

## PLANNING APPLICATION REPORT

**Case Officer:** Oliver Gibbins

**Parish:** Lewtrenchard **Ward:** Bridestowe

**Application No:** 1499/20/FUL

**Agent/Applicant:**

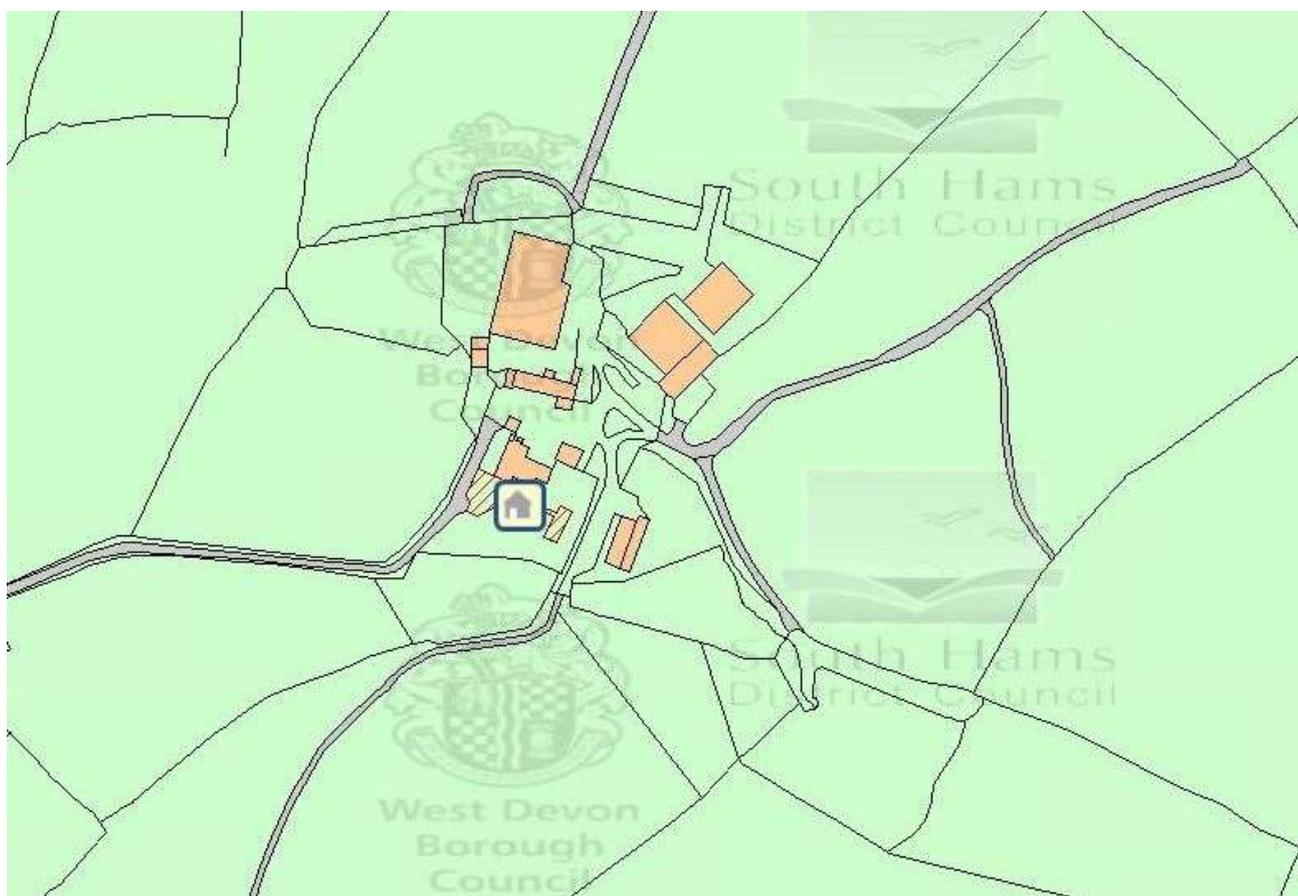
Mr C Munson - Studio Winter Chartered  
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Studio Winter Chartered Architect  
The Guildhall  
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PL14 3JE

