



Appeal Decision

Site visit made on 16 December 2025

by O Marigold BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 December 2025.

Appeal Ref: APP/J9497/W/25/3363561

Land at Lakehead Hill, Bellever, Yelverton, Devon PL20 6TW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by The Home Office against the decision of Dartmoor National Park Authority.
 - The application Ref is 0028/24.
 - The development proposed is Installation of Home Office Emergency Services telecommunications 30m lattice tower on concrete base with associated ancillary works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description of the proposal as set out in the Authority's Decision Notice, which reflects a reduction in the height of the tower compared to that when initially submitted. The appellant has used this revised description in the appeal form and so I am satisfied that no party would be prejudiced as a result.
3. The appeal proposal is located within the Dartmoor National Park (DNP). The National Parks and Access to the Countryside Act 1949 (as amended) requires me to seek to further the purposes of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area, and to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.
4. As part of the appeal, the appellant has provided updated information including a revised ecological assessment and an amended Construction Environmental Management Plan (CEMP). The Authority has had the opportunity to comment on this. As such, no prejudice would be caused to any party by my considering the updated information, and I shall determine the appeal on this basis.
5. Since the decision of the Authority to refuse planning permission, a revised National Planning Policy Framework (the Framework) has been published. The main parties have had the opportunity to comment on this, and I have determined the appeal based on the current planning policy position.

Main Issues

6. The main issues are the effect of the proposal on (1) the character and appearance of the DNP landscape, including its cultural heritage and the public enjoyment and understanding of the special qualities of the DNP, and (2) habitats and protected species.

Reasons

Character and Appearance

7. The site lies within the Upland Moorland with Tors Landscape Character Type (LCT) of the DNP Landscape Character Assessment, adopted 2017. The LCT consists of a gently rolling, large-scale moorland landscape, with panoramic views, and a strong sense of exposure and tranquillity. Bellever Tor is a prominent summit hereabouts.
8. The area has numerous archaeological features. In the vicinity of the appeal site are a concentration of late Neolithic and Bronze Age monuments such as cists, stone rows, and cairns, as well as slightly later relict field systems, enclosures and settlement. Many are Scheduled Monuments and so constitute designated heritage assets, with numerous other undesignated assets. These add to the rocky appearance of the landscape, and to the remoteness and timelessness of the surroundings.
9. The area was the focus of an early preservation movement since the beginning of the 20th century. Ongoing forestry work, tracks and waymarking mean that there is a degree of modern interference. Even so, the area is largely free from current day interventions. The appeal site consists of land surrounded by tall trees, part of a large area of woodland that is subject to commercial forestry. The site is accessed from footpath 24, a public right of way, and there are other tracks nearby. The large conifer plantations create dark blocks with hard edges, contrasting with the landscape backdrop.
10. The proposal seeks to fell plantation trees and to erect a 30 meter high telecommunications tower on the site, reduced from 35 metres, together with associated antenna and dishes. The proposal includes a generator, cabinets, concrete base, and a deer fence. An access track from the adjacent right of way would be built, and a temporary set-down area and construction zone would also be created.
11. Policy 4.7 of the Dartmoor Local Plan (DLP), adopted December 2021, relates to telecommunications development within the DNP. It makes clear that such infrastructure will only be permitted where, relevant here, it is located and designed to minimise its impact. It also requires that the equipment does not cause substantial harm to the DNP's special qualities, particularly landscape character, heritage significance, and tranquillity.
12. The proposed tower would have a slender lattice form, the least visually intrusive structure available given the technological requirements. Non reflective materials and a regressive colour could be used. Nevertheless, it would have a very tall height, and its vertical, functional and modern design would be stark and uncharacteristic of the moorland landscape, as would the other elements of the proposal.
13. The process of construction, whilst short term, would detract from the sense of tranquillity and remoteness of the area. So too would the proposed generator, albeit that this is an emergency back-up, and only likely to be used at times of foul weather.

