

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

10 January 2014

**APPLICATIONS FOR DETERMINATION BY THE COMMITTEE**

Report of the Director of Planning

INDEX

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

1. 0853/07 - Residential development of 19 dwellings and associated works (Full Planning Permission), Blackdown Garage, Mary Tavy
2. 0586/12 - Erection of one pair of semi-detached dwellings and associated works (Outline Planning Permission), land to the north of Blackdown Garage and adj to Grace and Favour, Mary Tavy
3. 0517/13 - Erection of a ground mounted 4 KW solar photovoltaic array for domestic use (Full Planning Permission), Land adjacent to Bridge House Lodge, Lydford
4. 0611/13 - Erect wooden interpretation board on legs (Full Planning Permission), Harford Moor Gate Car Park, Ivybridge

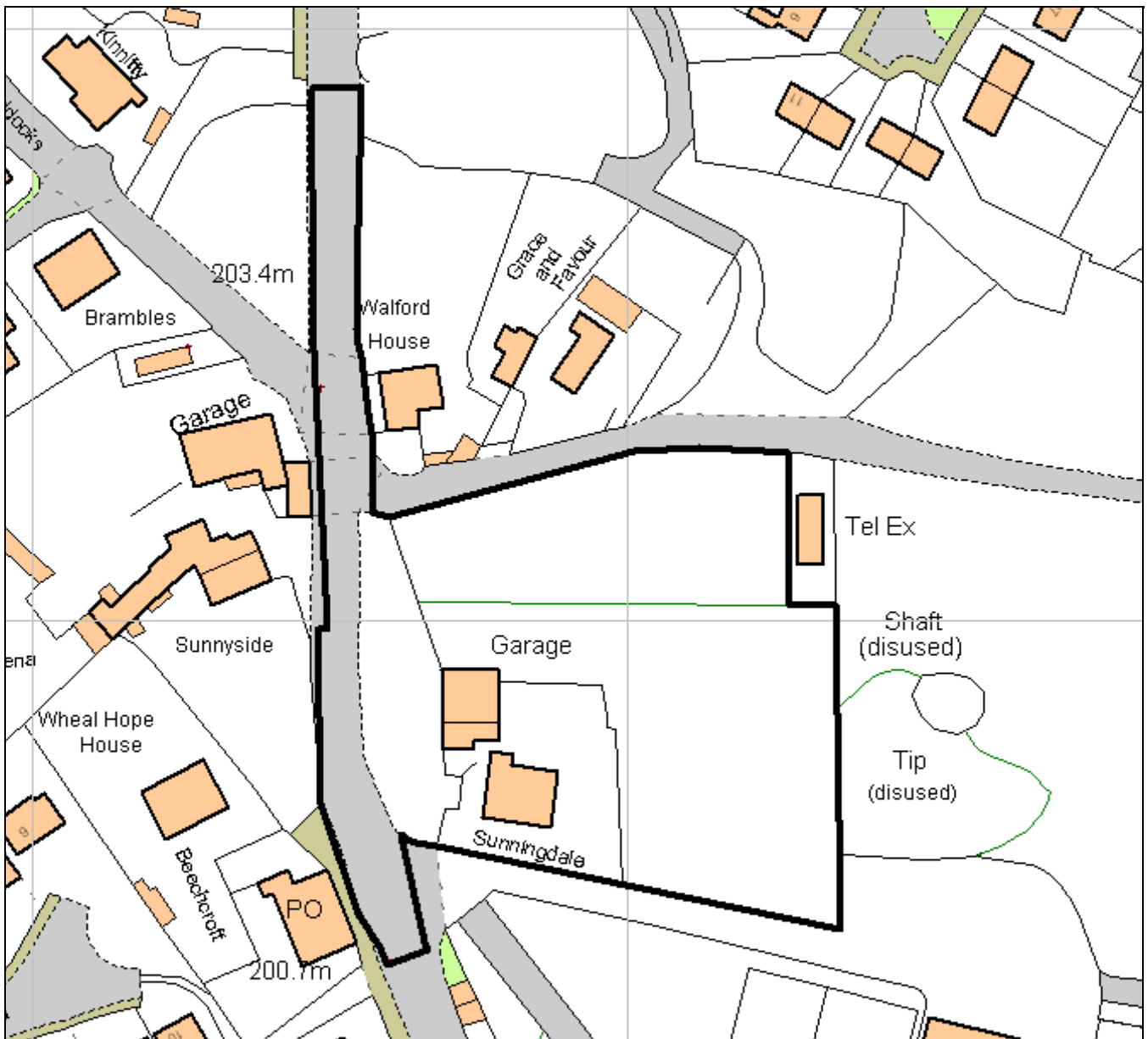
1. Application No: **0853/07**  
Application Type: **Full Planning Permission**  
Grid Ref: **SX502794**

District/Borough: **West Devon Borough**  
Parish: **Mary Tavy**  
Officer: **Christopher Hart**

Proposal: **Residential development of 19 dwellings and associated works**

Location: **Blackdown Garage, Mary Tavy**

Applicant: **Collier Holdings**



© Crown copyright and database rights 2013 Ordnance Survey 100024842

50m  
Scale 1:1250 @ A4

Recommendation **That, subject to the completion of a Section 106 Agreement in respect of the provision and occupation of the local needs housing, phasing of development, maintenance of common areas and off-site highway works, including a contribution of £58,000 towards additional off-site highway works, permission be GRANTED**

### **Condition(s)**

1. Standard 3 Year Condition - AO1
2. Submit Landscaping Scheme - LO1
3. Archaeology - Watching Brief - XO2
4. Wildlife Conservation - WO5
5. Natural Slate -EO4
6. Painted timber - EO6
7. The full details of all means of enclosure shall be submitted to and approved by the Local Planning Authority prior to the commencement of such works. The works shall be carried out in accordance with the approved details.
8. Unless otherwise previously approved in writing by the Local Planning Authority, all the proposed parking spaces shall be provided in accordance with the phased development and approved details prior to the occupation of the dwellings and shall be retained for this purpose in perpetuity.
9. Prior to the occupation of any of the dwellings hereby approved, the access roads and pavements shall be completed to a standard previously agreed in writing by the Local Planning Authority.
10. Prior to the commencement of the development hereby approved full drainage details for both on and off-site areas, including maintenance and management responsibilities shall be submitted to and approved by the local planning authority. Such development shall be carried out in accordance with the approved details and be completed prior to the occupation of the first unit.
11. No development shall take place until full details of all external materials, finishes, surfacing, windows and doors have been submitted to the Local Planning Authority for approval. Thereafter all such works shall take place in accordance with these approved details.
12. The full details of any street or other external lighting, shall be submitted to and approved by the Local Planning Authority prior to its installation.
13. No development shall take place until a contaminated land remediation strategy has been submitted to and approved by the Local Planning Authority. Thereafter, all such works shall take place in accordance with these approved details.

### **Introduction**

The site is a rectangular area of land, formerly used as a motor repair garage and filling station. It lies adjacent to and on the eastern side of the A386 in the centre of Mary Tavy approximately 6km north of Tavistock. It was the site of the former Blackdown Garage. The site has been unoccupied since the garage ceased trading over five years ago. The canopy to the filling station at the front of the property has been removed. A small unoccupied bungalow and further storage building remain on the site. The rest of the site is largely overgrown. The site is bounded by a public bridleway to the north and the access track to the nearby Coronation Hall.

The proposal is for the erection of 19 dwellings on the site with one point of access only, being



covered by a condition requiring the details to be submitted and approved prior to the commencement of any development on the site.

2013

No further comments

Historic Buildings Officer:

A watching brief will be required during the course of the development and if any significant archaeological features are found, there is a strong possibility that this would lead to a full excavation. However, the likelihood of this is low. The most possible discoveries would be adits, levels or stops.

DNP - Trees & Landscape:

It is considered that it will not be feasible to retain isolated pockets of trees on the site which would lead to isolated areas of untreated, polluted land. It is realistic to consider what can be done to replace the trees that would probably have to be lost. In addition, herbicide treatment used to eradicate the knotweed may also affect the trees on the site. The landscaping scheme should now show trees as being replaced and this approach was confirmed by the Environmental Health Officer, to avoid untreated areas of land. Where necessary, super standard trees should be used in the scheme and it has been agreed that the proposed planting should include less use of non-native shrubs.

The plans now show all trees being removed as expected. This will need to be compensated by appropriate landscaping. The use of Devon banks around the site should be extended across the whole frontage, albeit lower, in front of the green, to reflect this village feature of front enclosures.

Environmental Health (WDBC): 2007

Prior to commencement, a contaminated land remediation strategy should address specified issues set out in their consultation letter. These need to be previously agreed with the Environmental Health Officer who would accept a condition requiring this.

2013

Continue to request proper action to deal with contamination of site prior to development taking place.

DNP - Ecology & Wildlife Conservation:

2007

There are no protected species existing on the site. Anything that had been on the site has been lost through stripping. However, there is some concern regarding the possibility of bats using shafts around and beneath the site. A report has been requested with regard to the possibility that bats are using the mine and adits.

DCC (Children & Young People's Services):

2013

No requirement for a contribution to education infrastructure.

West Devon Borough Council: The 2007 investigation identified the possibility of the site being affected by historic mining activity as such this will need to be included in the investigation forming part of the pre-commencement conditions.

DNP - Ecology & Wildlife  
Conservation:

2007

There are no protected species existing on the site. Anything that had been on the site has been lost through stripping. However, there is some concern regarding the possibility of bats using shafts around and beneath the site. A report has been requested with regard to the possibility that bats are using the mine and adits.

2013

An ecological survey was carried out in 2008 to assess what protected species and notable habitats were present on the site. The consultant found evidence of bats roosting in the bungalow which is to be demolished as part of the plan development. At that time there was no evidence of bats using the nearby Stephen's shaft. He also acknowledged that there was potential for this site to support breeding birds, reptiles and dormice. A new survey, updating these findings will therefore be required.

The application also offers the opportunity to incorporate positive biodiversity features such as bat slates, in built bird boxes and wildflower areas on the amenity spaces.

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

Mary Tavy PC:

October 2007

The full Parish Council has considered the scheme as it now stands. The Parish Council was unanimous in providing its full support with the caveat of the inclusion of the drainage conditions proposed by WDBC. The Parish Council is pleased that the major concerns they had with the original proposal have been overcome by the changes made by the developer in both design and detail for this very prominent site.

February 2013

The PC is keen to see the final 2008 development plan implemented in its entirety. It is willing to support the additional development proposed in application ref 0586/12 provided that it is fully integrated with the Blackdown Garage redevelopment. It is important that the full cost of site decontamination and remediation is taken into account in the revised viability report. The funding of highways and drainage infrastructure off site is a high priority feature of the plan which the PC would not wish to see compromised. It would be unhappy to see the development proceed without the inclusion of an element of affordable housing. It is acknowledged that there is no need for education contributions given that the primary school has sufficient

capacity to accommodate additional children brought to the village by this development.

## **Relevant Development Management and Delivery Development Plan Document Policies**

COR1 - Sustainable Development Principles  
COR15 - Providing for limited new housing to meet local needs  
COR21 - Dealing with development and transport issues in a sustainable way  
COR24 - Protecting water resources from depletion and pollution  
COR3 - Protection of Dartmoor's special environmental qualities  
COR4 - Design and sustainable development principles  
COR6 - Protecting Dartmoor's Archaeology  
COR7 - Providing for the conservation of Dartmoor's varied plant and animal life and geology  
DMD13 - Archaeology  
DMD14 - Biodiversity and geological conservation  
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  
DMD22 - Residential development in Rural Settlements  
DMD3 - Sustaining the quality of places in Dartmoor National Park  
DMD38 - Access onto the highway  
DMD4 - Protecting local amenity  
DMD40 - Parking provision - Residential  
DMDMTV2 - Mixed use development site centre of Mary Tavy

## **Representations**

4 letters of objection 1 other letter

The objections stated below are a summary of comments received from the initial consultation undertaken in 2007. They remain on file.

The objections raised, particularly in one letter, refer to the development being in the wrong location, that a roundabout is not required and that to have houses fronting onto the main road is unsafe. In addition, the layout is considered too dense and the development out of keeping with the village. There is insufficient parking and insufficient space at the nearby school. The proposed green is inappropriately sited adjacent to the main road and should instead be used for parking for the nearby shop and post office. Concern is also expressed regarding the historic mining activity. The amended plans do not offer much change.

The Mary Tavy Coronation Hall trustees object to the rerouting of the access to the hall through the proposed development.

The Mary Tavy Victory Memorial Recreation Ground Trust has written extensively in its objection to the proposed development and notes that it does so as being responsible for the recreational facilities and landlords of the Coronation Hall. In particular, the

objections raised refer to the (then) proposed link from the estate to the existing driveway to the hall, maintenance issues, traffic generation along this route, access issues and that there is insufficient parking for the shop/post office.

## **Observations**

### **HISTORY**

The application was submitted to the Authority in October 2007 for the redevelopment of this site for a total of 19 dwellings. This was seeking to meet part of the objective of the former Local Plan policy MTV2; namely the redevelopment and enhancement of this and associated sites within the village for a mixed-use development incorporating housing, parking provision to serve the village shop and public amenity space. The previous applicants spent many months designing a scheme around these parameters.

Following a site inspection in September 2008, it was presented to the Development Control Committee in November 2008 where the Committee resolved to grant planning permission, with the imposition of 11 conditions, subject to the following provisions;

- (i) The completion of a s106 agreement in respect of five units of affordable housing
- (ii) Maintenance of common areas (including drainage if necessary)
- (iii) Off-site highway works including a contribution of £58000 towards highway improvements in the centre of the village

The planning permission stated that five of the nineteen units were to provide affordable housing managed by a Housing Association. Subsequent negotiations, relating to available funding at that time, raised the expectation that up to nine of the units could have been provided as affordable dwellings.

Negotiations towards the necessary legal agreement were protracted, primarily due to funding issues related to the amount of grant aid on offer to the preferred Housing Association at that time. It transpired that in February 2010 the developer of the site went into receivership before the legal agreement could be resolved. The site was subsequently placed on the market and due to prevailing market conditions, did not attract a new owner until it was put to auction in October 2011. The new (and current) owner completed on the purchase in December 2011.

The application has essentially lain dormant since the committee resolution. It was the preferred option not to refuse planning permission on the basis that a firm resolution to grant had been made and that this was a positive incentive to any prospective purchaser and seen as a way of encouraging the long term development of this site.

In taking over the site the new owner has shown his willingness to engage with the Authority to progress development. His preferred option is to resurrect the 2008 scheme on the basis that this had received local support and from the Authority. The detailed plans to be determined at today's date are therefore those which were presented to Members in 2008. There has been a need to reassess these against the current policy base, to review viability issues and also to reconsult to consider any fresh information and views.

