



Appeal Decision

Site visit made on 24 January 2024

by C Rose BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 February 2024

Appeal Ref: APP/J9497/W/23/3327493

Land to the south of Pitts Cleave Quarry, Tavistock

- 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 M Walker against the decision of Dartmoor National Park Authority.
 - The application Ref 0121/23, dated 13 March 2023, was refused by notice dated 10 May 2023.
 - The development proposed is erection of a sustainable dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address in the banner heading above has been taken from the appeal form and decision notice as this more clearly identifies the site than that given on the application form.
3. The application was submitted in outline with approval being sought for those matters related to Access only.

Main Issue

4. The main issue is whether the appeal site is an appropriate location for housing, with particular regard to the local development strategy.

Reasons

5. The appeal site is located approximately 2.7km to the northeast of Tavistock, approximately 1.7km to the southwest of Peter Tavy and approximately 3.2km to the south of Mary Tavy. The site is also located to the south of the former Pitts Cleave Quarry that is separated from the site by woodland. The proposal is to construct a self/custom build low impact dwelling for the applicant who is a local person managing the land.
6. Strategic Policy 1.1 of the Dartmoor Local Plan 2018-2036 (December 2021) (LP) states that development should not prejudice the statutory National Park purposes, and that development which complies with the policies in the LP will be considered consistent with the National Park purposes.
7. LP Strategic Policy 3.1 deals with meeting housing need and related to this are Strategic Policies 3.3, 3.4 and 3.5 that deal with housing in Local Centres, Rural Settlements and in Villages and Hamlets. However, the site is in the open countryside outside, and not adjoining, any settlement defined in the LP. As a

- result, the proposal does not gain support from Strategic Policies 3.3, 3.4 or 3.5.
8. With regard to custom and self-build housing, LP Strategic Policy 3.6 positively encourages their delivery. There is no dispute between the parties that the proposal meets the definition of custom and self-build housing as well as the definition of a local person. I have no reason to disagree. Notwithstanding, the policy further states that custom and self-build housing needs to be in accordance with the strategic housing policies relevant to the site location, i.e., Strategic Policies 3.3, 3.4 or 3.5. As the location of the appeal site does not accord with these strategic housing policies, the proposal does not gain support from LP Strategic Policy 3.6 despite its positive encouragement.
 9. Strategic Policy 3.9 of the LP deals with Rural Workers' Housing. While I acknowledge that the appellant is managing the land, there is little evidence or convincing justification of an essential need for a full-time rural worker to live permanently at the site to manage the small woodland. Moreover, the proposal is not predicated on this basis. As a result, it does not gain support from Strategic Policy 3.9 of the LP or paragraph 84.a) of the National Planning Policy Framework (the Framework).
 10. Low impact development is permitted by LP Strategic Policy 3.12, and I have had regard to the energy efficient nature of the proposed dwelling. However, the site is not located within, adjoining, or well-related to a Local Centre, Rural Settlement or Village and Hamlet as required by the policy. While I acknowledge paragraph 109 of the Framework states that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, the site is located a significant distance from a settlement and a range of services and facilities. Access to these would be via narrow, unlit country lanes with no pavements with the site surrounded by largely undeveloped countryside. As a result, and despite the presence of the National Cycle Route and bus stops off the A386, shop at Harpford Bridge Park site, employment near the former quarry, and a dwelling on the land negating the need for the appellant to travel to the site to manage the woodland, access to these and a wider range of services and facilities would be a significant distance from the site and not attractive to walk or cycle, particularly in the dark colder winter months. As a result, there would be reliance on the use of the car as the site is not well-located to a settlement.
 11. Although the West Devon Way runs past the site, this does not overcome the distance to services and facilities and would necessitate use of an unlit route. Furthermore, the appeal is not accompanied by convincing evidence to demonstrate that the proposal requires a countryside location and is not accompanied by a business plan and detailed evidence that the land, and any other land nearby purchased by the appellant, can provide for the livelihood and substantially meet the needs of the appellant.
 12. I acknowledge that LP Strategic Policy 1.2 states that when considering development, a positive approach will be taken that reflects the presumption in favour of sustainable development contained in the Framework. I also acknowledge that Strategic Policy 1.2 states that development is sustainable where it e) promotes the health, safety and well-being of the population and improving access to housing, and g) seeks to conserve the quality and quantity of natural resources. However, due to the location of the site the proposal

would be contrary to criterion I) that requires proposals to promote and enable travel by public transport, cycle or foot. As a result, the proposal would not comprise sustainable development under Strategic Policy 1.2.

13. In light of the above, the proposal does not gain support from the relevant Strategic Policies in the LP that only allow for limited types of residential development in the open countryside. This is the case even considering together that the proposal is for a local person, would be custom self-build and a low impact residential development.
14. To conclude on the main issue, the proposal does not accord with the policies that allow for custom and self-build housing, rural workers housing or low impact residential development. The appeal site is not therefore an appropriate location for housing, with particular regard to the local development strategy. As a result, the proposal is contrary to Strategic Policies 1.1, 1.2, 3.5, 3.6, 3.9 and 3.12 of the LP. The proposal is also contrary to the Framework.
15. Although the Council's Decision Notice refers to the English National Parks and the Broads UK Government Vision and Circular 2010, no specific detailed conflict with the Circular has been identified.

Other Matters and Planning Balance

16. I have considered the modest scale of the proposal and resultant lack of landscape concerns raised by the Authority. However, local and national planning policies seek to ensure that proposals do not harm the character and appearance of the area and landscape and scenic beauty of National Parks. As a result, this is neutral in my consideration.
17. My attention has been drawn to another appeal decision¹ but I have little information before me in relation to this appeal. In light of this, and as the appellant states that the two schemes are different, I am unable to determine whether it is directly comparable to the current proposal. Furthermore, I am required to consider this appeal proposal on its merits.
18. I have had regard to the biodiversity and wider landscape benefits from the management of the woodland. I have also had regard to the personal circumstances of the appellant, benefit from the provision of and access to further housing and paragraph 89 of the Framework that recognises that sites to meet community needs in rural areas may need to be found beyond settlements. However, due to the small scale of the proposal and the Authority being able to demonstrate a five-year supply of deliverable housing sites, the benefits would be very limited and do not outweigh the harm identified above.

Conclusion

19. For the reasons given above I conclude that the proposal conflicts with the development plan taken as a whole and there are no other considerations, including the Framework, which outweigh this finding. Therefore, the appeal is dismissed.

C Rose

INSPECTOR

¹ APP/Q1153/W/18/3206945