14. The appellant's Landscape and Visual Impact Assessment (LVIA) finds that the effects of the proposal on the landscape character of the area would be moderate-to-slight adverse during construction, and between Years 1 and 15. The trees are not scheduled to be felled as part of planned forestry operations until after 2046¹. The LVIA finds that once this occurs, the landscape character effects of the proposal would be moderately adverse.
15. In respect of visual effects, the LVIA assesses the impacts from a range of different representative viewpoints. No visibility is anticipated from some locations because of local topography and woodland. From sequential views along footpath 24, and from the close Viewpoint 8 in particular, the LVIA finds moderate adverse impacts during construction, with slight adverse effects in subsequent years, including after the surrounding forest has been cleared. From other locations on public rights of way, such as Viewpoints 1, 3, 4 and 9, the LVIA considers that there would be slight or moderate adverse effects during construction, slight adverse or neutral effects at Years 1 to 15, and slight effects at Year 20.
16. However, whilst a viewpoint is taken from Bellever Tor, it is not taken from its highest point. This is despite it being shown on Ordnance Survey maps as a specific Viewpoint location, and thus one that is likely to attract visitors. In the absence of an LVIA viewpoint taken from here, I cannot be satisfied that it fully assesses the adverse visual effects of the proposal.
17. The Cultural Heritage Assessment concludes that designated heritage assets within the vicinity of the site are largely obscured by forestry, and that the proposal would have neutral or no effects on the assets. However, it acknowledges the possibility that some views, for example of the Scheduled Monument at Kraps Ring, would be restored should the forest be clear felled. The Assessment states that should the trees be cleared, then visibility would be gradually reduced should the trees be replanted, or if a block of trees surrounding the proposal were to be retained. Nevertheless, there is no guarantee of tree retention or replanting, or that felling would not occur earlier than 2046.
18. Moreover, even if intervisibility between individual assets and the proposal would be blocked, the tower would result in the intrusion of modern, utilitarian development in the fields of view within which many of the Scheduled Monuments are experienced. The remote and timeless character of the area is an important contributor towards the significance and setting of the Monuments. The form and nature of the proposal would undermine this perception, and so would detract from their setting and significance. In objecting to the application, Historic England reached a similar conclusion.
19. Footpath 24 is part of the History Hunter's Trail. This takes visitors on a circular route through the key archaeological features of the area including Kraps Ring. Given its close proximity to the National Park Visitor Centre at Postbridge, the Trail provides many people with the opportunity to experience an ancient landscape, where the modern world is left behind. The proposed tower would be within the centre of the Trail, so that walkers would effectively have to circle around it. As such, the effects of the proposal on visitors would be particularly heightened.
20. Users of public rights of way are considered in the LVIA as receptors of high sensitivity. That said, sequential views along much of the Trail have not been

¹ Dartmoor Forest Plan 2016-2026.

included in its assessment, and I am mindful of the NP purpose to promote opportunities for the understanding and enjoyment of the area. The installation of scheduled monument interpretation boards, suggested as a potential positive benefit, would not overcome the harm caused by the proposal. Indeed, as modern features, the boards could themselves diminish the sense of remoteness and timelessness of the area.

21. For the reasons given above, when taken together, I conclude that the proposal would cause substantial harm to the character and appearance of the DNP landscape, its cultural heritage, and the public enjoyment and understanding of the DNP. Consequently, it would conflict with DLP policy 4.7. It would similarly conflict with policies 1.1, 2.1, and 2.7. These require development to not prejudice the statutory National Park purposes, to conserve and enhance the DNP's character, quality and tranquillity, and to conserve heritage assets. However, although visible from the access network, the proposal would not directly affect it. On this basis, I find no conflict with DLP policy 4.8.
22. I give great weight to conserving and enhancing the landscape and scenic beauty of the DNP, as required by paragraph 189 of the Framework, and in accordance with the statutory requirements. As required by Framework paragraph 212, I also give great weight to the harm to the setting of the designated heritage assets and their significance.
23. That said, in the language of Framework paragraph 215, the harm to the heritage assets alone would be less than substantial. As such, this harm should be weighed against public benefits. Amongst other things, DLP policy 1.2 requires support for DNP purposes, but also the promotion of the health, safety and well-being of the population. I shall consider the benefits of the proposal, balanced against the harm identified, under Other Considerations, below.

