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# Appeal Decision

Site visit made on 24 September 2024

**by K Jones BA (Hons) DipLA CMLI**

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

**Decision date: 02 December 2024**

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**Appeal Ref: APP/J9497/W/23/3333816**

**The Forest Inn, Road Past The Old Farmhouse, Hexworthy, Princetown, Devon PL20 6SD**

- 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 Mr Mark Wilkinson of Forest Inn Dartmoor Ltd against the decision of Dartmoor National Park Authority.
  - The application Ref is 0379/23.
  - The development proposed is conversion of existing outbuilding to create two self contained family units of staff accommodation.
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## Decision

1. The appeal is allowed and planning permission is granted for conversion of existing outbuilding to create two self contained family units of staff accommodation at The Forest Inn, Road Past The Old Farmhouse, Hexworthy, Princetown, Devon PL20 6SD in accordance with the terms of the application, Ref 0379/23, subject to the conditions in the attached schedule.

## Preliminary Matters

2. The parties have confirmed that despite reference to Policy 5.7 of the Dartmoor Local Plan 2018-2036 (the Local Plan) in the Authority's reason for refusal, the correct reference is Policy 5.6. I have determined the appeal on that basis.

## Main Issue

3. The main issue is whether the proposal would be acceptable having regard to the development plan and the need, location, and size of the proposed units.

## Reasons

4. The appeal premises is located within the small hamlet of Hexworthy, some distance from any settlement named by Strategic Policy 1.3 of the Local Plan. Such locations are classed as the open countryside, in which development is strictly limited to that which needs to take place in the open countryside, including development related to existing businesses. Policy 5.6 of the Local Plan recognises that serviced accommodation businesses, such as hotels and guesthouses, make an important contribution to the local tourism economy. However, they are often reliant on low wage workers who cannot afford to live locally. The policy is supportive of staff accommodation where evidence clearly demonstrates it is needed by a serviced accommodation business to provide accommodation for staff who cannot afford to live locally, and where this cannot be reasonably provided through existing accommodation in the local area.

5. The Forest Inn is an established and operational business with a bar, restaurant, twelve B&B rooms, and two self-contained holiday flats. The appellant has set out the staff requirements of the Inn which refers to 8 key skeleton staff members with accommodation needs including the bar manager, kitchen manager, accommodation manager, night watch, and a member of waiting staff. Additional staff requirements are set out including kitchen and bar staff, and on call roles, each of which include a number of anti-social shift patterns.
6. Several of the roles identified would support the non-serviced accommodation elements of the business which is less likely to require accommodation for staff and would not be explicitly supported by Policy 5.6. However, there would clearly be some overlap in providing services and facilities to visitors occupying the B&B rooms. The appellant is not seeking to provide accommodation for the full staffing requirements of the Inn, recognising that many of the additional roles could be part-time and resourced locally. Overall however, based on the scale and facilities of the Inn and the existing staffing levels, the intention of the appellant to provide accommodation for nine members of skeleton staff associated with the serviced accommodation is not unreasonable, and in my judgement is sufficiently evidenced.
7. I am also satisfied that the location of the Inn is sufficiently remote that staff would be unable to live locally, and that the Inn has had difficulty in recruiting and retaining staff as a result of its remote location. The nearest larger settlements with more realistic opportunities for affordable accommodation are Ashburton, Buckfastleigh, Bovey Tracey, and Heathfield, each of which are several miles away, with few public transport options. Accommodation in these areas does not therefore present a realistic alternative to living on site.
8. The Authority identifies several staff accommodation options associated with the Inn. These include one 1-bed flat on the ground floor of the Inn, one 1-bed flat on the second floor, and one 2-bed flat on the second floor. There is also a larger dwelling owned by the appellant nearby known as 'The Chalet'. While this is currently rented out to a family that do not form part of the key staff, it could feasibly be used as staff accommodation in the future. Together these options equate to a maximum of eight bedrooms between four properties.
9. It is a reasonable expectation that the more senior managerial staff roles identified may have family accommodation needs, and I note that the current kitchen manager has family who would reasonably expect to live together. I also observed on site that the flats are very modest in size and would not be suitable to house a family. Even if The Chalet were to be made available for staff accommodation to house the kitchen manager's family, two other staff members could share the 2-bed flat, and one occupied each of the 1-bed flats, there would still be a shortfall of available accommodation for four of the nine members of skeleton staff.
10. It is clear that the nearby bunkhouse is not within the appellant's ownership, having been informally sold to raise funds for initial repairs to the Inn. Although a formal transfer of ownership has been completed more recently, there is nothing before me to raise doubt over the appellant's evidence in this matter. The bunkhouse and the flats it now contains would therefore not provide an alternative option for staff accommodation. I am also satisfied that the use of the active holiday flats or B&B rooms within the Inn for staff accommodation

would inevitably affect the viability of the business, and would not provide a satisfactory or long-term solution.

