
Appeal Decision

Site visit made on 2 September 2025

by J Hills MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 September 2025

Appeal Ref: APP/J9497/W/25/3361953

Dunsford Reservoir, Fulford Lane, Dunsford

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant technical details consent.
 - The appeal is made by Mr Steve Rowe against the decision of Dartmoor National Park Authority.
 - The application Ref 0051/24 sought consent pursuant to permission in principle Ref: 0186/22.
 - The development proposed is described as "conversion of a redundant reservoir to low energy dwelling under TDC of a PIP application."
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Decision

1. The appeal is allowed and technical details consent is granted for conversion of a redundant reservoir to low energy dwelling at Dunsford Reservoir, Fulford Lane, Dunsford in accordance with the terms of the application, Ref 0051/24, dated 21.12.2023 and subject to the conditions set out in the attached schedule.

Applications for costs

2. The appellant has made an application for costs, which is the subject of a separate decision.

Preliminary Matter

3. I have used a different description in the formal decision from that on the application form to remove the superfluous.

Procedural Matters and Main Issue

4. The proposal is for Technical Details Consent following the grant of Permission in Principle. The Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The Permission in Principle has established that the location, land use, and amount of development is suitable in principle. The Technical Details Consent that is the subject of this appeal can consider the remaining detailed matters but cannot reopen what has been agreed at the Permission in Principle stage. While development plan policies are applicable, these are therefore limited to remaining detailed matters.
5. In that context, the Authority raises concerns that there would be conflict with Strategic policies 1.3 and 3.1 of the Dartmoor Local Plan (LP). These policies are however focussed on the principle of development, including circumstances in and around settlements where local needs and affordable housing can be supported. The appeal site is not in such a location, and neither is it well related to a settlement where low impact developments can be acceptable in principle.

6. In allowing the Permission in Principle at this appeal site¹, a previous inspector paid regard to these policies, highlighting conflict with them, as well as considering the overarching purposes of protecting Dartmoor's special qualities. They concluded however that the support for the reuse of a redundant building in an isolated location on previously developed land, as set out in the National Planning Policy Framework (the Framework), were material considerations that outweighed the conflict with the LP's spatial and housing strategies.
7. The Authority claims that matters of occupancy or affordable housing were not under consideration at the Planning in Principle stage. It adds that the PPG explains how planning conditions or obligations can only be applied at the Technical Details stage. Notwithstanding the Authority's position in this regard, while the latter point is not disputed, the assessment of the suitability of the location of this proposal encompasses affordability and occupancy matters contained within the LP housing strategy, which should not be revisited.
8. Additionally, although the benefits are acknowledged, even if compliance or otherwise with Strategic policies 1.3 and 3.1 of the LP could be reopened for consideration, there is little to show a policy requirement for any affordable housing contribution or local restriction for this particular development. Accordingly, the Authority's Housing SPD would be of little relevance. Moreover, the original application did not seek Permission in Principle for a local needs or affordable home, but rather, a dwelling. For these reasons, to attempt to impose such controls or contributions now would not be likely to meet the tests of reasonableness or necessity as set out in paragraphs 57 and 58 of the Framework.
9. The main issue is therefore whether the size of the development would be appropriate having regard to local and national policy.

Reasons

10. Amongst other things, LP Strategic Policy 3.2 says that all new housing should not significantly exceed national described technical housing standards. The supporting text explains that this is to ensure housing is not excessively large or small for the need it is intended to meet.
11. It is claimed that the property, with an internal lift, has been designed to meet the standards for wheelchair accessible housing, and I find no reason to disagree. With that in mind, it has been brought to my attention that minimum space standards are not defined as being adequate for such housing. This is because additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households. There exists therefore sufficient justification in this case to expect even the smallest achievable property to exceed minimum housing space standards.
12. In that context, much of the proposed floorspace would be taken up using the conversion of an existing building at its lower ground floor level. While the overall floorspace would exceed minimum space standards, the additional kitchen and living spaces within the new ground floor would be comparatively modest in proportion and scale. The resulting property would not be excessively large in scale. This, together with areas afforded to the lift and circulation space adds to my

¹ Appeal Decision APP/J9497/W/22/3302228

overall assessment that the proposal would not significantly exceed space standards.

13. Furthermore, the scheme would deliver an adaptable house type meeting the needs of present and future generations as supported within the aforementioned policy. This is consistent with the glossary of the Framework where it says housing needs of older people can encompass accessible, adaptable general needs housing.
14. I therefore conclude that the size of the development would be appropriate having regard to local and national policy. As such there would be no conflict with LP Strategic Policy 3.2. In light of the procedural matters above, there is no substantive evidence that LP Strategic policies 1.3 or 3.1 would apply to this proposal.

