
Appeal Decision

Site visit made on 24 January 2022

by Mr S Rennie BSc (Hons), BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 March 2022

Appeal Ref: APP/Y1138/W/21/3281063

Land at Pantacridge, Loxbeare, Devon EX16 9RL

- 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 Ms Daphne Wright against the decision of Mid Devon District Council.
 - The application Ref 20/02005/FULL, dated 4 December 2020, was refused by notice dated 26 May 2021.
 - The development proposed is the proposed erection of a holiday lodge.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on (1) the character and appearance of the area; and (2) whether there is sufficient evidence to demonstrate the proposed holiday accommodation is justified in this countryside location.

Reasons

Character and Appearance

3. The proposal is for a single storey family sized tourism accommodation unit. It would be located off a minor road in what appears to be a corner of a field. The area which provides the context to the site is distinctly rural and appears predominantly agricultural. There are some other dwellings and various buildings in the area, but this is a largely open and rural location, with the site itself being an undeveloped field.
4. The proposed tourism accommodation unit would be single storey with a low profile roof but would be a relatively wide building. It would also be on the side of a hill and on a higher level than some other nearby buildings. Whilst the proposed building would be 'dug in' to the site to reduce the overall height, it would still likely be visible from some public vantage points such as the adjacent highway and also from some more distanced views within this landscape. When viewed the development would appear as an introduction of a residential building into the landscape, eroding the openness of this part of the countryside. Furthermore, there would be the proposed access and parking areas, and other domestic type paraphernalia which would have an urbanising effect on this site, which currently contributes to the rural qualities of this landscape as it is an undeveloped field.

5. Additional landscaping would mitigate this to an extent, but I am not satisfied that it would significantly reduce the visual impact of the development proposed. The use of materials such as timber is of benefit. I also note that there are some other buildings nearby, but these appear to have been in place for many years and are an established part of the landscape. There are also the other tourism units nearby which are visible, but I do not have full details of these other developments. In any case, I have considered the proposal based on its location and the particular merits of the case.
6. The appellant states that a caravan could be positioned on the site of a size that would have a comparable or greater visual impact than the proposed lodge, but this is not the proposal before me. Furthermore, there is no substantive evidence before me that this alternative would realistically be implemented if this appeal is dismissed. I give this matter limited weight.
7. Due to a combination of the scale and location of the proposed tourism accommodation unit it would have a significant adverse visual impact within the landscape, thereby being contrary to policies S1, S9, S14, DM1 and DM22. These policies require that tourism development must respect the character and appearance of the location, and that development preserves the natural landscape, amongst other things.
8. However, light pollution could be sufficiently mitigated and the proposal would not likely result in any other form of pollution. As such, I have not found that the proposed development conflicts with policy DM4, which relates to pollution.
9. Whilst there is the visual harm, policy DM22 does allow for tourism development where the benefits outweigh the harm, which will be considered in the following section.

Tourism Benefits

10. Policy DM22 does allow for some tourism development in the countryside, but only where the countryside location is justified, and it is shown that the need (demand for such tourism accommodation) is not met by existing provision within nearby settlements.
11. The proposal is not in a settlement and in these situations the supporting text to policy DM22 requires both a marketing strategy and a business plan in association with the policy criteria. In this regard the appellant has referenced the natural beauty and idyllic nature of the area. There is also the growing tourism within this part of Devon, with an increase in this type of holidays.
12. Whilst I recognise that the proposed lodge would be attractive to some groups or families, it is not clear there is the demand for this additional tourism accommodation lodge, given existing provision in the wider area for example. Such information has not been provided by the appellant to a sufficient level of detail, with much of the evidence being general and broad. I am not satisfied from the evidence provided that any need for such tourism lodges or similar forms of accommodation are not met by existing provision. As such, it has not been demonstrated sufficiently that there is enough demand for the proposed tourism accommodation to justify this countryside location, as required by policy DM22.
13. The appellant has argued the tourism benefits for the local economy such as for other businesses in the area. There could also be some social benefits,

especially for visitors seeking a rural retreat for example. Whilst this may be true, this argument is undermined by the lack of evidence that there is a clear and detailed marketing and business plan in place with existing demand and provision factored in. If there is a lack of demand, maybe due to existing and established tourism accommodation provision, then the economic benefits of the development would also be diminished. It is therefore difficult to anticipate the likely level of benefit the proposed development would bring to the local economy over time.

14. However, from the proposed plans and my observations on site I have concluded that the building would have a significant adverse effect on the rural character and appearance of this area and the landscape. This harm would not be outweighed by the tourism benefits of the proposal, to which there is a lack of detailed evidence. Furthermore, as a permanent building being proposed, this would likely remain within the landscape even if its use as a tourism accommodation unit was to become unviable for some reason in the future.
15. The appellant has drawn my attention to other examples of similar tourism accommodation units within the wider area with planning permission, but I do not have full detail of these. Furthermore, these other tourism units if implemented and established would potentially reduce demand for the development proposed with this appeal.
16. As such, even with the potential benefits of the proposal, based on the evidence before me, they do not outweigh the harm to the character and appearance of the location. The proposal is therefore contrary to policy DM22, even after a consideration of the benefits.
17. Furthermore, the National Planning Policy Framework does support sustainable rural tourism developments, but only in situations where the development would respect the character of the countryside. In this case the proposal would be harmful to the character of the countryside.

Planning Balance

18. The proposal would provide another tourism accommodation unit which may have economic benefits as a form of rural business/diversification and also for the wider area. It could be a destination appreciated as a rural retreat for its visitors, whilst also providing a use for the unused agricultural field with net biodiversity gain from the additional planting. However, there is a lack of detailed evidence with regards the need or justification for the proposed tourism unit in this rural location, whilst I have also concluded that there would be a harmful visual impact within the landscape. For these reasons, the harm significantly and demonstrably outweighs the benefits, based on the evidence before me.

Conclusion

19. For the reasons given above I conclude that the appeal should be dismissed.

Mr S Rennie

INSPECTOR