



Appeal Decision

Site visit made on 21 March 2022

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th March 2022

Appeal Ref: APP/J9497/W/21/3285758

Ash Farm, Sticklepath EX20 2PJ

- 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 Buster Francis against the decision of Dartmoor National Park Authority.
 - The application Ref 0353/21, dated 23 June 2021, was refused by notice dated 23 August 2021.
 - The development proposed is to convert former barn into a 2 bedroom bungalow.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The local planning authority's reasons for refusal refer to a number of policies from the Dartmoor National Park Development Plan. Since the decision, these policies have been superseded by those in the Dartmoor Local Plan 2018-2036 (the Local Plan), which was adopted on 3 December 2021, and now forms part of the development plan for the area. The local planning authority identified the relevant policies from the Local Plan that should be considered in the determination of the appeal in its Questionnaire and Statement of Case. The appeal timetable has allowed the appellant the opportunity to comment on the implications of the change in status of the Local Plan since the decision.

Main Issue

3. The main issue is whether the building is suitable for conversion to a dwelling, bearing in mind its location and the settlement policies of the development plan.

Reasons

4. Ash Farm lies approximately 1.8km to the southeast of Sticklepath, and 0.75km to the south of South Zeal. The appeal site comprises an agricultural building, and adjacent land, that is located about 100 metres to the northeast of the existing farmhouse. The proposal is to convert the building to a two-bedroomed dwelling, which the appellant states would be affordable and restricted to occupancy by a local person.
5. The spatial strategy for development in the National Park is set out in Strategic Policy 1.3 of the Local Plan, which seeks to focus development in the most sustainable locations, and where it relates well to existing development. To achieve this, a hierarchy of settlements is identified, together with the level of

development that will be acceptable in each category. Local Centres lie at the top of the hierarchy, where sites are allocated to meet local housing and employment needs. South Zeal and Sticklepath are identified in the tier below, as Rural Settlements, which are suitable to meet the development needs of the settlement and surrounding parish, but have no allocated development sites. In the third tier, Villages and Hamlets, limited development to meet identified needs of the settlement and its parish will be acceptable. Areas outside these classified settlements are defined as Open Countryside, where only specific categories of development will be acceptable in principle.

6. The appeal site lies some 600 metres outside the Settlement Boundary for South Zeal as identified by the Local Plan. The intervening land is largely undeveloped countryside. The appeal building itself is set apart from the existing farmhouse and complex of farm buildings, and it is surrounded by agricultural land. There are no other buildings within 150 metres. The site therefore lies outside the classified settlement and is within the Open Countryside for the purposes of Strategic Policy 1.3. In this location development is acceptable in principle if it falls within seven identified categories. These categories do not include affordable housing or housing with a local occupancy restriction.
7. The housing strategy of the Local Plan aims to deliver 65 new homes per year in accordance with the spatial strategy. New housing will be focused on the Local Centres, with small scale development in the Rural Settlements. Within Villages and Hamlets, development will be limited to affordable housing to meet identified local needs. Custom and self-build housing for local-person occupancy may come forward within classified settlements, where conversion of buildings to new homes would also accord with the strategy. Outside settlements, in the Open Countryside, Paragraph 3.1.7 of the Local Plan identifies that the broader needs of communities may be met through rural workers' houses; subdivision of existing dwellings; and, in locations well-related to necessary services and infrastructure, conversion of suitable redundant historic buildings; Gypsy and traveller accommodation; and low impact development. As the appeal site lies in the Open Countryside, only one of the types of housing described in Paragraph 3.1.7 would accord with the housing strategy.
8. Policy 3.9 of the Local Plan makes provision for new rural workers' housing in the Open Countryside. However, such proposals are only acceptable where there is an essential need for a full-time worker to live permanently at or near their work. In this case, it is not disputed that the appellant works on the farm. However, there is an existing farmhouse within 100 metres of the appeal site, which is well located adjacent to the farm buildings. No evidence has been submitted to demonstrate that there is a functional need for a second worker to live on the site. In the absence of an appraisal demonstrating such a need, the proposal is not supported by Policy 3.9.
9. The proposal is for the conversion of an existing building, rather than the construction of a new dwelling. Strategic Policy 2.8 of the Local Plan allows for the conversion of redundant historic non-residential buildings in the Open Countryside. Whilst the Local Plan does not provide a definition of the term historic buildings, paragraph 2.7.14 indicates that, for the purposes of this Policy, they will be traditional buildings that tell a story of Dartmoor's history, their construction often reflecting underlying geology and vernacular building

