



Appeal Decision

Site visit made on 11 March 2025

by **J Hills MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 March 2025

Appeal Ref: APP/Q1153/W/24/3355039

Alder Farm, Lewdown EX20 4PJ

- 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 R Westlake against the decision of West Devon Borough Council.
 - The application Ref is 2625/24/FUL.
 - The development proposed is change of use (internal alterations only) to create holiday cottage.
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Decision

1. The appeal is allowed and planning permission is granted for change of use (internal alterations only) to create holiday cottage at Alder Farm, Lewdown EX20 4PJ in accordance with the terms of the application, Ref 2625/24/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos: Exe/1; Exe/2; Exe/5; and Exe/6 all received by the Council on 15 August 2024.
 - 3) The development shall be occupied as holiday accommodation only and shall not be occupied as a sole or main place of residence. An up to date register shall be kept at the holiday accommodation hereby permitted and be made available for inspection by the local planning authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.

Preliminary Matters

2. I have taken the appeal site address above from the Council's decision notice and appeal form as this is more accurate than that identified in the application form.
3. Following the Council's notice of decision, the National Planning Policy Framework (the Framework) was revised on 12 December 2024. Having regard to the matters that are most relevant to this appeal, there have been few substantive changes albeit that the numbering of paragraphs has changed. Besides, both main parties have had an opportunity to comment on this within their submissions. Hence, I am satisfied that no one will be prejudiced by the changes to the national policy context

Main Issues

4. The main issues are:

- whether the proposed development would be in a suitable location having particular regard to its access to services and facilities; and
- the effect of the proposal on carbon emissions.

Reasons

Location

5. The appeal site is in the countryside and comprises a single storey building of rather run down and tired appearance, with gaps in its roof. Within it is a swimming pool that did not appear to have been in a particularly useable state, and which is likely to have been in existence for some time. It is set amongst a wider collection of holiday accommodation, a recreational lake, commercial sportswear company, vineyard, restaurant, and café. Although these are separate businesses, the proposed holiday let conversion would be well related to them, within the same family ownership, and would share the same existing access onto the highway.
6. Policy TTV1 of the Plymouth & South West Devon Joint Local Plan 2014-2034 (JLP) sets out the settlement hierarchy which is to focus new employment and housing towards the main towns with their broad range of services. Beyond the towns and villages, economic development is only permitted where it would support the principles of sustainable development set out in policies TTV2, SPT1, SPT2 and TTV26 of the JLP. One specific objective of JLP Policy TTV2 is the delivery of sustainable rural tourism and leisure developments that benefit rural businesses, communities and visitors. These policies also encourage opportunities for business growth, optimizing the reuse of previously developed sites. Support is given for development that is well served by public transport, walking and cycling opportunities, and with access to a healthy, wildlife rich local environment.
7. Policy TTV26 of the JLP aims to protect the special characteristics and role of the countryside. It is made up of 2 parts. Firstly, isolated development, as is the case with this appeal, is only permitted under certain circumstances. One such scenario where support can be given is where the reuse of redundant or disused buildings and brownfield sites is secured for an appropriate use. Given the poor state of repair of the appeal building, it could be said to be disused. Even if the building is not 'traditional' as required within part 2 of the policy, the development is categorised as brownfield land, and this still indicates broad compliance with JLP policies TTV26 and SPT1.
8. JLP Policy DEV15 is specifically concerned with supporting proposals in suitable locations of the type identified in JLP Policy SPT2, to improve the balance of jobs in rural areas and diversify the rural economy. Business start ups and small scale employment developments in rural areas are generally supported, which this scheme would align with.
9. The Council is concerned that the development represents a facility that would not respond to an identified local need, as required by criterion (7) of JLP Policy DEV15. However, this part of the policy refers to camping, caravan, chalet or similar facilities that are not the same as the more permanent re-use of a building. There is consequently little to show that this is of relevance to the appeal proposal.

Even if I were to agree with the Council, the appellant highlights connections with local businesses, wedding venues, the proximity of the appeal site to the primary cycle route and the collective benefits of its family-owned enterprises. This goes some considerable way towards demonstrating a local need for the scheme.

