



**Dartmoor National Park Authority**

***Refusal of Planning Permission***

Town and Country Planning Act 1990

The Town and Country Planning (Development Management Procedure) (England) Order 2015

In correspondence please quote Application No:0513/23

To: Miss Helen Bolam  
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Agent for: Mr Maxwell Rae  
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of Glastonbury  
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The Dartmoor National Park Authority hereby refuses permission to carry out the development described in the application dated 12 October 2023 attached thereto, brief particulars of which are as follows:

**Installation of 25m high lattice climbing tower on concrete foundation with fencing, Unit E3, Pitts Cleave Industrial Estate Rowden Wood Road, Tavistock, PL19 0PW**

Reason(s) for Refusal:

- 1 The proposed development, by reason of its siting, design and height, would have a negative impact on the character and appearance of this part of the National Park. In the absence of any overriding need, it has not been demonstrated that the proposed development would deliver public benefits outweighing the harm identified to National Park purposes. On this basis the proposal would be in conflict with policies SP1.1, SP1.2, SP1.3, SP1.5, SP2.1 and P4.7 of the Dartmoor Local Plan, and the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010 and the National Planning Policy Framework 2023.

**Working Proactively with the Applicant**

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and concluded that the scheme represents a form of development so far removed from the vision of the sustainable development supported in the Development Plan that no changes could be negotiated to render the scheme acceptable and thus no changes were requested.

Dated this 22 February 2024

Dean Kinsella

**Director of Spatial Planning**

### **Appeals to the Secretary of State**

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within six months of the date of this notice.

Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at <http://www.gov.uk/government/organisations/planning-inspectorate>

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

### **Purchase Notices**

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

### **The Party Wall etc Act, 1996**

Although there is no direct relationship between the Party Wall Act and planning permission, the Act means that, even though you have planning permission you may not have the right to commence work until you have satisfied the requirements of the Party Wall Act. For more detailed guidance you can obtain a booklet (Code 97PBD008) from the Publications Despatch Centre, Black Horse Road, London SE99 6TT (Tel:0181 619 9191 or Fax:0181 694 0099).