**

### **BACKGROUND**

The applicants are part of an established Dartmoor farming family. The farm business has since 2005 been set up as two completely separate trading partnerships. Following the recent death of the applicant's father some changes to land and property ownership have taken place. The first business operated by the applicant's brother and mother is based at Greenwell Farm and Lovaton Farm near Meavy, both of which are now owned by the applicants' brother. This application is to provide a base on owned land for the second business operated by the applicant and his brother based at Prison Farm, Princetown and on land owned by the applicant at Sampford Spiney.

### **PLANNING HISTORY**

An application submitted on elevated land elsewhere within the Pew Tor holding was refused in 2013 on grounds that the dwelling would be premature in advance of the agricultural buildings being brought into use, that the new farmstead would have an unacceptable impact on the character of the landscape due to the prominent elevated position and that the size and design of the house was inappropriate.



Following that decision, in accordance with advice in the National Planning Policy Framework (NPPF) that 'local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area' and in recognition of the positive contribution the applicants make to Dartmoor by virtue of their role as farmers in the management of the National Park, Members instructed officers to meet with the applicants to discuss alternative sites within the holding.

## SITE CHARACTERISTICS

The selected site is low lying in a shallow valley to the west of Sampford Spiney adjacent to 'Watery Ford' where the small stream goes under the road but forms a ford in heavy rainfall. It is directly accessed from the lane running to the west and along the boundary with the lane, the site is bounded by a copse of mature trees and a steep bank. To the north of the site is a hedgebank punctuated by large trees alongside which runs a footpath which runs from Sampford Spiney to the lane.

## POLICY ISSUES – AGRICULTURAL BUILDINGS

The principle of agricultural development has to be assessed against Policy DMD34 which requires there to be a demonstrable need that is proportionate to the use of the land.

The proposed buildings at Pewtor will be used to accommodate pedigree ewe flocks and the pedigree South Devon cattle enterprise. They are to be used for lambing and overwintering under cover, leaving no open yards. The buildings will offer a cost effective and practical farming solution to the challenges of slurry and dirty water management.

Having examined the details of the agricultural business, the agricultural consultant has concluded that the proposed agricultural buildings are reasonably necessary for the purposes of agriculture and required by the separate trading farming partnership currently based at the Prison Farm and land at Pewtor Farm. It has also been concluded that it is reasonable to allow the construction of buildings on their own land as opposed to building on rented land at Princetown.

## POLICY ISSUES - DWELLING

The principle of allowing the dwelling is addressed by Core Strategy policy COR2 which sets out a settlement hierarchy and COR15 which sets out where housing development will be permitted. This site is outside any settlements and housing development is restricted to that serving the proven needs of agriculture. Development Management and Delivery Plan Document (DMDPD) policy DMD23 sets out the criteria which should be satisfied.

However, when considering the proposed dwelling against the criteria in DMD23, the consultant has concluded that although a need for a worker within the business is proven and the business is financially sound there is no established need for a dwelling on this land until the agricultural buildings have been erected and stocked.

Once the new buildings are in operational use the proposed system of farming to be operated at and from Pewtor Farm would establish an essential functional need for a worker to be readily available at most times of day and night. This potential need could not be met by any of the other dwellings owned or rented by the applicants or other family members.

It does not appear that there are any dwellings available to rent or buy in the area or buildings suitable for conversion to dwellings in the locality for the worker concerned. This has been queried by objectors, however the applicants have confirmed that the none of these properties have been suitable.

The business is a large and established financially viable farm business and the financial test has been satisfied.

The applicants have proposed a planning agreement requiring the farm buildings to be substantially complete and adequately stocked before the house is occupied, but it should be noted that as submitted, the proposal for a dwelling is premature.

Policy DMD23 together with COR1, COR3 and DMD5 also require any new dwelling in the open countryside to be sited such that it does not cause harm to the character and appearance of the site or the landscape character of the area.

## DESIGN OF THE DWELLING

The applicants were advised that in accordance with Policy DMD26 the size of the dwelling should be reduced to 150sqm. This has been achieved with the dwelling reduced to two storey rather than having rooms in the roof and dormers as previously proposed. This floor area includes a farm office and wet room adjacent to the side entrance. A simple two bay garage is proposed adjacent to the dwelling with a lean-to for a chemical store on the rear elevation. Devon hedge banks enclose a garden to the side and rear of the dwelling.

The new dwelling incorporates traditional features such as slate hanging, a slate roof, granite lintels, slate cills, plain verges and eaves, local stone plinth and timber casement windows. The drawings have been amended to show an internal chimney, a glazed porch and pitched roof extension to the living room. The design is therefore considered to be appropriate and in accordance with the design guide.

The proposal is considered to be in accordance with Core Strategy policy COR4 and DMDPD policies DMD7 and DMD23.

## IMPACT ON THE CHARACTER OF THE LANDSCAPE

In contrast to the previous site which was elevated and visible from a very wide area, the proposed site is in a shallow valley. The proposed unit will be much less visible than the previous site and being better integrated into the landscape will be less visually intrusive. Also, from the high ground to the north, the unit will be seen against the back drop of woodland. The trees growing along the northern boundary will partially screen the development when viewed from the high ground to the north and the road to the west.

The land around the site 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. The hedgerows are heavily cut. Open moorland lies to the north. Narrow winding lanes connect small settlements. Broadleaved woodlands are growing along shallow river valleys. There is sparse settlement pattern with small hamlets, nucleated villages and isolated farmsteads. These farmsteads are mostly nestled in the folded rolling landform.

Policies COR1, COR3 and DMD5 are very clear that development should conserve and/or enhance the character of Dartmoor's landscape. The development will have a detrimental

impact on the strong pattern of medieval fields 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.

In term of visual impact following revisions to the siting the applicants were requested to provide a Visual Impact Assessment on the basis of sites selected by the Trees and Landscape Officer.

In terms of the site itself, there is a change of levels between the road and the field and the entrance will have to be improved to create a suitable gradient into the site. This can be achieved within land in the ownership of the applicants. The new access will be more formal than the existing gateway, but the proposed landscaping will help integrate it into the local landscape.

It is clear that a fundamental policy objection remains in respect of the impact of the development on the character of the landscape; however if there is overwhelming justification for a large agricultural unit on this land, in terms of landscape character, the Trees and Landscape Officer considers that this site is the best location for it. The applicants have designed the agricultural unit to minimise the visual impact and propose mitigation to further reduce its visual impact. The unit will be located in a shallow valley and would be nestled into the rolling landform. The development creates a nucleated farmstead reflecting the character of other traditional nucleated farmsteads found locally. The access tracks are kept to a minimum length with access immediately off an adjacent road. There is also a good relationship with the adjacent woodland, which reflects the character of other local farmsteads. However, the development will be visible in the landscape and the proposed mitigation will only go some way in reducing its visual impact.

## PROPOSED AGRICULTURAL BUILDINGS

The consultant concludes that the case for providing buildings to replace those in disrepair at the Prison Farm has been made and that in view of the two trading partnerships it is not unreasonable for those buildings to be on the owned land at a lower level at Pewtor. In order to confirm that future expansion could be accommodated within the new enclosing hedgebank, the applicants were asked to show room for expansion on the plans.