**Applicant:**

MA & HMD Spooncer  
Foxcombe Farm  
Lewdown  
EX20 4PH

**Site Address:** Foxcombe Farm, Lewdown, Okehampton, EX20 4PH

**Development:** Conversion of existing cabin into annex for holiday use with associated works



### Reason item is being put before Committee

Cllr Southcott:

Having read your report and all the other correspondence pertaining to this application I feel I cannot, at this time, support delegation in this particular case.

I therefore call in this application into committee for consideration. I have grave concerns regarding the policies within the JLP in that they completely disadvantage the rural and farming community diversification.

## **Recommendation: Refusal**

### **Reasons for refusal**

The proposal development would result in tourism accommodation in an unsustainable rural location with restricted access to services and amenities reliant on the private car. The proposal is therefore contrary to Policies SPT1, SPT2, TTV1, TTV2 DEV15 and DEV29 of the Plymouth and South West Devon Joint Local Plan 2014-2034; and the National Planning Policy Framework (notably but not limited to paragraph 83).

### **Key issues for consideration:**

Principle of the development.

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### **Site Description:**

The application site forms part of the curtilage of Foxcombe Farm, which is located in the countryside between Bridestowe and Lewdown.

The site is not in an AONB or within the setting or nearby any listed buildings.

### **The Proposal:**

This is an application for planning permission for a unit of a self-contained holiday accommodation which is partly retrospective. The building is in the form of a timber clad outbuilding.

### **Consultations:**

- County Highways Authority - No highway implications
- Town/Parish Council - One of the main decisions for the creation of the West Devon Drive was for the support and development of existing holiday destinations and to encourage new holiday retreats, it is considered to be beneficial to encourage more visitors to the area.
- Drainage – Standing advice.

### **Representations:**

None

### **Relevant Planning History**

APP/K1128/W/18/3217159: Lower Leigh Farm, TQ7 4AG

APP/K1128/W/19/3241910: Hillfield Village, TQ6 0LX  
APP/Q1153/W/20/3244495: Land at SX 471 100 (Beaworthy), EX21 5AX;  
APP/Q1153/W/19/3242298: Liphill Quay, PL20 7JY

## **ANALYSIS**

Principle of Development/Sustainability:

Policy SPT1 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (JLP) sets out the Council's overall approach to delivering sustainable development. Policy SPT2 identifies the principles that are to guide the delivery of , amongst other things, sustainable rural communities, indicating that these should be well served by public transport, walking and cycling opportunities and have an appropriate level of services and facilities, and have reasonable access to a vibrant mixed use centre. Policy TTV1 sets out that growth will be delivered according to a hierarchy of settlements, with development in the countryside permitted only if it can be demonstrated to support the principles of sustainable development and sustainable communities. Policy TTV2 indicates that specific objectives of rural sustainability include the delivery of, amongst other things, sustainable rural tourism development.

JLP Policy DEV15 sets out, amongst other aspects, that: support will be given to proposals in rural areas which are in suitable locations; and that camping, caravan, chalet or similar facilities that respond to an identified local need will be supported provided the proposal has no adverse environmental impact. It requires development proposals to, amongst other aspects, 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 also sets out that Sustainable Travel Plans will be required to demonstrate how the traffic impacts of the development have been considered and mitigated. Adding to this, JLP Policy DEV29 requires development to, amongst other things, promote sustainable transport choices and facilitate sustainable growth.

The applicants have sought to justify this development on the basis that it will help support the diversification of the existing farm and also responds to an identified need, and does have some links to cycle paths.

In terms of the diversification it is accepted that the development is located on a farming enterprise and this will provide some local employment benefits. In addition the letter from a holiday specialist does indicate that there is a demand for this form of accommodation.

