



Appeal Decision

Site visit made on 25 July 2023

by J Hills MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th August 2023

Appeal Ref: APP/W1145/W/23/3315147

Land adjacent to Longclose, East Putford, Holsworthy, Devon EX22 7UQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr and Mrs Bewes against the decision of Torridge District Council.
 - The application Ref 1/0573/2022/OUT, dated 27 May 2022, was refused by notice dated 22 July 2022.
 - The development proposed is described as "proposed dwelling with associated access, parking and amenity space".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I note that the appeal is made in outline with all matters reserved for later consideration. Therefore, I have assessed the appeal on this basis.
3. I have taken the address from the Council's decision notice as this provides an accurate description of the site location which is absent from the application form.

Main Issue

4. The main issue is whether the site is a suitable location for the proposed development having regard to the provisions of local and national policy and its accessibility to services and facilities.

Reasons

5. The appeal site comprises an agricultural field next to, but outside of a clustered row of properties that does not contain any services or community facilities. It is within a rural parish where development is dispersed and is approximately 3 ½ miles from Bradworthy which includes a primary school, post office, shops and community facilities. Policy ST07 of the North Devon and Torridge Local Plan 2011-2031 (LP) sets out the strategy for development in the countryside, which is defined as areas beyond local centres, villages, or rural settlements. In the countryside, amongst other things, support is provided for local needs housing adjoining rural settlements with at least one community facility. Beyond these areas, development is limited to meet local economic and social needs, and development necessarily restricted to a countryside location.
6. Policy ST21 of the LP supports proposals outside defined settlements in circumstances where housing completions fall below 90% of the annual

requirement. However, since issuing their decision, the Council has confirmed that they have a 5.9 year housing land supply which the appellant does not dispute. Therefore, the policy does not apply. Paragraph 79 of the National Planning Policy Framework (the Framework) says that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities and that where there are groups of smaller settlements, development in one village may support services in a village nearby.

7. I acknowledge the proposal would meet the personal needs of the appellant, including providing them and their family with more suitable accommodation for the longer term, supporting relatives and would allow their continued involvement in local community groups. However, although the appellant's personal statement identifies certain local connections, the development proposes an open market property and I have been provided with no mechanism to ensure it would remain available to meet locally generated needs or an identified local need such as affordable housing. Even if such a mechanism existed and I were to consider that the appeal site was adjacent to a Rural Settlement as set out in Policy ST07, that settlement would be required to contain at least one community facility, which it does not. As such, the appeal site is in the countryside for the purposes of Policy ST07. It has not been demonstrated that the development would meet locally generated needs or local economic or social needs, nor does it need to be restricted to a countryside location, as required by Policy ST07 of the LP.
8. Access to settlements that contain ranges of services and facilities would be gained via a lengthy network of unlit and unpaved rural lanes. Despite an undesignated bus stop for school runs/twice daily bus services, home deliveries/shopping and working from home, routes away from the appeal site would nevertheless not be an inviting option for pedestrians or cyclists to have to navigate, particularly in the dark or during inclement weather conditions. For these reasons, future occupants would be likely to be largely dependent on private vehicles for access to services and facilities at the nearest settlements and local centres beyond to meet their day-to-day needs.
9. Therefore, I conclude on the main issue that the site is not a suitable location for the proposed development having regard to the provisions of local and national policy and its accessibility to services and facilities. For the above reasons, the development would be in conflict with policies ST07 and ST10 of the LP, where Policy ST10 seeks to reduce the need to travel by car. There would also be conflict with chapter 9 of the Framework which, amongst other things, gives priority to pedestrian and cycle movements, and so far as possible, facilitating access to public transport.

Other Matters

10. The development would bring some limited economic benefits to the construction industry and thereafter through additional consumer spending in the local economy. Furthermore, the development could be progressed at a reserved matters stage to deliver a sustainably constructed property. Also, the retained wooded area could be tidied in the interests of the character and appearance of the area. However, any such benefits would not outweigh the harm I have identified above.

11. I have had regard to third party representations relating to visual impact, traffic and highways. However, as I am dismissing the appeal on the main issue for the reasons given above, I have not pursued these matters further.

Conclusion

12. For the reasons above, and taking into account all other matters raised, I conclude that the proposed development would fail to accord with the development plan as a whole and there are no considerations individually or cumulatively that outweigh this. Therefore, the appeal is dismissed.

J Hills

INSPECTOR