### **THE PROPOSAL**

The detailed plans for the development of the site relate to those agreed in 2008. This is for the demolition of all structures on the site, its clearance and the erection of a mixed residential



development of 19 dwellings in the form of 4 four bed, 13 three bed and 2 two bed houses. The dwellings would be laid out, in the majority, as small terraces and semi-detached units with a single new access off the main route through the village (A386). The design includes elements of open space and an attractive 'green' at the front of the site. The revised proposal now offers the 2 two bed units as affordable dwellings under the Authority's intermediate housing model.

The style of the proposed development is traditional in its form and detailing, using a simple palette of stone clad and rendered elevations, elements of slate hanging under natural slate roofs. It takes its references from the simple traditions of earlier housing within the settlement. The central access road serves a variety of small courtyard parking areas. The site is enclosed on its northern, eastern and southern aspects by new hedge boundary treatments.

There are a variety of housing styles and sizes proposed. The architectural treatments reflect this and provide an interesting mix of forms, a variety of broken terraced rooflines and differing orientations linking well with the character of the settlement as a whole. It is intended to introduce heavy standard trees to provide instant landscape impact in the centre of the development. The proposed village green on the north west aspect of the site provides a focus for the centre of the village which is currently lacking.

## POLICY

There have been significant changes in policy since the last presentation to Members in 2008. The National Planning Policy Framework has arrived. While the Core Strategy remains in place, the DMD has now been adopted. The Design Guide has also been produced in the interim. A conservation area was formally designated in 2010. This follows around the boundary of the site.

Mary Tavy is defined as rural settlement where, in normal circumstances, the opportunity for open market housing would not exist. However, the policy background set out in the former Local Plan recognised that there were likely to be exceptional circumstances required to facilitate the redevelopment of this and other important sites within the core of the village. The thrust of that policy has been absorbed into the DMD policy DMDMTV2 which seeks;

'To improve the character and appearance of the centre of Mary Tavy, three sites totalling 1.0 hectares are allocated for mixed-use development incorporating;

- (i) Housing, including an element of affordable housing to meet local needs
- (ii) Parking provision to serve the village hop/post office users
- (iii) Public amenity space

Traffic calming measures and a contribution towards education facilities will be sought through planning obligations. Proposals on this site should be supported a development brief prepared in association with the local community and relevant stakeholders'

It has been a long term ambition of the Authority and local community to see an appropriate redevelopment of this site since 2004.

Placed against this background the current scheme is a well conceived development which addresses some of the fundamental requirements of policy in that it is development in a sustainable location making the best use of previously developed land close to the principle amenities of the settlement. It provides a real enhancement opportunity in a very public

location. The development therefore meets the principles of the Core Strategy and reflects well against the specific policies of the DMD in respect of sustainable principles, good design with recognition of biodiversity, parking standards and safe access to the public highway. It also acknowledges the requirements of dealing with substantial contamination issues on the site.

## VIABILITY & AFFORDABLE HOUSING PROVISION

Bearing in mind this is a site within a rural settlement where the normal aspiration would be for 100% affordable housing, a detailed viability assessment has been required. It has been acknowledged that the site has a number of significant abnormal costs associated with its development. These include extensive soil contamination related to historic mining activity (necessitating the removal and disposal of all current topsoil), the demolition and removal of unsightly buildings, eradication of invasive Japanese knotweed infestation and a community desire to see highway improvements to calm traffic on the main route through the village (a contribution of £58000). These have all had a significant effect on the viability of development opportunities. The DMD policy recognises this means that the opportunity for a high proportion of affordable housing is not likely.

A detailed housing needs survey in 2011 identified a need for four affordable dwellings.

The scheme has been fully appraised in terms of development costs, factoring in the known costs of remedying contamination issues, up to date build costs and the desired contributions to off site highway works. This has resulted in an acceptance that the current scheme can only realistically deliver two affordable housing units. At this scale a Housing Association would not be appropriate to manage the properties, hence the presentation of these as units under the Authority's intermediate model of affordable housing where both occupancy and future value are restricted. While this is a significant shift from the five units anticipated under the original resolution, it reflects the current development market and increased development costs. While it is a separate application the viability assessment has taken into the account the likely receipts from the development of the two dwellings on the adjacent site detailed in the following report (application ref 0586/12).

The anticipated delivery of two affordable units therefore goes some way to meeting currently expressed demand. It is likely that further provision will be requested when the anticipated redevelopment of the neighbouring Downs Garage site takes place within the plan period. At the time of writing a planning application had just been received for the redevelopment of that site. This will be presented to Committee later in 2014.

## CONSULTATIONS

Given the time lapse since this matter was first presented to Members it has been necessary to reconsult statutory consultees to gauge current opinion on the development proposal. In all cases there remains support for the development and no new significant factors to reconsider. The requirements of the Drainage Authority, Environment Agency and Highway Authority can all still be accommodated whether through the legal agreement or suitable conditions placed on the permission.

The Parish Council remain strongly supportive of the principle of this scheme given the significant community benefits that will accrue.

## SUMMARY

This is a scheme which has its origins in the former Local Plan. The desire to see redevelopment of this and other sites within the village will have significant benefits to the community. This is seen as the first stage in the delivery of the objectives set out in DMD policy MTV2. It is anticipated that this will be the catalyst to seeing the redevelopment of the neighbouring sites in this location. It is disappointing that it has taken six years to reach this stage however, this has been largely due to circumstances beyond the Authority's control. While the anticipated mix of market and affordable housing has shifted in its balance, having reassessed the viability of the scheme at today's prices, Officers are satisfied that this is the best that can be achieved at this time. It also acknowledges that we have a landowner who is keen to progress the scheme and willing to deliver a strategic objective of the development plan and desire of the local community.

While the release of this permission does not guarantee development it in itself it is important to note that the legal agreement will be drafted in such a way as to ensure that viability issues are refreshed should development not start within two years of the grant of permission.

It is anticipated that the quality of the layout and design of the development will meet many of the current design requirements and will be a significant visual enhancement to the village and the wider National Park.

## CONCLUSION

Tested against the current policy regime the scheme continues to offer an opportunity for a positive redevelopment of this previously developed site. It meets the objectives of sustainable development and enhances the visual environment whilst offering both direct and indirect community benefits.

---

2. Application No: **0586/12**  
Application Type: **Outline Planning Permission**  
Grid Ref: **SX502794**

District/Borough: **West Devon Borough**  
Parish: **Mary Tavy**  
Officer: **Christopher Hart**

Proposal: **Erection of one pair of semi-detached dwellings and associated works**

Location: **land to the north of Blackdown  
Garage and adj to Grace and  
Favour, Mary Tavy**

Applicant: **Collier Holdings**



© Crown copyright and database rights 2013 Ordnance Survey 100024842

50m  
Scale 1:1250 @ A4



West Devon Borough Council: The site has the potential to be contaminated in relation to the former uses in this location. A contamination survey and suitable remediation measures should be requested before development commences.

DNP - Archaeology: The proposed development is situated in the centre of the old mine working area of Wheal Friendship which was active from at least the late C18th. An archaeological assessment should be carried out before application is determined.

DNP - Trees & Landscape: No objection.  
The trees growing on the site appear to be in reasonable health. Individually the trees are not particularly special, but they do have collective value. However, the loss of the trees will have a minimal impact on the character of the area because of the large number of trees growing nearby.

DNP - Ecology & Wildlife Conservation: There is little biodiversity interest related to the application site. There is potential for nesting birds therefore any vegetation clearance should avoid the nesting season.

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

Mary Tavy PC: Support application.

The PC reviewed the application, design and access statement, plan and elevation drawings and noted a DCC recommendation for refusal on grounds of increase in traffic using the bridleway and a lack of visibility onto the A386. The PC noted officer recommendations that geotechnical and archaeological surveys should be called for but specifically draw attention to the likelihood of contaminated land and mine workings in the vicinity of the site.

Noting that the application is for outline planning permission and the site lies within the designated conservation area, it does not comply with policy DMD 9 (ii) nor Policy DMD23 which respectively require the submittal of a detailed application and limit any new build construction to affordable housing.

The PC are not prepared to support this application in isolation but agreed to permission conditional on approval being given for the development of the adjoining Blackdown Garage site with detailed design and construction being fully integrated into that plan. The PC feel that survey and contamination issues affecting both sites should be dealt with together and that approval of proposed highway works associated with the Blackdown Garage site could, when implemented, do much to alleviate highway access and visibility concerns relating to this application.

The PC would expect any finishes to match the adjoining development.

### **Relevant Structure Plan Policies**

CO2 - National Parks

### **Relevant Development Management and Delivery Development Plan Document Policies**

BL4 - Development in or affecting a Conservation Area

COR1 - Sustainable Development Principles

COR15 - Providing for limited new housing to meet local needs

COR4 - Design and sustainable development principles

DMD1 - Delivering National Park purposes and protecting Dartmoor's Special Qualities

DMD12 - Conservation Areas

DMD17 - Development on contaminated land

DMD22 - Residential development in Rural Settlements

### **Representations**

3 letters

If development is to proceed it is requested that the following is addressed; the protection of existing boundary hedges, tree protection, eradication of Japanese Knotweed, investigation of potential land contamination, an assessment of environmental issues. There are also concerns relating to the privacy and security of a neighbouring property including the potential impact on natural light.

It is also considered that the development and enhancement of the neighbouring Blackdown Garage site should be given priority.

### **Observations**

#### **THE PROPOSAL**

The application seeks outline permission for the erection of two semi-detached dwellings where all matters are reserved at this stage. Determination of this application has been delayed pending the discussions relating to the submitted application for the redevelopment of the neighbouring Blackdown Garage site as there is a direct link not only in ownership but also related to the discussions concerning viability issues on that site.

The site in question is a small area of previously developed land which is occupied by a dilapidated garage building and now colonised by semi-mature tree cover. It has an existing residential property, 'Grace & Favour' on its western boundary. Access to the plot is byway of an unmade access track linking with the A386 in the centre of the village. This track is also used as a public bridleway.

Illustrative plans show a pair of two storey semi-detached dwellings to be constructed in a style to match that proposed on the neighbouring site.

#### **POLICY**

The site lies within the conservation area, outside of the parcel of land allocated for development under the Development Management and Delivery Development Plan Document (DMD) policy MTV2. In policy terms it is therefore a site that lies within a rural settlement where the normal expectation would be that residential development should only be entertained where it seeks to meet an identified need for affordable housing. The proposal is therefore a departure from the Core Strategy policy COR15 and the DMD policy DMD22.

However, it does have wider implications in that it is inextricably linked to the proposed development opportunities outlined in application ref 0853/07 described in the preceding report. The viability of that development has been assessed on the basis of an open market development of two dwellings on this site and it has been concluded that there is sufficient merit in recommending approval of this application as enabling development to facilitate the community benefits that are likely to accrue from the redevelopment of the Blackdown Garage site.

## CONSULTATION RESPONSES

The Parish Council comments are significant in that they draw a specific link between this development and that proposed on the adjacent site. Its qualified support for the proposal recognises that this development will assist the viability of the larger scheme with the end goal of providing an element of affordable housing, highway improvements and a significant visual enhancement of the centre of the village.

Highway concerns are noted however, these comments are based on the situation as it currently exists. If it transpires that permission is forthcoming for the redevelopment of the Blackdown Garage site, that permission is conditional on highway improvements being carried out at the point where the access for this development would meet the A386. At such time it is considered that a safe access would be available and it is understood that a highway objection would not be sustained. A 'Grampian' condition preventing the development of this plot until such time as these anticipated highway works are undertaken is considered to be an appropriate way of dealing with this matter.

While tree cover has regenerated on the site in recent years it is acknowledged that this would be lost if the principle of development is allowed. It is considered that this would not have a detrimental impact on the wider character of the settlement.

Matters relating to contamination, invasive Japanese Knotweed and protected species can all be dealt with adequately by condition for further consideration at the detailed stage.

## SUMMARY

In isolation this is a proposal which does not meet the requirements of local policy in respect of residential development in designated rural settlements. However, when considered alongside the development in the preceding report it is a proposal which would enable that development to be recommended for approval in that it provides additional revenues that help make that scheme viable. It is in close proximity to that development and is visually linked so as to appear as a small extension to that proposal. It is the applicant's intention to follow the design template already agreed however, that will be subject to confirmation at the detailed stage should this permission be granted.

As existing, the current highway layout precludes implementation of this development. It is proposed that a specific condition is applied to ensure that this development cannot be



enacted until those works are in place and a safe access can be achieved.

## CONCLUSION

In recommending this application for approval, this should be seen in its context as development which will enable the delivery of part of the objectives presented in DMD policy MTV2 in that it will directly support the viability of the proposed development on the Blackdown Garage site. It will therefore contribute to the significant community benefits allied to that scheme to the benefit of the community as a whole. To that end it cannot proceed until such time as the highway works are undertaken. This is considered to be sufficient to offset the policy concerns that would normally apply to this form of development if it were to be considered in isolation.

---

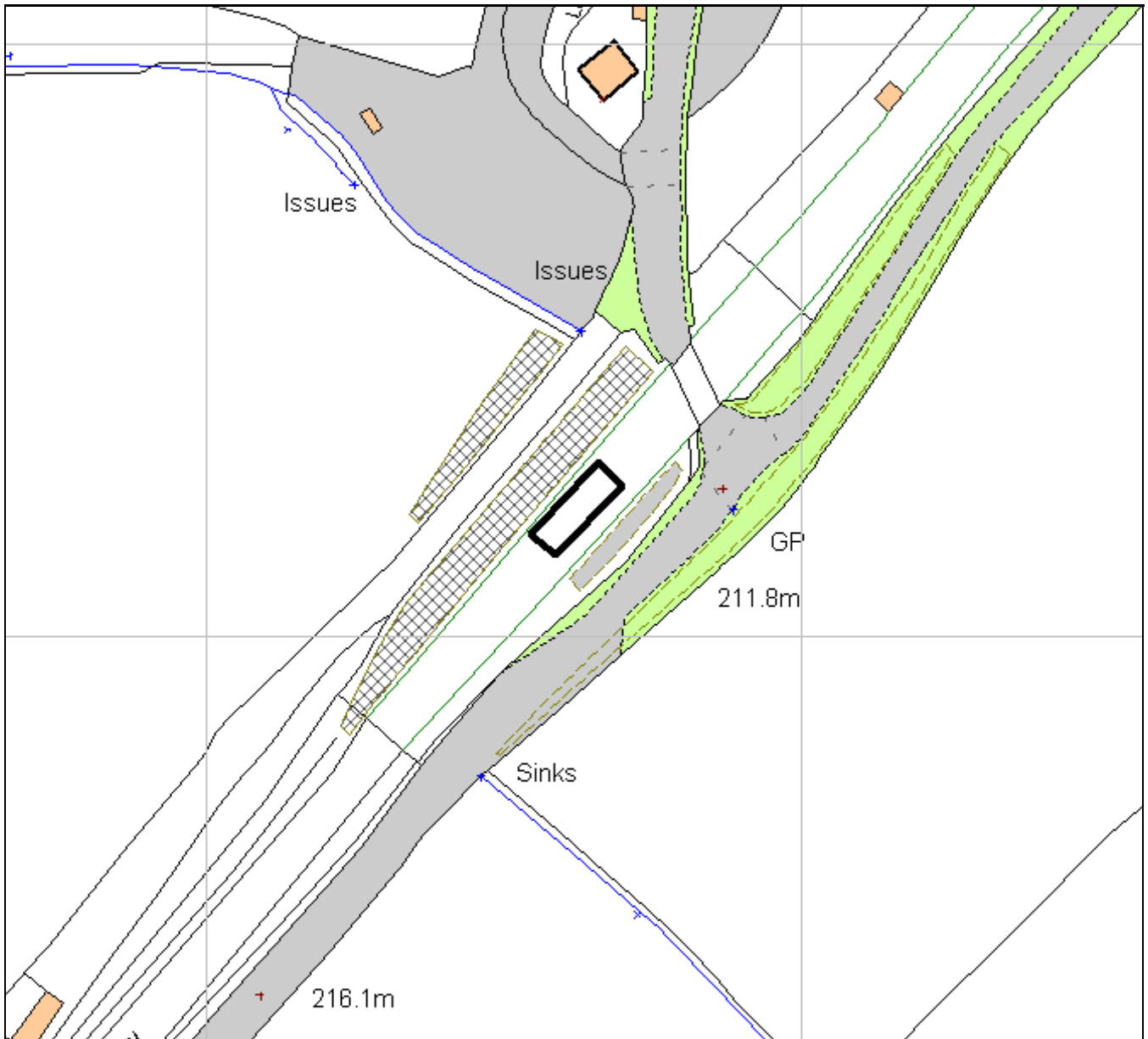
3. Application No: **0517/13**  
Application Type: **Full Planning Permission**  
Grid Ref: **SX509842**

