



Appeal Decisions

Site visit made on 16 July 2024

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 21 August 2024

Appeal A Ref: APP/J9497/W/23/3335023

Shilstone Farm, Chagford TQ13 8JX

- 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 Serlin against the decision of Dartmoor National Park Authority (NPA).
 - The application Ref is 0405/23.
 - The development proposed is (a) the conversion of the garage to provide a residence for the client, which could also be used as holiday accommodation, (b) the conversion of the new stables to provide storage for machinery, laundry and dry storage, as well as staff facilities, (c) to provide a natural swimming pond on the site of the unused Upper Ménage, (d) to provide a small solar PV array on the roof of the existing carport.
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Appeal B Ref: APP/J9497/Y/23/3335059

Shilstone Farm, Chagford, Devon, TQ13 8JX

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Serlin against the decision of Dartmoor National Park Authority (NPA).
 - The application Ref is 0406/23.
 - The works proposed are (a) the conversion of the garage to provide a residence for the client, which could also be used as holiday accommodation, (b) the conversion of the new stables to provide storage for machinery, laundry and dry storage, as well as staff facilities, (c) to provide a natural swimming pond on the site of the unused Upper Ménage, (d) to provide a small solar PV array on the roof of the existing carport.
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Decision – Appeal A

1. The appeal is dismissed.

Decision – Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. The appeals relate to the same scheme under different legislation. I have dealt with both appeals together in my reasoning.
4. Since the NPA made its decision the National Planning Policy Framework (Framework) was updated. The parties have had opportunity to address any changes in their submissions.
5. There is some uncertainty about the description of the proposal. In the email to the NPA dated 25 October 2023 a request is made to amend the description to remove references to use the garage as a dwelling. A reference to residential

use was however retained by the NPA on its decision notices. Furthermore, the appellant stated on the appeal forms that the description of the proposal has not changed from that stated on the application form. It would therefore seem most appropriate to use the original description in the banner headings above.

Main Issues

6. A main issue for both appeals is the effect of the proposal upon the significance of the grade II listed buildings at Shilstone Farm.
7. An additional main issue for Appeal A is whether the change of use of the stables needs to be justified.

Reasons

Listed building

8. Shilstone Farm is a historic farmstead in a rural location. The building group is compact and loosely arranged across the steeply sloping valley, which falls to the south. Four buildings in the group are individually listed. These include the farmhouse¹, which is to the west of the garage, and the threshing barn² to the east.
9. The list description suggests that the farmhouse probably has 16th century origins and was built as a Dartmoor Longhouse. Its main linear range tucks into the hillside at its north end. It is constructed in granite stone rubble under a thatched roof.
10. It stands opposite a modest former threshing barn that dates from the 18th or early 19th century. This building has retained its simple form with limited openings and is constructed in materials to match the farmhouse.
11. Perpendicular to these stands the garage building, which defines the southern boundary of the yard. Although this building is not specifically listed, it is constructed in the same mix of stone and thatch and is an integral part of the historic farmstead. It is regarded as listed by virtue of its position and historic association with the listed farmhouse.
12. The traditional materials of the buildings, that include significant areas of historic fabric and original openings, are of considerable aesthetic and architectural significance. This is enhanced by the interrelationship of the various buildings and their interaction with the surrounding farmland; this is illustrative of how the farm functioned. The way the buildings tumble across the sloping topography creates a pleasingly informal arrangement that is enhanced by its context within a valued landscape. The thatched roofs are highly characterful and a primary contributor to the farmstead's aesthetic interest.
13. The proposal would see the garage converted into a residential unit. A first floor would be inserted, which would involve the insertion of rooflights into either end and across the south facing roof slope. Although the front slope would be kept clear of these insertions, the rooflights at either end and those on the rear slope would be prominent to view from several vantage points around the farmstead. This includes views from the lower level garden at the

¹ List Entry Number: 1106100

² List Entry Number: 1326076

rear and a particularly significant view from the area of the menage, where several of the thatched roofs can be seen together.