11. While it is not possible to accurately predict future individual requirements of staff or their families, the evidence clearly demonstrates a need for a modest level of staff accommodation on site, which cannot reasonably be provided through existing accommodation on site or in the local area.
12. The second part of Policy 5.6 relates to the physical provision of accommodation, including its size and type of development. The appeal building is a modest outbuilding of brick, blockwork, and concrete render construction. It contains several doorway openings on its north elevation, and a corrugated roof which is generally in poor condition. The building forms a functional and relatively recent addition to the linear pattern of built form alongside the Forest Inn.
13. There is disagreement between the parties over the habitable floorspace of each property in relation to the Local Plan's restriction for affordable and local occupancy self-build properties within the National Park. However, staff accommodation supported by Policy 5.6 is not subject to the same floorspace restriction as affordable or self-build housing, with the test instead being that it is modest and proportionate to need. The proposed floor plans indicate very modest room sizes throughout, particularly taking account of the reduced ceiling heights of the first floor. There are no rooms which would not meet the day-to-day needs of occupiers. While the properties could each accommodate a small family, the appellant has identified specific staff members to live in each property, indicating that the rooms provided would be justified by the identified need.
14. While conversion of historic buildings is preferred by the policy, conversion of modern buildings is also accepted as a means to provide staff accommodation. I was able to see on site that there are no suitable historic buildings within the complex that could be converted. The age of the building would therefore meet the requirements of the policy.
15. Accordingly, I conclude that the proposal would be acceptable having regard to the need, location, and size of the proposed units. It would meet the requirements of Policy 5.6 of the Local Plan, and would therefore not conflict with Strategic Policies 1.1, 1.2, 1.3, and 3.1 of the Local Plan insofar as they set out the strategy for development in the National Park.
16. In its reason for refusal, the Authority has also found conflict with Strategic Policies 2.1 and 2.6 in relation to protecting the character of Dartmoor's landscapes, its tranquillity, and dark night skies. The Authority has not identified any specific harms in relation to these matters, and the proposal would constitute a sensitive and modest conversion of an existing blockwork building which currently makes little contribution to the character of the area. The window openings would not be large or dominant, and would be unlikely to result in noticeable additional light spill within the hamlet. Subject to conditions securing appropriate detailing, I therefore find no conflict with these policies.
17. In coming to my conclusions, I am mindful of the duties imposed upon me to seek to further the purposes of the National Park designation, which include conserving and enhancing the natural beauty, wildlife, and cultural heritage of the National Park. In addition, the Framework places great weight on the

conservation and enhancement of landscape and scenic beauty in National Parks. For my reasons above, I am satisfied that the natural beauty, wildlife and cultural heritage of the National Park would be conserved and enhanced by the proposal.

### **Other Matters**

18. The Authority's decision notice refers to the 'English National Parks and the Broads UK Government Vision and Circular 2010' although not to any particular part or policies thereof. Given that I have found the proposal to comply with the development plan in any case, I have not attributed weight to this Circular.
19. An interested party has highlighted that the area of proposed parking is registered common land, which imposes particular requirements for the use and enclosure of that land. Such matters are outside of my role to determine the appeal in accordance with planning law, and this has not therefore been determinative to my decision.

### **Conditions**

20. The Authority has provided a list of suggested conditions which I have reviewed against the Planning Practice Guidance and the National Planning Policy Framework. I have carried out minor amendments where necessary for conciseness and enforceability.
21. In the interests of certainty and proper planning, I have attached conditions relating to the commencement of development and accordance with the approved plans. A condition restricting the occupancy of the units to staff working at The Forest Inn is also necessary to ensure that the units are kept available to meet the staffing needs of the business.
22. Conditions relating to the materials and construction detailing of the units are necessary in the interests of conserving and enhancing the character, natural beauty, and cultural heritage of the National Park. In the interests of biodiversity and compliance with Policy 2.3 of the Local Plan, a condition is also necessary to secure the implementation of ecological enhancement measures as detailed in the application.

### **Conclusion**

23. The proposal accords with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above the appeal should be allowed.

*K Jones*

INSPECTOR

### **Schedule of Conditions**

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the site location plan, block plan, and drawing number 801 Rev A (showing elevations and floor plans).
- 3) The staff accommodation hereby permitted shall not be used or occupied other than for the provision of staff accommodation for a person/persons (together with their spouse or partner, children and dependents) solely or mainly working in the business on the site, currently known as The Forest Inn, and shall not at any time be used, let, sold or otherwise occupied as a separate dwelling.
- 4) The roof of the development hereby permitted shall be covered in natural slate, samples of which shall be submitted to the Local Planning Authority to be approved in writing prior to the commencement of any roofing work. At all times thereafter the roof shall be maintained in the approved natural slate.
- 5) All new stonework of the development hereby permitted shall be laid and pointed using traditional techniques and materials. Prior to the commencement of this work, a sample panel shall be constructed to the proposed finished detailing, to be approved in writing by the Local Planning Authority. Thereafter, the stonework shall be installed and maintained in accordance with the approved details.
- 6) The rooflights on the development hereby permitted shall be of the 'conservation type' with a frame flush with the outer face of the roof slope, and shall thereafter be maintained as 'conservation type' rooflights.
- 7) Notwithstanding the drawings hereby approved, all external windows and doors in the development hereby permitted shall be of timber construction and shall at all times thereafter be retained as timber windows and doors.
- 8) Prior to the development hereby permitted being brought into use, the biodiversity/ecological enhancement measures set out in the Ecological Statement (detailing 6no. built-in bird/bat boxes shown on approved drawing number 801 Rev A, and the planting of 25no. native trees within the wider land ownership) shall be implemented. Thereafter, the approved biodiversity/ecological enhancement measures shall be maintained in perpetuity.

### **End of Schedule**