District/Borough: **West Devon Borough**  
Parish: **Lydford**  
Officer: **Oliver Dorrell**

Proposal: **Erection of a ground mounted 4 KW solar photovoltaic array for domestic use**

Location: **Land adjacent to Bridge House Lodge, Lydford**

Applicant: **Miss J Gannon**



© Crown copyright and database rights 2013 Ordnance Survey 100024842

50m  
Scale 1:1250 @ A4

## Recommendation **That permission be REFUSED**

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

1. The proposed solar PV panels, by reason of their form, materials and location divorced from existing buildings, would introduce a harmful urbanising development that would be detrimental to the visual amenity and the character of this part of the Dartmoor National Park. The proposal is therefore contrary to policies COR1, COR2, COR3, COR4 and COR10 of the Dartmoor National Park Core Strategy Development Plan Document, policies DMD1b, DMD5 and DMD15 of the Dartmoor National Park Authority Development Management and Delivery Development Plan Document and to the advice contained in The English National Parks and The Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.

### **Introduction**

This is a full planning application for the erection of a ground mounted solar photovoltaic array on a part of the dismantled railway near Bridge House Lodge, Lydford.

The proposal is for a total of 16 panels arranged in two rows consisting of four twin sets of panels.

Each row would measure 3.9m by 1.6m and would be arranged on aluminium framing set at a 30 degree angle, with the highest part of the structure being 2.5m above ground level. The framing would be secured to the ground using concrete pads.

A pre-application enquiry was submitted to confirm that planning permission would be required for the proposal.

This application is presented to Committee as a result of the comments of the Parish Council.

### **Consultations**

West Devon Borough Council:	Does not wish to comment
County EEC Directorate:	No highway implications
South West Water:	No objection
Environment Agency:	Standing advice - flood zone 1
DNP - Archaeology:	No archaeological concerns

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

Lydford PC:	Support
-------------	---------

### **Relevant Development Management and Delivery Development Plan Document Policies**

COR1 - Sustainable Development Principles  
COR10 - Providing for renewable energy  
COR2 - Settlement Strategies  
COR3 - Protection of Dartmoor's special environmental qualities  
COR4 - Design and sustainable development principles

COR6 - Protecting Dartmoor's Archaeology

DMD13 - Archaeology

DMD15 - Renewable energy

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

DMD5 - National Park Landscape

### **Representations**

None to date.

### **Observations**

## **POLICY CONSIDERATIONS**

Renewable energy proposals within National Parks need careful consideration to ensure that there will be no adverse impacts on the intrinsic qualities of the protected landscape, namely the natural beauty, wildlife and cultural heritage.

Policy COR1 requires all new development proposals to respect and enhance the character and quality of local landscapes and the wider countryside and to sustain local distinctiveness. Policy COR4 requires new development proposals to demonstrate a scale, layout, and use of materials appropriate to the site and its surroundings.

Policy COR10 supports the principle of small scale renewable energy schemes, including solar PV, subject to there being no over-riding environmental or amenity considerations. This approach is reflected in policy DMD15 which highlights the requirement for renewable energy installations not to cause significant harm as a result of size, scale, colour or glare.

## **SITE AND SURROUNDINGS**

The site comprises a small section of dismantled railway on a raised embankment to the south of Lydford. The road to the village runs along the south-western boundary, approximately 2-3 metres below the site level.

The banks of the heavily wooded in parts, however on the roadside section adjacent to the site of the proposed panels the vegetation is much thinner.

The site falls within the 'Moorland Edge Slope' landscape character type. The Dartmoor National Park Landscape Character Assessment identifies the medieval field system, pastoral character of fields and vernacular building materials as valued attributes of this landscape. The overall strategy for this landscape character type is to protect the strong pastoral, historic and vernacular character of these moorland edge slopes.

Due to the orientation of the dwellinghouse and level of shading from established trees within and surrounding the domestic curtilage of Bridge House Lodge there appears to be limited scope for an installation within garden of the property.

## **IMPACT ON VISUAL AMENITY**

The proposed arrays would be sited on the southern side of the level top surface, with the corners of two of the panels overhanging the embankment by approximately 1 metre. While in

parts the level of vegetation growing on the banks is thick and un-penetrable at the point where the panels are proposed it is much sparser, either as a result of natural breaks or through selective removal of trees/shrubs.

The size and orientation of the panels and framing would be such that both rows would be clearly visible from the public highway for traffic in both directions south of the railway bridge. Glimpses may also be possible for highway users travelling south from the village.

As well as being a popular car route for visitors to Lydford Gorge and the surrounding environs the road forms part of the Granite Way 'Coast to Coast' National Cycle Network.

The proposed array site is some 50-60 metres from the southern boundary of the domestic curtilage of Bridge House Lodge and on the other side of the former rail-line. Given this degree of detachment the proposed array would be seen very much as an isolated structure in the countryside. Whilst it is acknowledged that the railway, embankment and bridge are all man-made features years of inactivity have softened their appearance and nature has begun to take hold. By contrast the materials proposed for the construction of the array, consisting of aluminium metal frames, blue panels and heavy base concrete pads, would appear starkly modern.

The approach to the site from the south is characterised by soft hedgerows and fields of pastoral character. In this context the introduction of two contemporary structures as proposed would have an undesirable urbanising impact, to the detriment of character and appearance of this part of the National Park.

## CONCLUSION

The proposed solar PV panels and supporting structure, by virtue of their form, materials and divorced location, would result in a visually intrusive and urbanising form of development which would be harmful to amenities of the area.

---

4. Application No: **0611/13**  
Application Type: **Full Planning Permission**  
Grid Ref: **SX643595**

District/Borough: **South Hams District**  
Parish: **Harford**  
Officer: **Oliver Dorrell**

Proposal: **Erect wooden interpretation board on legs**

Location: **Harford Moor Gate Car Park,  
Ivybridge**

Applicant: **Dartmoor National Park  
Authority**



© Crown copyright and database rights 2013 Ordnance Survey 100024842

50m  
Scale 1:1250 @ A4

Recommendation **That permission be GRANTED**

### **Introduction**

The application seeks full planning permission for the erection of a Dartmoor National Park Authority interpretation board at the car park at Harford Moor Gate, Nr Ivybridge.

The colour printed foamex board would be A0 size (1180mm x 840mm) and would be mounted on a timber frame and inserted into the ground at the entrance to the car parking area.

This application is reported to Committee as the Authority is the applicant.

### **Consultations**

South Hams District Council: No objection  
County EEC Directorate: No highway implications  
South West Water: No objection  
Environment Agency: Standing advice - flood zone 1

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

Harford PC: Support. The Parish Council has been widely consulted on the proposal and are in support of a notice board. The only concern is how long it will last before it suffers arson attack.

### **Relevant Development Management and Delivery Development Plan Document Policies**

COR1 - Sustainable Development Principles  
COR4 - Design and sustainable development principles  
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities  
DMD6 - Dartmoor's moorland and woodland

### **Representations**

1 letter

General observation - Concern has been raised that the proposed board and timber frame may be subjected to vandalism.

### **Observations**

#### **PROPOSAL**

The proposed board would be located at the entrance to the car park on the moorland fringe. It is intended to provide information on Harford Moor and the wider Authority area.

#### **VISUAL IMPACT**

The board would be attached to a timber frame and positioned on a small area of grass verge adjacent to the cattle grid. The car park is enclosed by steep grassed banks to the south and to the east. The board would sit below the height of the stone wall which extends along the

northern boundary of the site. The proposal would not affect long distance views from the open moorland.

It is considered that the siting, design and materials proposed for the construction of the board and framing are appropriate for use in this location and that there would be no significant impact on the character and appearance of this part of the National Park.

The proposed development is therefore considered to be in accordance with relevant policies concerning the protection of the special character of the National Park, namely COR1, COR4, DMD1b and DMD5.

## CONCLUSION

The proposed board will help to promote understanding of the special qualities the National Park whilst preserving the character of the landscape.

---

**STEPHEN BELLI**



NPA/DM/14/002

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

10 January 2014

**MONITORING AND ENFORCEMENT**

Report of the Director of Planning

INDEX

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

1. ENF/0188/13 - Unauthorised residential use of land (caravan) and siting of caravan for tool shed, Land at Heltor, Bridford
2. ENF/0168/13 - Installation of hydro-electric generation scheme - works to fish pass not carried out in accordance with the approved drawings, Huckworthy Mill, Sandford Spiney

1 Enforcement Code: **ENF/0188/13**  
Grid Ref: **SX787858**

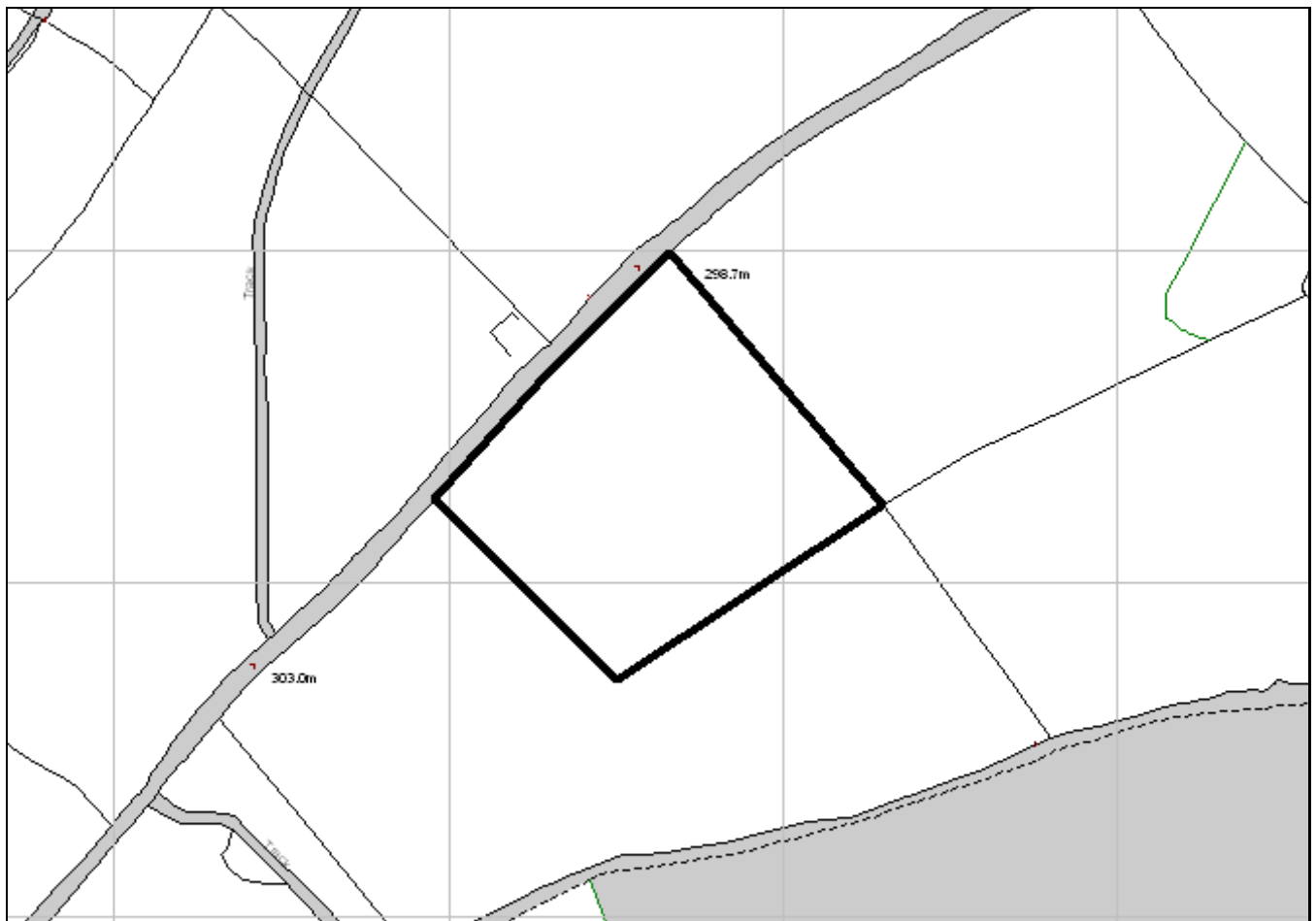
District/Borough: **Teignbridge District**  
Parish: **Bridford**  
Officer: **Nick Savin**

Description: **Unauthorised residential use of land (caravan) and siting of caravan for tool shed**

Location: **Land at Heltor, Bridford**

Land owner: **Mr & Mrs Coxall**

Recommendation **That subject to the consideration of any comments from the Parish Council, the appropriate legal action be authorised to;**  
**1. Secure the removal of the residential touring caravan and its associated awnings from the land.**  
**2. Secure the removal of the touring caravan used for storage from the land, and**  
**3. Secure the cessation of the residential use of the land.**



© Crown copyright and database rights 2013 Ordnance Survey 100024842

**100m**  
Scale 1:2500 @ A4

### **Relevant Structure and Local Plan Policies**

- COR1 - Sustainable Development
- COR2 - Settlement Pattern
- COR3 - Environment & Heritage
- COR15 - Housing

DMD1a - Dartmoor National Park Special Qualities  
DMD1b - Protecting National Park qualities  
DMD3 - Sustaining the quality of places  
DMD5 - Landscape Character  
DMD23 - Residential Development  
DMD28 - Residential Caravans  
DMD34 - Forestry Development

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

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

### **Observations**

The land is situated 3km west of Bridford and consists of approx. 3 hectares of woodland.

