

Appeal Decision

Site visit made on 17 January 2017

by Colin Cresswell BSc (Hons) MA MBA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 06 February 2017

Appeal Ref: APP/P1133/W/16/3158461

Bronzerock View, Teignmouth Road, Holcombe, Teignmouth EX7 0JF

- 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 Bronzerock Ltd against the decision of Teignbridge District Council.
 - The application Ref 16/01400/COU, dated 18 May 2016, was refused by notice dated 2 August 2016.
 - The development proposed is change of use of land from the stationing of seven static holiday caravans to the stationing of seven park homes.
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Decision

1. The appeal is allowed planning permission is granted for the change of use of land from the stationing of seven static holiday caravans to the stationing of seven park homes at Bronzerock View, Teignmouth Road, Holcombe, Teignmouth EX7 0JF in accordance with the terms of the application, Ref: 16/01400/COU, dated 18 May 2016 subject to the conditions set out in the Schedule at the end of this Decision.

Application for costs

2. An application for costs was made by Bronzerock Ltd against Teignbridge District Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is whether the site would provide a suitable location for the proposed development.

Reasons

4. The appeal site is part of a larger area of land described as a caravan park within the appeal documents. However, there were extensive construction works taking place at the time of my visit, with most of the park comprising excavated soil (including the appeal site). The park is located within the built up area of Holcombe, a small coastal village situated between the larger settlements of Dawlish and Teignmouth.
 5. According to Policy S22 of the Teignbridge Local Plan (the Local Plan) Holcombe is situated within the open countryside, where general housing development is restricted. Whilst the policy permits affordable housing to meet local needs, the proposed park homes would not meet the planning definition of affordable, even though they would provide lower cost market housing. As such, the proposal would clearly not accord with the terms of the Local Plan.
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6. Planning law dictates that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. In this particular case, I am aware of an extant planning permission¹ for the park which enabled seven static holiday caravans to be situated on the appeal site. Indeed, I understand that before the current construction work took place, the site contained seven concrete bases for caravans. The appeal documentation does not reference any conditions which would restrict the period for which the holiday caravans could be occupied.
7. I have not been informed of any reasons why this extant permission could not be implemented and therefore consider it highly likely that the site would be used to accommodate the static caravans in the event of the current appeal being dismissed. The extant permission is therefore a material consideration to which I attach substantial weight.
8. The Local Plan supporting text indicates that one purpose of Policy S22 is to ensure that new development is situated in the most sustainable locations. Although the site is within a village, I have limited evidence of shops and services in the immediate vicinity. While I understand that there are regular bus services to Dawlish and Teignmouth, there appear to be few opportunities for future residents of the proposed park homes to walk or cycle in order to access even basic services.
9. Hence, even though the appeal site is no less accessible than many of the existing dwellings within Holcombe, it does not benefit from an optimal degree of accessibility when considered against all modes of transport. This is contrary to a core principle of the National Planning Policy Framework to actively manage patterns of growth in order to make the fullest possible use of public transport, walking and cycling. However, it seems to me that the travel patterns generated by permanently occupied park homes are unlikely to be substantially different from those generated by static caravans with no occupancy restrictions. Therefore, in this particular respect, there is little to indicate that the proposal would cause harm.
10. The supporting text indicates that a further purpose of Policy S22 is to help protect the character and appearance of the countryside. Although there may be some physical differences between a park home and a static caravan in terms of appearance, there is not much to indicate that the proposal would necessarily have a harmful effect on the characteristics of the area. The park homes would be seen in the context of similar development elsewhere within the park, which is itself surrounded by the built up area of Holcombe. Consequently, the proposal would not undermine the intention of Policy S22 to protect the character and appearance of the countryside.
11. I am very mindful that the proposal would result in the loss of potential holiday accommodation, a use which is permitted under Policy S22. Little evidence has been presented to suggest that the loss of the seven static caravan plots would harm the tourist economy. In the absence of such information, I am unable to give the matter substantial weight in this appeal. However, I envisage that the Council would be able to resist proposals for similar development that was shown to cause harm.

¹ Council Ref: SE/1374/3127

12. Neighbouring occupiers express concern that the proposed park homes would undermine their privacy. Indeed, I noticed during my site visit that there were some gaps in the boundary vegetation which could potentially facilitate mutual overlooking. Nonetheless, a condition could be imposed to ensure that suitable boundary screening is implemented.
13. Ordinarily, seven new homes in the location proposed would conflict with the provisions of the Local Plan. However, in this case I have given substantial weight to the extant planning permission for seven static holiday caravans in a similar location to the appeal proposal. Implementation of this permission would have a similar effect as the appeal proposal with regard to the character and appearance of the area and in terms of travel patterns. As such, the appeal proposal would not result in additional harm.

Conclusion and Conditions

14. I therefore conclude that the site would provide a suitable location for the proposed development. Although the proposal would not be in accordance with the terms of Local Plan Policy S22, the material considerations of this case have led me to determine that the development would not undermine the overarching objectives of the policy.
15. In the interests of certainty a condition requiring compliance with the approved plans has been imposed, together with the standard time limit condition. Although the appellant has submitted a proposed landscaping plan for the southern boundary of the site, I have imposed a condition for this landscaping plan to be first agreed in writing. This is to be certain that the privacy of neighbouring occupiers is fully protected.
16. For the above reasons, and having regard to all other matters raised, I therefore conclude that the appeal should be allowed.

Colin Cresswell

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, 154483 A, Site Layout Plan as Existing, 154483 B Site Layout Plan as Proposed.
3. The existing hedges on the site shall be retained in perpetuity.
4. Soft landscaping works for the southern boundary shall be carried out in accordance with details to be approved in writing by the local planning authority. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The soft landscaping works shall be retained thereafter in perpetuity.