



Appeal Decision

Site visit made on 10 October 2023

by K Reeves BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 December 2023

Appeal Ref: APP/Q1153/W/22/3312802

Garage at Sx 369 802, road from Greystone Bridge to Angars Ball, Greystone Bridge, Launceston, Devon PL15 9PD

- 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 Grose against the decision of West Devon Borough Council.
- The application Ref 1771/22/FUL, dated 19 May 2022, was refused by notice dated 28 November 2022.
- The development was described as “proposed separate dwelling from existing annex”.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I note that the development was described on the application form as “proposed separate dwelling from existing annex”. However, the appellant’s statement and the submitted plans show that the proposal is to create a separate and independent dwelling in the appeal building that was previously used as an annex. The Council determined the application on that basis, and I shall determine the appeal likewise.
3. On 22 November 2023, all designated Areas of Outstanding Natural Beauty (AONB) in England and Wales became “National Landscapes”. The legal designation and policy status of AONBs are unchanged, but I have replaced reference to the Tamar Valley AONB with the Tamar Valley National Landscape in my decision to reflect this change.

Main Issues

4. The main issues are:
 - whether the appeal site is a suitable location for new residential development having regard to the development plan and access to local services and facilities; and
 - the effect of the development on the character and appearance of the area, with particular regard to the Tamar Valley National Landscape.

Reasons

Location

5. The appeal site is located near to Greystone Bridge. It is situated adjacent to the B3362, a classified road between Tavistock and Launceston. The appeal

- building was constructed as a garage but was then used as an annex in association with the Tollhouse, formally Angars Ball Cottage.
6. Policy SPT1 of the Plymouth and South West Devon Joint Local Plan 2014 – 2034 (JLP) sets out that the Council will support growth and change where it follows the principles of sustainable development (economic, social and environmental). Policy SPT2 facilitates the development and growth of sustainable linked neighbourhoods and rural communities where sustainable development criteria is met.
 7. The development plan seeks to prioritise growth through a hierarchy of sustainable settlements. Policy TTV1 of the JLP sets out the hierarchy for the development plan area. In hierarchical order they are main towns, smaller towns and key villages, sustainable villages, and smaller villages, hamlets and the countryside. The appeal site is in the countryside and therefore development will only be permitted if it can be demonstrated to support the principles of sustainable development and sustainable communities.
 8. Other than the Tollhouse, there is one other residential property near to the appeal site, which is located on the opposite side of the B3362. A group of properties is situated some distance from the site on the opposite side of the River Tamar. The appeal site is both physically and visually separate from any settlement, and the nearest settlement of any size is the town of Launceston, which is approximately 3 miles away. I therefore find that the site is in an isolated location in the countryside. Policy TTV26(1) of the JLP therefore applies. The fact that the building is already connected to utilities/services due to its previous use as a residential annex does not alter this finding. In this regard, the development is remote from convenience stores, schools, and other services and facilities that occupiers would be expected to rely upon day-to-day.
 9. Policy TTV26(1) seeks to avoid the establishment of isolated development in the countryside and only permits development in exceptional circumstances. The appellant submits that the proposal meets several of the exceptional circumstances listed in the policy where such development would be permissible.
 10. I have little evidence before me that the building was redundant or disused prior to the independent residential use being established, or that the use of the building as a dwelling has, or will, secure the long-term future and viable use of a heritage asset. The proposal is also not of truly outstanding or innovative sustainability and design. I also consider that the nearby Grade II listed drinking fountain and its setting have not been protected or enhanced by virtue of the creation of the dwelling. As such, the proposal does not constitute one of the exceptional circumstances where isolated development in the countryside would be permissible under Policy TTV26(1).
 11. Due to the considerable distance of the site from the facilities and services in a settlement, walking or cycling to those settlements is not achievable or practical. The appellant submits that there is a local footpath and cycle route. However, there is little information on where the footpath and cycle route lead to and the route that they take to reach that destination.
 12. The Council have stated that the nearest bus stop is approximately 200 metres from the site. However, the walk to the bus stop is unattractive and potentially

unsafe due to the need to walk down a road where there is no pavement or street lighting. The Council also state that frequency of the buses (Nos 114 and 117) is limited, and they run only on Tuesdays and Thursdays with one pick up mid-morning and one drop off in the mid-afternoon. This is a very infrequent level of service. The appellant contends that there is also a service that runs daily and frequently between Tavistock and Launceston (No 85). However, I have been provided with limited details on the location of the bus stop and the frequency of that service. Based on the evidence before me, it appears that the vast majority of journeys to and from the site on a day-to-day basis would need to take place by private vehicle to access services and facilities.

13. For these reasons, the appeal site is not a suitable location for residential development when having regard to the development plan and the poor access to local services and facilities. Consequently, the proposal conflicts with Policies SPT1, SPT2, TTV1 and TTV26 of the JLP. Additionally, the proposal conflicts with the National Planning Policy Framework (the Framework), which promotes sustainable development in rural areas and seeks to avoid the development of isolated homes in the countryside.

Character and appearance

14. The site is within the Tamar Valley National Landscape (TVNL). In accordance with Paragraph 176 of the Framework, great weight should be given to conserving and enhancing landscape and scenic beauty in protected landscapes.
15. The area immediately around the appeal building, which includes a parking area and small patio, would have had a domesticated appearance prior to the separate dwelling being established as it was previously being used as a residential annex. As such, the use of the building as a dwelling has not resulted in a negative change in the character and appearance of the area immediately around the building.
16. However, the red line area shown on the submitted location plan would potentially establish a residential use of the wooded land beyond the appeal building and its immediate surroundings. There would be the potential for domestic paraphernalia to be placed within the wooded area, which could not be controlled by planning condition. Having regard to the large garden area that would be associated with the dwelling and the likely domestic paraphernalia that could be placed within the wooded area, the appeal proposal would result in over-domestication of the appeal site as a whole and the spill of a residential use into the undeveloped countryside.
17. I understand that Greystone Quarry is near to the site, and this may have an impact on the TVNL. However, the presence of the quarry within the protected landscape does not justify the establishment of the appeal dwelling and its own impact on the TVNL.
18. For these reasons, the proposal would cause harm to the character and appearance of the area, including the scenic beauty of the TVNL. Consequently, the proposal conflicts with Policy DEV25 of the JLP, which seeks, in part, to conserve and enhance the natural beauty of the protected landscape. Additionally, the proposal also conflicts with the Framework, which seeks to protect and enhance valued landscapes.

Other Matters

19. The appellant has suggested that a condition could be attached to prevent the dwelling being used as a holiday let. Even if this was achievable, the prevention of the dwelling being used for such purposes would not address the issue of the site being an unsuitable location for residential development.

Conclusion

20. For the above reasons, the development conflicts with the development plan, when taken as a whole, and the Framework. Whilst the development would provide an additional dwelling and re-use an existing building, that does not alter my view that the appeal should be dismissed.

K Reeves

INSPECTOR