Members may recall authorising legal action to secure the removal of an unauthorised building from this land at the Committee's meeting in December 2012. An enforcement notice was subsequently issued and upheld at appeal by the Planning Inspectorate in August 2013. The land owner had claimed that the building was in fact a caravan and used for forestry purposes and therefore did not require planning permission.

During a visit to the site in October 2013 it was noted that two touring caravans had been brought onto the land. One was resided in by the land owner and his wife and included two awnings, the other was claimed to be used for storage of forestry equipment.

The land owner has claimed that the use of the mobile home for residential purposes is authorised under the General Permitted Development Order (Schedule 2 Part 5) as "accommodation during a particular season of a person or persons engaged in farming operations of the same land".

The land owner has provided an assessment of the forestry works on the land which include the felling of around 4 acres of larch, the provision of deer fencing, track repair, coppicing, tree planting and mushroom production.

The Authority's Trees and Landscape Officer has commented that the works outlined in the assessment may be carried at certain times of the year but are standard forestry operations and do not justify any residential use of the land. He also comments that there is no reason why any equipment needs to be stored on the land and that the Authority manages much larger woods, including the felling of larch, without the need for any residential use.

The land owner states that he and his wife are itinerant (travellers) and it is therefore assumed that the caravan at Heltor Woods is their main residence. Accordingly, under the scheme of delegation, any proposed enforcement action needs to be authorised by Members as this is likely to affect a residential use.

### **POLICY CONSIDERATIONS**

The development is contrary to Core Strategy policy COR1 as the caravans are not of a high quality design nor do they respect or enhance the character, quality and tranquillity of local landscapes and the wider countryside.

The development is also contrary to Core Strategy policy COR4 which states that proposals should conform to a number of design principles, which include the need to demonstrate a scale and

layout appropriate to the site and its surroundings. Development must also use external materials appropriate to the local environment. The touring caravans have a detrimental visual impact on this site and its surroundings.

The development does not accord with policy DMD1b of the Dartmoor National Park Authority Development Management and Delivery Development Plan Document which states that within the National Park, the conservation and enhancement of the natural beauty, wildlife and cultural heritage will be given priority over other considerations in the determination of development proposals. Development will only be provided for where it would conserve and enhance the natural beauty of the National Park.

The design and visual impact of the development is unacceptable. It does not comply with policy DMD3 which states that development proposals should help to sustain good quality places in the National Park by reflecting the principles set out in the Design Guide. Furthermore the development should conserve and enhance the character and special qualities of the Dartmoor landscape by ensuring that location, site layout, scale and design conserves and enhances what is special or locally distinctive about landscape character.

#### The HUMAN RIGHTS ACT 1998

The occupiers have implied that part of the development is their home. As such, the courts will view any decision to take enforcement action as engaging the occupiers' 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:

- The personal circumstances of the occupiers have been checked and fully taken into account.
- There are not understood to be any current education issues
- There are not understood to be any current health issues
- There is no known social services involvement

Members are therefore advised that enforcement action would 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.

#### RECOMMENDATION

It is now considered appropriate to seek authorisation for legal action to secure the removal of the two touring caravans from the land and any associated paraphernalia and to secure the cessation of the residential use of the land.

---

2 Enforcement Code: **ENF/0168/13**  
Grid Ref: **SX538713**

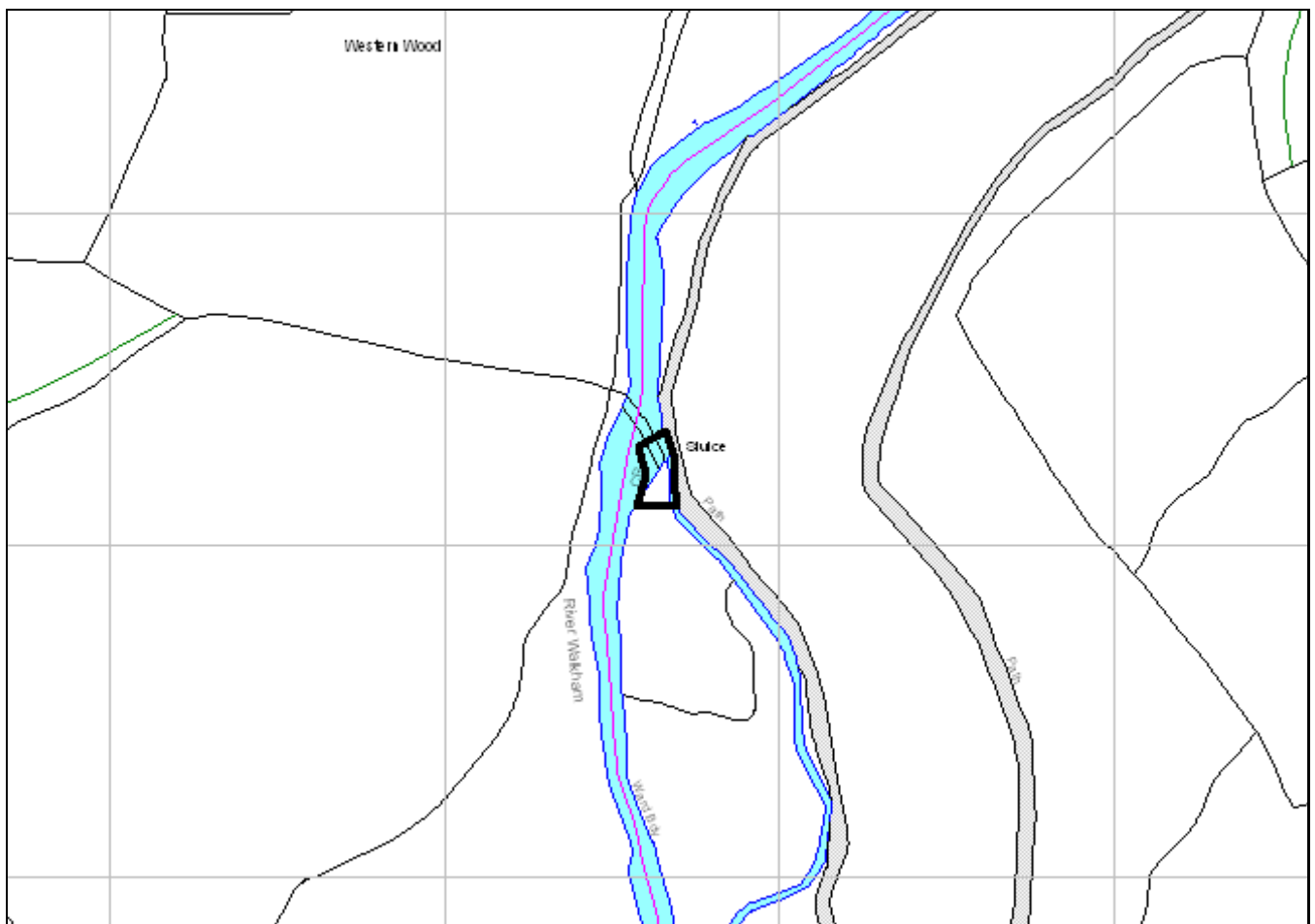
District/Borough: **West Devon Borough**  
Parish: **Burrator**  
Officer: **Andy West**

Description: **Installation of hydro-electric generation scheme - works to fish pass not carried out in accordance with the approved drawings**

Location: **Huckworthy Mill, Sandford Spiney**

Land owner:

Recommendation **That, subject to the consideration of any comments from the Parish Council, the issuing of the necessary licenses by the Environment Agency and the developers and landowners entering into a Section 106 Agreement transposing the conditions attached to the original planning permission onto the current, "as built" development, NO FURTHER ACTION BE TAKEN**



© Crown copyright and database rights 2013 Ordnance Survey 100024842

100m  
Scale 1:2500 @ A4

### Relevant Structure and Local Plan Policies

- COR1 - Sustainable Development
- COR3 - Protection of Dartmoor's Special Environmental Qualities
- COR6 - Protecting Dartmoor's Archaeology
- COR7 - Protection of Biodiversity and Geodiversity in the National Park
- COR8 - Efficient and Sustainable Use of Natural Resources

COR10 - Small-scale Renewable Energy Schemes

DMD1a - Presumption in Favour of Sustainable Development

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

DMD4 - Protecting Residential Amenity

DMD5 - Protecting the Character of Dartmoor's Landscape

DMD6 - Development Affecting Moor, Heath and Woodland

DMD11 - Whole or Partial Demolition of Listed Buildings and other Heritage Assets

DMD13 - Archaeology

DMD14 - Natural Environment, Biodiversity and Geodiversity

DMD15 - Small Scale Renewable Energy Schemes

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

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

### **Observations**

#### **HISTORY**

Members will recall resolving to grant permission for the "installation of hydro-electric generating system, fish pass and repair of the existing leat" at this site (ref: 0510/12) at the Committee's meeting in November 2012 (please see attached report and minutes of that meeting).

Work commenced on the project in February but following concerns being raised with the Authority that the fish pass component of the development was not being constructed in accordance with the approved drawings, Officers met with the developers on site in August. The developers stated that they had experienced several difficulties in laying out the fish pass. Chief among these difficulties was their concern that the approved drawings had not accurately mapped the existing weir and its position within the river and that it had proven difficult to lay concrete whilst the river was flowing over the weir. The developers advised that prior to works taking place they had commissioned a laser survey of the site to ensure that the fish pass was constructed in the approved location, relative to a fixed point on the nearside bank.

The Authority's Officers took a number of measurements of the fish pass and its position relative to the same fixed datum point used by the developers.

Having completed these measurements, the developers advised that the intake channel (directly to the south of the weir and fish pass) had been moved downstream/southwards by between 1.0 and 2.0 metres in order to avoid damaging an existing tree that was present in the riverbank. Officers were advised that the Environment Agency had inspected these works and did not feel that they posed a problem in terms of the operation of the project. In response, Officers advised the developers that this work was clearly a departure from the approved drawings and that this would need to be addressed along with any other issues that arose if it were found that the fish pass had been constructed in the wrong location.

When the Officer's measurements were compared with the approved drawings, it became clear that the physical dimensions of the fish pass are fully in accordance with the approved drawings. However, the position of the fish pass relative to the weir is incorrect in that at its most northerly point the fish pass is located closer/angled in towards the weir than is shown on the approved plans.

However, there is also some disparity in the measurements that were taken from the fixed datum

along the weir crest as a number of these show the fish pass as being located closer to the weir than approved (by approximately 1.0 metre), while other measurements show the development as being further from the weir (by approximately 1.25 metres). The disparity in these measurements would suggest that although the fish pass has been constructed in accordance with the approved dimensions, the original plotting of the weir may have been incorrect.

This means that the position of the fish pass shown on the approved drawings could never be achieved, as the weir does not exist in the location or alignment shown on those drawings.

The key concern remains that the development as constructed does not accord with the approved drawings. It therefore represents a breach of planning control. Furthermore, as the development is technically unauthorised, the planning conditions (17 in total) which were attached to the original planning permission may be unenforceable. As such; the control that the Authority was seeking to exert over the development, to ensure amongst other things the protection of the environment and local amenity, may not be effective.

Following the discovery of the divergences mentioned above, a meeting was held between the Authority and representatives from the Environment Agency (who have also been investigating the matter), at which it was agreed that the fish pass had not been built in accordance with the approved plans and that each party would need to take steps to rectify matters in accordance with their own remit. Members will recall the separate licences have been granted by the Environment Agency, which are stand-alone to any planning permission. The developers must comply with the licences that have been granted.

Detailed and extensive correspondence subsequently took place with the developers seeking the submission of survey plans and drawings, that it was hoped would accurately show the position of the fish pass as it has been built, so that these could be compared with the approved drawings to show the extent of the breach.

A revised survey drawing was submitted to the Authority on 4 November. However, this was of a very large scale and was not detailed enough to enable the Authority to accurately compare the survey findings with its own. As such, on 5 November 2013 the developers were requested to resubmit a survey plan at a scale of 1:100 centred on the fish pass. Following further negotiations, this plan was submitted on 25 November. (The surveyor responsible for the drawings suggests in his notes that the approved planning drawings show the weir and fish pass in relation to where the Ordnance Survey maps show the weir to be, whereas in reality the weir is in a different location and of a different configuration).

Following the submission of these drawings, the site was visited by the Case Officer and the Director of Planning on 26 November, when the site was inspected from both the area of development and from the opposite bank.

In addition to those issues outlined above it was also noted during this visit that the ground level of the bank to the east of the intake channel has been raised, and that accordingly the easternmost retaining wall of the intake channel is higher than the western wall. Given the fact this wall is constructed of standard concrete, this gives the development an incongruous appearance when viewed from the opposite bank or from downstream of the development.

With this in mind, Officers discussed the possibility of stone facing the eastern wall with the developer, who was generally open to this proposal.

## CURRENT SITUATION



Following the site visit on 26 November, a further meeting was held with representatives of the Environment Agency.

During this meeting, the Environment Agency indicated that it was likely that the fish pass and the associated intake channel will operate in accordance with the various licences that have been applied for by the developers, provided that a number of alterations are made.

Officers of the Authority also confirmed that whilst the development does not conform with the approved drawings, the effect of the departures upon, amongst other things, the character of the area, the landscape quality and the effect on the environment in this location is considered to be only marginally different to the originally approved scheme, and not to an extent that would have been likely to have warranted the refusal of an application for planning permission or that warrants immediate enforcement action to halt works on the site.

However, Officers believe that it is important to bring the matter to Members in Committee in a public forum. The objectors have therefore been notified that this matter will be the subject of an enforcement report and given an opportunity to consider this report, make representations and to take part in the committee proceedings under normal public speaking rules..

## ENVIRONMENT AGENCY POSITION

The following email outlines the EA's position as of 16 December 2013 and is a note of a meeting that was held between the developers and the Environment Agency on the previous day:

“We discussed the position of the fish pass and advised that from our interpretation of the drawings and plans seen to date it was NOT in the correct position.

However it is the opinion of our fisheries technical specialist that the position will not adversely affect its functionality.

We then discussed the operation and functionality of the pass and the discrepancies between the as built drawings and approved drawings.

We discussed what changes were required to make the fish pass fulfil the requirements of the approved drawings.

We agreed that CGP should provide us with new drawings showing the changes proposed.

Adherent Nappes (rounded edges to the fish pass to prevent injury to fish) to be added and weir crest altered at the fish pass exit.

Also as an improvement but nothing to do with approved drawings or planning the trash deflector to be extended to protect the side of the fish pass.

We informed them that once we had received the drawings of the proposed changes we would assess them and when signed off the developer could implement the changes”.

N. B. A more formal response from the Environment Agency outlining their current stance on the matter is awaited and will be presented at to Members at the Committee meeting.

## OPTIONS AVAILABLE TO THE AUTHORITY

At the present time, it appears to Officers that there are four options available to the Authority in order to regularise or resolve this matter. These options are as follows;

1. Take no further action over this matter

This option would allow the fish pass and the associated development to remain in place without

any amendments being made, thus avoiding the risk of any further environmental or ecological damage being caused by the undertaking of remedial works in or around the watercourse.