The buildings are to be enclosed with a new hedge bank details of which have been submitted. The orientation of the agricultural buildings and design of the farm yard has been amended since the original submission. The smaller building is bigger than that proposed on the previous site but this is because rather than an outside feeding area, it is now covered to reduce risk of pollution. The agricultural consultant has confirmed that the layout, enclosure and siting of the buildings is efficient and from a design point of view officers consider that the layout is appropriate and acceptable.

In terms of DMDPD policy DMD34 the buildings demonstrate a scale and form well related to their function and relate well to local landscape features, being located and orientated with respect to local topography so as to reduce intrusive effects. The agricultural complex is therefore considered in accordance with Core Strategy policies COR1, COR3, DMD5 and DMD34.

## IMPACT ON RECREATIONAL USERS

Clearly the development and in particular the largest building will be visible from the footpath to the north. The new location moves the side elevation away from the northern boundary but presents a longer elevation than the gable originally proposed. It is considered that the short time during which walkers will spend passing the site should not be an over-riding reason to object to the location of the new farm buildings.

## WATER AND WASTE

The Parish Council and others raised concerns regarding the water supply for the farm and potential pollution of 'Watery Ford', the redundant reservoir to the north and the stream adjacent to the site which feeds into the River Walkham.

South West Water has confirmed that the reservoir is not a public asset so they have no comments. The applicants have confirmed that they propose to install a borehole and that roof water will be harvested and used in the buildings. There is also a piped water supply crossing the land which they have a legal right to use on a limited basis.

The yard has been designed to remove the risk of contamination with gulleys to a ground water run-off interceptor shown on the drawings. Baled silage and hay will be stored outside but the applicants have advised that there is a low risk of effluent run off.

The applicants took advice from the Environment Agency and submitted a Manure Management Plan. The buildings will operate a deep litter system and straw based waste rather than slurry results from this system. This is taken away to be spread on the fields. The Environment Agency has suggested the imposition of their standard conditions to minimise risk of pollution of the water environment.

## HIGHWAY MATTERS

Following the response of the Highways Officer to the initial plans, the applicants have demonstrated with the amended plans that they will achieve a suitable gradient of no steeper than 1 in 10 for the first six metres from the edge of the existing carriageway. It is therefore recommended that the access, turning and drainage are provided before the buildings are constructed.

The Highways Officer has been made aware of the concerns expressed by some residents regarding the volume and nature of traffic attending the site but does not consider that in this rural location there are grounds for objection in this respect.

## OTHER MATTERS

Neighbours dispute the availability of suitable dwellings. However the Authority has no reason to doubt the applicant's assertion that none of the dwellings that have come onto the market recently have suited their requirements.

## CONCLUSION

It is clear that the development will impact on the pastoral character of the landscape and will impact on the virtually intact medieval field system. It does not fully 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 buildings will also be very visible in the landscape.

This was the principle objection to the previous development, a view supported by Members in their decision. The applicants have tried to address those concerns and by virtue of careful siting and layout the chosen site is considered to be the best location for this development on the owned land at Sampford Spiney. However the proposed mitigation is such, that the site will remain visible and prominent from particular locations in the long term.

The agricultural consultant has concluded that the proposed agricultural buildings are reasonably necessary for the purposes of agriculture and required by the separate trading farming partnership currently based at the Prison Farm and land at Pewtor Farm. It has also been concluded that it is reasonable to allow the construction of buildings on their own land as opposed to building on rented land.

However, the consultant has concluded that although an essential functional need for a worker within the business is proven and the business is financially sound, there is no established need for a dwelling on this land until the agricultural buildings have been erected and stocked.

The erection of the agricultural buildings is therefore supported in principle but until any agricultural buildings are in place, the erection of a dwelling is considered premature. This can be dealt with through the proposed legal agreement and as this is being proposed by the applicant, this seems to be a reasonable way forward.

The size of the dwelling is considered to be appropriate and the design is acceptable.

Although many local residents and the parish council have objected to the application, the dwelling is effectively premature and concerns remain regarding the impact on the landscape; the applicants have selected a site which is considered to be the best location on the land and have addressed most of the concerns raised by officers in respect of the original plans. It is possible for the phasing to be dealt with through a legal agreement and the applicants have already expressed their willingness to sign such an agreement.

Members therefore need to decide whether or not these new buildings are sustainable development that improves the economic, social and environmental conditions of the area and the rural economy and approve the application in accordance with the advice in para 28 and 187 of the NPPF; or whether the requirement to give great weight to conserving landscape and scenic beauty in National Parks in para 115 of the NPPF should prevail.

On balance, taking into account in particular the socio economic duty and the need to support the rural economy, the recommendation is one of approval subject to a S106 agreement and conditions. Landscape conditions and the protection of existing trees are of paramount importance as is any phasing of the development to ensure the functional need exists prior to the occupation of the new dwelling.

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3. Application No: **0160/14**  
Application Type: **Full Planning Permission**  
Grid Ref: **SX743847**

District/Borough: **Teignbridge District**  
Parish: **North Bovey**  
Officer: **Louise Smith**

Proposal: **Conversion of redundant waterworks to dwelling**

Location: **The Waterworks, Bovey Cross,  
North Bovey**

Applicant: **Ms D Thompson**



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**50m**  
Scale 1:1250 @ A4

Recommendation **That permission be REFUSED**

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

1. The proposal would result in the conversion and change of use of a building, which is not historic or traditional in the context of Dartmoor's built heritage, to an unjustified open market dwelling in the open countryside contrary to the policies COR2, COR15, DMD9 and DMD23 of the Dartmoor National Park Authority Development Plan and to the advice contained in the National Planning Policy Framework 2012.

### **Introduction**

The application relates to a redundant South West Water treatment works located at Bovey Cross, approximately 1km from North Bovey and 1.8km from Moretonhampstead. The site comprises a number of underground water tanks and a single storey rendered building with concrete roof tiles. There is an existing access onto the public highway.

The application proposes to convert the existing building into a 3/4 bedroom market dwelling, incorporating a detached garage and study.

The application is before Members in view of the comments received from the Parish Council. It was deferred at the May committee meeting to allow further consideration of the policies particular to this case.

### **Planning History**

0363/12	Conversion of existing treatment works into a holiday cottage		
	Full Planning Permission	Grant Conditionally	12 September 2012

### **Consultations**

Teignbridge District Council:	Recommend contamination risk assessment, submission and implementation of remediation scheme, reporting of unexpected contamination and long term monitoring and maintenance.
County EEC Directorate:	No objection - The existing access and parking facilities on site are adequate to serve the proposed development.
South West Water:	No objection
Environment Agency:	No objection - flood zone 1 standing advice

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

North Bovey PC:	The Parish Council strongly supports this proposal. The Parish Council was totally against the previous permission for a holiday let.
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### **Relevant Development Plan Policies**

COR1 - Sustainable Development Principles  
COR15 - Providing for limited new housing to meet local needs  
COR18 - Providing for sustainable economic growth  
COR2 - Settlement Strategies  
COR21 - Dealing with development and transport issues in a sustainable way

COR3 - Protection of Dartmoor's special environmental qualities  
COR4 - Design and sustainable development principles  
DMD17 - Development on contaminated land  
DMD18 - Development on unstable land  
DMD1a - Presumption in favour of sustainable development  
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities  
DMD23 - Residential development outside Local Centres and Rural Settlements  
DMD4 - Protecting local amenity  
DMD5 - National Park Landscape  
DMD9 - The re-use and adoption of historic buildings in the countryside

## **Representations**

None to date.

