



Appeal Decision

Site visit made on 21 February 2023

by Mr A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 13 March 2023

Appeal Ref: APP/Q1153/W/22/3303994

South Narraton Farm, Narratons Road, Okehampton EX20 1SL

- 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 Alex Fillingham against the decision of West Devon Borough Council.
 - The application Ref: 0131/22/FUL, dated 14 January 2022, was refused by notice dated 1 April 2022.
 - The development proposed is the redevelopment of existing farmhouse outbuildings for two new holiday accommodation units.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In the interests of consistency, in the banner heading above I have used the description of development as included within the planning application.

Main Issue

3. The main issue in this appeal is whether the location of the development would accord with local and national policies, having regard to the accessibility of services and facilities.

Reasons

4. The appeal site comprises land and buildings at South Narraton Farm. The site is located outside of any settlement and is accessed from the adjacent A386 highway. The appeal proposal seeks to convert and extend an existing Nissen hut, in addition to replacing a blockwork outbuilding with a new building, for use as holiday accommodation. The evidence before me confirms that South Narraton Farm comprises a working livery and small holding.
5. Policy TTV1 of the Plymouth and South West Devon Joint Local Plan (March 2019) (the JLP) provides details of the distribution of development across the area based on a hierarchy of sustainable settlements. The appeal site would fall within category four - smaller villages, hamlets and the countryside, where Policy TTV1 of the JLP provides that development will be permitted only if it can be demonstrated to support the principles of sustainable development and sustainable communities in accordance with Policies SPT1 and SPT2 of the JLP, including as provided for in Policies TTV26 and TTV27 of the JLP. Policy TTV2 of the JLP indicates that specific objectives of rural sustainability include the delivery of, amongst other things, sustainable rural tourism development.

6. Policy SPT1 of the JLP identifies a range of principles of sustainable development. Policy SPT2 of the JLP details a number of principles of sustainable linked neighbourhoods and 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.
7. As noted above, the appeal site is outside of any settlement and is located within the countryside. Policy TTV27 of the JLP concerns meeting local housing needs in rural areas and, given that the proposal is not advanced as for affordable housing, that policy does not apply in this instance
8. Policy TTV26 of the JLP concerns 'Development in the countryside' and seeks to protect the special characteristics and role of the countryside, resisting development that would be isolated. In considering criterion 2 of Policy TTV26 of the JLP, the appeal scheme does not propose that it would respond to a proven agricultural, forestry or other occupational need that requires a countryside location. The proposed development is not advanced as being for the improvement or protection of public rights of way and the proposal would not be complementary to agricultural operations.
9. However, criterion 2ii of Policy TTV26 of the JLP provides support for proposals that would reuse a traditional building that is structurally sound for renovation without significant enhancement or alteration. The Appellant has put it to me that the Nissen hut has been in place since the 1940's and given the proposed design "it is in keeping with a 'traditional' building" on the site. The Appellant further maintains that the design of the replacement building adds to the traditional look and feel of the location.
10. Whilst I acknowledge the Appellant's submissions, the blockwork outbuilding is not being reused, with the additional unit being constructed to replace that building. The Nissen hut is constructed predominately in modern materials, such as the corrugated metal roofing, and despite its age, is not in my view a 'traditional building'. Even in the event that the Nissen hut could be considered to be a 'traditional building', the proposal seeks to significantly alter the basic form of the building through its extension and installation of substantial window openings. Consequently, the appeal scheme would not accord with any exceptions provided under Policy TTV26 of the JLP and would conflict with the aims and provisions of that policy when taken as a whole.
11. Policy DEV15 of the JLP concerns supporting the rural community. Amongst other matters, Policy DEV15 provides that support will be given to the reuse of suitable buildings for employment uses and that camping, caravan, chalet or similar facilities which respond to an identified local need will be supported provided the proposal is compatible with the rural road network and has no adverse environmental impact. Policy DEV15 further confirms that all development proposals should 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, and requires that a Sustainable Travel Plan be submitted.
12. In terms of whether the appeal proposal would respond to an identified local need, the submissions indicate that the proposed converted Nissen hut would meet the criteria for accessible and adaptable dwellings, with the replacement structure satisfying the criteria for wheelchair user dwellings. The Appellant's submitted business plan provides that the holiday accommodation would be

disability friendly units, and provides details of the financial contribution made by such tourism developments in respect of both nationally and with regards to Devon. The details provided are general in nature, with estimated numbers of persons nationally who would be holidaymakers with accessibility needs. The business plan further details a number of websites that could be used to market the proposed tourism accommodation.