Habitats and Protected Species

24. The application site includes small areas of highly distinctive upland wet heathland. The area shown for construction of the proposal, including a temporary set-down area, also includes areas of upland wet heathland. As such, and given the presence of trees, the site includes or is close to features which may well support notable upland birds and reptiles.
25. The General Permitted Development Order provides permitted development rights for the provision of temporary structures, with a requirement to reinstate land to its previous condition. Even so, construction is an intrinsic part of the proposal and therefore forms part of my considerations.
26. The appeal documentation includes an Ecological Addendum reflecting the effects of construction of the proposal. The period of the works would be temporary, estimated to be between eight and 10 weeks. Nevertheless, the Addendum confirms that the proposal would result in a loss of foraging and refuge opportunities for bats and birds, including the damage or destruction of nests. Moreover, the Ecological Addendum confirms that there is a risk that reptiles could be killed or injured during enabling works.
27. Mitigation proposed includes cutting vegetation to low levels outside of bird nesting season but prior to reptile hibernation, retaining material used for the proposal on the site for up to 48 hours to allow reptiles to move away, and a second cut of

vegetation. It includes the excavation of refuges and the moving of reptiles by a qualified ecologist, the use of ground protection mats, and the creation of hibernacula to allow habitats to recover. Nonetheless, there is no dispute that the proposal would have potentially negative impacts on bats, birds, reptiles and invertebrates, albeit fairly small in scale.

28. For the reasons given above, the proposal would have a harmful effect on habitats and protected species. It would therefore conflict with DLP policies 1.1 and 2.2 in this respect, which require conservation and enhancement of the wildlife and biodiversity of the area. DLP policy 4.7 refers to substantial harm to the DNP special qualities. However, given its small scale, I give the harm in respect of habitats and protected species only moderate negative weight. Accordingly, I conclude that the proposal does not conflict with policy 4.7 in respect of this issue. I shall consider policy 1.2 below.

Other Considerations

29. Framework paragraph 199 makes clear that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being, and that planning decisions should support the expansion of electronic communications networks. Framework paragraph 102 requires planning decisions to promote public safety. In this case, the proposal would be used by the Emergency Services Network, and would close gaps in service including along the B3212 (a major road for these purposes), and for an extensive area of minor roads and moorland. It would also improve the reliability of 999 calls.
30. The proposal would allow communication between the emergency services to take priority over other network traffic. It would ensure that they and other first responders can share vital data and expertise quickly and securely. The proposal would give the services access to up-to-date products and applications as technology evolves. It is supported by Southwestern Ambulance Service Trust, Devon and Somerset Fire and Rescue Service, and Dartmoor Rescue Group, being mountain rescue teams operating alongside Devon and Cornwall Police.
31. The proposal would result in increased connectivity which can help local businesses and tourism, and would have wider economic benefits. A key objective of the National Parks England and Mobile Operators Association Joint Telecommunications Accord is for the need for improved connectivity for residents and visitors, whilst minimising adverse environmental impacts. The proposal would provide for future technologies, negating the need for subsequent new installations locally.
32. The area where there is no mobile coverage falls entirely within the DNP and landscape designation. As a result, a degree of harm is unavoidable if the need is to be met. Fourteen alternative sites have been considered and discounted for a variety of reasons. A previous proposed location was dismissed on appeal². That said, the appellant does not dispute the existence of a further site for the proposal, which has support from the landowner and the Authority, and that this alternative is currently being progressed.
33. The appellant has suggested that any planning permission could include a condition requiring the removal of the proposal, should it no longer be required or

² PINS reference APP/J9497/W/22/3297643

operational. However, this could be many years away, and so does little to allay my concerns. Details of a tower approved in Exmoor National Park³ have been provided to me. Nevertheless, this involved a much shorter structure, in a different National Park, and without the same constraints. As such, I can draw little useful comparison with the proposal before me.

34. I give the public benefits of the proposal very significant positive weight. However, I conclude that the harms caused, as set out above, outweigh the benefits. For the same reasons, it would also conflict with DLP policy 1.2.

Conclusion

35. For the reasons given above, I have found conflict with the Development Plan as a whole. The material considerations in this case, and the weight I give to them, do not indicate a decision other than in accordance with the Development Plan. This leads me to conclude that the appeal should be dismissed.

O Marigold

INSPECTOR

³ PINS reference APP/F9498/W/21/3270428