



Appeal Decision

Site visit made on 7 January 2020

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 January 2020

Appeal Ref: APP/Q1153/W/19/3238088

Land to north of Buddle Close, Tavistock PL19 0EG

- 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 R Moule against the decision of West Devon Borough Council.
 - The application Ref 2199/19/FUL, dated 4 July 2019, was refused by notice dated 5 September 2019.
 - The development proposed is the construction of single dwelling on un-used former agricultural land.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the character and appearance of the area, and
 - whether the development plan supports the principle of a dwelling in this location, having particular regard to access to services and facilities, and the special characteristics and role of the countryside.

Reasons

Character and appearance

3. While close to the built-up edge of Tavistock and containing a range of buildings and some areas of external storage, the site has a predominately rural quality with views out across the valley. In particular, the site of the proposed dwelling within the plot has an open and reasonably exposed countryside character and this part of the site makes a small, but positive, contribution to the largely undeveloped appearance of the valley beyond the housing in Buddle Close.
4. The dwelling would be sited forward from the western boundary hedge and away from the main area of tree cover. While the design and materials of the dwelling may be acceptable as a stand-alone proposal, in the context of this site, it would appear reasonably exposed in this elevated position within the landscape. This exposure would be compounded by the double height gables, width and bulk of the dwelling and by the section that would extend down the hillside.

5. The present low key buildings in this area, which have a modest influence on the landscape, would be removed and a more prominent and bulky building would be constructed. The result would be that the dwelling and garage would appear visually as an incursion of built development away from the established pattern of residential development in this area.
6. Furthermore, the red lined application site extends to a fairly sizeable area and this appears would form the basis of the residential curtilage. The combination of the dwelling, garage, fairly sizeable garden, with, in all likelihood, related domestic paraphernalia, would urbanise this site eroding the positive contribution it makes to the rural character of the area.
7. In this way, the proposal would not meet with the National Planning Policy Framework (the Framework) requirement that decisions should recognise the intrinsic character and beauty of the countryside.
8. The site is visible from the rear of some of the dwellings in Buddle Close and from sections of the valley. That there may be only limited, if any, public views of the proposal would not make acceptable the harmful incursion of residential development into the countryside contrary to development plan policies and the Framework.
9. For the above reasons, I conclude that the proposal would cause harm to the character and appearance of the area and therefore conflict with Policies DEV10 and DEV20 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (the Local Plan) which seeks that development proposals, amongst other things, contribute positively to both townscape and landscape.

Location of development

10. Policy TTV1 of the Local Plan establishes a hierarchy of sustainable settlements for the growth and development of homes and jobs within the plan area. Tavistock is identified as a Main Town which is to be prioritised for growth. Policy TTV2 of the Local Plan sets out the approach to sustainable development and seeks the location of housing where it will enhance or maintain the vitality of rural communities. Outside the settlements, development in the countryside is set by Policy TTV26 of the Local Plan.
11. The plan does not identify settlement boundaries. In this case, given the character of the site and its greater affinity with the rural surroundings rather than the built form of Tavistock, the site lies in the countryside for planning purposes.
12. However, in terms of location the site is a reasonably short walk to the built form of Tavistock. While the lane that leads to the site from Butcher Park Hill is unmade and unlit, it is unlikely to be busy and therefore I consider that most people who would choose to live on the site would not be put off from using it by foot. Once on the main road, there would be good access to services and facilities in the area and the centre of Tavistock would be within reach by foot and cycle. The site is located in a similar position in relation to services and facilities as many other houses in the locality. Consequently, I conclude that occupiers of the site would have satisfactory access to services and facilities in the locality such that occupiers would not be required to be dependent on the private vehicle for all such journeys.

13. With the site in proximity to the built form of Tavistock with its services and facilities, the proposal would not in itself be in general conflict with the principle of where housing should be broadly delivered. However, in this case, the site lies beyond the settlement in the countryside.
14. I note the Consultation Draft Supplementary Planning Document (November 2019) that has been brought to my attention. This indicates, in summary, that in relation to sites adjoining settlements in the top two tiers of the settlement hierarchy, which may be considered rural in character, but if the proposal accords with Policies SPT1 and SPT2 of the Local Plan and benefits from good connectivity to local services, it may not be assessed against the requirements of Policy TTV26, in recognition that the development is being directed towards one of the more sustainable locations within the TTV (Thriving Towns and Villages) policy area. This document carries limited weight because it is at a consultation stage but it does generally reinforce the case made by the appellant.
15. However, while the red lined application site adjoins the built up form of the settlement, the siting of the dwelling itself is further north, and while not isolated in planning terms, the dwelling would nevertheless appear detached from the built form of Buddle Close. In these circumstances, I consider it appropriate and necessary to examine the proposal against Policy TTV26 of the Local Plan as it is a relevant part of the development plan.
16. I have found that the section of the site, where the dwelling and garage are proposed, makes a positive contribution to the character of the countryside in this location. Furthermore, the site plays a role in providing a component of the green edge to the settlement. The development would lead to a harmful incursion of development into this countryside altering it to a more urban character and form. In this way, the scheme would not protect the special characteristics and role of the countryside, which is the overarching requirement of Policy TTV26.
17. Taking all these matters into account, I consider that the location is such that the occupants of the dwelling would have satisfactory access to local services and facilities, and would be in a general location that would meet with the broad strategy for the delivery of housing which focuses development towards Tavistock as a Main Town. In this respect, the proposal would not conflict with Policies TTV1 and TTV2 of the Local Plan. However, the site lies within the countryside and the positioning of the dwelling would be detached from the edge of the settlement. In the circumstances of this case, I conclude that the location of the proposal would cause harm to the special characteristics and role of the countryside in this area. As a consequence, I conclude that the proposal would conflict with Policy TTV26 of the Local Plan in this respect.

Other Matters

18. I have taken into account the findings of the Inspector when she considered a scheme for residential development further along Butcher Park Hill¹. In particular, I have noted the conclusions on location and landscape impact of that proposal. The Council is now able to demonstrate a 5 year housing land supply of deliverable sites, the Local Plan has been adopted and the site before

¹ APP/Q1153/W/15/3138936 Land at Butcher Park Hill, Butcher Park Hill, Tavistock, Devon PL19 0EH

me has its own characteristics. I therefore attribute this earlier appeal decision limited weight in my considerations.

19. I have also noted the details of the pre-application advice that was generally supportive of a dwelling on the site. However, this was based on the adopted and emerging planning policy situation at that time and the advice refers to a possible local need requirement for the dwelling. As it was informal officer advice, I attach the information limited weight.
20. The application form indicates that the site is un-used former agricultural land and therefore the site would not meet the definition of being previously developed land. Consequently, any proposition that the site is previously developed land is a matter I afford limited weight.
21. There would be social and economic benefits to this general area with the provision of a dwelling, both during construction and in subsequent occupation. The scheme would provide a small boost to housing supply on a windfall site in a location with accessibility to services and facilities. However, as only a single dwelling would be delivered I attribute the cumulative benefits limited weight and these benefits would not outweigh the harm I have identified above.

Conclusion

22. For the above reasons, and taking all other matters into account, I conclude that the appeal should be dismissed.

David Wyborn

INSPECTOR