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# Appeal Decision

Site visit made on 10 September 2024

**by K Reeves BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 06 November 2024**

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**Appeal Ref: APP/J9497/W/24/3338340**

**The Cloves, Raddon Farm, Lane to Brambleham Farm, Lydford, Devon  
EX20 4BP**

- 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 Mrs C Murrain against the decision of Dartmoor National Park Authority.
  - The application Ref is 0441/23.
  - The development proposed is change of use of garage to mixed use as annexe/holiday let and erection of a porch.
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## Decision

1. The appeal is dismissed insofar as it relates to the change of use of garage to mixed use as annexe/holiday let. The appeal is allowed insofar as it relates to the erection of a porch and planning permission is granted for the erection of a porch at The Cloves, Raddon Farm, Lane to Brambleham Farm, Lydford, Devon, EX20 4BP in accordance with the terms of the application, Ref 0441/23, and the plans submitted with it, so far as is relevant to that part of the development hereby permitted and subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) Prior to their installation on the porch hereby permitted, samples of the materials to be used in the construction of the external surfaces of the porch shall be submitted to, and approved in writing by, the Local Planning Authority. The construction of the porch shall be carried out in accordance with the approved samples and retained as such thereafter.

## Preliminary Matter

2. At the time of my site visit, it appeared that the garage building had been converted to living accommodation. However, for the avoidance of doubt, I have determined the appeal on the basis of the details shown on the submitted plans.

## Main Issues

3. The main issues are:
  - whether the proposed conversion of the garage building would be acceptable having regard to the policies for the location of development in the development plan; and

- the effect of the proposed development on the character, appearance and affordability of the dwelling.

## **Reasons**

### *Location*

4. The proposal is, in part, for the conversion of the single storey detached garage building at Raddon Farm to a mixed use as an annexe to the main dwelling and a holiday let. The building was constructed as part of an agricultural workers' dwelling permitted in 2011<sup>1</sup>. It was originally constructed as a garage with storage and farm worker's accommodation and welfare office.
5. The overall purpose of the Dartmoor Local Plan 2018 – 2036 (LP) is set out in Strategic Policy (SP) 1.1, which seeks to protect the National Park's special qualities whilst meeting the needs of its communities. The development plan's spatial strategy focuses most development on the local centres and rural settlements where development can maintain and enhance a range of services and facilities which serve the settlement.
6. The appeal site is outside any settlement boundary and is therefore in open countryside for planning purposes. Policy 5.5 of the LP sets out where tourist accommodation will be acceptable in principle. Part of the policy's criteria is that short-stay tourist accommodation in the open countryside will only be permitted where it is provided through the conversion of suitable redundant historic buildings. The preamble to SP 2.8 of the LP explains that buildings are defined as historic where they are of historic value and contribute to the character and cultural value of Dartmoor.
7. The appellant concedes that the garage building is not a historic building. The building does not have any particular historical or cultural heritage associated with it. Its appearance does not clearly display the defined qualities of a traditional building that would be applicable for conversion or re-use under Policy 5.5 of the LP. I note that there are no historic buildings on the farmstead that are available for conversion. Whilst Paragraph 5.6.6 of the LP provides an alternative approach where no redundant historic buildings suitable for conversion exist, this only permits the potential creation of a residential annexe, not a holiday let. Accordingly, while I note the constraints identified by the appellant regarding the absence of redundant historic buildings on the site, the conversion of this modern garage building to enable it to be used as a holiday let as well as an annexe would conflict with Policy 5.5 of the LP.
8. Given that Raddon Farm includes 131 acres of permanent pasture owned and tenanted land that is used to run a dairy cow herd, Policy 5.9 of the LP which deals with farm diversification is also relevant to the determination of the appeal. The proposed holiday let would have a floorspace of less than 93 square metres, but as the proposal does not involve the conversion of a historic building, it does not gain support from Policy 5.9. Furthermore, the appellant has not demonstrated that the building is redundant and there is therefore a direct conflict with the requirement of Policy 5.9 to make use of redundant buildings for the provision of farm diversification.

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<sup>1</sup> Dartmoor National Park Authority planning application reference 0373/11

9. I acknowledge that the proposal would result in economic benefits from the future occupiers of the holiday let spending money in nearby settlements and that it would support the long-term viability of the farm business. I also note the support for economic growth and farm diversification in the development plan and the National Planning Policy Framework (the Framework). However, the small-scale nature of the holiday let proposal means that the level of economic benefit would be limited, and as the appellant has not demonstrated the level of financial benefit the proposal would offer to the viability of the farm business, I can only afford this factor limited weight as well.
10. Weighing against the above factors is the conflict with the development plan's spatial strategy for tourist accommodation in the National Park and the harm arising from that conflict. Given the development plan's consistency with the Framework, I afford significant weight to that conflict. As such, the benefits arising from the proposed holiday let would be outweighed by the adverse impacts.
11. My attention has been drawn to a planning permission that was granted earlier this year for the siting of a shepherd's hut at Raddon Farm for holiday letting<sup>2</sup>. The appellant asserts that the approval of that scheme establishes the principle of a farm diversification scheme for the provision of tourist accommodation. However, that scheme is not comparable to the appeal before me as it did not involve the conversion of an existing building. Therefore, that decision does not alter my reasoning.
12. I have also been made aware of a recently allowed appeal for the siting of two glamping pods at Teigncombe Farm<sup>3</sup>. However, again, that proposal did not involve the conversion of an existing building and it is therefore not directly comparable to the appeal before me. As such, that appeal decision does not alter my reasoning either. Furthermore, I am determining the appeal on its own individual merits based on the available evidence.
13. For these reasons, I conclude that the proposed conversion of the garage building to a holiday let in this location would be contrary to the development plan. In particular, the proposal would conflict with Policies 5.5 and 5.9 of the LP, which, amongst other things, set the policy requirements for tourist accommodation and farm diversification. There would also be a conflict with SP 1.1 and SP 1.2 of the LP, which set out the purpose and spatial strategy of the development plan.