## **Observations**

### UPDATE FROM MAY COMMITTEE

Members requested the application be deferred to allow further consideration of the policies particular to this case.

Officers maintain their advice that there is no conservation argument for the conversion of this utilitarian building which does not align with the Authority's traditional buildings conversion policy and the proposed use as a market dwelling would be a clear departure from the Authority's rural housing policies.

The tourism industry is an important generator of income on Dartmoor. The consent for conversion into a holiday let was approved exceptionally under separate business and tourism policies. The Development Plan acknowledges the tourism industry as a major component of Dartmoor's economy and holiday accommodation which has been shown to add value to economic activity in the Park. It also presents a less intensive residential use than a market dwelling, which helps to justify this type of accommodation in an unsustainable location away from daily services and facilities.

There are other examples of similar isolated utilitarian buildings throughout the Park. If a decision is taken to approve this application contrary to policy then the Authority would be under pressure to approve other schemes under similar circumstances.

The Authority received a recent appeal decision at Higher Grimstone Barn, Horrbridge, which is relevant to this case. This unconverted traditional barn has extant permission for conversion into a holiday let, and permission was sought for conversion into a market dwelling. The Inspector acknowledged the evidence that the cost of conversion into tourist accommodation, whilst not necessarily prohibitive, would be likely to deter many potential investors given the likely rate of return. He found, however, that a proposal for a market dwelling would be contrary to policy and dismissed the appeal.

The Inspector concluded at Higher Grimstone that the traditional barn was not listed nor was it of exceptional merit to justify a significant departure from the clear presumption against permitting a new dwelling in the countryside of the Dartmoor National Park. The redundant South West Water Building at Bovey Cross is a 1970's utilitarian building and does not offer



any exceptional case for departing from policy. The planning gain would be the removal of this building to enhance the special qualities of this part of the Park.

There has been no detailed consideration or marketing of the building for alternative commercial or employment uses. In cases where a new non-residential use cannot be found, and where there is no over-riding environmental or historic asset benefit, then it must be accepted that an alternative use for the building may not be feasible in planning terms. The National Planning Policy Framework provides clear guidance that new isolated homes in the countryside should be avoided and the focus is on developing housing in sustainable locations.

For the reasons set out, officers are unable to support a departure from policy.

## PLANNING HISTORY

Planning permission was granted in September 2012 for the conversion of this building into holiday accommodation (application ref: 0363/12).

That permission, which was obtained by South West Water prior to their disposal of the site, has not been enacted and the building is presently vacant. The site was put up for auction in April 2013 and is now within the ownership of the applicant.

The application now under consideration is for a market dwelling and needs to be considered against the recently adopted policies of the Dartmoor National Park Development Plan.

## THE PROPOSAL

The scheme proposes measures to improve the thermal efficiency of the existing building and enhancements to the exterior appearance of the existing building, notably a zinc roof and replacement powder coated aluminium windows, doors and rainwater goods.

A subterranean garage/study with grass roof is proposed in the location of the existing sunken water tanks.

## PRINCIPLE OF PERMENANT RESIDENTIAL ACCOMMODATION (MARKET DWELLING)

Local plan policies COR1, COR2, COR15 and DMD23 guide new housing proposals to sustainable settlement locations. The sustainability agenda underpins the National Planning Policy Framework (NPPF) which states that housing should be located where it will enhance or maintain the vitality of rural communities and that new isolated homes in the countryside should be avoided unless there are special circumstances, such as the re-use of redundant or disused buildings which would lead to an enhancement to the immediate setting. Policy COR2 and DMD9 are explicit in their support for proposals that sustain traditional buildings which contribute to the special qualities of the Park. Policy DMD9 specifies that the conversion of such traditional buildings will be accepted where they provide for affordable housing and meet all other criteria.

This building is not a vernacular building that contributes to the special qualities of Dartmoor and therefore does not comply with the conversions criteria in policies COR2 and DMD9. The planning gain for this site would be the removal of the building or an alternative business use to assist the rural economy. Consent was given for holiday accommodation in 2012 to assist tourism spending in the local economy to help support the rural economy and retain the building for economic use in line with policy COR18.

The applicant's agent explains that conversion into holiday use is uneconomical and hence the proposal for a market dwelling.

A permanent dwelling presents a more intensive residential use of the site which conflicts with the sustainability objectives and the requirement of policy DMD9 for the building to be sited where there is reasonable access to local services and facilities preferably by a variety of means of transport.

Furthermore, the proposal is for an open market dwelling which is a clear departure from policies COR2, COR15 and DMD23.

If a commercial use cannot be found for the site then the preference would be for this modern building to be removed from the site to enhance the character and appearance of this part of the National Park to meet the first purposes of the National Park designation.

#### LANDSCAPE CHARACTER AND AMENITY

The proposal would have no adverse impact on residential amenity and the conversion scheme would secure some improvements to the external appearance of the building, albeit the form of this 1970's building would not change. These improvements, however, would not override the policy objection to the conversion of this non-traditional building into a market dwelling which is a departure from policy.

#### HIGHWAY SAFETY

The existing access and parking facilities on site are adequate to serve the proposed development and there is no objection to the proposal on highway grounds.

#### CONTAMINATION

A contaminated land survey was submitted to the Authority in 2012. It concluded that potential for on-site contamination was low risk to human health and eco-systems. An isolated zone of contamination within the water treatment tanks was identified and the previous permission included conditions to address these matters in line with the objectives of policy DMD17.

These matters are also a consideration for this application.

#### CONCLUSION

The application has been presented to Officers without any pre-application discussion. This would have identified the conflict with policy.

The proposed conversion of this non-traditional building in the countryside into a market dwelling directly conflicts with the policies contained in the Development Plan. The enhancements proposed to the external presentation of this building are not sufficient to justify a departure.

The support from the Parish Council is acknowledged, however, officers are unable to support this clear departure from the Development Plan. The permitted fall-back position of conversion to holiday accommodation gives the opportunity for an appropriate re-use of the building which remains in line with currently adopted policy.