However, if no action is taken to regularise the matter, then the development is believed to be outside the planning permission and as previously mentioned any planning conditions are likely to be unenforceable. Neither does the fish pass (as constructed/in its current form) meet the Environment Agency license requirements. The net result of this would be, the fish pass could not become operational and the hydro-electric power scheme could not be switched on.

2. The use of a Section 106 Agreement to ensure that the developers/landowners will comply with the conditions that were attached to the original planning permission.

The option of 'under-enforcing' is open to the Authority. This option represents a negotiated solution to the problem in that the development can remain in its current position, but that the Authority retains control over the development through a binding legal agreement to observe and comply with the planning conditions that were attached to the planning permission.

This course of action is further supported by the fact that the Environment Agency has indicated that it is happy to grant licences/take no further action over the issues associated with the fish pass if a number of relatively minor changes are made to the development. A Section 106 Agreement could be entered into between the Authority and the developers which allows the retention of the scheme in accordance with a set of drawings showing the amendments that have been required by the Environment Agency and that all conditions which were applied to the original permission are still applicable to the 'as built' development then it is considered that the vast majority of the Authority's concerns would be addressed and no further action other than the signing of the Agreement would be required.

3. The submission of a revised planning application for the current/"as built" works

This course of action would enable the matter to be re-assessed by both the Authority and its consultees (including the Environment Agency), and for members of the public to be consulted.

However, the principle of a hydro-electric scheme, together with associated works such as the creation of a fish pass, in this location has been agreed previously by the Authority. Although the current development is considered to represent a divergence from the approved scheme, it is considered that there is little to be gained by asking the developers/previous applicants to reapply for permission.

Furthermore, although there are differences between the development that is currently in situ and that which was approved, it is not considered that these differences are so significant or severe as to require the submission of a new application.

4. Issue an Enforcement Notice requiring the removal of the unauthorised works

The taking of formal enforcement action would remedy the breach of planning control (the unauthorised as built fish pass and intake channel). However, in the event of an appeal works to resolve the issue would be unlikely to take place until any appeal had been heard and determined; this could take several months.

Equally, when permission was granted for the works to install the hydro-electric scheme, careful consideration was given by both officers and Members to the protection of the environment, ecology and archaeology of the application site. If works to demolish the fish pass and intake

channel are required, this could well have severe implications for the environment and ecology. There are also concerns that the enforced removal of the fish pass in particular could cause irreparable damage to the remaining historic weir. It is therefore considered that the environmental harm caused by any demolition/removal works would be likely to be considerably more serious than any harm that is caused by the retention of the development as built.

## CONCLUSION AND RECOMMENDATION

In conclusion, the development does not accord with the approved drawings. Provided that a satisfactory Section 106 Agreement is signed it is not considered expedient to take formal enforcement action to ensure the removal of the unauthorised fish pass and intake channel from the land as it is felt that this would cause considerable and unnecessary ecological, environmental and archaeological harm to the development site and the surrounding area.

Officers are firmly of the view that a binding legal agreement is needed to regularise the matter in the interests of all parties concerned with the development.

To this end, it is recommended that Members determine that **NO FURTHER ACTION BE TAKEN**, provided that the Authority and the developers (CGP (SW) Ltd) and landowners (Maristow Estate) enter into a legal agreement to ensure that the conditions which were attached to the original planning permission are transposed to the current development. Any such Agreement would be accompanied by an accurate set of drawings that not only show the fish pass and intake channel in their current locations but also show the works deemed necessary by the Environment Agency for the development to secure the granting of licenses that will enable the developers to begin to derive electricity from the scheme, thereby binding any further physical works upon the fish pass to those expressly required by legal agreement. In addition, any other remedial works deemed necessary by the Authority such as stone facing the concrete walls relating to the "on bank" works could also be included in the Section 106 Agreement.

---

**STEPHEN BELLI**

The Head of Legal and Democratic Services advised that the hours of work were not formally a part of the application and, as this element was fundamental to the viability of the business, recommended that Mr Rowan be invited to address Members on this point.

Mr Rowan advised that the following, slightly shorter, working hours would be acceptable to the applicant and requested that they be approved:

0800 – 1800	Monday to Friday
0830 – 1600	Saturdays

No Sunday or Bank Holiday working

Mr Hoskin and Mrs Marsh indicated their acceptance of the proposed hours.

**RESOLVED:**

That, subject to a Section 106 Agreement securing one affordable dwelling and the conditions as stated in the report, and the additional conditions as stated above, permission be GRANTED.

\*\* Item 3 – 0510/12 – installation of hydro-electric generating system, fish pass and repair of the existing leat – Huckworthy Mill, Sampford Spiney

**Speakers: Mr R Furniss – Objector  
Mr D Tilney – Applicant's Solicitor**

The Case Officer reminded Members that the application resubmits a scheme which had previously been refused at the meeting in April 2012. At that time there were two separate applications, one for the fish pass and the other for the hydro scheme. On this occasion the two applications were combined into one and additional supporting information was now available in the form of a structural survey and an archaeological report on the weir.

Two further letter of objection have been received, as well as objections from the Dartmoor Preservation Association and the Devon Archaeological Society. They reiterated objections already received, namely, concerns that the ecological health of the river would be harmed, the scheme would result in the loss of a significant heritage asset and harm the natural beauty of the area. A petition had also been received with 69 signatures.

A supporter of the scheme has highlighted that the leat also served mining activity in the area and not just the mill at Huckworthy. Natural England have no objection to the scheme subject to the conditions set out in the Environment Agency's abstraction licence to ensure that there was no adverse impact on fish numbers.

With regard to ecology, the Environment Agency has no objection. The fish pass is necessary to allow fish migration as a result of any abstraction. There would be no adverse impact on the character of the woodland. With regard to landscape impact, the fish pass would be formed of three concrete pools. Due to the history of human

Signed *Hele* .....  
Date *7.12.12* .....

intervention, the existing concrete fish pass, the lack of public access and the fact that such a structure is not uncommon on rivers, Officers felt that the proposal was not harmful to the character of the area and would preserve the cultural heritage of the local landscape.

With regard to the archaeology of the site, a structural survey has been undertaken and has indicated that the weir is in very poor condition with the potential to be lost completely. The Case Officer advised that there was some differing of opinion regarding the age of the weir; however, what was clear was that the structure is a heritage asset which potentially survives as a C16 weir with some later maintenance. It was felt that the proposal, taken as a whole, represented a continuation of the history, with a modern purpose. Officers concluded that there were no grounds for objection on ecological grounds or landscape impact.

Mr Furniss, Secretary to South West Rivers Association, advised that he was surprised to be back before Committee. He stated that the proposed scheme was about threat and benefit – the benefit would be the generation of electricity for approximately 100 homes, the threat would be the potential loss of a heritage asset, built in C16, partially rebuild in C19. He stated that it would be possible to effect a more sensitive repair.

Mr Harper commented that when the application had previously gone before Committee much was made of a potential 3<sup>rd</sup> solution; he asked for an explanation why this had not been taken any further. Mr Furniss advised that objectors had not been permitted access to the land with regard to the current application.

Mr Tilney advised the Committee that he had no record of any proposals regarding a '3<sup>rd</sup> way'. With regard to the character of the landscape, he stated that all of the features that distinguish the area have been created by man; the proposal would add to the historical timeline for the area and would be just another chapter in its industrial use. Loss of views would not be a material consideration due to the fact that the land is privately owned and there are no public rights of way nearby.

In response to Mr Lloyd's query regarding damage to the natural beauty of the area and a heritage asset, Mr Tilney advised that two reports had been commissioned, one to address historical events over the last 400 years, and the other to consider what could happen to the weir if nothing were done in the foreseeable future.

In response to Member queries, Officers advised that approximately one half of the boulder section of the weir would be removed to accommodate the fish pass. Boulders could, however, be rested against the concrete walls in order to minimise the visual impact. The storage buildings, to be erected on land upstream and near the river bank, would be removed on completion of the work. Flood defence consent had not been obtained as this process must follow on from the planning application stage.

Mr Harper commented that half the weir had already been washed away; the fish pass would cause damage but would wrap around the existing weir, therefore preserving it. He added that the site had been used for industrial purposes since the 1600s. The proposal would offer the opportunity to provide clean, renewable energy and the onus would be on the applicants to maintain the area.

Signed .....  .....

Date ..... 7.12.12 .....

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

Mr Hoskin and Mrs Shears advised that they would want assurances that the concrete would be covered or hidden from view. The Director of Planning confirmed that condition 12 could be amended to take this into account; condition 9 to be amended to state that construction materials to be removed from site on completion of the works and the land to be reinstated.

**RESOLVED:**

That, subject to the conditions as stated in the report, and the minor amendments as stated above, permission be GRANTED.

**Item 4 – 0419/12 – extension to dwelling – 18a Lower Street, Chagford**

The Case Officer advised the Committee that the property was formally the outshut of No 18 which stands at the front of the plot and is a Grade II curtilage listed building in the Chagford Conservation Area. Due to an insensitive conversion of the property during the 1980s the character of the property has been lost. The proposal was to remodel the flat roofed ground floor extension into a two storey extension, to be finished to match the original property. With regard to the proposed window, one neighbour had objected on the grounds of loss of privacy. However, as the property in 22m away from the building it was felt that this would negate the need for the window to be obscure glazed, fixed shut or omitted.

Mr Gribble proposed the recommendation, which was seconded by Mr Hoskin.

**RESOLVED:**

That, subject to the conditions as stated in the report, permission be GRANTED.

**Item 5 – 0420/12 – Internal and external alterations with extension - 18a Lower Street, Chagford (Listed Building Consent)**

The Case Officer advised Members that this application was for a remodelling of the existing extension, internal re-organisation of the floor plan, replacement of UPVC with simple wooden window frames.

Mr Hoskin proposed the recommendation, which was seconded by Mrs Marsh.


**RESOLVED:**

That, subject to the conditions as stated in the report, permission be GRANTED.

**Item 6 – erection of single storey timber framed day room to rear of property – 8 Great Bridge Cottages, Ashburton (Listed Building Consent)**

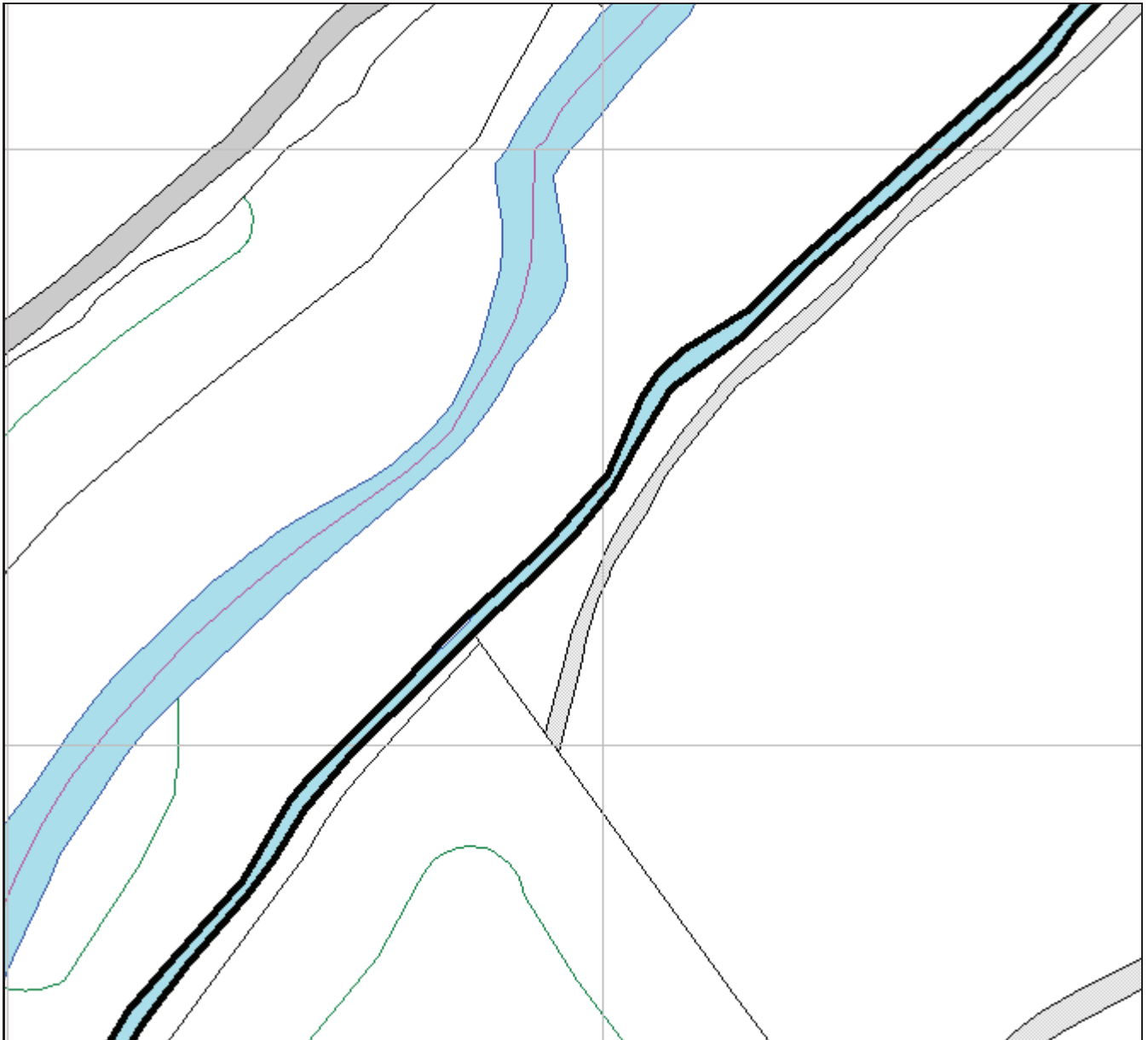
**Speaker: Mr B Lewis – Applicant's Agent**

The Case Officer reported that the proposed development would extend across the width of the rear elevation of the property and would adjoin the existing historic outshut, with a shallow monopitch felt roof, painted timber sides and patio doors.

