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## Appeal Decision

Site visit made on 15 October 2024 by S Wilson LL.B. MSc MRTPI

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

an Inspector appointed by the Secretary of State

**Decision date: 28 November 2024**

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### **Appeal Ref: APP/W1145/W/24/3347555**

### **Higher Millfield, Mill Road, Bradworthy, Holsworthy, EX22 7RT**

- 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 Whelan against the decision of Torridge District Council.
  - The application Ref is 1/1272/2023/FUL.
  - The development proposed is the erection of two self-contained holiday glamping pods.
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### **Decision**

1. The appeal is dismissed.

### **Appeal Procedure**

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### **Main Issue**

3. Whether the appeal site would be in a suitable location for new tourist accommodation having regard to the relevant development plan policies.

### **Reasons for the Recommendation**

4. The appeal site is part of an agricultural field located outside of, but adjacent to Bradworthy. The site comprises an access and a field behind the appellants' new build bungalow. Whilst the appeal site is outside the settlement, it is well related to it, with good access and egress to the road network, and the local services and amenities could be accessed by foot, such is the close proximity.
5. The North Devon and Torridge Local Plan 2011-2031 (adopted 2018) (the "LP") Policy DM18 supports new tourist accommodation outside of centres in certain circumstances. The proposed glamping pods would not be directly related to an existing tourism, visitor or leisure attraction and it would not involve the reuse or conversion of an existing building. Therefore, the proposal would not comply with the circumstances outlined at Policy DM18 (2)(a) or (2)(b).
6. The appellants contend that the proposal would comply with Policy DM18 (2)(c) as it would help to diversify the range of tourist accommodation within the wider surrounding area, specifically the provision of disabled accommodation. However, LP Policy DM18 (2)(c) makes clear that support for such proposals would only be given if it relates to existing tourism accommodation. Based on the submissions in this appeal, and the wording of the policy, the exception

provided by Policy DM18 (2)(c) applies only where it would relate to existing tourism accommodation at the site and does not relate to existing accommodation in the wider locality. In this instance and as above, the proposed glamping pods would not relate to existing tourism accommodation at the site.

7. Consequently, I find that the appeal site would not be in a suitable location for new tourist accommodation having regard to the relevant development plan policies. It would conflict with Policy DM18 of the LP insofar as it seeks to ensure that development in the countryside is strictly controlled to that which is essential or appropriate and support the development of new tourist accommodation as set out above.
8. Notwithstanding the above, the proposal would also provide benefits in terms of employment opportunities and through the future spend of visitors within local businesses, and could provide environmental benefits with regards to enhanced biodiversity. Furthermore, the evidence provided suggests that increased provision of accessible accommodation for the disabled in this location would potentially improve the range of the tourist accommodation in the area. However, despite the good intentions of the applicants, expressed in both the Design and Access Statement and the Appeal Statement, the provided submissions lack detail on how the provision would achieve appropriate accommodation for disabled users.
9. Additionally, I am mindful that whilst the proposed accommodation could be designed to meet disabled persons' needs, the occupancy of the proposed holiday pods would not be restricted, such that anyone of any physical capacity could stay. Nonetheless, 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.
10. Cumulatively, I attach moderate weight to the benefits of the proposal by reason of its scale. These benefits would not outweigh the identified conflict with the development plan to which I attach significant weight in the determination of this appeal.

### **Other Matters**

11. The appellants state that the land upon which the appeal is situated is not big enough for any economic agricultural practice and that there are no agricultural buildings to support agricultural use. However, even if this was the case this would not overcome the identified conflict with the development plan.

### **Conclusion and Recommendation**

12. For the reasons given above, the appeal scheme would conflict with the development plan and there are no material considerations worthy of sufficient weight which would indicate a decision other than in accordance therewith. I therefore recommend the appeal be dismissed.

*S Wilson*

APPEAL PLANNING OFFICER

**Inspector's Decision**

13. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

*Mr A Spencer-Peet*

INSPECTOR