NPA/DM/14/039

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

04 July 2014

**MONITORING AND ENFORCEMENT**

Report of the Director of Planning

INDEX

**Item No.** **Description**

1. ENF/0266/13 - Conversion and use of former agricultural building as residential accommodation, Building at Little Sigford Farm, Sigford

1 Enforcement Code: **ENF/0266/13**  
Grid Ref: **SX777738**

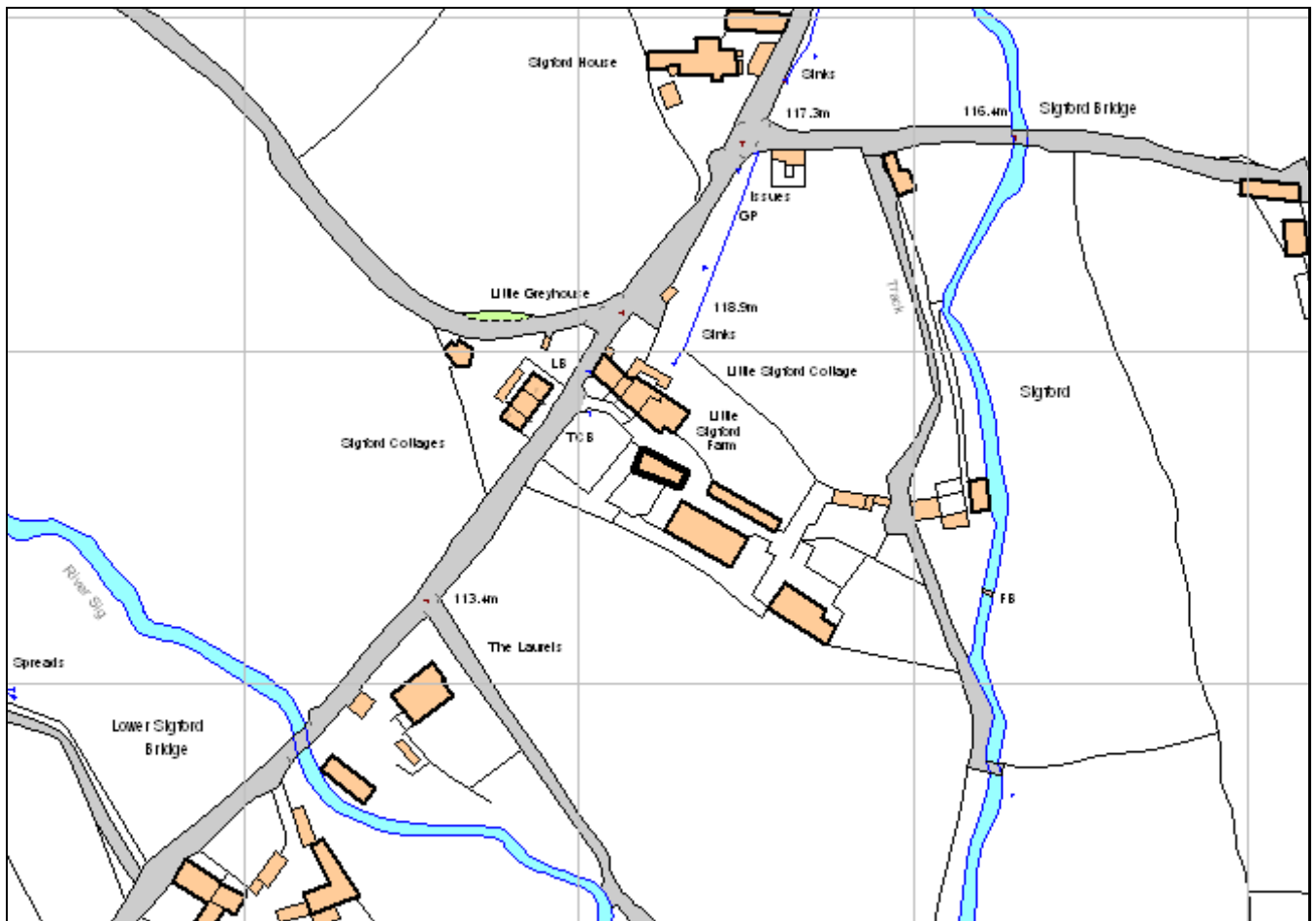
District/Borough: **Teignbridge District**  
Parish: **Ilminster**  
Officer: **Andy West**

Description: **Conversion and use of former agricultural building as residential accommodation**

Location: **Building at Little Sigford Farm, Sigford**

Land owner: **Mr J Prior**

Recommendation **That, subject to the consideration of any comments from the Parish Council, the appropriate legal action be authorised to;**  
**1. Secure the cessation of the use of the building as a separate unit of residential accommodation, and**  
**2. Secure appropriate remedial works in respect of unauthorised external features such as additional openings, glazing, rooflights and flues.**



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### Relevant Development Plan Policies

- COR1 & DMD1a - Sustainable Development
- COR2 - Development in the countryside
- COR4 - Design and sustainable development principles
- COR9 - Protection from and prevention of flooding.

COR15 & DMD23 - Providing for limited new housing to meet local needs in the countryside  
DMD1b - Delivering National Park purposes and protecting Dartmoor's Special Qualities  
DMD4 - Protecting local amenity  
DMD9 - The re-use and adoption of historic buildings in the countryside  
DMD25 - Ancillary residential accommodation

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

The Parish Council supported the 2013 application for extending the ancillary accommodation in the barn as it considered there to be a proven need for this accommodation. Any further comments from the Parish Council will be reported at the meeting.

### **Observations**

#### **INTRODUCTION**

Little Sigford is located approximately 3km north east of Ashburton in the open countryside. The building, the subject of this report is a detached, two-storey, traditional stone barn with slate roof, located to the south of the main farmhouse. The property lies within a valley basin and the building itself is set back some 23m from the road beyond the garden of the main house. The building is partially visible from viewpoints along the public road to the west.

#### **HISTORY**

Permission was granted in 2006, ref. 0563/06, for the conversion of the eastern most third of this barn to provide ancillary accommodation to the farmhouse. Work has since been carried out to change the use of the barn from an agricultural building into a three-bedroom dwellinghouse that is completely different to the 2006 permission.

This permission had an occupancy condition attached requiring that "the unit hereby approved shall be used solely as additional living accommodation in connection with, and ancillary to the existing dwelling and shall not be used, let or otherwise disposed of as a separate unit of accommodation."

An application submitted in April 2013, ref. 0208/13, sought permission to convert the final western third of the barn and showed the middle section as having already been converted. No permission had been granted for the conversion of this part of the building or the new openings that had been created. This application was subsequently withdrawn to allow the applicants an opportunity to address the unauthorised part of the existing development.

A subsequent application submitted in June 2013, ref. 0300/13, that sought retrospective permission for the "extension to ancillary accommodation", incorporating all the works that had been carried out, was refused at the Development Management Committee meeting in December 2013 for two reasons:

1. The proposal by reason of its scale, design and incremental development would result in the creation of an independent unit of residential accommodation outside a recognised settlement which does not meet an identified need for affordable housing to meet local needs or a need relating to an agricultural worker or other essential rural business, contrary to Development Plan policies, and
2. The proposed physical alterations to the building would have a harmful cumulative impact on the character and appearance of the building and the surrounding area, contrary to policies.

#### **ALLEGED BREACH**

Having visited the site in connection with the most recent application, it became clear that the building, as converted, was not in accordance with the originally approved scheme (ref: 0563/06), having a different design and layout. As such, the original permission is not considered to have been implemented and it follows that no part of the conversion is authorised.

The original conversion approved in 2006 provided 44.4 square metres of ancillary accommodation, arranged over two floors and providing a sitting room with toilet on the ground floor and one bedroom and bathroom on the first floor.

The building, as converted, now provides approximately 120 square metres of accommodation, comprising three ensuite double bedrooms and a family bathroom on the first floor and a living room, kitchen/diner, toilet and shower room on the ground floor. It should be noted that this is more than would be allowed for an affordable dwellinghouse and considerably more than would be considered appropriate or necessary as ancillary accommodation.

