



Appeal Decision

Site visit made on 23 April 2024

by J Hills MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 May 2024.

Appeal Ref: APP/J9497/W/23/3331338

**5 Beacon Terrace, B3213 Siding Cross to A3121, Wrangaton, Devon
TQ10 9HD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Gregor and Andrea MacGregor against the decision of Dartmoor National Park Authority.
 - The application Ref is 0232/23.
 - The development proposed is erection of detached bungalow with parking.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the site is a suitable location for the proposed development having regard to the local housing strategy.

Reasons

3. The appeal site comprises part of the wider garden of an end terrace property with a moorland backdrop. It is within the small settlement of Wrangaton, which includes pavements, bus stops, a cluster of houses and commercial garages. Wrangaton is not a defined settlement within the Dartmoor Local Plan 2018-2036 December 2021 (LP).
4. The overall purpose of the LP is set out in Strategic Policy (SP)1.1. This seeks to conserve and enhance natural beauty, wildlife, and cultural heritage. It also aims to promote opportunities for the understanding of the National Park's (NP) special qualities. Development that complies with policies in the LP are considered consistent with the NP's purposes.
5. SP1.2 of the LP supports sustainable development principles across the Authority. Amongst other things, it promotes development that takes place where it minimises the need to travel and supports access to housing.
6. The housing strategy within the LP is to focus housing towards the most sustainable settlements, defined as Local Centres within SP1.3 of the LP. This is where the mix of people, homes, jobs, and infrastructure make for the most efficient use of resources, minimising the effects on climate change. Outside the Local Centres, rural settlements, villages, and hamlets that are specifically classified can accommodate some modest housing to meet identified local housing needs. Outside of these classified settlements, development is

necessarily restricted, in part, to farming, forestry, or other land based rural businesses with a proven need to locate in the countryside.

7. SP3.1 of the LP sets out the approach to delivering local needs and affordable homes within and adjoining classified settlements. SP's 3.3, 3.4 and 3.5 of the LP provide the circumstances where, amongst other things, local needs custom and self-build housing can be supported. This is within the classified settlements. Exceptionally, where there is an identified affordable housing need, sites adjoining these settlements can be appropriate. This approach is consistent with the English National Parks and the Broads UK Government Vision and Circular 2010 (VC).
8. Custom and self-build housing is encouraged within Policy 3.6 of the LP, with detail amplified within the Council's draft Housing Supplementary Planning Document, December 2023 (SPD). This could be as affordable housing, local needs occupied by a local person in perpetuity or unrestricted market housing. However, developments must accord with the aforementioned strategic housing policies relevant to the site's location. In that context, the supporting text says that *policies for housing development within classified settlements support the development of custom and self-build housing*.
9. The evidence shows that the appellant would be likely to meet the criteria for local needs custom and self-build housing. Additionally, there is a willingness to secure the occupation of the proposed bungalow in perpetuity through a legal agreement. However, I have been provided with no such mechanism to enable this. Notwithstanding the above, and comments made in respect of the LP site selection process, the appeal site is not within any defined settlement. Policy 3.6 of the LP does not support legally tied or unrestricted self-build proposals outside defined settlements. As such, there would be conflict with it. There would also be conflict with the housing strategy that is central to the overall purpose of the NP.
10. Therefore, I conclude that the site is not a suitable location for the proposed development, having regard to the local housing strategy. There would be conflict with SP1.1, SP1.2, SP1.3 and Policy 3.6 of the LP. There would also be conflict with the Council's SPD and the VC.

Other Considerations

11. I have found that the development would conflict with the development plan in that it is contrary to the housing strategy for the Authority.
12. However, Section 38(6) of the Planning and Compulsory Purchase Act 2004 says development should be in accordance with the development plan 'unless material considerations indicate otherwise', and this is reaffirmed in the National Planning Policy Framework (the Framework).
13. In this regard, it is acknowledged that Wrangaton is part of a group of settlements. It is also partly within the jurisdiction of South Hams District Council (SH). The appellant claims that SH define Wrangaton as a sustainable location for future housing, based on its proximity to Ivybridge, schools, shops and regular public transport links. Additionally, my attention has been drawn to built out schemes of 36 and 17 homes near the appeal site that are within SH. However, any policy support for housing development in SH would not be

applicable to this appeal proposal. I therefore give this matter very little weight.

14. Wrangaton does indeed have some locational benefits in terms of the public transport access and its close connection to the main road network. It is however lacking a range of jobs, services and facilities that would reduce the day-to-day need to travel. Therefore, whilst the modest transport benefits are acknowledged, future occupants would still be likely to use private vehicles on a regular basis. Although vehicle charging is proposed, there would be no way to ensure future occupants would only be able to use electric vehicles. For these reasons, the appeal site is not in a location where it would provide significant support to local services or reduce the need to travel.
15. In respect of the proposed siting, the bungalow would be located on a corner plot between houses either side of it. However, at my visit, I observed that views of the dramatic moorland backdrop were appreciable through the attractive garden of the appeal site. Therefore, whilst encroachment into the NP would be tempered by the surrounding built form, it would nevertheless result.
16. The appellant's difficulty in finding a suitable and affordable property in the area is acknowledged. In that context, the proposal would deliver an appropriately scaled, energy efficient and adaptable home. It is likely that some biodiversity gains would be brought forward. Furthermore, the scheme would make a positive contribution towards the supply of housing, albeit the benefits of a single dwelling would be very modest. It would also bring some limited economic benefits to the construction industry and thereafter through additional consumer spending in the local economy.
17. However, any such benefits above would not be sufficient to justify a decision otherwise than in accordance with the development plan. To do so would undermine the overarching strategic and housing objectives of the LP. Moreover, the need to deliver sustainable patterns of growth that meet the needs of present and future generations are important consideration and ones that are embedded in the Framework.

Conclusion

18. 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