13. Whilst the details provided in support of the application would not, in my view, satisfy the requirement in Policy DEV15 of the JLP with regards to an 'identified' local need, the Appellant has provided further information in support of the appeal from an informal user research exercise conducted via a social media website. The responses given provide information regarding the lack of accessible and wheelchair friendly holiday accommodation nationally, as well as some responses referring to the lack of such facilities within Devon and that such accommodation would be very welcome.
14. While the additional information provided by the Appellant largely concerns the undersupply of accessible and wheelchair friendly accommodation nationally, some of the examples provided specifically refer to locations which would be within travelling distances of the site. Whilst the details provided may well fall short of an identified need to be at this specific location, I accept that additional details provided indicate that such forms of accommodation would be welcome within this area.
15. In respect of the requirement within Policy DEV15 of the JLP that proposals avoid significant increases in the number of trips taken by private car, the planning application was supported by a travel plan. The travel plan confirms that it is likely that the main mode of transport for visitors would be via private motor vehicles. The Appellant further indicates that alternative modes of transport would be available, with holidaymakers taking the train to Okehampton before then cycling or taking a bus to the site.
16. The appeal site is located a significant distance to the nearest services and facilities including the train station at Okehampton, and access to the site by bicycle or on foot from the nearest bus stop would require travelling along a highway that does not benefit from pedestrian footways or refuges, and which is unlit. I therefore find that visitors would be heavily, if not entirely, reliant on private motor vehicles to access the site and nearby services and facilities.
17. In terms of whether the proposal would significantly increase the numbers of trips taken by private car, within the submitted travel plan the Appellant has referred to an intention to reduce the number of trips taken in respect of the abovementioned existing livery business at South Narraton Farm, with a phased reduction in such trips during years subsequent to planning permission for the holiday units being granted. The Appellant concludes that such an action would likely reduce overall trips to and from the site by approximately 12% after the second year of operating the holiday accommodation.
18. Whilst the Appellant's intentions in that regard are noted, there is no suitable mechanism before me that would require that the elements of the livery business be scaled back or reduced. Consequently, there would be no means of enforcing such an intention and therefore no guarantee that there would be an overall reduction in trips taken to and from South Narraton Farm. It is acknowledged that the Appellant disputes that there is no such mechanism. However, the Appellant has not provided any details of how such reduction

would be enforceable. Notwithstanding that position, the appeal scheme proposes two units of accommodation and as such it could be said that the proposal would not 'significantly' increase the numbers of trips taken to and from the site compared to the existing position.

19. Nonetheless, as described above, given the lack of accessible alternative transport modes, users of the holiday accommodation would be almost entirely reliant on private motor vehicles. Whilst dependence on private vehicles may be expected in rural countryside locations, the appeal scheme would only exacerbate this level of reliance. It would contribute to a pattern of development that would cause environmental harm as a result of increased car journeys and hence carbon emissions. As such, the proposal does not promote sustainable transport choices and could not be described as having no adverse environmental impact. Whilst I note that electric vehicle charging points could be included within the proposal, the use of such vehicles cannot be guaranteed nor required
20. The policies of the development plan do provide some support for rural tourism accommodation. However, such support is subject to a number of considerations as outlined above. In this instance the appeal scheme would be situated in an unsustainable location, with extremely limited access to facilities and services without heavy reliance on private motor vehicles. The increase of trips to and from the site would be likely to increase carbon emissions and cause an adverse environmental impact.
21. Consequently, the appeal proposal would conflict with Policies TTV1, TTV2, SPT1, SPT2 and DEV15 of the JLP when taken as a whole. The scheme would also fail to accord with those sections of the National Planning Policy Framework which concern supporting a prosperous rural economy and the promotion of sustainable transport modes.
22. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.
23. Whilst the redevelopment of the site would provide only very limited short term employment opportunities, I accept that the scheme could provide additional employment in respect of cleaning services. There would also be some economic benefits associated with the spend of future visitors within local businesses thereby helping to support the local economy. I attach only limited weight to the economic benefits of the scheme by reason of its scale.
24. I have also had regard to the Appellant's submissions that the target market for the accommodation would be for tourists with disabilities. I do not underestimate the value and importance of providing such accommodation and, as described above, there is some evidence that such developments would be welcome within the wider area and within rural parts of Devon. This is certainly a consideration capable of carrying weight in favour of the proposed development.
25. Whilst the units would be available for all to use, it is acknowledged that the scheme could provide additional choice in respect of such forms of accessible accommodation. The increase in provision of such forms of accommodation would be materially positive, albeit the associated social benefits of the scheme

would be moderate on account of the limited contribution that the scale of the proposal would provide.

26. Cumulatively, I attach moderate weight to the benefits of the appeal scheme. Weighed against those matters, the appeal proposal would conflict with the development plan when taken as a whole as identified above. The conflict with the development plan and the identified harm that results from that conflict, weighs significantly against the proposal. The appeal proposal would not be suitably located with regards to services and facilities and, therefore, future users would be likely to be reliant on private motor vehicles for most trips. This would conflict with the environmental dimension of sustainable development. I conclude, therefore, that the significant weight to be attached to the proposal's conflict with the development plan and the resulting identified harm, would outweigh the benefits that the scheme would provide

Other Matters

27. I have had regard to a number of appeal decisions and nearby permitted development as referred to me by the Appellant and the Council. Whilst the details provided are noted, I have very little information in respect of the circumstances that led to those decisions and permissions. Consequently, I have determined this appeal based on its own merits and on the substantive evidence before me. I note that the Appellant contends that the Council has an unfair advantage in being able to review planning appeals of a similar nature and which the Appellant maintains they are unable to review. However, whilst I have sympathy with the Appellant's position, planning appeal decisions are publicly available documents.
28. Whilst I note the support given for the development from interested parties, it does not outweigh the conflict which I have found in relation to the development plan as described above.

Conclusion

29. For the reasons given above, the proposal would conflict with the development plan, when read as a whole. Material considerations do not indicate that a decision should be made other than in accordance with the development plan. Having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

Mr A Spencer-Peet

INSPECTOR