

Appeal Decision

Site visit made on 23 July 2020

by Tobias Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 August 2020

Appeal Ref: APP/Q1153/W/20/3244500

Land at Tuell Down, Milton Abbot, Devon

- 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 Mrs S Young against the decision of West Devon Borough Council.
 - The application Ref 3144/19/FUL, dated 25 September 2019, was refused by notice dated 4 December 2019.
 - The development proposed is for the siting of shepherd hut for holiday use with associated access track and park/turn area.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would be in a suitable location, with particular regard to access to services and facilities.

Reasons

3. Policy SPT1 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (JLP) sets out the Council's overall approach to delivering sustainable development. Policy SPT2 provides further detail on delivering, amongst other things, sustainable rural communities, indicating that these should be well served by public transport, walking and cycling opportunities and have an appropriate level of services and facilities. Policy TTV1 sets out that growth will be delivered according to a hierarchy of settlements, with development in the countryside permitted only if it can be demonstrated to support the principles of sustainable development and sustainable communities. Policy TTV2 indicates that specific objectives of rural sustainability include the delivery of, amongst other things, sustainable rural tourism development.
4. JLP Policy DEV15 sets out, amongst other aspects, that: support will be given to proposals in rural areas which are in suitable locations; and that camping, caravan, chalet or similar facilities that respond to an identified local need will be supported provided the proposal has no adverse environmental impact. It requires development proposals to, amongst other aspects, avoid a significant increase in the number of trips requiring the private car and facilitate the use of sustainable transport, including walking and cycling, where appropriate. It also sets out that Sustainable Travel Plans will be required to demonstrate how the traffic impacts of the development have been considered and mitigated. Adding to this, JLP Policy DEV29 requires development to, amongst other things, promote sustainable transport choices and facilitate sustainable growth.

5. Located in the countryside, the appeal site is situated in a rural and fairly isolated setting. Being some distance from the nearest settlements of Milton Abbot and Lamerton, it is not physically well-related to them. The site is accessed via a narrow lane with no street lighting or footways. Except within Milton Abbot and Lamerton, I observed on my site visit that there are also generally no footways or street lighting on the surrounding highway network, including the larger and busier B3362, a primary route which links the locality with the wider area, other villages and the larger settlements of Tavistock, Launceston and Okehampton.
6. Although not particularly close by, the distances involved are not so significant that occupiers of the development could not theoretically walk or cycle to the local shop, Milton Abbot and Lamerton. However, getting there on foot or by bicycle would involve negotiating reasonably long, generally unlit and sometimes narrow stretches of highway with no separation from traffic.
7. It seems to me that walking or cycling to and from the site would therefore be neither particularly appealing nor safe. This is likely to discourage occupiers of the shepherd hut from walking and cycling to local services and facilities, tourist sites and attractions. I am also not aware of any public transport options that occupants of the site could easily access. Accordingly, the development cannot be described as well served by public transport, walking and cycling opportunities, and the site's situation is not conducive to accessing the development and surrounding area except predominantly by private car.
8. I accept that this may be the case for rural areas and farms in general. The National Planning Policy Framework (Framework) recognises that opportunities to maximise sustainable transport solutions will vary from urban to rural areas and sets out that sites meeting local business and community needs in rural areas may, amongst other aspects, have to be found beyond existing settlements and in locations that are not well served by public transport. It also seeks to support prosperous rural economies by seeking planning policies and decisions which, amongst other things, enable sustainable rural tourism.
9. However, in this instance, the limited alternative transport options available mean that occupiers of the proposed development would be likely to be highly reliant on one mode of transport – the private car – for a significant majority of their journeys and to serve their daily needs. Consequently, although vehicle movements would only be associated with a single unit of accommodation in this instance and may therefore not be particularly significant, the site and appeal proposal cannot reasonably be described as sustainable in relation to accessibility considerations. With the lack of realistic transport alternatives and occupants of the development thus having little choice other than to rely on driving to and from the site, neither could the development be regarded as promoting sustainable transport choices and having no adverse environmental impact. Furthermore, there is little available evidence, such as a Sustainable Travel Plan, which sets out how the traffic impacts of the development have been considered and mitigated and how opportunities to make the location more sustainable have been exploited.
10. It has been put to me that farming maintains the countryside which tourists come to visit but that farm incomes fluctuate, have generally fallen over the years, and there has been a noticeable drop in beef prices coupled with an increase in input costs. I recognise that the development would provide an

additional, steady and not insignificant revenue stream that would help to support, diversify and secure the future of the appellant's and their family's farm. It would also support local services and provide some alternative employment opportunities which would aid economic diversification and benefit rural business and the community. There is policy support in the Framework and JLP for these aspects, to which I give significant weight.

11. I also recognise the current uncertain economic climate, that the rural, agricultural and quiet nature of the site may be part of the area's attraction to tourists who may travel to the area by car, and that the shepherd hut could act as an alternative base for their stay in the popular locale. The provision of a new hedgerow on the site boundary would create additional wildlife habitat and corridor. Furthermore, it seems to me that the appeal proposal would not harm the character and appearance of the surrounding area, existing residents or highway safety in relation to the proposed vehicular access, and the Council's Decision Notice does not allege otherwise.
12. However, the benefits from the siting of a single tourism accommodation unit and of the appeal proposal as a whole would, when taken together, be relatively limited. Accordingly, I find that its benefits would not outweigh the harm I have identified in relation to the unsustainable nature of the site and development with regards to accessibility. Although tourism may be important to the local economy, staycations are becoming more popular, and the shepherd hut may be viable and offer something different to other holiday accommodation, I also have little substantive evidence that the development would be responding to an identified local need, as required by JLP Policy DEV15. With little evidence to indicate that the policies which are most important for determining the application are out-of-date, the approach set out in paragraph 11d of the Framework is not applicable in this instance.
13. I accept that farms are often located in the countryside and that diversification of agricultural businesses may involve an increase in vehicle movements. However, this does not mean that all farm diversification would be unacceptable and conflict with policy in the same manner as this development, which has its own set of circumstances related to the location of the appeal site. Dismissing this development would not therefore necessarily mean that other tourism-related development in the countryside would also be unacceptable. Nor would it indicate that others potentially wishing to diversify their business and generate an additional income could not do so.
14. For the above reasons, I conclude that the proposed development would not be in a suitable location, with particular regard to access to services and facilities. I therefore find that it conflicts with JLP Policies SPT1, SPT2, TTV1, TTV2, DEV15 and DEV29. The proposal would also be inconsistent with the provisions in the Framework in relation to supporting a prosperous rural economy and promoting sustainable transport.

Conclusion

15. For the above reasons, the appeal is dismissed.

Tobias Gethin

INSPECTOR