Signed 

Date 7.12.12

3. Application No: **0510/12** District/Borough: **West Devon Borough**  
Application Type: **Full Planning Permission** Parish: **Burrator**  
Grid Ref: **SX535709** Officer: **Jon Holmes**  
Proposal: **Installation of hydro-electric generating system, fish pass and repair of the existing leat**  
Location: **Huckworthy Mill, Sampford Spiney**  
Applicant: **CGP (SW) Ltd**



© Crown copyright and database rights 2012 Ordnance Survey 100024842

50m  
Scale 1:1250 @ A4

Recommendation **That, subject to the consideration of comments from Natural England, permission be GRANTED.**

**Condition(s)**

1. The hydro scheme hereby approved shall not become operational, nor water otherwise abstracted from the weir until the fish pass has been constructed.
2. Natural slate and slate fixing to the generator house - E04/E05
3. Prior approval of stonework to the generator house - F05
4. The existing sluice gates at the intake shall be retained in-situ unless otherwise previously agreed in writing with the Local Planning Authority.
5. A qualified ecologist shall be present before works to fell trees and scrub are undertaken to assess for impact on bats and dormice. The development shall only proceed in line with any written instructions of the Authority.
6. A photographic record of the weir shall be made prior to the commencement of works and a copy sent to the Planning Authority to record. No work shall commence until the Authority has confirmed in writing the adequacy of the photographic survey.
7. The development shall be carried out in accordance with the recommendations contained in the Ecological Impact Assessment.
8. The development shall be carried out in accordance with the method statement dated 24 August 2012 unless otherwise previously agreed in writing with the Local Planning Authority.
9. Details of the storage compounds, measures to control spills and working zones shall be submitted and approved by the Local Planning Authority prior to the commencement of the development hereby approved.
10. All vegetation clearance shall be carried out outside of the bird breeding season (1 March - 31 July).
11. A further otter survey shall be undertaken and a report submitted to the Local Planning Authority prior to the commencement of the development. If active otter holts are identified, no work shall be carried out until recommendations can be assessed and mitigation measures / safe working distances are agreed.
12. Details of the concrete finish (including colour and texture) for the fish pass shall be submitted to, and agreed by the Local Planning Authority prior to the commencement of construction of the fish pass.

**Introduction**

Members will recall applications for a hydro scheme at Huckworthy and an associated application for a fish pass which were before Members at the April meeting. This application combines the fish pass with the hydro scheme into a single application. There is no change to the details of the proposals, but the applicants have now provided supporting information in the form of a structural survey of the weir and an archaeological report on the weir.

So, as before, the proposal would comprise a power house at Huckworthy Mill beside the River Walkham at Huckworthy Bridge, approximately 1km north of Walkhampton. The turbine would be powered by water abstracted from the River Walkham at a point approximately 1km upstream by utilising an existing historic leat which runs through Dittisham Wood. The reach of river between the intake point and the generator house is characteristic of Dartmoor rivers with a fast flow from the moorland over a granite rubble river bed. The environment along the river is damp arising from spray from the velocity of the river flow. The leat is understood to



have ceased its supply to a waterwheel at Huckworthy Mill in the 1950's.

The application is presented to Members due to the correspondence received and the issues involved.

### Planning History

0329/12	Repairs and improvements to existing forestry track to enable timber felling and extraction		
	Prior Notification	No objection	10 July 2012
0027/11	Construction of a hydro scheme using water from the River Walkham and utilising the existing leat		
	Full Planning Permission	Refused	03 July 2012
0645/11	Installation of a new fish-pass on existing weir on the River Walkham		
	Full Planning Permission	Refused	14 May 2012

### Consultations

West Devon Borough Council: No objection

County EEC Directorate: The operational traffic associated with the proposal is negligible. The construction traffic could be dealt with by condition with a Traffic Management Plan.

South West Water: No objection

Environment Agency: No objection. The fish pass is necessary as a consequence of the abstraction for the hydro scheme and the resulting flow regime in the river which may otherwise hinder fish migration over the existing fish easement. The existing fish easement is not designed to current standards but does allow for passage of migratory fish. The proposed pass will be efficient over a wider range of flows.

Flood Defence Consent will be required from Devon County Council.

DNP - Archaeology: Object to this application, which is exactly the same as the previous one, on the grounds that the weir is of historic and archaeological importance and as such is a local heritage asset which would be effectively lost by the building of the fish pass. There has been no new convincing evidence produced to suggest that the eastern section of the weir has been badly damaged or extensively repaired in the late 19th or early twentieth centuries.

To the contrary the evidence suggests that this section has survived more or less in its original form from the sixteenth century and strengthens the argument for its retention as is.

It is a feature of historical and architectural interest, unquestionably it is a heritage asset, and as such merits protection under national, county and local planning policies

Ecology & Wildlife Conservation Section: No objection provided the development is carried out in accordance with the recommendations contained in the

ecological survey; this includes timing of works in relation to dormice and breeding birds, a consultant being on site prior to works to trees and scrub being undertaken, mitigation measures in respect of working distances from otter holts and a check for badger setts prior to the commencement of works. Some biodiversity enhancements could be achieved through the removal of invasive laurel and rhododendron and a dormouse bridge across the leat.

Trees & Landscape Officer:

The scheme utilises an existing leat, now in disrepair, running through a mixed woodland. The woodland is classed as Section 3 Woodland and is on the register of ancient woodlands and is also protected by a TPO.

The principle of utilising the leat is acceptable. Several trees along the route would have to be removed. The felling would be minor and will have minimal impact on the character of the woodland.

Natural England Consultation Service:

No comment received

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

Burrator PC:

[The application site is within Burrator parish.]  
Supports the application.

Plasterdown Grouped PC:

[The site adjoins Plasterdown Grouped PC and their comments were sought.]  
Strongly objects. Concerns about environmental impact on the river, damage to historic site and detrimental appearance to this part of the National Park.

### **Relevant Structure Plan Policies**

CO12 - Renewable Energy Developments

CO13 - Protecting Water Resources and Flood Defence

CO16 - Noise Pollution

CO2 - National Parks

CO8 - Archaeology

CO9 - Biodiversity and Earth Science Diversity

### **Relevant Development Management and Delivery Development Plan Document Policies**

COR1 - Sustainable Development Principles

COR10 - Providing for renewable energy

COR3 - Protection of Dartmoor's special environmental qualities

COR6 - Protecting Dartmoor's Archaeology

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

COR8 - Meeting the challenge of climate change

DMD1 - Delivering National Park purposes and protecting Dartmoor's Special Qualities

DMD11 - Demolition of a listed building or local heritage asset

DMD13 - Archaeology  
DMD14 - Biodiversity and geological conservation  
DMD15 - Renewable energy  
DMD4 - Protecting local amenity  
DMD5 - National Park Landscape  
DMD6 - Dartmoor's moorland and woodland

## **Representations**

69 letters of objection 2 letters of support

The majority of objections share common themes of concern regarding the loss of the historic weir, the visual harm of the proposed fish pass structure, the harm to fishing as a result of the level of abstraction from the river and the impact the proposal will have on migratory fish. The scheme is not fundamentally different to that already refused.

The Dartmoor Society object on the grounds the weir dates to 1578 making it a very unusual survival giving it significant heritage asset. It would make sense to rebuild the 1931 western part of the weir. The proposal will in effect, destroy the remaining traditional features of this important weir.

The Council for the Preservation of Rural England (CPRE) also object due to the damage to the weir and the visual impact of the proposal. There are concerns regarding flooding arising from the change to the watercourse and the impact of access to the site. The CPRE is not convinced of the need for the possible adverse changes to make a hydro-electric scheme of this magnitude viable.

The Council for British Archaeology (CBA) state the weir is of substantial historical importance despite English Heritage decision to not list the structure. The eastern section dates to the 17th century at least which is likely unique in the country. The CBA consider the weir as a particularly interesting example and is interesting precisely because of the loss and rebuilding of the fabric. The accompanying archaeology report focuses on the western part of the weir which is not at risk from the development. The National Planning Policy Framework (NPPF) states authorities should recognise that heritage assets are an irreplaceable resource and should conserve them in a manner appropriate to their significance.

More specific comments state that the weir is not in rapid decline as has been claimed and it looks much the same as it has for 70 years, as indicated in early twentieth century photographs. The proposed fish pass will be a totally incongruous feature.

Some comment on the support in principle for renewable energy projects but that the risks to this valley as a result of the scale of this proposal are disproportionate. The amount of power generated from the plant would not compensate for the destruction of the surrounding environment, weir and river ecology. This is echoed by many who fish or have fished the river adding there would be a negative impact on adult and juvenile salmon populations. The level of abstraction would unlikely be approved by the Environment Agency under their new formula.

The proposal will harm a beautiful Dartmoor river which will be ruined by the level of abstraction for the sake of a small amount of electricity.

In summary the proposal will destroy the heritage asset weir and replace it with an ugly

concrete structure of no interest; it will not improve passage of migratory fish which will be harmed by draining the river of three quarters of water from a kilometer long reach of river and any contribution to the generation of renewable energy would come at an overwhelming historic, landscape and environmental cost and it can not therefore be regarded as sustainable development.

The scheme threatens the natural beauty, ecology and cultural heritage of the weir, all contrary to National Park purposes.

The letters of support state it would be a mistake to consider the area should be left untouched. The environment has for centuries been the scene for human agricultural and industrial intervention including the weir, leat and mill. Maintenance was undertaken over the centuries in order to maintain the working environment. The weir and leat, if left will potentially be lost to posterity, both of which are in need of maintenance. Putting the leat back into service is the best way of ensuring its survival and a hydro scheme is the only way of financing such works.

It is likely the weir has been rebuilt or repaired several times over the centuries. There is already a concrete pool and buttresses at the site so the fish pass would not be out of keeping and it is added that the weir can not be seen from any public vantage point limiting the visual harm of the weir. The Environment Agency has assessed the abstraction and granted a licence and has conditions in place to manage the environment. The proposal allows for sustainable energy generation whilst safeguarding the centuries old tradition of industrial use of the site.

## **Observations**

### **BACKGROUND**

This application is for the hydro scheme and fish pass which were previously submitted as two separate applications and refused at the April meeting. The reasons for refusal of the fish pass were two fold:

1. The proposed fish pass by reason of its design would have a detrimental impact on the character and appearance of this part of the National Park, contrary to policy CO2 of the Devon Structure Plan, the Dartmoor National Park Core Strategy in particular policies COR1, COR3 and COR4 policies DMD1 and DMD6 of the Dartmoor National Park Development Management and Delivery Development Plan Document and to the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.
2. The proposal would result in the substantial demolition of a heritage asset. In the absence of any overriding justification the proposal is considered to be contrary to policies CO2 and CO8 of the Devon Structure Plan, the Dartmoor National Park Core Strategy in particular policies COR1, COR3, COR4, COR6 and COR7, policies DMD1, DMD6 and DMD11 of the Dartmoor National Park Development Management and Delivery Development Plan Document and to the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2012.

The associated hydro scheme was consequently refused in the absence of an approved fish pass.

There is no difference to what is now proposed, the hydro scheme is the same size (100kW) and would abstract the same level of water that was previously proposed, but the application has now been submitted with supporting information in the form of an archaeological report and a structural survey of the weir.

The fish pass comprises three concrete pools each of approximately 3m square and is a requirement of the Environment Agency (EA) to assist fish passage over the weir as a consequence of the water abstracted to service the hydro-power generator.

In the absence of an objection to the fish pass or the abstraction associated with the hydro scheme from the EA, (a conditional Abstraction Licence has been approved by the EA) officers consider the proposal acceptable in terms of its impact on ecology and consideration of the application hinges on the archaeological importance of the weir and the impact of the fish pass on the character of the river set against the benefit of a renewable energy scheme. Comments on ecology are addressed first, then visual and landscape impact, archaeology, structural state of the weir and commentary on the key policy considerations.

## ECOLOGY - FISH

The Authority defers to the Environment Agency to assess the impact of proposals on the health of the river and as per the previous application, the Environment Agency do not object. The River Walkham hosts Atlantic salmon and brown and sea trout and the reach of river concerned provides spawning grounds as well as passage to spawning grounds upstream within the Sampford Spiney Site of Special Scientific Interest.

The Environment Agency however will only permit abstraction to generate power upon completion of a fish pass that has to be constructed at the intake point / weir. The applicant also needs to obtain Flood Defence Consent from Devon County Council. The fish pass is necessary to mitigate the impact of the abstraction proposed by the hydro scheme so as to aid fish migration. A condition of any approval notice will require the completion of the fish pass prior to the first abstraction of water from the river.

The amount of water to be abstracted from the river into the leat has been subject to determination by the EA Abstraction Licence. The Licence has a number of conditions which, together with the installation of a fish pass enable the EA to raise no objection to the scheme. Critically, water may only be abstracted at certain rates. This will in effect mean that as flow rates drop to a specified level, no water would be abstracted at all - a 'hands off flow'. This is to maintain a flow along the depleted reach that will be sufficient for fish to navigate particularly during the peak salmon migration period. It is considered that this will result in abstraction being limited to 10 months a year. Given the natural variance in river flows of the river, this minimal level of flow will be no different than periods of low flow currently occurring. Flows in the river would be monitored with an automated sensor.

The hands off flow is to ensure the continued migration of fish but also so as to not cause a measurable impact upon fishing rights. The applicants agreed to a higher level than the EA's guidance requires to further seek to protect the movement of salmonids.

Objectors have questioned the effectiveness of such an approach and that fish levels will inevitably be harmed. The EA's Abstraction Licence though requires monitoring of the effectiveness of the fish pass, the bywash and outfall, surveys to be carried out annually within the depleted reach and bi-annual electrofishing surveys of the depleted reach. Should fish levels deteriorate, then the licence will require abstraction to stop.

The screen size at the intake has been revised to minimise the risk of small fish including salmonid fry from entering the leat system and therefore being unable to migrate downstream.

There are high fluctuations in velocity and depth of the river, so the effects of abstraction are similar to the effects caused naturally, but the Environment Agency, through the Abstraction Licence conditions further control any possible adverse effects on the ecology of the watercourse.

Natural England have indicated that in light of the approval of the fish pass by the EA's Fish Pass Panel and the Licence in place, that they would not object, but their formal comments will be reported at the meeting.

## ECOLOGY - OTHER

The key species identified by the Ecological Impact Assessment include European Protected Species, namely bats, dormice, badgers and otters as well as a number of birds and amphibians. In terms of bats only a small number of young trees are identified to be felled along the leat and no evidence of direct habitat loss was identified. A specific dormouse survey has been undertaken which evidenced dormice along the survey area of the leat. As the working corridor will be limited to 4m, including the leat, the impact on habitat would be mitigated by an agreed phasing of the timing of the works and the presence of a qualified ecologist within the woodland prior to tree and scrub removal. A condition ensuring tree and scrub removal is undertaken outside of the bird breeding season is also recommended along with the recommendations contained in the ecological report which cover a number of specific working practices.

The abstraction of water from the river has a potential impact on moss species that favour fast flowing rivers. However as the river has an upland catchment area with great natural variance in its flow, this fact, together with the conditions placed on the Abstraction Licence suggest that the significance of any impact on mosses and aquatic algae are reduced. Lower plants may also colonise the leat system.

The reduction in water flow in the river is not considered to impact on otters using this reach which forage in all types of water sizes and flow rates.

The leat will be constructed with purpose built 'engineered' leaks to reflect the existing damp woodland environment and surface water / runnels found along the leat area. These leaks will drain back into the Walkham and this is considered appropriate.

Any comments from English Nature will be reported at the meeting.

## VISUAL & LANDSCAPE CHARACTER IMPACT

The area between Huckworthy and Ward Bridges is characterised by the fast flowing river at the bottom of a wooded valley. It has a high landscape value, being predominantly undisturbed and typical of a Dartmoor valley. The proposed fish pass would continue a long history of intervention at the point of the weir associated with the leat and Mill and some mining activity. It is not therefore considered a new and unacceptable intervention on a pristine part of the river but rather represents a phase of this human interaction with the river and the principle of a fish pass (notwithstanding archaeology issues referred to later) is considered acceptable.