The enlarged living accommodation has also resulted in a number of unauthorised alterations to the external appearance of the building, including the addition of a porch to the front of the building, an additional ground floor window to what has become the living room, three additional roof lights serving the two new bedrooms and landing area and a change in the design of two windows on the rear elevation that have been split horizontally to provide light to the first floor landing and ground floor rooms. These alterations add to the domestic appearance of the building and detract from the character of the barn which has a simple, traditional form borne out of its agricultural origins.

However, the works are claimed to have been carried out in 2007/08 and a review of the Authority's aerial photographic record from 2010 appears to confirm that the porch and rooflights were in place at that time. As such, these works to the building are immune to enforcement action having taken place more than four years ago.

## POLICY

The National Planning Policy Framework (NPPF) seeks to avoid the creation of new dwellings outside of defined settlements and this aim is reflected in the policies of the Local Plan.

The building is occupied by the landowner's son and his family. The accommodation provided goes beyond the scope of being ancillary to the main dwelling and is tantamount to the creation of a separate new dwelling in the countryside, contrary to Local and National planning policy. In exceptional circumstances, the Authority supports the creation of new dwellings in the countryside, provided that they are for agricultural workers and there is sufficient justification for such a dwelling. However, in this case neither the owner/occupier of the property or their agent has ever put forward any form of agricultural justification that would support the creation of another dwelling on the holding.

The policy objection to an entirely separate dwelling was made clear to the owner back in 2006 at the pre-application advice stage; unsympathetic extensions such as a new porch were also discouraged at that time.

## OCCUPIERS/AGENTS COMMENTS

Mr John and Mrs Jennifer Prior occupy the farmhouse while their son Mr Peter Prior and his wife Mrs Kay Prior and their young son live in the barn.

The Prior's agent states that the physical works and the residential use are now immune from enforcement by virtue of the passage of time and in support of this argument states that a Building Regulation application was submitted in January 2007 and works commenced that same month. The internal and external building works that have been carried out were, she states, completed in their entirety by August 2008. This included the construction of the porch, internal fixtures (kitchen and bathroom) painting, decorating and carpet fitting.

The Authority acknowledges that an application was submitted to Building Control in January 2007 but this was only for the ancillary accommodation approved under permission ref. 0563/06. The submitted document lists the accommodation proposed but includes a lounge, kitchen, cloakroom, entrance hall, bathroom and one bedroom only.

The occupier of the barn, Mr Peter Prior, states that he moved from Sussex back to Devon in February 2008 and moved into Little Sigford Barn on the August Bank Holiday weekend in 2008. The works, he states, had been fully completed and the building was fully furnished.

The barn is a physically separate building from the farmhouse and benefits from its own access, parking area and curtilage. It has self-contained accommodation and seemingly has no reliance upon the farmhouse for any facility. The barn has connections to electricity, water and drainage.

Peter Prior states that he has no reliance upon or connection with the farmhouse, other than the familial connection. The barn is fully equipped and he states that he has always undertaken his own cooking and laundry. Visits to, and occasional meals at, the farmhouse were, he claims, no more than might be expected of any son and his parents.

Peter Prior states that he met his wife in August 2008 and that she visited every weekend and stayed with him in the barn. He states that his wife moved into the property full-time at Christmas 2010 and were married in September 2012. Their son was born in October 2013 and they continue to live in the barn as a family.

Mr Prior's agent claims that the use of the barn is as a self-contained and separate dwelling and it has, at no time, been used as a residential annex to the farmhouse. The utilities she states are shared with the farmhouse and Mr and Mrs Prior senior choose not to charge their son and daughter-in-law for this facility, in return for his assistance on the farm.

On the basis of this information, the agent submits that it is too late to take enforcement action against the change of use of Little Sigford Barn to a single dwelling house as it is a building equipped with the essential facilities required for day-to-day living and has been occupied independently and separately since August 2008.

However, this account contradicts the account given to officers at a meeting at Little Sigford in November 2013 when Officers met both Mr John Prior and Mr Peter Prior. Mr John Prior then stated that the work commenced soon after receiving the original permission in 2006 and work was completed by summer 2007. He stated that the building was then used "on-and-off" by Mr Peter Prior as sleeping accommodation only, until 2012 when he first started living there full time with his wife.

## DISCUSSION

The Authority has no independent evidence of its own to show who occupied the building or on what basis in the period August 2008 – 2013.

Case law is clear that if a building or part of a building is used as a single dwellinghouse for a continuous period of 4 years, that use becomes immune from enforcement action even if it took place in breach of condition or was otherwise in breach of planning control.

It has been open to the owner and/or the occupiers to submit an application for a Certificate of Lawfulness in respect of the claimed use, supported by all the relevant evidence: statutory declarations from family & friends; correspondence showing address; utility bills, Council Tax bills, electoral registration etc. While the failure to do so is not probative, it does call into question whether there is any documentary evidence for the period 2008 – 2013 to support the assertions and claims of use as a dwellinghouse being made.

Officers are also unclear about the account given by Mr Peter Prior and Mr John Prior, together, in the presence of two officers in 2013. The words used at that meeting do not leave scope for misinterpretation or misunderstanding. Either that account was incorrect, or the account now presented is incorrect.

Officers consider that, given the absence of supporting evidence, they cannot be satisfied on the balance of probabilities (the appropriate legal test) that the owners have shown that the use as a dwellinghouse is immune from enforcement action. It remains equally likely that Mr Peter Prior was using the building more as an annexe to the main house than as a separate dwelling until his wife came to live with him permanently.

Officers therefore believe that it is lawful and expedient to take enforcement action against the unauthorised use.

#### THE HUMAN RIGHTS ACT 1998

The building is home to Mr & Mrs Peter Prior and their son. As such, the courts will view any decision to take enforcement action as engaging their rights under Article 8 ECHR (right to respect for private and family life and home) and Protocol 1 Article 1 (peaceful enjoyment of possessions). The service of an Enforcement Notice requiring the unauthorised residential use to cease would represent a serious interference with these rights. However, it is permissible to do so "insofar as is in accordance with the law and necessary in a democratic society for the protection of rights and freedoms of others".

The courts have held that provided a balanced and proportionate approach is taken, having regard to all relevant considerations and not giving irrational weight to any particular matter, the UK planning system (including the enforcement process) is not incompatible with the Human Rights Act.

Tackling breaches of planning control and upholding Local Plan policies is clearly in accordance with the law, protects the National Park from inappropriate development and enshrines the rights and freedoms of everyone to enjoy the natural beauty and special qualities of the National Park.

There are not believed to be any overriding welfare considerations at this time. Members are therefore advised that enforcement action would appear to be:

- (i) in accordance with law – s.178(1) T&CPA 1990
  - (ii) in pursuance of a legitimate aim – the upholding of planning law and in particular the Development Plan policies restricting development in the open countryside of the National Park
  - (iii) proportionate to the harm
- and therefore not incompatible with the Human Rights Act.



## CONCLUSION

The unauthorised conversion of over 80% of this building into residential accommodation has resulted in the creation of a three-bed dwellinghouse. This is an open market dwelling in an unsustainable location for which there is no planning policy support. The development is contrary to the advice contained in the National Planning Policy Framework. Members are asked to authorise appropriate legal action to secure a cessation of the unauthorised use and, insofar as may be possible within planning law, remedial action in respect of unauthorised externally visible domestic features such as additional openings, glazing, rooflights and flues.

