
Appeal Decision

Site visit made on 16 June 2020

by JP Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd July 2020

Appeal Ref: APP/K1128/W/19/3243854

Wembury Cottage, Bovisand Lane, Down Thomas, PL9 0AE

- 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 Brian Santillo against the decision of South Hams District Council.
 - The application Ref 3413/18/OPA, dated 12 September 2018, was refused by notice dated 21 August 2019.
 - The development proposed is the construction of 3no detached dwellings.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the accessibility of services/facilities in this location;
 - the effect of the proposal on the undeveloped coast and;
 - whether or not the proposal would meet locally identified needs.

Reasons

The accessibility of services/facilities in this location

3. The site lies in the village of Down Thomas, set amongst pleasant countryside within the South Devon Area of Outstanding Natural Beauty (AONB) and just over a mile from the sea. It is to the south of Plymouth and connected by country lanes to its outer limits at Staddiscombe.
4. The appeal site is on the northern edge of the village, behind several other dwellings. The village is small with only a pub, a newsagent and village hall. The nearest everyday services are at Staddiscombe which the Council's appeal statement quantifies at 1.7km away and Wembury village which has a primary school, which again the Council's quantifies at 3.4km. I have not been provided with details of the bus service, but I would expect this to be very limited bearing in mind the rural nature of the surroundings.
5. The proposal is for 3 new dwellings. The village lacks the retail, education, social, health and employment opportunities that are needed for basic everyday living. Due to the narrow roads with no footpaths or lighting I

consider that the occupants would be very likely to use car travel to meet their everyday needs.

6. The new houses would help boost the local economy as well as the public house and newsagent. The Council would seek a contribution to off-site recreation facilities. The houses would also contribute towards housing supply. However, these benefits would be very limited for 3 houses and the Council indicates that it is meeting its housing land supply requirement
7. I therefore conclude that the very likely car dependency means that this is not an appropriate location for the 3 new houses proposed. Policy SPT2 of the Plymouth and South West Devon Joint Local Plan (JLP) 2014-2034, adopted March 2019, requires that development has reasonable access to mixed use centres which meet daily needs. Policy SPT1 provides the overview to this plan, which aims for sustainable growth. Policy TTV1 places emphasis on larger settlements for growth. Accordingly, the proposal would be contrary to these policies.

The effects on the undeveloped coast

8. The JLP also has a strategy of protecting the character, appearance and tranquillity of the undeveloped coast. The aim is to avoid unnecessary development by maintaining fields and countryside along the coastal fringes, to retain its integrity.
9. The proposal is for 3 dwellings behind several houses, on the edge of the village. Whilst both parties concur that there has been some caravan use here, it appeared on my site visit as a grass field and part of the countryside.
10. I noted on my visit that the site is visible from the lane at the site access. Whilst this is a narrow viewpoint, it is proposed to be enlarged. From here, some of the houses, their grounds and the access would be evident. The policy also has the criterion of tranquillity, and the car use and domestic activity from the site would also be perceptible.
11. I therefore conclude that the proposal would extend the village into the countryside, on a road connecting to the seafront. It would undermine the integrity of the countryside and spoil the perception of the undeveloped coast, contrary to policy Dev 24 of the JLP, which only permits necessary development and protects the area. Paragraph 170 of the Framework similarly requires the maintenance of the coastal character.

Whether the proposal would meet locally identified needs

12. The proposal is in outline with layout and access details provided, although the scale and appearance are reserved matters for future consideration. The submitted layout does show the type and size of the dwellings. The appellant's design statement envisages a 140sqm footprint for each.
13. In my opinion the proposed dwellings would be substantial and are all detached. They undoubtedly would meet a need for some households but not from the most pressing need based on local circumstances. This would not provide a mixed range of houses which supports a broad healthy community. On my site visit I noted that the immediate area has a disproportionate number of larger dwellings. Accordingly, the proposal would conflict with policy Dev 8 of

the JLP which requires the redress of the imbalance of housing stock and also paragraph 61 of the Framework which promotes a wide range of houses.

Other matters

14. I note the appellant's points regarding the lengthy application process and what he considers to be the inconsistency of approach by the Council. However, these matters are not before me in a section 78 appeal, and I must determine it on its planning merits in relation to the development plan currently in force.
15. There is concern from the third parties that the access is unsafe. However, this is a 20mph area where speeds are low, and the appellant's highway statement also indicates little traffic flow along the adjoining road. The visibility of the access is also being improved. The lights from cars exiting the site is also raised as a concern, whilst it could have potentially been a nuisance, I do not consider that it would have significantly harmed living conditions.

Conclusion

16. I therefore conclude that the appeal should be dismissed.

John Longmuir

INSPECTOR