Other Matters

15. I note concerns raised by the Parish Council in respect of the effect of the proposal on the Grade I listed St Mary's Church with a significance derived from its historic architectural detailing. There is a statutory duty to pay special regard to the desirability of preserving its setting. The appeal proposal is somewhat separated from the building by intervening fields and vegetation. Its detailed design maintains the most notable views towards the church, which are gained from the site's main entrance. The proposed gable end elevation is of steep pitch and uses materials commonplace in such a rural landscape setting. For these reasons, the proposal would have a neutral, and thus, preserving effect on its setting. Accordingly, I am satisfied the proposal meets the requirements set out in s.66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 (The Act).
16. The proposal has been designed with limited openings and horizontal louvered glazing screens. As such, the effect on the night sky would be likely to be very small and I give this matter little weight.
17. It is noted that the development is located within the Landscape Connectivity Zone for Greater Horseshoe Bats associated with the South Hams Special Area of Conservation. The Authority considers that the development would not lead to direct or indirect impacts on potential foraging and commuting habitats for these bats at a landscape scale, and consequently, no habitats regulations assessment would be required. I have no reason to disagree.
18. References cited from the Framework and The English National Parks and Broads UK Government Vision and Circular 2010 in respect of the great weight that should be given to conserving and enhancing the National Park are acknowledged. However, there is no compelling evidence before me to show that the technical details applicable to this proposal would be at odds in this respect.

Conditions

19. In addition to the standard implementation condition, it is necessary for certainty, to define the plans with which the scheme should accord.
20. Certain conditions are reasonably necessary in the interests of the character and appearance of the area. These include external material finish compliance conditions for windows, doors, and gutters; details of external surfaces, facing and

roofing materials; a landscaping scheme; and the removal of certain permitted development rights.

21. In the interests of biodiversity, I have included a compliance condition with the submitted ecology report, conditions to control the timing of site clearance, and additional external lighting. For the same reason, and prior to commencement, I have also included a landscape and ecological management plan and a construction and environmental management plan.
22. A compliance condition in respect of the timing of access arrangements is reasonable in the interests of highways safety.
23. I have made some amendments and omissions to the Authority's suggested conditions in the interests of clarity and to ensure compliance with the Framework.

Conclusion

24. For the reasons given, the appeal is allowed.

J Hills

INSPECTOR

Schedule of 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: 501.1.LP dated September 2023; 501.1.112 dated September 2023; 501.1.102B; 501.1.101B; 501.1.100B; 501.4.103B all dated November 2023; 501.1.114A; 501.1.113B both dated December 2023; 501.4.115; 501.1.116 both dated January 2024; 501.1.112A received by the Authority on 29th January 2024; 501.1.110E received by the Authority on 2nd September 2024; and 501.4.117 received by the Authority on 19th March 2024.
3. No development shall commence until a construction environmental management plan has been submitted to the local planning authority and approved in writing. Development shall be carried out in accordance with the approved details.
4. No development shall commence until a landscape and ecological management plan has been submitted to the local planning authority and approved in writing. Development shall be carried out in accordance with the approved details.
5. Development shall be carried out in accordance with the actions set out in the Preliminary Ecological Appraisal (July 2023).
6. Prior to their use in the development hereby approved, details of all proposed surfacing, external facing and roofing materials shall be submitted to the local planning authority for approval in writing. Thereafter, only approved surfacing, external facing and roofing materials shall be used in the development.
7. Notwithstanding the drawings hereby approved, all external windows and doors in the development hereby permitted shall be of timber or aluminium construction and shall be retained as such thereafter.
8. All new gutters and downpipes on the development hereby approved shall be of metal construction and round or half-round in section and shall be retained as such thereafter.
9. No vegetation clearance shall take place during the bird nesting season (01 March to 31 August, inclusive) unless the developer has been advised by a suitably qualified ecologist that the clearance will not disturb nesting birds and a record of this is kept.
10. Notwithstanding the drawings hereby approved, details of a proposed landscaping and planting scheme shall be submitted to the local planning authority for approval prior to the construction of any external walls of the dwelling hereby approved. The landscaping and planting shall be carried out in accordance with the approved scheme within twelve months of the

commencement of the development, or such longer period as the local planning authority shall specify in writing. The landscaping and planting shall be maintained for a period of not less than five years from the date of the commencement of the development, such maintenance shall include the replacement of any trees or shrubs that die or are removed.

11. No external lighting shall be installed or used in association with the development unless approved by the local planning authority. Only the approved lighting shall be installed.
12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order with or without modification, no material alterations to the external appearance of the garage building shall be carried out and no extension, building, enclosure, structure, erection, hard surface, swimming or other pool shall be constructed or erected, and no windows or roof lights other than those expressly authorised by this permission shall be created, formed or installed, without the prior written authorisation of the local planning authority.
13. No part of the development hereby approved shall be brought into its intended use until the access and visibility splay improvements, parking spaces, turning area and hardstanding have been provided and maintained in accordance with the application drawings and retained for that purpose at all times.