- practices, and they will contribute to a sense of place, local distinctiveness, and landscape character.
10. Whilst it is contended that the building has been in existence for many years, it does not have a historic appearance or character. It is a utilitarian building, comprised of low block walls with space-boarding above, and a profile metal sheet roof. It is in a good state of repair, and appears to have been constructed, or renovated, comparatively recently. Consequently, it cannot reasonably be described as a historic building. It is not of a form, structure, and history that is traditional within the context of Dartmoor's built heritage, so its conversion to a dwelling would be contrary to Strategic Policy 2.8.
 11. The proposal would provide a timber-clad dwelling through conversion of an existing building, and would allow the appellant to live and work on the holding. In these circumstances, the appellant contends that it would have a low environmental impact. Policy 3.12 of the Local Plan makes provision for low-impact residential development outside settlements. However, criterion a) requires that proposals are within, adjoining, or well-related to a classified settlement. In this case, the appeal site is some distance from the edge of South Zeal. Accessing the services within the village would involve a journey of about a kilometre via unlit lanes, which are steep in places and have no segregated footways or cycleways. The route is not, therefore, conducive to walking or cycling, so it is unlikely that journeys to obtain services would be made by these modes of transport on a regular basis. Due to the distance, and the nature of the connecting route, the site is not well-related to South Zeal.
 12. Furthermore, the proposal is not accompanied by the wealth of evidence required to demonstrate a truly low impact approach. Paragraph 3.11.7 of the Local Plan specifies that robust documentation would be required in this regard, including a Business and Improvement Plan; an Ecological Footprint Analysis; a Zero Carbon Analysis; Landscape and Biodiversity Assessments; and a Travel Plan and Transport Assessment. In the absence of this evidence, and as the site is not well-related to an existing settlement, the proposal would be contrary to Policy 3.12.
 13. To conclude on the main issue, the appeal site lies in the Open Countryside, where the spatial and housing strategies of the Local Plan only allow for limited types of residential development. The proposal does not accord with the policies that allow for rural workers' dwellings, the conversion of redundant historic non-residential buildings, or low impact residential development. Therefore, the location and nature of the building means that it is not suitable for conversion to a dwelling. Consequently, the proposal would be contrary to Policies 1.3, 2.8, 3.9 and 3.12 of the Local Plan.

Planning Balance

14. The proposal would contribute to the Local Plan's aim to deliver 1,125 homes between 2018 and 2036. However, in view of the small scale of the development, this benefit carries limited weight.
15. The evidence indicates that there is a restricted supply of affordable housing in the locality. The conversion of the building would provide a viable means by which the appellant could achieve suitable alternative accommodation close to the farm where he works. This is a benefit that weighs in favour of the proposal. However, whilst the proposal is presented as an affordable dwelling

for a local person, no planning obligation has been submitted to ensure that this would remain the case in perpetuity. Furthermore, the location of the building outside any recognised settlement means that such an obligation would not, in any case, overcome the conflict with the settlement policies of the Local Plan. Consequently, I can only give this benefit moderate weight in my decision.

16. The barn is not prominent, as it is largely surrounded by hedgebanks and trees. The conversion of the building and the provision of a domestic curtilage would, therefore, have little impact on the character and appearance of the wider National Park landscape. However, this lack of harm is a neutral factor in the overall balance.
17. Paragraph 12 of the National Planning Policy Framework clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. In the overall balance, the moderate weight that I have given to the benefits of the development do not outweigh the conflict with the settlement policies of the Local Plan.

Conclusion

18. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

Nick Davies

INSPECTOR