



Appeal Decision

Site visit made on 1 February 2022

by **M Bale BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 09 February 2022

Appeal Ref: APP/X1118/W/21/3283696

Land adjoining Newbridge House, Bishops Tawton EX32 0EW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Brian Sims against the decision of North Devon District Council.
 - The application Ref 72669, dated 21 December 2020, was refused by notice dated 30 March 2021.
 - The development proposed is new build, 2 bedroom holiday lodge/log cabin. Alteration/improvement to access. Provision of electric vehicle charging point.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the site is an appropriate location for the development.

Reasons

3. The first part of Policy DM18 of the North Devon and Torridge Local Plan 2018 (LP) seeks to guide tourism accommodation to the most accessible larger population centres. The second part of the Policy also supports additional accommodation elsewhere, where one of 3 criteria are met. The first criterion relates to existing tourism, visitor or leisure attractions; the second to the conversion of existing buildings. Neither of these apply.
4. The third criterion supports new accommodation where it improves facilities for or diversifies the range or improves the quality of existing tourism accommodation. The Council say that this must relate to existing accommodation at the site of the proposal, to reflect the general policy of development restraint in the rural area. Indeed, unlike part 2, part 1 of Policy DM18, relating to the larger centres, makes reference to diversification of accommodation across northern Devon, generally.
5. Prior to the application, the Council advised the appellant of a wider policy interpretation where the relevant criterion could relate to existing accommodation in the wider area. I understand that, historically, some applications may have been determined on that basis. I, therefore, understand the appellant's frustration that the interpretation has since changed.
6. However, while I have been well apprised of the dispute surrounding the Council's advice to the appellant, there is no substantive evidence to counter the Council's reasoned policy interpretation in respect of this appeal. As such,

there are no grounds for me to reach a contrary view on this key aspect of the planning merits.

7. In any case, the Policy also requires a proposal to improve the quality of accommodation in the area. I acknowledge support from a reputable letting agent who is confident that there would be demand. There are also limited accommodation opportunities in the immediate area, although the rationale for the search area used in evidence, has not been explained.
8. In any case, while nearby accommodation may not be log cabins or may not provide for electric vehicle charging, the evidence does not demonstrate that the proposal would provide a substantially different offer that would meaningfully diversify tourism accommodation. Furthermore, at the site visit, I observed continuous road noise and views of traffic crossing the nearby river bridge. Thus, although the generally undeveloped landscape and outlook from the accommodation is undoubtedly attractive, it is not particularly tranquil or remote.
9. I, therefore, find that the proposal would not improve facilities for nor diversify the range of existing tourism accommodation. As such, it is contrary to LP Policy DM18 that seeks to control the location of new tourism accommodation and the appeal is dismissed.

M Bale

INSPECTOR