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**Subject:** Hillyfield Plantation

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**From:** Joanna Burgess (jburgess@dartmoor.gov.uk)

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**To:** dougkingsmith@yahoo.co.uk;

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**Cc:** sbelli@dartmoor.gov.uk; akohler@dartmoor.gov.uk; javen@dartmoor.gov.uk; kpalmer@dartmoor.gov.uk;

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**Date:** Friday, 11 December 2015, 11:32

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Dear Doug

Further to your discussion with Ali Kohler on Friday 27 November, colleagues have discussed the position at Hillyfield and I am writing to advise you in respect of the planning matters and the enforcement situation.

I refer to application 0259/15:

**Barn 1 (14x10) – to store forestry machinery and equipment**

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Our advice would be to submit a prior notification application. You should include proof of need in the form of the annotated plan you shared with me at our meeting on 12 November and a site plan clarifying the buildings or structures existing on site which would be removed if the building is constructed. On the basis of the information you provided from John Clegg Consulting Limited dated 20 August at our meeting on 12 November it is likely that officers would now be in a position to confirm that it would have no objections to such a building within the quarry.

**Barn 2 - for the purposes of timber drying**

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We do not consider that a timber drying building is reasonably necessary for the purposes of forestry and that it will therefore be necessary for you to submit a planning application. We will need to consider the application against policy DMD34 (which can be found via the following link [http://www.dartmoor.gov.uk/\\_data/assets/pdf\\_file/0008/370907/2-DMDDPD-AdoptedVersion-010813\\_Part2.pdf](http://www.dartmoor.gov.uk/_data/assets/pdf_file/0008/370907/2-DMDDPD-AdoptedVersion-010813_Part2.pdf)) in particular and we will seek independent advice in respect of whether or not there is a demonstrable need that is proportionate to the use of the land.

**Other structures on the site – including yurt, tented field kitchen, tented workshop and compost toilets**

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It is clear that over the last three years, structures not apparently related to the use of the land for forestry or agriculture, have been erected on the land and that the use of the land, according to the 'Hillyfield' website, appears to be a mixed use of forestry and a D2 use for the instruction of recreational and vocational woodland activities.

We understand that you are developing a different model of managing the woodland which involves communities, volunteers and students. However as the planning authority, we do need to ensure that all 'development' is authorised or lawful.

Policies COR2, COR15 ([http://www.dartmoor.gov.uk/\\_data/assets/pdf\\_file/0012/43203/pl-core\\_strategy\\_adopted-2.pdf](http://www.dartmoor.gov.uk/_data/assets/pdf_file/0012/43203/pl-core_strategy_adopted-2.pdf)) and DMD23 make it very clear that outside Local Centres and Rural Settlements, planning permission for these types of activities will only be granted under exceptional

circumstances. Residential use of building or structures is completely contrary to policy and usually found to be unacceptable.

The use of the land for events as advertised on your website for no more than 28 days in total in any one year is permitted development by virtue of Part 4, Class B of the GPDO 2015. In association with such use, the erection of a marquee or similar structure is permitted provided it is taken down after each event.

Permanent use of your land for education or other events and permanent structures in association with such use require planning permission and you would need to address all the relevant policies to make a case for the proposed development in the open countryside (see Policy COR2 and COR18).

Whilst it is open for you to apply for planning permission, this is unlikely to be supported by the Authority and we therefore need to resolve the unauthorised use of the land and structures. We therefore propose to seek authorisation for appropriate enforcement action to secure the removal of the structures, including the yurt, tented field kitchen, tented workshop and compost toilets.

The two open fronted single storey buildings with shallow dual pitched roofs and two motor lorry bodies will also be required to be removed from the quarry within a timescale to be determined.

Authorisation will also be sought to take action requiring the siting of caravans and the use of the land for the storage of non-forestry/agricultural vehicles and trailers to cease.

The following link explains the Enforcement process [http://www.dartmoor.gov.uk/planning/pl-enforcement\\_of\\_planning\\_control](http://www.dartmoor.gov.uk/planning/pl-enforcement_of_planning_control).

Regards

Joanna Burgess MRTPI

Planning Officer

Dartmoor National Park Authority

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View planning applications online at [http://www.dartmoor-npa.gov.uk/application\\_register.htm](http://www.dartmoor-npa.gov.uk/application_register.htm)

Submit planning applications online at <http://www.planningportal.gov.uk>

Please note that the advice set out above is made without prejudice to the consideration of any application. The advice offered will not prejudice the final recommendation of the Director of Planning and Planning Team Managers, nor the final views and determination of Members of the Development Management Committee should the application be referred to them for a decision. Whilst advice offered may suggest a negative recommendation from planning officers, this does not prevent you from submitting an application to test this opinion.

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