*Character, appearance and affordability*

14. The Framework requires great weight to be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues.
15. Point 1 of Policy 3.7 of the LP sets out that extensions are subject to criteria relating to design, effect on character and appearance and floorspace increase. Policy 3.7 further states that extensions will not be permitted if the dwelling is limited by an agricultural occupancy condition and the extension would result in a gross internal floor area of over 106 square metres.

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<sup>2</sup> Dartmoor National Park Authority planning application reference 0429/23

<sup>3</sup> Appeal decision APP/J9497/W/24/3341104

16. The appellant has confirmed that the habitable floorspace of the dwelling is 192 square metres and the National Park Authority (the NPA) states that the proposed annexe/holiday let would have a floorspace of 47 square metres. The parties have not disputed each other's figures and I am therefore content to rely on them. The accommodation proposed in the garage building would consist of a kitchen, living area, bedroom and bathroom.
17. The appellant argues that the garage building can be used as ancillary accommodation to the dwelling without planning permission. My attention has been drawn to an email that was sent by the NPA, which suggests that an annexe in the garage building may not require permission. However, that is a separate matter from the determination of this appeal which must be assessed based on the description of the proposed development which is for mixed use as an annexe and holiday let, as well as the proposed porch.
18. The proposal for the annexe would result in a significant enlargement of the rural workers' dwelling. Whilst the dwelling's floorspace already exceeds the floorspace restriction set out in Policy 3.7, the proposal would further exceed that restriction by a substantial amount. The number of bedrooms, bathrooms and living space at the property would also increase. The increase in floorspace would not conflict with the 30% floorspace increase restriction in Policy 3.7, but the proposal would take the size of the property even further beyond the 106 square metres set out in Policy 3.9, and that policy requires that rural workers housing is sized to reflect the evidenced need. Furthermore, the increase could result in it no longer being affordable to another rural worker.
19. The garage building would remain a visually subservient building that is in keeping with the vernacular of the dwelling. While the size and design of the proposal would not harm the character and appearance of the surroundings and the wider landscape of the National Park, any absence of harm in this regard is neutral. However, the areas of conflict with Policy 3.7 described above would be at odds with one of the policy objectives of retaining a mix of dwelling sizes to help sustain balanced communities across the National Park. The proposal would therefore conflict with Policy 3.7 as a whole.
20. Consequently, the proposed annexe use would conflict with Policy 3.7 of the LP and does not gain support from Policy 3.9 of the LP. Additionally, the proposal for the annexe would conflict with the English National Parks and the Broads UK Government Vision and Circular 2010 (the 2010 Circular) and with the Framework, which seek to foster the social well-being of the local communities within the National Park, improve access to housing, and improve social conditions of the area respectively.
21. Turning to the proposed porch, it would be erected on the side of the dwelling adjacent to an existing single storey lean-to. It would be considerably smaller than the existing lean-to and would reflect the proportions of that part of the dwelling. The elevations of the porch would be set back from the external faces of the existing walls of the dwelling, and this would aid its subservience to the host building. Furthermore, the proposed external materials would match the dwelling, and this would mean that it would sufficiently assimilate with the existing built form. It would also not increase the habitable floorspace of the original dwelling by more than 30%. As such, the size and design of the porch would be compliant with Part 1 of Policy 3.7 of the LP.

22. In terms of the effect of the porch on the affordability of the rural worker's dwelling, the proposal would result in a small-scale increase in the floorspace of the dwelling. It would not provide additional living accommodation or the enlargement of such accommodation. The NPA assert that the porch addition would increase the value of the property and make it less affordable. However, I have been provided with limited evidence to demonstrate that the small-scale enlargement would have a material effect on the affordability of the property. Consequently, it has not been demonstrated that the proposal for the porch would contribute to an imbalance in the range and mix of housing stock available.
23. Consequently, this part of the proposal would comply with Policies 3.7 and 3.9 of the LP, for the reasons set out above. Additionally, the proposed porch would comply with the 2010 Circular and with the Framework.
24. For these reasons, whilst the proposed annexe use would have a harmful effect on the affordability of the dwelling, the erection of the proposed porch would be compliant with the development plan for the reasons identified above. Given that these two elements of the scheme are severable, a split decision can be made.

### **Conditions**

25. The NPA have suggested various conditions in the event that I am minded to allow the appeal. I have taken the conditions relating to the proposed porch, but, having considered these against the six tests set out in the Framework and Planning Practice Guidance, I have made changes to the wording to add clarity and preciseness as appropriate.
26. I consider that the standard time limit condition and a requirement to comply with the approved plans are necessary for the avoidance of doubt and in the interests of proper planning. A condition requiring the submission and approval of external materials prior to installation is necessary and reasonable to ensure the conservation of the protected landscape. However, when having regard to the small scale of the proposed porch, it is not reasonable or necessary to include a condition requiring biological enhancement measures.

### **Conclusion**

27. For the reasons given above, the appeal should be allowed in part and dismissed in part.

*K Reeves*

INSPECTOR