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**STEPHEN BELLI**

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

4 JULY 2014

**CONSULTATIONS BY NEIGHBOURING LOCAL AUTHORITIES**

Report of the Director of Planning

Recommendation : **That the Committee notes the response(s) made under delegated powers**

1      Grid Ref:      **SX549919**      District/Borough: **West Devon**  
Officer:      **Jo Burgess**      Parish:      **Sourton**  
Proposal      **Change of Use of land to garden/domestic use, erection of garden shed and change of use of land to equestrian and retention of field shelter**  
Location      **Land at Freeway, Okehampton EX20 4LX**  
Response:      **NO OBJECTION**

This development is north east of Sourton Down on land immediately adjacent to the A30 where it forms the boundary of the National Park.

It is considered that provided a new hedgebank is required to form the eastern boundary of the extended domestic curtilage and permitted development rights are removed, the development will conserve or enhance the character and special qualities of the Dartmoor landscape. It will be a sympathetic development that will not harm the wider landscape and setting of Dartmoor and consequently NO OBJECTION is raised to this proposal.

In terms of the first purpose, the site is visible from open country and public rights of way to the south and west within the National Park from where the buildings would appear as isolated buildings in the open countryside, unrelated to any farm or established dwelling. The site is adjacent to Landscape Character Type (LCT) 2D Moorland Edge Slopes. One of the *valued* attributes of this LCT identified in the Landscape Character Assessment for Dartmoor National Park is 'the spectacular views to the moorland core of Dartmoor as well as the surrounding countryside outside the National Park'.

Equine land uses are recognised to dilute the predominantly pastoral character of the landscape and will therefore impact on the valued attribute of spectacular views to the countryside outside the National Park. A new hedge bank would enclose the existing/extended garden preventing any further expansion and, if permitted development rights are removed, the erection of further domestic and equine structures will be controlled. This will protect views from the National Park to the surrounding countryside,

the character of the landscape and the ability of those seeking to enjoy the special qualities of the National Park and is, therefore, considered to be acceptable.

In the response by Officers the requirements of Section 62 of the Environment Act 1995, making it a duty for all relevant authorities to have regard to National Park purposes when coming to their decisions, has been highlighted and those purposes set out.

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STEPHEN BELLI

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

04 July 2014

**APPEALS**

Report of the Director of Planning

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

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

- |                   |  |                   |                      |
|-------------------|--|-------------------|----------------------|
| 1 Application No: | A/14/2213941   | District/Borough: | Teignbridge District |
| Appeal Type:      | Refusal of Full Planning Permission                            | Parish:           | Manaton              |
| Proposal:         | Construction of agricultural livestock building (8.7m x 18.3m) |                   |                      |
| Location:         | <b>Holwell Bungalow, Widecombe-in-the-Moor</b>                 |                   |                      |
| Appellant:        | <b>Mr M Clare</b>  |                   |                      |
| Decision:         | <b>ALLOWED</b>   |                   |                      |



The Inspector considered that the main issues were whether there was a demonstrable need for the proposed agricultural livestock building on the holding and the effect of the building on the character and appearance of the walled garden.

The Inspector considered that the applicant had demonstrated his clear intent to operate a farming business from the land regardless of the lack of any existing stock at present and that this form of building was not inappropriate for meeting the needs of a farming enterprise. With the condition requiring removal on redundancy for agricultural use in accordance with policy DMD34 he considered it to be acceptable.

The Inspector considered that the cumulative impact of the building together with the approved stables would not significantly dominate the internal area of the former garden. He concluded that if taken with the extant permission for stables it would not lead to any harm or loss of significance to the non designated heritage asset (the walled garden), the original farmstead or its setting. He therefore concluded that there was no conflict with policies COR1, COR2, COR3, COR4, COR5, DMD1a, DMD1b or DMD8.

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2 Application No: D/14/2216499 District/Borough: Teignbridge District  
 Appeal Type: Refusal of Full Planning Permission - Householder Parish: Bridford  
 Proposal: Erection of two- storey extension and alterations to existing dwelling  
 Location: **Pound Cottage, Bridford**  
 Appellant: **Mr A Hawksworth**  
 Decision: **ALLOWED**  
**APPLICATION FOR AWARD OF COSTS REFUSED**



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Members will recall that this application was presented in March 2014 with a recommendation of refusal on the basis of the impact on the character and appearance of this building which was considered to be a local heritage asset.

The Inspector considered that the main issue was the effect of the development on the character and appearance of the host building and the area.

While the Inspector considered the cottage to be attractive and that it contributes to the character and appearance of the area, he was unconvinced that the building had sufficient significance to justify the status of a non-designated heritage asset.

The Inspector noted that the extension would be sizeable. However he considered that its

effect upon its surroundings would be reduced by the ridge height being lower than that of the existing cottage, the traditional design of the front element and the fact that the cottage would remain pre-eminent due to the extension being set back enabling the original structure to remain legible.

From the rear, although the extension would have a greater effect upon the cottage, the Inspector considered that this would be more than offset by the removal of the large modern conservatory.

The Inspector concluded that the proposed extension would not adversely affect the appearance of Pound Cottage or the area. In allowing the appeal he concluded that a condition requiring samples of materials was required and agreed that the suggested condition requiring details of the roof covering was reasonable and necessary. However in light of his conclusion that the property was not a heritage asset he considered that the conditions requiring details of rainwater goods and joinery details were not necessary.

## COSTS DECISION

The application for an award of costs was refused.

The Inspector stated that although he did not agree with the Authority's view on the status of the building as a heritage asset, he did not consider that stance to be unreasonable.

Although the officers report had referred to 'substantial' harm in the context of policies DMD7 and DMD8, where the appellant suggested this was the incorrect test to apply, the Inspector found that this was not significant in the decision to refuse planning permission.

The Inspector found the evidence in the report to be succinct and that there was enough information to understand those specific aspects of the proposal to which the Authority raised objection. The Inspector considered that reference to the attributes of the proposal presented a reasonably balanced report and that unreasonable behaviour resulting in unnecessary or wasted expense has not been demonstrated and that an award of costs was unjustified.

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

1 Application No:	A/14/2219966	District/Borough:	Teignbridge District
Appeal Type:	Refusal of Full Planning Permission	Parish:	Moretonhampstead
Proposal:	Erection of new dwelling		
Location:	<b>land adj Riverside, Moretonhampstead Road, Lustleigh</b>		
Appellant:	<b>Mr &amp; Mrs P Lake</b>		

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2 Application No:	A/14/2220392	District/Borough:	Teignbridge District
Appeal Type:	Refusal of Full Planning Permission	Parish:	Buckland-in-the-Moor
Proposal:	Erection of agricultural machinery store to adjoin existing building		
Location:	<b>Elliot's Farm, Buckland-in-the-Moor</b>		
Appellant:	<b>Mr T Andrew</b>		

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3 Application No: C/14/2218469 District/Borough: Teignbridge District  
Appeal Type: Enforcement Notice Parish: Hennock  
Proposal: Unauthorised residential use of a mobile home  
Location: **Land at Great Rock Farm, Hennock**  
Appellant: **Mrs F Robinson**