The applicants have been asked to consider a fish pass design that would not have so much exposed concrete and that would have a lower key visual appearance in the setting of a lot of granite rubble. The applicants insist that the design has been subject to lengthy discussions with the EA to ensure it meets the requirements of their Fish Pass Panel to ensure it is effective in its purpose of enabling fish migration. The proposal therefore has to be considered as it is presented. Having regard to the scale of the proposal and the presence of a concrete fish easement on the western side of the weir, it is considered that the proposal would not have an overriding detrimental impact on the character and appearance of the river corridor or to the landscape character as identified in the Landscape Character Assessment.

A number of trees would have to be felled along the route of the leat and at the intake point. The Trees & Landscape Officer is satisfied that these have been identified and subject to works being undertaken in accordance with these agreed details, will not have a detrimental impact on the character or integrity of the woodland.

## ACCESS

Since the previous applications, where Members had some concern regarding access to the weir from the lane, the Authority raised no objection to a Prior Notification application for works to the existing tracks which connect the road to the leat, weir and beyond to enable timber extraction and woodland management. This clearly has the advantage of enabling access to the site for construction purposes and whilst it is considered necessary to condition the details of the compound area and storage protection measures, it is not considered an element of the proposal that requires further detail.

## NOISE

Concerns have been raised that the powerhouse could generate a noise disturbance. The generator should be not be audible from a distance of more than 20m. The occupier of Huckworthy Mill who would lease the site for the scheme has stipulated this is the terms of the lease. The Authority is satisfied that noise will not be an issue.

## ARCHAEOLOGY

The surviving weir is a heritage asset. The application to have it listed was unsuccessful which was unsurprising, given that the criteria for listing is that any structure which dates to before 1700 needs to contain a significant proportion of its original fabric. It is clear from English Heritage's comments at that time that had more of the 1578 construction weir survived in its entirety it would have been suitable for designation.

There can be no doubting the historic origins of the weir given that there is exceptionally rare and important surviving documentary evidence for the licence to build it which dates to 1578 (making it earlier than Dartmoor's most famous leat, that built by Sir Francis Drake's). Whilst there is now some new documentary evidence that the western half of the weir was rebuilt in the late nineteenth century, with further work being carried out in 1931 when the present fish pass was installed, there is no further evidence for substantial alterations or repairs to the eastern section. This proposal will effectively remove all but a tiny section at the far eastern end of the eastern section of the original weir in order to accommodate the new concrete fish pass whilst retaining a portion of the weir crest.

The balance to be made is in consideration of the demolition of the original historic section of the weir, against the wider application with regards to considerable works to upgrade the leat,

and the debatable present structural condition of the weir. It is for these reasons as elaborated below that the recommendation is made in light of the relevant policy considerations.

## STRUCTURAL CONDITION

The applicants have commissioned a structural survey on the weir. It states the boulder buttressing is in poor condition, with a large section missing and other voids present and that water is leaking through timber boarding below the railway line on the weir crest. It concludes that the weir is in immediate need of repair to prevent extensive further damage in the near future.

It is noted that an objector has queried the rate of deterioration stating that the weir is in an almost identical state to that of its pre-1930 condition, adding that photos from the 1950's indicate water leaking through the timbers then and that subsequently the weir may not be under as much threat as indicated.

Given the archaeological interest in the weir, the applicant undertook the structural survey to evidence their concern about the state of the weir, which could be lost if works to enable the hydro-plant are not approved which gives the incentive to undertake works to it. Concerns regarding the rate of deterioration are noted but it is apparent that, in the view of the structural engineer (undertaken by a qualified engineer referencing experience of listed buildings, bridges, culverts etc) that the weir is under threat if no repair works are undertaken. This lends some weight to the recommendation in so far as the Heritage Asset would unlikely benefit from repair work alone without the benefit of the associated hydro-plant.

## POLICY ISSUES

Core Strategy policy COR10 is supportive of small scale renewable energy schemes subject to there being no over-riding environmental considerations. Emerging policy DMD15 reflects this position but stipulates schemes should not harm the landscape character, preserve the tranquillity of the National Park and that biodiversity, archaeological and cultural interests are not harmed. It is also noted that the Dartmoor National Park Management Plan has a 5 year target for 1,500kw of energy generation deriving from small scale hydro-electric schemes.

Policy COR7 states proposals should protect or enhance biodiversity interests of the Park. This is mirrored in the Structure Plan policy CO9. Given the comments from the Environment Agency and the controls proposed through conditions, it is considered to be in accordance with these policies.

With regards the archaeology interest of the weir, emerging policy DMD11 is restrictive where proposals would result in the demolition or partial loss of listed buildings or heritage assets. One such scenario is where partial removal is necessary to conserve the asset. Given the structural survey results, it is considered that the works are justifiable under this provision. Some weight is also given to the reinstatement of the leat (albeit with a deeper channel than originally would have served the old mill). Policy COR6 and Structure Plan policy CO8 are less permissive of works to sites of archaeological importance but regard is made to the scheme as a whole mitigating the harm to the weir and the recommendation reflects this balance of policy considerations. Weight is also given to the continuation of a man-made intervention of the river at this point and also to the fact that part of the existing weir will be retained which continues the man-made intervention at this point and the cultural heritage of a working landscape. In line with the policies there is a requirement to appropriately record the asset.



The appearance of the fish pass is not considered to be in conflict with policies COR1, COR3, DMD1, DMD6 and DMD15 in terms of its impact on the character and appearance of the landscape. COR1 sets out the general development criteria that reflect National Park purposes of conserving and enhancing. The fish pass adjoins an existing concrete fish pass, and although it would be more exposed, it is not an uncommon feature in river systems, particularly given the long history of human intervention at this point in the river. There is no doubt the appearance of the fish pass will weather in time. It is suggested that a long term view should be considered rather than just the short term impact.

Structure Plan policy CO12 and policies COR10 and DMD15 are supportive of renewable energy schemes subject to there being no overriding environmental or amenity considerations. The environmental impacts have been assessed carefully in conjunction with the EA and concluded that the proposal will not be in conflict with these policies.

## SUMMARY

The new submission is a repeat of the application previously refused. The archaeology report does not conclusively prove that the weir has been rebuilt between 1890-1930 which suggests it survives largely as a 16th century structure but in all likelihood there have been repairs over the centuries, including at the time of the rebuild of the western side of the weir as indicated by the rail along the crest. Some weight is given to the structural survey which indicates the weir will likely fail soon and also to the preservation of the leat system intrinsic to the application which it is considered offsets the harm to the weir.

The proposal will undoubtedly have a visual impact and an impact on the heritage asset. However, it is considered that the need to enhance fish migration, the reinstatement of a working leat and in that sense the enhancement of Dartmoor's cultural heritage and the generation of renewable energy provides justification to support the application.

### **Reason for Recommendation**

The development is consistent with the provisions of the Development Plan and government advice (and material considerations do not indicate otherwise) in particular;

Policies CO2, CO8, CO9, CO12, CO13 and CO16 of the Devon Structure Plan 2001 to 2016  
Policies COR1, COR3, COR7, COR8 and COR10 of the Dartmoor National Park Authority Core Strategy Development Plan Document  
Policies DMD1, DMD4, DMD5, DMD6, DMD11, DMD14 and DMD15 of the Dartmoor National Park Development Management and Delivery Development Plan Document  
The English National Parks and the Broads UK Government Vision and Circular 2010  
The National Planning Policy Framework 2012

The development complies with the adopted Dartmoor National Park Authority Core Strategy Development Plan Document for the following reasons;

COR1 - it sustains the local distinctiveness and character of this part of the Dartmoor National Park  
COR3 - it will conserve the characteristic landscape of the National Park  
COR7 - it will protect biodiversity interests of the National Park  
COR8 - it will not have an adverse impact on drainage patterns or flood storage capacity  
COR10 - it is a small scale renewable energy scheme with no overriding environmental or amenity considerations  
DMD1 - it conserves the natural beauty of the National Park

DMD4 - it will not introduce unacceptable levels of noise nor detract from the special qualities of the area

DMD5 - it protects the attributes of the landscape character identified in the Landscape Character Assessment

DMD6 - it conserves the landscape and ecological significance of the woodland

DMD11 - there are substantial public benefits that override the significance of the asset and as permission is granted for partial demolition, a condition is attached to requiring a record of the asset

DMD14 - it conserves biodiversity interests

DMD15 - it is a small scale renewable energy scheme with no overriding environmental or amenity considerations

---

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

10 January 2014

**CONSULTATIONS BY NEIGHBOURING LOCAL AUTHORITIES**

Report of the Director of Planning

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

1      Grid Ref:    **SX 847 811**                      District/Borough:    **Teignbridge**  
         Officer:     **Jo Burgess**                      Parish:                **Hennock**  
         Proposal:    **Retention of three floodlights**  
         Location:    **Land adj. to Crocombe Bridge, Trusham**  
         Response:    **OBJECT**

The consultation is in respect of a retrospective application for three floodlights on land in the Teign Valley near Trusham. The site is within the Special Area of Conservation (SAC) designated to protect Greater Horseshoe Bats. The SAC continues up the Teign Valley into the National Park and for this reason the Authority objects in principle to the application.

Section 62 of the Environment Act 1995 makes it a duty for all relevant authorities including local councils to have regard to National Park purposes when coming to decisions. The first purpose is to conserve and enhance the natural beauty, wildlife and cultural heritage.

The impact of the lights on the Greater Horseshoe Bats and the SAC will need careful assessment by Natural England, however in view of the designation and impact further up the valley within the National Park an objection in principle is considered appropriate.

The proximity of the proposal to the Dartmoor National Park boundary also requires the production of a visual and landscape impact assessment. In the absence of such an assessment the Authority has been unable to comment in full on the visual and landscape impact of the development.

In addition the importance of protecting residential amenity within the National Park, in particular from levels of lighting that would adversely affect human health and well-being, has also been raised as a material planning consideration

As this is a retrospective application and in light of the above if the ecological advice is to refuse permission the Council has been urged to take enforcement action to remove the lights without delay.

---

2      Grid Ref:      **SX 493 715**                      District/Borough:      **West Devon**  
Officer:      **Chris Hart**                      Parish:                      **Whitchurch**  
Proposal:      **Revised route of proposed link to Drake's Trail, Grenofen Cottages, Grenofen, Tavistock**  
Location:      **Grenofen Cottages, Grenofen, Tavistock**  
Response:      **NO OBJECTION**

The consultation by Devon County Council is in respect of a short section of link path from Grenofen to the route of Drake's Trail along the former railway line.

This will form a useful link at this point in the trail, allowing users access to local facilities in this location.

It will have no detrimental impact on National Park interests and, as a consequence, no objections have been raised.

---

3      Grid Ref:      **SX61125391**                      District/Borough:      **South Hams**  
Officer:      **Louise Smith**                      Parish:                      **Yealmpton**  
Proposal:      **Erection of single 55kw wind turbine with 25m hub height, 35m tip height and associated equipment**  
Location:      **Land at SX61125391, Coyton, Yealmpton**  
Response:      **NO OBJECTION**

The proposal is for a single wind turbine with hub height of 25m (35m to tip) on agricultural land at Coyton, approximately 3km from the National Park boundary to the south west of Ivybridge.

Whilst the proposed turbine would be on elevated ground within close proximity of the National Park, it is on the fringe of a developed edge of the Moor (incorporating Ivybridge and Lee Mill). Furthermore, the electricity pylons present dominant vertical features in this immediate landscape, cutting across the high ground within proximity of the proposed wind turbine.

Given the scale of the proposed turbine, the character and appearance of the immediate landscape and views to, and from, Dartmoor, it is considered that the proposed turbine would not be harmful to the setting of Dartmoor National Park and consequently this Authority raises NO OBJECTION.

The Authority has received a number of neighbouring consultations for wind turbines within South Hams and will continue to assess the individual, and cumulative, impact of these developments.

STEPHEN BELLI

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

10 January 2014

**APPEALS**

Report of the Director of Planning

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

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

1 Application No: C/13/2210282 District/Borough: West Devon Borough  
Appeal Type: Enforcement Notice Parish: Mary Tavy  
Proposal: Unauthorised use of stable, sand school and land, construction of round pen, tracks and field shelter and the filling in of drainage ditches  
Location: **Holly Cottage, Ley Farm, Horndon**  
Appellant: **Dr A Mather**

---

2 Application No: D/13/2209202 District/Borough: South Hams District  
Appeal Type: Refusal of Full Planning Permission - Householder Parish: Shaugh Prior  
Proposal: Single storey rear extension to provide garden room and enlarged ground floor WC and shower room  
Location: **Mount Clogg, Shaugh Prior**  
Appellant: **Mr & Mrs P Burkill**

---

3 Application No: F/13/2208617 District/Borough: Teignbridge District  
Appeal Type: Enforcement Notice Parish: Ashburton  
Proposal: UPVC window on the rear first floor and UPVC back door.  
Location: **6 Whistley Hill, Ashburton**  
Appellant: **Mr M Shereston**

---

**STEPHEN BELLI**

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

10 January 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> 0633/13 <b>Application Type:</b> Prior Notification <b>Proposal:</b> Lean-to extension (55sqm) for agricultural storage adjoining existing cattle shed <b>Location:</b> Pizwell Farm, Postbridge <b>Decision:</b> No objection	<b>District/Borough:</b> West Devon Borough <b>Parish:</b> Dartmoor Forest
2	<b>Application No:</b> 0536/13 <b>Application Type:</b> Full Planning Permission - Householder <b>Proposal:</b> New pitched roof with loft conversion and roof terrace <b>Location:</b> Cedar Cottage, Liverton <b>Decision:</b> Grant Conditionally	<b>District/Borough:</b> Teignbridge District <b>Parish:</b> Ilsington
3	<b>Application No:</b> 0538/13 <b>Application Type:</b> Full Planning Permission <b>Proposal:</b> Creation of levelled hardstanding for farming business (retrospective) <b>Location:</b> Higher Brownsell Farm, Bickington <b>Decision:</b> Grant Conditionally	<b>District/Borough:</b> Teignbridge District <b>Parish:</b> Ashburton
4	<b>Application No:</b> 0590/13 <b>Application Type:</b> Full Planning Permission <b>Proposal:</b> Erection of agricultural storage building (123sqm) <b>Location:</b> North Wonson Farm, Throwleigh <b>Decision:</b> Withdrawn	<b>District/Borough:</b> West Devon Borough <b>Parish:</b> Throwleigh

5 **Application No:** 0539/13 **District/Borough:** West Devon Borough  
**Application Type:** Full Planning Permission **Parish:** Mary Tavy  
**Proposal:** Repair and rebuild existing churchyard boundary wall  
**Location:** St Mary's Church, Mary Tavy  
**Decision:** Grant Conditionally

