



Appeal Decision

Site Visit made on 2 February 2021

by T Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 March 2021

Appeal Ref: APP/P1133/W/20/3262341

Higher Wheatley Farm, Crusader Court, Lane To Higher Wheatley Farm, Pocombe Bridge EX4 2HB

- 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 Simon Crawford against the decision of Teignbridge District Council.
 - The application Ref 20/00419/FUL, dated 4 March 2020, was refused by notice dated 18 August 2020.
 - The development proposed is Change of use of building from offices to residential.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would be in an appropriate location, having regard to development plan policies.

Reasons

3. The appeal site is located within the settlement of Pocombe Bridge. Although the surrounding area has a relatively rural character and contains fields and areas of woodland, the site is not isolated given the various nearby buildings.
4. Policy S22 of the Teignbridge Local Plan 2013-2033 (TLP) defines land outside the defined settlement limits of Bovey Tracey, Chudleigh, Dawlish, South West of Exeter, Kingskerswell, Kingsteignton, Newton Abbot, Teignmouth and the villages listed in Policy S21 as open countryside. Given Pocombe Bridge is not one of the settlements listed in either of these policies, the site is therefore defined by the development plan as being within open countryside. Its already developed state and that the appeal scheme would not lead to the intrusion of new built form into the countryside does not change this. Consequently, the restrictions on development set out in TLP Policy S22 are applicable to the appeal proposal.
5. Although it is not asserted that the proposed development would provide any of the uses listed by TLP Policy S22 as permissible in the open countryside, it has been put to me that the proposed development would revert the building to its original established residential use. However, the submitted evidence indicates that the building on the appeal site was previously domestic garaging before being turned into an office and it neither provided accommodation nor was it permitted to do so. The appeal proposal for use of the building as self-contained residential accommodation would therefore result in a new dwelling in the open

countryside and the evidence before me does not indicate that it would provide any of the residential uses permitted by TLP Policy S22.

6. Accordingly, I conclude that the proposed development would not be in an appropriate location, having regard to development plan policies. I therefore find that it conflicts with TLP Policy S22. In coming to this view, I have taken into account that other residential development has been permitted nearby, including the change of use of the adjacent building from a single dwelling to two dwellings, the conversion of a barn at Higher Wheatley Farm to a dwelling and the erection of new dwellings elsewhere in Pocombe Bridge. However, neither this nor that the appeal scheme would not lead to development of an isolated home in the countryside, which paragraph 79 of the National Planning Policy Framework (Framework) seeks to avoid, lead me to a different conclusion.

Other matters

7. The proximity of the appeal site to the Exe Estuary Special Protection Area (SPA) means that the development would be likely, in combination with other plans and projects, to have a significant effect on the internationally important interest features of the SPA. Mitigation measures are therefore required to make the development acceptable and avoid an adverse effect on the integrity of the designated sites. I note that the Council's Officer Report refers to the appellant having made an upfront Habitat Mitigation Contribution in relation to this matter. However, as I am dismissing the appeal for other reasons, I am not pursuing this matter further because it could not lead me to a different decision.
8. It has been put to me that the site is located within a sustainable developed area being on a bus route and having safe access to local services on foot or cycle at Ide village 1km to the south, and that the proposal would therefore not breach the Framework's principles relating to new residential development. Be that as it may, this does not provide justification for development that conflicts with the development plan.

Conclusion

9. For the above reasons, the appeal is dismissed.

T Gethin

INSPECTOR