



Appeal Decision

Site visit made on 22 November 2019

by Colin Cresswell BSc (Hons) MA MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 December 2019

Appeal Ref: APP/Q1153/W/19/3237111

Land to the North of the B3217, Exbourne, Devon.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr & Mrs R Collett against the decision of West Devon Borough Council.
 - The application Ref 0851/19/OPA, dated 14 February 2019, was refused by notice dated 18 July 2019.
 - The development proposed is two dwellings.
-

Decision

1. The appeal is dismissed.

Procedural

2. The application was made in outline with all matters reserved for future determination. I have considered the appeal on that basis.

Main Issues

3. The main issues in this case are:
 - whether the site provides a suitable location for the proposed development having particular regard to development plan policies.
 - whether the proposed development would meet local housing needs.
 - the effect of the proposal on the character and appearance of the area.

Reasons

Location

4. Policy TTV1 of the Joint Local Plan¹ establishes a hierarchy of settlements for the purpose of distributing new housing and jobs across the district. Exbourne is defined a 'sustainable village' within this hierarchy, where development to meet locally identified needs and to sustain limited services and amenities will be supported. According to Figure 5.8 of the Joint Local Plan, approximately 30 new dwellings should be provided in Exbourne. Policy TTV25 supports neighbourhood plans as a means of providing this housing.
5. However, I understand that the neighbourhood planning process for Exbourne has not reached a particularly advanced stage of preparation. As such, I assign

¹ Plymouth and South West Devon Joint Local Plan 2014 - 2034

limited weight to site assessments produced during the early stages of the process. This includes 'Considering Sites for Development in Exbourne and Jacobstowe Parish' published by West Devon District Council. Whilst this document considers the merits of the appeal site for development, there is little evidence before me to indicate that its conclusions have been subject to a great deal of consultation and scrutiny.

6. Policy TTV25 of the Joint Local Plan advises that in villages without neighbourhood plans, development can still be supported. This includes development that meets the identified local needs of communities, as well as that which responds positively to the indicative housing figures set out in Figure 5.8 of the plan (30 dwellings in Exbourne).
7. In terms of whether the appeal site would make a positive contribution to the indicative target of 30 new dwellings in Exbourne, the Council has drawn my attention to extant permissions and commitments in the village which suggest that sites will come forward for development. But even if I were to assume that that these proposed developments would be implemented as anticipated, there appears scope for additional housing within the village in terms of the target set out in Figure 5.8 of the Joint Local Plan.
8. The appeal site is part of a large agricultural field on the far edge of the village which is connected to other open fields. It is in the countryside, just outside the developed extent of the village. However, it is immediately next to an existing property which is part of a line of properties on this side of the road as it winds to the south-east towards the village centre, where development becomes more compact. It seems to me that development of the site would represent growth of the sustainable village and would therefore contribute to the housing target for Exbourne in the context of Policy TTV25.
9. Hence, for the purposes of this particular appeal, I do not consider that it is appropriate to assess the proposal under the terms of Policy TTV26 which relates to 'isolated' development in the open countryside. For similar reasons, I do not consider that the proposal would breach the terms of Policies TTV1 or TTV2 with regard to development outside sustainable villages, which seek to prioritise growth through a hierarchy of settlements.
10. I therefore conclude on this issue that the site would provide a suitable location for the proposed development.

Housing needs

11. Nonetheless, proposals for development should be considered against all policies of the Joint Local Plan. This includes Policy SPT2 which guides how development and growth should take place across the district. Amongst its various objectives is to achieve a good balance of housing types to meet identified local needs. This is reflective of Policy TTV1 which establishes the settlement hierarchy and indicates that development in sustainable villages will be supported where it meets local needs and sustains services. Policy DEV8 advises that needs across the plan area include homes that redress an imbalance in the housing stock and homes suitable for households with specific needs. There is also a need for dwellings suited to younger people, working families and older people who wish to remain self-sufficient.