The site is accessed via an unlit and narrow road and which has no pavement to the West Devon Drive. This section of the West Devon Drive is also unlit and has no pavement and it is approximately 2km to the closest bus stop where access to the 6A Exeter to Bude service is available. This has 4 services per day (in each direction). This is further than the indicative 600m identified within table 3.2 of the JLP, this is an aspiration and does not need to be applied on an inflexible way in rural areas.

In terms of footpaths the closest footpath is located to the approximately 1km to the east of the Bridestowe 2b footpath and located approximately 8km from the National Cycle Route 27.

The site is located in a rural location between Bridestowe, 3.8km to the east, and Lewdown, 2.6km to the west. This distance combined with the unlit and limited amount of pavements

result the site having a poor level of access to facilities and would be reliant on the private car. In addition the site is not well served by public transport.

Turning to the policy considerations it is noted that the proposal will contribute positively with Policy TTV2 parts 3 and 4 which seek to support the growth and expansion of rural businesses and enterprise and the diversification of agricultural and rural businesses. However based on the fact that the site does not have good access to walking, cycling or public transport will not constitute sustainable rural tourism and would therefore be dependent on the car and therefore would be a unsustainable form of tourism.

The Council have also series of appeal decisions which have considered similar proposals against the policy as detailed below:

APP/K1128/W/18/3217159: Lower Leigh Farm, TQ7 4AG

APP/K1128/W/19/3241910: Hillfield Village, TQ6 0LX

APP/Q1153/W/20/3244495: Land at SX 471 100 (Beaworthy), EX21 5AX;

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Overall there has been a consistent application of tourism policies in the plan which confirm the interpretation against the spatial strategy of the Joint Local Plan at planning appeal. This indicates that in order to be supported by the policies tourism must be sustainable.

It can be concluded that the proposed development would not be in a suitable location, with particular regard to access to services and facilities and it therefore conflicts with JLP Policies SPT1, SPT2, TTV1, TTV2, DEV15 and DEV29. The proposal would also be inconsistent with the provisions in the Framework in relation to supporting a prosperous rural economy and promoting sustainable transport.

#### Design/Landscape:

The building, which is currently under construction, is located in curtilage of the existing farm dwelling house. The building has the appearance of an ancillary outbuilding such as a summer house and is therefore compatible with the character and appearance of the area.

#### Neighbour Amenity:

The occupation of the unit of accommodation would be in close association with the occupiers of the existing dwelling. However there is sufficient space within the curtilage to accommodate the unit without giving rise to significant loss of amenity.

#### Highways/Access:

This development will not adversely impact on highway safety.

#### Other Matters:

Matters relating to drainage and biodiversity can be conditioned on this scale of development.

***This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004***

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 26th 2019, the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts of South Hams and West Devon within Dartmoor National Park) comprises the Plymouth & South West Devon Joint Local Plan 2014 - 2034.

The relevant development plan policies are set out below:

**The Plymouth & South West Devon Joint Local Plan was adopted by South Hams District Council on March 21st 2019 and West Devon Borough Council on March 26th 2019.**

SPT1 Delivering sustainable development  
SPT2 Sustainable linked neighbourhoods and sustainable rural communities  
SPT3 Provision for new homes  
TTV1 Prioritising growth through a hierarchy of sustainable settlements  
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area  
TTV26 Development in the Countryside  
DEV1 Protecting health and amenity  
DEV2 Air, water, soil, noise, land and light  
DEV15 Supporting the rural economy  
DEV20 Place shaping and the quality of the built environment  
DEV23 Landscape character  
DEV26 Protecting and enhancing biodiversity and geological conservation  
DEV27 Green and play spaces  
DEV28 Trees, woodlands and hedgerows  
DEV29 Specific provisions relating to transport  
DEV30 Meeting the community infrastructure needs of new homes  
DEV31 Waste management  
DEV32 Delivering low carbon development

### **Neighbourhood Plan**

Until adopted this cannot hold significant weight.

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to paragraphs 83 and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application: JLP SPD

### **Considerations under Human Rights Act 1998 and Equalities Act 2010**

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.