14. Rooflights are not commonly seen in thatched roofs. As well as the technical difficulties with successfully inserting them, they would have a significant adverse visual impact on the simple aesthetic qualities of the farmstead's thatched roofs. In addition to its historic significance, its aesthetic qualities – which include its simple natural form and poured on appearance – would be significantly undermined by the insertion of the proposed rooflights. Rooflights are used elsewhere at the site, but none have been inserted into thatched roofs; therefore, a precedent for use in this context has not been established. The insertion of rooflights would cause considerable harm to the building's significance and that of the wider farmstead.
15. It is suggested that the rooflights are necessary to ensure the provision of suitable accommodation and address the building's dark interior, and that they are identified as an appropriate solution within the NPA's design guide. In terms of light levels, the main room would benefit from large full height glazing to two opposing elevations with an additional window in the end. Together these would provide a good level of daylight throughout the proposed living space. On this basis I cannot agree that the three rooflights that would serve this area can be justified. The other three are necessary because a first floor is proposed. It would appear to be possible to provide a well-appointed single storey unit based on the proposed ground floor layout. There is therefore nothing before me to justify the addition of the floor, and these matters do not justify the proposed rooflights.
16. The proposal would also see the simple utilitarian form of the building altered by the insertion of large areas of glazing and a chimney. There is insufficient understanding of what the building was used for originally, and nothing to suggest that it was originally heated or had a function that required a chimney. Without this the addition of a prominent masonry chimney is likely to confuse our understanding of the building and the way the farmstead functioned historically.
17. Similarly, although the existing window and door openings do not appear to be of historic value, they are modest and understated, and provide the building with a basic functional appearance. The glazing to the front would not be dominant, particularly as it is broken by the proposed central solid door. To the rear however, two large sections of glazing are proposed. In the same perspective as the proposed rooflights these large areas of glazing would significantly alter the building's appearance and give it a fussier domestic character that is at odds with its current utilitarian appearance. Thus, the addition of the chimney and glazing are also elements of the proposal that would cause considerable harm.
18. Modest additional harm would arise from the loss of small areas of historic masonry to make way for enlarged openings.
19. The harm to the significance of the building and wider farmstead would be considerable. In terms of the National Planning Policy Framework (Framework) the harm would be less than substantial but would nevertheless be of considerable importance and weight. Paragraph 208 of the Framework establishes that any harm should be weighed against the public benefits of the proposal.

20. It is suggested that the proposal would give the building a better use and that re-using the building for garaging would be disruptive and harmful to the amenity of those using the accommodation. The building is in good condition and does not appear to need a new use or a programme of repair to secure its future. It has the potential to provide numerous ancillary functions to support the operation of a large house, and I cannot understand why using the building for the parking of cars would be anything other than highly convenient for those residing in the farmhouse. I therefore give little weight to these matters.
21. The proposal includes the removal of the lean-to WC. This is a modest ancillary structure that is well weathered. It sits neatly at the back of the building in an unobtrusive position, tucked under the eaves. I do not consider it to be a harmful addition, and therefore its removal should not be considered a public benefit.
22. The proposal would secure wider benefits, including the installation of photovoltaic panels, an electric vehicle charging point and ecological enhancements associated with the swimming pool. Whilst all are public benefits, none are associated with the building that would be harmed and there is no mechanism before me to ensure that they are all carried out. I thus give moderate weight to these benefits.
23. Together the public benefits carry moderate weight. In the context of paragraph 205 of the Framework which states that great weight should be given to the conservation of heritage assets, the public benefits are not sufficient to outweigh the harm.
24. In summary, the garage conversion would fail to meet the requirements of the LBCA as it would harm the special interest of the listed building and wider farmstead. It would fail to accord with Policies SP1.1, SP1.5, SP2.7, SP2.8 and P5.5 of the Dartmoor Local Plan 2018-2036 (DLP). Together these Policies seek to ensure that development proposals do not prejudice the statutory National Park purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area; are well designed; and conserve heritage assets.

Change of use

25. The proposal includes the conversion of the modern stables building attached to the rear of the historic threshing barn. The stables would be put to a series of uses such as a laundry, machinery store and staff facilities. It is suggested these are necessary to support the holiday units. The stables are currently unused.
26. The appeal site is within a protected landscape where development proposals are strictly controlled to ensure that land is used effectively and efficiently. The proposed uses would be significant for the modest number of units at the site.
27. The stables conversion would not conflict with any aspect of Policies 1.1 and 1.2 of the DLP. The conversion can be considered a development related to an existing business that makes use of a redundant building and is therefore acceptable in principle in accordance with part 4. c) of Policy SP1.3 of the DLP.
28. The proposal would see a redundant building reused without extension and would be acceptable in the context of Policy SP5.1 to support the small scale expansion of existing businesses. There is no requirement within the Policy to justify the need for the change of use.

29. In summary, whilst I have some sympathy with the NPA's concern about the scale of the provision for a small number of units, there is no evidence to suggest that the conversion would create development pressure elsewhere. It does not conflict with any part of the DLP and does not need to be justified.

Other Matters

30. There is some doubt as to whether a licence would be granted by Natural England for the work to convert the garage owing to its use as a transitional bat roost. This is not however a matter that I need to consider further as I am dismissing the appeal for other reasons.

Conclusion

31. Although I have found favourably against the second main issue, my finding of harm against the first means that the appeals should be dismissed.

A Tucker

INSPECTOR