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

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5 Application No: C/14/2218454 District/Borough: Teignbridge District  
Appeal Type: Enforcement Notice Parish: Hennock  
Proposal: Unauthorised residential use of a mobile home  
Location: **Land at Great Rock Farm, Hennock**  
Appellant: **Miss K Reader**

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

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

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

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

---

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

---

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

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

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13 Application No: A/14/2218936 District/Borough: South Hams District  
Appeal Type: Refusal of Full Planning Permission Parish: Dean Prior  
Proposal: Erection of building for agricultural purposes, provision of hard surface and improvement to existing vehicular access  
Location: **Land opposite The Barn, Whitehead's Cross, Dean Prior**  
Appellant: **Mr & Mrs P & S Goss**

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14 Application No: C/14/2219430 District/Borough: South Hams District  
Appeal Type: Enforcement Notice Parish: Dean Prior  
Proposal: Unauthorised building/hard standing and new or altered access  
Location: **The Barn, Whiteheads Cross, Dean Prior**  
Appellant: **Mr P Goss**

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15 Application No: C/14/2219431 District/Borough: South Hams District  
Appeal Type: Enforcement Notice Parish: Dean Prior  
Proposal: Unauthorised building/hard standing and new or altered access  
Location: **The Barn, Whiteheads Cross, Dean Prior**  
Appellant: **Mr P Goss**

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16 Application No: C/14/2219432 District/Borough: South Hams District  
Appeal Type: Enforcement Notice Parish: Dean Prior  
Proposal: Unauthorised building/hard standing and new or altered access  
Location: **The Barn, Whiteheads Cross, Dean Prior**  
Appellant: **Mrs S Goss**

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**STEPHEN BELLI**

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

04 July 2014

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

Report of the Director of Planning

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

**(For further information please contact Stephen Belli)**

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

1	<b>Application No:</b> 0180/14 <b>Application Type:</b> Full Planning Permission - Householder <b>Proposal:</b> Single storey extension to side <b>Location:</b> 7 Jordan Meadow, Eastern Road, Ashburton <b>Decision:</b> Grant Conditionally	<b>District/Borough:</b> Teignbridge District <b>Parish:</b> Ashburton
2	<b>Application No:</b> 0184/14 <b>Application Type:</b> Full Planning Permission <b>Proposal:</b> Erection of roof over existing dung storage area <b>Location:</b> Waldrons Farm, Prison Farm South, Princetown <b>Decision:</b> Grant Conditionally	<b>District/Borough:</b> West Devon Borough <b>Parish:</b> Dartmoor Forest
3	<b>Application No:</b> 0187/14 <b>Application Type:</b> Listed Building Consent <b>Proposal:</b> Raise height of existing chimney above thatch <b>Location:</b> Bridford Barton, Bridford <b>Decision:</b> Grant Unconditionally	<b>District/Borough:</b> Teignbridge District <b>Parish:</b> Bridford
4	<b>Application No:</b> 0188/14 <b>Application Type:</b> Full Planning Permission - Householder <b>Proposal:</b> Replacement of existing shed/machinery store <b>Location:</b> Laneside, Southcott, Manaton <b>Decision:</b> Grant Conditionally	<b>District/Borough:</b> Teignbridge District <b>Parish:</b> Manaton

5 **Application No:** 0190/14 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission - Householder **Parish:** Ilsington  
**Proposal:** Loft conversion and roof alterations  
**Location:** Tor Hayes, Ilsington  
**Decision:** Refused

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6 **Application No:** 0191/14 **District/Borough:** South Hams District  
**Application Type:** Full Planning Permission - Householder **Parish:** Holne  
**Proposal:** Erection of single storey side extension  
**Location:** Oak Park, Michelcombe, Holne  
**Decision:** Grant Conditionally

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7 **Application No:** 0192/14 **District/Borough:** West Devon Borough  
**Application Type:** Full Planning Permission - Householder **Parish:** Mary Tavy  
**Proposal:** Extension to kitchen and first floor extension above to provide two further bedrooms  
**Location:** Oak Cottage, Bal Lane. Mary Tavy  
**Decision:** Grant Conditionally

---

8 **Application No:** 0194/14 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission **Parish:** Widecombe-in-the-Moor  
**Proposal:** Create new access from road to farm land and existing farm buildings  
**Location:** Lower Dunstone Farm, Widecombe-in-the-Moor  
**Decision:** Grant Conditionally

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9 **Application No:** 0195/14 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission **Parish:** North Bovey  
**Proposal:** Creation of equine exercise area  
**Location:** Bowden Farm, North Bovey  
**Decision:** Grant Conditionally

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10 **Application No:** 0196/14 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission - Householder **Parish:** Lustleigh  
**Proposal:** Extension including raising height of part of roof  
**Location:** The Cedars, Pethybridge, Lustleigh  
**Decision:** Refused

---

11 **Application No:** 0198/14 **District/Borough:** West Devon Borough  
**Application Type:** Full Planning Permission - Householder **Parish:** Dartmoor Forest  
**Proposal:** Single storey side/rear extension to dwelling  
**Location:** 5 New London, Princetown  
**Decision:** Grant Conditionally

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12 **Application No:** 0199/14 **District/Borough:** South Hams District  
**Application Type:** Full Planning Permission **Parish:** South Brent  
**Proposal:** Installation of solar PV panels on roof of pavilion  
**Location:** Palstone Park Recreation Ground, Exeter Road, South Brent  
**Decision:** Grant Unconditionally

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13 **Application No:** 0200/14 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission **Parish:** Moretonhampstead  
**Proposal:** Change of use of land for siting of temporary agricultural worker's dwelling  
**Location:** land at Higher Lowton Farm, Moretonhampstead  
**Decision:** Grant Conditionally

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14 **Application No:** 0201/14 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission - Householder **Parish:** Ilsington  
**Proposal:** Single storey extension and replacement of cedar tile cladding with rendered finish  
**Location:** Brambly Wood, Haytor  
**Decision:** Grant Conditionally

---

15 **Application No:** 0202/14 **District/Borough:** West Devon Borough  
**Application Type:** Full Planning Permission **Parish:** Dartmoor Forest  
**Proposal:** Roof over existing dung storage area  
**Location:** Beardown Farm, Princetown  
**Decision:** Grant Conditionally

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16 **Application No:** 0203/14 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission **Parish:** Ashburton  
**Proposal:** Temporary agricultural worker's dwelling (mobile home)  
**Location:** land at Goodstone, Bickington  
**Decision:** Withdrawn

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17 **Application No:** 0204/14 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning **Parish:** Christow  
Permission - Householder  
**Proposal:** Extension to bungalow involving raising of ridge height and extension to detached garage  
**Location:** Lower Commons, Bridford Road, Christow  
**Decision:** Grant Conditionally

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18 **Application No:** 0205/14 **District/Borough:** South Hams District  
**Application Type:** Full Planning **Parish:** Cornwood  
Permission - Householder  
**Proposal:** Single storey extension  
**Location:** Langham Hill Cottage, Ivybridge  
**Decision:** Grant Conditionally

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19 **Application No:** 0206/14 **District/Borough:** South Hams District  
**Application Type:** Full Planning **Parish:** Cornwood  
Permission - Householder  
**Proposal:** Installation of insulated render on south-west and south-east elevations  
**Location:** Houndle Farm, Ivybridge  
**Decision:** Grant Unconditionally