---

6 **Application No:** 0548/13 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission **Parish:** Moretonhampstead  
**Proposal:** Replacement agricultural building  
**Location:** land at Brinning Lane, Moretonhampstead  
**Decision:** Grant Conditionally

---

7 **Application No:** 0551/13 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission **Parish:** Bridford  
**Proposal:** Agricultural storage building (15m x 9m)  
**Location:** Venn Bridge Farm, Bridford  
**Decision:** Refused

---

8 **Application No:** 0567/13 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission - Householder **Parish:** Lustleigh  
**Proposal:** Single storey porch extension and replacement masonry chimney  
**Location:** Criddaford, Lustleigh  
**Decision:** Grant Unconditionally

---

9 **Application No:** 0568/13 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission **Parish:** Bridford  
**Proposal:** Replacement dwelling  
**Location:** Seven Views, Bridford  
**Decision:** Withdrawn

---

10 **Application No:** 0557/13 **District/Borough:** South Hams District  
**Application Type:** Full Planning Permission **Parish:** South Brent  
**Proposal:** Ground mounted solar panel array  
**Location:** Pennaton, South Brent  
**Decision:** Refused

---

11 **Application No:** 0562/13 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission - Householder **Parish:** Ilsington  
**Proposal:** Conversion of garage and roofspace over to additional ancillary accommodation  
**Location:** 15 Ley Crescent, Liverton  
**Decision:** Withdrawn

---

12 **Application No:** 0563/13 **District/Borough:** West Devon Borough  
**Application Type:** Full Planning Permission - Householder **Parish:** Horrabridge  
**Proposal:** Single storey rear utility extension  
**Location:** 28 Station Road, Horrabridge  
**Decision:** Grant Conditionally

---

13 **Application No:** 0507/13 **District/Borough:** South Hams District  
**Application Type:** Full Planning Permission **Parish:** Ugborough  
**Proposal:** Variation of condition 2 of approved 0530/10 to enable change of use from class B1(a) to class C3 (dwelling house)  
**Location:** The Clubhouse, Moorhaven  
**Decision:** Refused

---

14 **Application No:** 0574/13 **District/Borough:** West Devon Borough  
**Application Type:** Full Planning Permission **Parish:** Burrator  
**Proposal:** Engineering works to install a domestic sewage treatment plant, effluent discharge pipe and two surface water soakaways to new dwelling (approved under ref. 0621/11)  
**Location:** Brook Farm, Sheepstor  
**Decision:** Grant Conditionally

---

15 **Application No:** 0506/13 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission - Householder **Parish:** Bridford  
**Proposal:** Repair and alteration of an existing garden building  
**Location:** Green Barn, Bridford  
**Decision:** Refused

---

16 **Application No:** 0505/13 **District/Borough:** Teignbridge District  
**Application Type:** Listed Building Consent **Parish:** Bridford  
**Proposal:** Repair and alteration of an existing garden building  
**Location:** Green Barn, Bridford  
**Decision:** Refused

---



17 **Application No:** 0578/13 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission - Householder **Parish:** Moretonhampstead  
**Proposal:** Extension and alteration to dwelling  
**Location:** 50 Cross Street, Moretonhampstead  
**Decision:** Grant Conditionally

---

18 **Application No:** 0583/13 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission **Parish:** Lustleigh  
**Proposal:** Demolition of existing cottage and ancillary buildings, erection of new dwelling, ancillary garage and workroom, reposition of highway access/form visibility splay and change of use of part field to domestic curtilage  
**Location:** Highbury, Lustleigh  
**Decision:** Grant Conditionally

---

19 **Application No:** 0582/13 **District/Borough:** West Devon Borough  
**Application Type:** Full Planning Permission **Parish:** Burrator  
**Proposal:** Retention of new building to replace that formally approved (ref 0552/10) plus extension  
**Location:** Lake Farm, Dousland  
**Decision:** Grant Conditionally

---

20 **Application No:** 0542/13 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission **Parish:** Ashburton  
**Proposal:** Installation of new timber gates and fencing  
**Location:** South Dartmoor Community College, Balland Lane, Ashburton  
**Decision:** Grant Unconditionally

---

21 **Application No:** 0592/13 **District/Borough:** Teignbridge District  
**Application Type:** Listed Building Consent **Parish:** Ashburton  
**Proposal:** Replace rotten window on ground floor  
**Location:** The Dell, Summerhill, Ashburton  
**Decision:** Grant Conditionally

---

22 **Application No:** 0579/13 **District/Borough:** West Devon Borough  
**Application Type:** Full Planning Permission **Parish:** Burrator  
**Proposal:** Addition of tin roof to existing barn  
**Location:** Lowrey Barn, Lower Lowrey, Sheepstor  
**Decision:** Grant Conditionally

---

23	<b>Application No:</b> 0500/13	<b>District/Borough:</b> West Devon Borough
	<b>Application Type:</b> Full Planning Permission	<b>Parish:</b> Whitchurch
	<b>Proposal:</b> Change of use of land from agricultural to domestic and erection of ground mounted solar panels	
	<b>Location:</b> Birch Cleave House, Grenofen	
	<b>Decision:</b> Refused	
<hr/>		
24	<b>Application No:</b> 0432/13	<b>District/Borough:</b> Teignbridge District
	<b>Application Type:</b> Full Planning Permission	<b>Parish:</b> Christow
	<b>Proposal:</b> Change of use of pet crematorium and light industrial unit into mixed use pet crematorium and veterinary clinical waste transfer station with flue and associated works	
	<b>Location:</b> Units 3 and 4 Gidleys Meadow, Village Road, Christow	
	<b>Decision:</b> Grant Conditionally	
<hr/>		
25	<b>Application No:</b> 0535/13	<b>District/Borough:</b> West Devon Borough
	<b>Application Type:</b> Listed Building Consent	<b>Parish:</b> Drewsteignton
	<b>Proposal:</b> Remedial works to part of first floor construction	
	<b>Location:</b> Primrose Cottage, Drewsteignton	
	<b>Decision:</b> Grant Conditionally	
<hr/>		
26	<b>Application No:</b> 0519/13	<b>District/Borough:</b> West Devon Borough
	<b>Application Type:</b> Full Planning Permission - Householder	<b>Parish:</b> Throwleigh
	<b>Proposal:</b> Removal of existing timber shed to allow two-storey extension and improvement of house	
	<b>Location:</b> Langstone Farm, Throwleigh	
	<b>Decision:</b> Grant Conditionally	
<hr/>		
27	<b>Application No:</b> 0520/13	<b>District/Borough:</b> West Devon Borough
	<b>Application Type:</b> Listed Building Consent	<b>Parish:</b> Throwleigh
	<b>Proposal:</b> Removal of existing timber shed to allow two-storey extension and improvement of house	
	<b>Location:</b> Langstone Farm, Throwleigh	
	<b>Decision:</b> Grant Conditionally	
<hr/>		
28	<b>Application No:</b> 0529/13	<b>District/Borough:</b> South Hams District
	<b>Application Type:</b> Full Planning Permission - Householder	<b>Parish:</b> Holne
	<b>Proposal:</b> Erection of second storey extension above existing lean-to toilet/shower room at rear of property to create stair well	
	<b>Location:</b> Bearwood, Holne	
	<b>Decision:</b> Grant Unconditionally	
<hr/>		

29 **Application No:** 0543/13 **District/Borough:** West Devon Borough  
**Application Type:** Listed Building Consent **Parish:** Drewsteignton  
**Proposal:** Amended design for two doors and amended detail of glazing to lean-to  
**Location:** Middle Venton Farm, Drewsteignton  
**Decision:** Grant Unconditionally

---

30 **Application No:** 0524/13 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission - Householder **Parish:** Widecombe-in-the-Moor  
**Proposal:** Rear extension, front and side porches, replacement garage, river bank protection and new footbridge  
**Location:** Riverside, Widecombe-in-the-Moor  
**Decision:** Grant Conditionally

---

31 **Application No:** 0530/13 **District/Borough:** South Hams District  
**Application Type:** Full Planning Permission - Householder **Parish:** Cornwood  
**Proposal:** Erection of single storey extension  
**Location:** Tor View, Houndle, Ivybridge  
**Decision:** Grant Unconditionally

---

32 **Application No:** 0594/13 **District/Borough:** West Devon Borough  
**Application Type:** Full Planning Permission **Parish:** Throwleigh  
**Proposal:** Erection of implement shed (56sqm)  
**Location:** Higher Burrows, Shilstone Lane, Throwleigh  
**Decision:** Refused

---

33 **Application No:** 0565/13 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission - Householder **Parish:** Widecombe-in-the-Moor  
**Proposal:** Erection of a woodstore in the old yard  
**Location:** Southcombe Barn, Widecombe-in-the-Moor  
**Decision:** Grant Conditionally

---

34 **Application No:** 0537/13 **District/Borough:** West Devon Borough  
**Application Type:** Full Planning Permission - Householder **Parish:** Dartmoor Forest  
**Proposal:** Second storey extension over existing single storey extension at rear of the property  
**Location:** 6 Tor View, Princetown  
**Decision:** Grant Conditionally

---

35	<b>Application No:</b> 0546/13	<b>District/Borough:</b> South Hams District
	<b>Application Type:</b> Full Planning Permission	<b>Parish:</b> Dean Prior
	<b>Proposal:</b> Erection of building for agricultural purposes, provision of hard surface and improvement to existing vehicular access	
	<b>Location:</b> Land opposite The Barn, Whitehead's Cross, Dean Prior	
	<b>Decision:</b> Refused	
<hr/>		
36	<b>Application No:</b> 0547/13	<b>District/Borough:</b> West Devon Borough
	<b>Application Type:</b> Full Planning Permission - Householder	<b>Parish:</b> Lydford
	<b>Proposal:</b> Erection of two storey extension	
	<b>Location:</b> Prescombe Farm, Lydford	
	<b>Decision:</b> Grant Conditionally	
<hr/>		
37	<b>Application No:</b> 0526/13	<b>District/Borough:</b> Teignbridge District
	<b>Application Type:</b> Listed Building Consent	<b>Parish:</b> Moretonhampstead
	<b>Proposal:</b> Repairs and maintenance work to roof and associated internal repairs at first and second floor level (retrospective)	
	<b>Location:</b> White Horse Inn, George Street, Moretonhampstead	
	<b>Decision:</b> Grant Conditionally	
<hr/>		
38	<b>Application No:</b> 0556/13	<b>District/Borough:</b> West Devon Borough
	<b>Application Type:</b> Full Planning Permission - Householder	<b>Parish:</b> Brentor
	<b>Proposal:</b> Replacement garage and porch	
	<b>Location:</b> Coach House, Brentor	
	<b>Decision:</b> Grant Conditionally	
<hr/>		
39	<b>Application No:</b> 0540/13	<b>District/Borough:</b> West Devon Borough
	<b>Application Type:</b> Listed Building Consent	<b>Parish:</b> Peter Tavy
	<b>Proposal:</b> Internal alterations on second floor and installation of additional roof light	
	<b>Location:</b> Lower Mill, Peter Tavy	
	<b>Decision:</b> Grant Conditionally	
<hr/>		
40	<b>Application No:</b> 0541/13	<b>District/Borough:</b> West Devon Borough
	<b>Application Type:</b> Full Planning Permission - Householder	<b>Parish:</b> Drewsteignton
	<b>Proposal:</b> Refurbish and extend property	
	<b>Location:</b> Homelands, Crockernwell	
	<b>Decision:</b> Grant Conditionally	
<hr/>		

- 
- 41 **Application No:** 0575/13 **District/Borough:** West Devon Borough  
**Application Type:** Full Planning Permission - Householder **Parish:** Burrator  
**Proposal:** New first floor window and rooflight  
**Location:** Higher Lovaton Barn, Lovaton  
**Decision:** Grant Conditionally
- 
- 42 **Application No:** 0533/13 **District/Borough:** West Devon Borough  
**Application Type:** Full Planning Permission **Parish:** Dartmoor Forest  
**Proposal:** New roof to former silage clamp to provide building for cattle and equipment storage  
**Location:** Riddon Farm, Widecombe-in-the-Moor  
**Decision:** Grant Conditionally
- 
- 43 **Application No:** 0532/13 **District/Borough:** South Hams District  
**Application Type:** Full Planning Permission - Householder **Parish:** Cornwood  
**Proposal:** Application of external insulated render and timber cladding to existing pebble dash render property  
**Location:** Pencarrow, 10 Fore Street, Cornwood  
**Decision:** Grant Unconditionally
- 
- 44 **Application No:** 0560/13 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission - Householder **Parish:** Lustleigh  
**Proposal:** Two-storey extension to form garage and utility room with bedroom and en suite over  
**Location:** Middle Cross Cottage, Lustleigh  
**Decision:** Grant Conditionally
- 
- 45 **Application No:** 0553/13 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission **Parish:** Widecombe-in-the-Moor  
**Proposal:** Replacement of windows and front door  
**Location:** County Primary School, Widecombe-in-the-Moor  
**Decision:** Grant Unconditionally
- 
- 46 **Application No:** 0577/13 **District/Borough:** Teignbridge District  
**Application Type:** Full Planning Permission **Parish:** Ashburton  
**Proposal:** Erection of a small propagating polytunnel  
**Location:** Cuddyford Meadow, Rew Road, Ashburton  
**Decision:** Grant Conditionally
- 

**STEPHEN BELLI**

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

10 January 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.**

- 
- |   |   |   |
|---|---|---|
| 1 | Enforcement Code: <b>ENF/0037/13</b>  | District/Borough: <b>West Devon Borough</b> |
|   | Grid Ref : <b>SX698874</b>  | Parish : <b>Chagford</b>                    |
|   | Breach : <b>Unauthorised removal of hedgerow along southern boundary (condition 4 0085/12) and construction of a large wooden fence</b> |   |
|   | Location : <b>Padley Hey, Chagford</b>  |   |
|   | Action taken /<br>Notice served   | <b>No Action</b>                            |
- 
- |   |  |   |
|---|--|---|
| 2 | Enforcement Code: <b>ENF/0150/13</b>                                 | District/Borough: <b>Teignbridge District</b> |
|   | Grid Ref : <b>SX723766</b>   | Parish : <b>Widcombe-in-the-Mo</b>            |
|   | Breach : <b>Unauthorised rooflight in curtilage listed building.</b> |   |
|   | Location : <b>Southway Farm, Widcombe-in-the-Moor</b>                |   |
|   | Action taken /<br>Notice served                                      | <b>LB Enforcement Notice</b>                  |
- 
- |   |  |   |
|---|--|---|
| 3 | Enforcement Code: <b>ENF/0167/12</b>                             | District/Borough: <b>West Devon Borough</b> |
|   | Grid Ref : <b>SX536699</b>                                       | Parish : <b>Burrator</b>                    |
|   | Breach : <b>Unauthorised pole barns</b>                          |   |
|   | Location : <b>Stone Park, Walkhampton Church Lane, Yelverton</b> |   |
|   | Action taken /<br>Notice served                                  | <b>Enforcement Notice</b>                   |
-