12. With this in mind, the Council refers to demographic data from the 2011 Census and the Strategic Housing Market Needs Assessment 2017 which forms part of the evidence base underpinning the Joint Local Plan. I understand this data shows Exbourne to have a skewed housing stock with more 3 and 4 bed properties and more detached dwellings than the West Devon average. The implication is that this would limit options for smaller households with need for other types of property. There is little evidence to suggest that the housing stock within Exbourne has become substantially more balanced in the time since this data was collected.
13. The indicative plans show two, relatively large, detached dwellings in good sized plots. Dwellings of this size, which would not provide for smaller households, would only exacerbate the housing imbalance within the village. However, I recognise that the application was made in outline with all matters reserved for future determination and the plans submitted by the appellant were only indicative. Hence, the granting of outline planning permission in this case would not determine the size or form of the proposed dwellings. This would be considered at the reserved matters stage.
14. Nonetheless, it seems to me that the physical area of the site is rather excessive for two dwellings aimed at redressing the housing imbalance within Exbourne. I am particularly conscious that the Joint Local Plan stipulates that new housing in Exbourne should help to meet identified local needs. Given the size of the site for only two dwellings, I am not convinced that the proposal would comply with Policies DEV8 and SPT2. In reaching this decision I am mindful that planning law indicates that applications for planning permission (including outline applications) should be in accordance with the development plan unless material considerations indicate otherwise. For the above reasons, this has not been clearly demonstrated.
15. I appreciate that there are potential benefits of the proposal, including a relatively modest boost to the supply of housing. The development may also help to sustain local services. However, the evidence provided in this appeal emphasises the importance of ensuring that any new housing meets local needs and helps to redress the existing imbalance. Similarly, while there may well be a demand for custom build homes in the area, I do not consider that such benefits would outweigh the need to provide for local housing need in accordance with Policies DEV8 and SPT2.
16. For the above reasons, I therefore conclude on this issue that the proposal would not meet local housing needs.

Character and appearance

17. The site adjoins a narrow lane which becomes more open and rural in nature as it winds out of the village to the north-west. The rural characteristics of the area are emphasised by the tall hedgerows present on both sides of the road, beyond which there are open fields. Although the site adjoins a cottage immediately to the south-east, housing in this part of the village is relatively low density and maintains the open and rural nature of the lane.
18. Although the application was made in outline, any housing in this location is likely to be conspicuous from public vantage points. At least some parts of the proposed dwellings are likely to be visible from the road, however they are designed or screened by boundary planting. Furthermore, the dwellings would

need to be accessed and this is likely to require removal of a section of hedgerow, visually exposing the site and creating a harder and more developed street frontage. I also note the Council's concerns regarding the amount of engineering work necessary.

19. There is little doubt that the development would alter the characteristics of the lane at this particular point. However, although the proposal would extend the built frontage of the street further towards the north-west, a modestly sized scheme for only two homes would not result in an unacceptable pattern of 'ribbon development' leading out of the village. The rural character of the lane would be largely maintained when standing outside the site and looking up the street in a north westerly direction as hedgerows and open spaces would still dominate the street scene at this point. Although the urban form of the village would be extended further into the countryside, the new houses would be seen against the backdrop of existing dwellings when approaching the village from a south easterly direction.
20. Overall, a well-designed and modestly sized development in this location would not undermine the qualities of the street scene to such an extent that it would be harmful in planning terms. I therefore conclude on this issue that the proposal would not cause harm to the character and appearance of the area. There would be no conflict with Policies DEV10 and DEV20 of the Joint Local Plan. Amongst other things, these policies aim to promote good design and retain local distinctiveness.

Conclusion

21. I have found that the site would provide a suitable location for the development proposed and would have an acceptable effect on the character and appearance of the area. However, this does not outweigh the harm that I have identified regarding local housing needs.
22. I therefore conclude that the appeal should be dismissed.

Colin Cresswell

INSPECTOR