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20 **Application No:** 0207/14 **District/Borough:** West Devon Borough  
**Application Type:** Certificate of Lawfulness **Parish:** Chagford  
for an existing use  
**Proposal:** Certificate of Lawfulness for the existing use of part of barn as a dwelling  
**Location:** Trevery, Easton Cross, Chagford  
**Decision:** Certificate not issued

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21 **Application No:** 0208/14 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning **Parish:** Christow  
Permission - Householder  
**Proposal:** Ornamental granite wall and oak pergola  
**Location:** 1 Mines Cottages, Christow  
**Decision:** Grant Conditionally

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22 **Application No:** 0209/14 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning **Parish:** Lustleigh  
Permission - Householder  
**Proposal:** Replacement single storey extension (renewal of app 0137/11)  
**Location:** 12 Pethybridge, Lustleigh  
**Decision:** Grant Conditionally

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23 **Application No:** 0210/14 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission - Householder **Parish:** Lustleigh  
**Proposal:** Two-storey extension  
**Location:** Cothland Barn, Lustleigh  
**Decision:** Grant Conditionally

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24 **Application No:** 0211/14 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission **Parish:** Ashburton  
**Proposal:** Installation of 16 solar panels on roof of existing agricultural building  
**Location:** Higher Bowdley Farm, Ashburton  
**Decision:** Grant Conditionally

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25 **Application No:** 0212/14 **District/Borough:** West Devon Borough  
**Application Type:** Full Planning Permission - Householder **Parish:** Horrabridge  
**Proposal:** Single storey extension to rear  
**Location:** Sortridge Farm, Horrabridge  
**Decision:** Grant Conditionally

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26 **Application No:** 0214/14 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission - Householder **Parish:** Moretonhampstead  
**Proposal:** Extensions and alterations incorporating timber cladding  
**Location:** Mardon View, North Bovey Road, Moretonhampstead  
**Decision:** Withdrawn

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27 **Application No:** 0216/14 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission - Householder **Parish:** Dunsford  
**Proposal:** Alterations to convert garage to domestic use and erection of new detached garage, raised patio to rear with roof over  
**Location:** Stadmans, Dunsford  
**Decision:** Grant Conditionally

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28 **Application No:** 0217/14 **District/Borough:** West Devon Borough  
**Application Type:** Certificate of Lawfulness for a proposed development **Parish:** Drewsteignton  
**Proposal:** Certificate of lawfulness in respect of a proposed development for the erection of a replacement conservatory  
**Location:** Lower Venton, Drewsteignton  
**Decision:** Certificate issued

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29 **Application No:** 0218/14 **District/Borough:** West Devon Borough  
**Application Type:** Full Planning Permission **Parish:** Lydford  
**Proposal:** Change of use of hotel with cycle hire and café to boarding school with cycle hire and café  
**Location:** Lydford House, School Road, Lydford  
**Decision:** Withdrawn

---

30 **Application No:** 0221/14 **District/Borough:** South Hams District  
**Application Type:** Full Planning Permission - Householder **Parish:** South Brent  
**Proposal:** Repair the roof of the log shed and extend it to create a larger covered log storage area  
**Location:** The Rock, South Brent  
**Decision:** Grant Conditionally

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31 **Application No:** 0222/14 **District/Borough:** West Devon Borough  
**Application Type:** Full Planning Permission - Householder **Parish:** Chagford  
**Proposal:** Demolition of existing conservatory and replace with new  
**Location:** Little Laskeys, Waye Hill, Chagford  
**Decision:** Grant Unconditionally

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32 **Application No:** 0223/14 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission - Householder **Parish:** Dunsford  
**Proposal:** Erection of workshop/garage  
**Location:** land adjacent to The Old Stables, Dunsford  
**Decision:** Grant Conditionally

---

33 **Application No:** 0224/14 **District/Borough:** South Hams District  
**Application Type:** Full Planning Permission - Householder **Parish:** Cornwood  
**Proposal:** Creation of first floor balcony with spiral staircase  
**Location:** 44 Abbots Park, Cornwood  
**Decision:** Grant Unconditionally

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34 **Application No:** 0227/14 **District/Borough:** West Devon Borough  
**Application Type:** Full Planning Permission - Householder **Parish:** Chagford  
**Proposal:** Retrospective application for garden landscape operations  
**Location:** Great Weeke House, Chagford  
**Decision:** Grant Conditionally

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- 35 **Application No:** 0229/14 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission - Householder **Parish:** North Bovey  
**Proposal:** Rear and side extensions to existing dwelling  
**Location:** Greenbank, The Village, North Bovey  
**Decision:** Grant Conditionally
- 
- 36 **Application No:** 0235/14 **District/Borough:** West Devon Borough  
**Application Type:** Full Planning Permission - Householder **Parish:** South Tawton  
**Proposal:** Demolition of outbuilding. Erection of two storey side extension.  
**Location:** 6 The Croft, South Zeal  
**Decision:** Grant Conditionally
- 
- 37 **Application No:** 0238/14 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission - Householder **Parish:** Hennock  
**Proposal:** Heighten existing boundary fence with trellis top  
**Location:** Hazelwood House, Hennock  
**Decision:** Grant Unconditionally
- 
- 38 **Application No:** 0261/14 **District/Borough:** West Devon Borough  
**Application Type:** Full Planning Permission **Parish:** Sticklepath  
**Proposal:** Proposed conversion of barn to holiday let and creation of new access, parking area and curtilage  
**Location:** Barn at Coombe Head Farm, Tongue End, Okehampton  
**Decision:** Withdrawn
- 
- 39 **Application No:** 0265/14 **District/Borough:** South Hams District  
**Application Type:** Prior Notification **Parish:** Holne  
**Proposal:** Prior Notification for the erection of an agricultural storage barn (24m x 19m)  
**Location:** Holne Park Farm, Ashburton  
**Decision:** No objection
- 
- 40 **Application No:** 0266/14 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission - Householder **Parish:** Ashburton  
**Proposal:** Replacement single storey extension  
**Location:** 2 Rock Park, Ashburton  
**Decision:** Withdrawn
- 

**STEPHEN BELLI**

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

04 July 2014

**ENFORCEMENT ACTION TAKEN UNDER DELEGATED POWERS**

Report of the Director of Planning

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

**(For further information please contact James Aven)**

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

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1 Enforcement Code: <b>ENF/0244/13</b>	District/Borough: <b>West Devon Borough</b>
Grid Ref : <b>SX497708</b>	Parish : <b>Whitchurch</b>
Breach : <b>Change of use of agricultural land to domestic garden</b>	
Location : <b>Land at Brockhurst, Grenofen, Tavistock, PL19 9EP</b>	
Action taken / Notice served	<b>No further action taken</b>

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2 Enforcement Code: <b>ENF/0253/13</b>	District/Borough: <b>Teignbridge District</b>
Grid Ref : <b>SX802805</b>	Parish : <b>Bovey Tracey</b>
Breach : <b>Unauthorised raised deck to the front of the property</b>	
Location : <b>7 Hawkmoor Cottages, Bovey Tracey</b>	
Action taken / Notice served	<b>No further action taken</b>

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**STEPHEN BELLI**