10. Amongst other things, part (8) of JLP Policy DEV15 says that development should avoid a significant increase in the number of trips requiring the private car and facilitate the use of sustainable transport, including walking and cycling, where appropriate. It is acknowledged that the appeal site is located off a busy trunk road where the lack of pavements and lighting would not encourage walking. The nearby cycle route could however be used by customers to access the proposed accommodation or as part of their stay.
11. Furthermore, the appeal site is said to be on a relatively regular bus route to and from Oakhampton and Launceston. Although not available on Sundays, late evenings or bank holidays, these services can be hailed and stopped at its entrance which has good visibility, making it a safe option. While most intended occupiers would be more likely to travel to the appeal site by car, the range of public transport options and nearby services and facilities would encourage alternatives to private vehicle usage, as prioritised in the Framework. The appellant says the swimming pool has historically been used by friends and locals, meaning the scheme would reduce overall trip generation, though there is little substantive evidence in this regard. Even so, for the reasons given, it is not likely that the proposal would generate a significant increase in the number of trips requiring private car.
12. My attention has been drawn to a number of other appeal decisions in the plan area where the Council highlights consistency in respect of the approach to holiday uses in the countryside. From the evidence, these examples are focussed on proposals that have little to no meaningful public transport access. They are materially different to this scheme that has both public transport options and close connections with a good range of services and facilities that those holiday makers travelling from further afield would be very likely to make use of during their stay.
13. In that context, although conceptually different to the previous nearby appeal under ref APP/Q1153/W/21/3278604, there are similarities between the proposals in respect of the location and access to services and facilities. Moreover, the interconnectivity between the appeal site and its family-owned businesses cannot be ignored. Nevertheless, I have assessed this scheme on its merits.
14. Drawing these matters together, while the lack of access for pedestrians weighs against the proposal, for the reasons given, in this particular case there would be overall compliance with the JLP's overarching and detailed rural development policies.
15. I therefore conclude on this main issue that the proposed development is in a suitable location with particular regard to its access to services and facilities. There would be no conflict with JLP policies SPT1, SPT2, TTV1, TTV2, TTV26 and DEV15. There would also be no conflict with paragraph 88 of the Framework, which says, amongst other things, that decisions should enable the sustainable growth and expansion of all types of business in rural areas through conversion of existing buildings, and sustainable rural tourism.

Carbon

16. The Council is concerned that insufficient information has been provided to assess the carbon impacts of the development. JLP Policy DEV32 seeks to identify opportunities to minimise the use of natural resources in development. This includes the reuse or recycling of materials in construction and making best use of existing buildings, which is expanded upon in the Council's Climate Emergency Planning Statement. Although not part of the development plan, this too prioritises the reuse of buildings.
17. While specific detailed calculations have not been provided in this regard, the appellant nevertheless sets out reduction measures. These include low energy heating and power generation which are improvements paragraph 167 of the Framework attributes significant weight in favour of when dealing with existing buildings. Moreover, there would be new insulation and ventilation to meet modern standards. Internally, the conversion would rely on locally sourced timber. Even though it seems unlikely the power-hungry swimming pool use would continue, due to its state of repair, opportunities to minimise the use of natural resources have been identified, as required by JLP Policy DEV32.
18. For the reasons given, I conclude on this main issue that the proposed development would not have a harmful effect on carbon emissions. As such, there would be no conflict with JLP Policy DEV32.

Conditions

19. I have made some amendments to the Council's suggested conditions in the interests of clarity and to ensure compliance with the Framework.
20. In addition to the standard time limit condition, I have imposed a condition requiring the development to be carried out in accordance with the approved plans in the interests of certainty.
21. I have imposed a restricted occupancy condition in the interests of controlling the use of the building as it is in a countryside location where development is strictly controlled.
22. It is noted that within the officer report, the proposal complies with JLP Policy DEV35 and does not raise any issues in respect of flood risk or drainage. However, it is stated that a condition would be added to secure a final drainage solution, though no such wording has been included within the submissions. Regardless of this, there is little evidence this would be necessary.

Conclusion

23. For the reasons given the appeal is allowed.

J Hills

INSPECTOR

