



Appeal Decision

Site Visit made on 31 March 2021

by M Bale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 April 2021

Appeal Ref: APP/J9497/D/20/3262330

Sigford House, Sigford TQ12 6LF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Young against the decision of Dartmoor National Park Authority.
 - The application Ref 0404/20, dated 15 August 2020, was refused by notice dated 21 October 2020.
 - The development proposed is to replace existing steel shed with new outbuilding.
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Decision

1. The appeal is allowed and planning permission is granted to replace existing steel shed with new outbuilding at Sigford House, Sigford, Bickington TQ12 6LF in accordance with the terms of the application Ref 0404/20, dated 21 August 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location plan; SGH-LAY-01-O; SGH-LAY-02-O; SGH-LAY-05-O; SIG-LAY-03-O; SIG-LAY-04-O.
 - 3) The development hereby permitted shall not be used or occupied other than for purposes ancillary and subservient to the residential use of the existing dwelling and shall not at any time be used, let, sold or otherwise occupied as a separate unit of accommodation.
 - 4) No external lighting shall be installed or used in connection with the development hereby permitted unless otherwise agreed in writing by the Local Planning Authority.

Applications for costs

2. An application for costs has been made by Mr & Mrs Young against Dartmoor National Park Authority. This application is the subject of a separate Decision.

Main Issue

3. The main issue is whether the proposal complies with the development plan insofar as it seeks to control development in the countryside.

Reasons

4. The proposed building would be sited behind an existing stable building on land which, at the time of my site visit, contained some domestic items typically found in residential gardens. There is no physical barrier, other than a slope to

accommodate a slight change of level, between this land and the rear of the main house. In this context there is no reason to find that a greater domestication of the land would occur. Even if it did, there is no substantive evidence that harm to the rural qualities, landscape or scenic beauty of the National Park would arise, given that the site is well contained by the surrounding landscape features.

5. Policy DMD25 of the Dartmoor National Park Development Management and Delivery Development Plan Document (DMP) permits proposals for ancillary accommodation. The preamble sets out that it is not the intention of the Policy to facilitate a process of incremental development and increasingly independent occupation. The accommodation would be fairly large and include an en-suite bedroom. However, the policy wording itself is supportive of ancillary accommodation, including that providing self-contained facilities, where it can be demonstrated that the existing dwelling is functionally capable of hosting the proposed use. There is no particular evidence that the existing dwelling would not be functionally capable of hosting the ancillary use proposed.
6. There are a number of other outbuildings at the site, some of which have been converted to provide other ancillary accommodation. However, there is no substantive evidence that their existence would prevent the proposed building being used in an ancillary manner now or somehow lead to it becoming increasingly independent over time. Moreover, Policy DMD25 does not limit the number of permissible ancillary buildings so I find that the proposal would not result in a conflict with Policy DMD25.
7. Policies COR2 and COR15 of the Dartmoor National Park Local Development Framework Core Strategy Development Plan Document 2008, along with DMP Policy DMD23 seek to control the creation of new dwellings in the countryside. As this proposal seeks to provide policy compliant ancillary accommodation, not a new dwelling, there would be no conflict with those policies.
8. The Authority's ecological advisor has indicated that the proposal would not have an adverse effect on biodiversity, including bats within the South Hams Special Area of Conservation, although as a precaution external lighting should be controlled. I have no reason to disagree. Concerns that the local private water supply may be affected are not substantiated by evidence. The Authority has indicated that this would be a matter for the appellant to address outside the planning system in any event. As such, I give this matter very limited weight in my decision.
9. For the above reasons, I find that the proposal is in accordance with DMP Policy DMD25 and the relevant parts of the development plan, considered as a whole. I have imposed a condition restricting the accommodation to ancillary uses only, as required by Policy DMD25, and one controlling external lighting, to protect bat foraging activities in the area.
10. For the above reasons, I conclude that the appeal should be allowed.

M Bale

INSPECTOR