The Planning Inspectorate

Appeal Decision

Site visit made on 22 March 2021

by Neil Pope BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 April 2021

Appeal Ref: APP/K1128/W/20/3251330
Land at Jawbones Hill, Dartmouth, Devon, TQ6 9RN.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
- The appeal is made by Jawbones Hill Ltd against the decision of South Hams District Council.
- The application Ref. 3387/19/PIP, dated 15 October 2019, was refused by notice dated 21 November 2019.
- The development proposed is the erection of one detached dwelling.

Decision

1. The appeal is dismissed.

Reasons

2. This 0.1 ha sloping site comprises woodland[1] on the south western edge of the town. It rises steeply away from the adjacent housing and small parking area along Jawbones Hill and overlooks Dartmouth Harbour. The site lies within the South Devon Area of Outstanding Natural Beauty (AONB), Undeveloped Coast[2] and forms part of the attractive landscape/woodland setting to this part of the town. Although some development is taking place to the north, the appeal site is an integral part of the rural setting to Dartmouth.

3. The proposal would include the removal of the existing buildings on the site, with the dwelling located in an attempt to minimise the loss of trees. The remaining trees would be managed and drawings prepared by the appellant's architect indicate that the dwelling could be designed to have a limited mass. The proposal would increase the choice and supply of homes within the district.

4. However, the proposed development would markedly change the character and appearance of the site. The removal of some trees and likely future pressure that would be applied by occupiers to remove other trees[3] would considerably erode the woodland qualities of the site. This would be exacerbated by the likely access works which would disturb the pleasing roadside wall/bank and considerably open up the site to reveal the dwelling and inevitable domestic paraphernalia. The proposal would have an urbanising effect on the character and appearance of the site. When seen from the harbour area, the dwelling would loom large above the town and be a prominent and discordant intrusion into a landscape that is recognised as being of national importance. Whilst I have determined this case on its own merits, similar findings were made by the Inspector who determined an appeal[4] for a dwelling on the site in 2004.

[1] Subject to a Tree Preservation Order. Two derelict buildings within the site are largely screened by the trees.
[2] As designated within the adopted Plymouth & South West Devon Joint Local Plan 2014-2034 (LP).
[3] These could be perceived as a nuisance and/or occupiers wishing to take advantage of views across the harbour.
[4] Ref. APP/K1128/A/03/1131238.

5. The proposed development by virtue of its location and land use would detract from the setting of Dartmouth and erode the landscape and scenic beauty of this part of the AONB. It would seriously harm the character and appearance of the area and conflict with LP policies DEV23 (landscape character), DEV24 (Undeveloped Coast), DEV25 (AONB) and DEV28 (trees and woodlands). This harm would not be outweighed by the benefits of the proposal. I therefore conclude that the appeal should not succeed.

Neil Pope

Inspector