



Appeal Decisions

Site visit made on 25 February 2026

by **A Tucker BA (Hons) IHBC**

an Inspector appointed by the Secretary of State

Decision date: 04 March 2026

Appeal A Ref: APP/P1133/W/25/3365830

Land adjacent to The Beeches, Vicarage Road, Cockwood EX6 8RE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mrs P Parkes against the decision of Teignbridge District Council.
 - The application Ref is 24/02021/PIP.
 - The development proposed is micro-dwelling on site of existing garage.
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Appeal B Ref: APP/P1133/W/25/3365831

Land adjacent to The Beeches, Vicarage Road, Cockwood EX6 8RE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mrs P Parkes against the decision of Teignbridge District Council.
 - The application Ref is 24/01948/PIP.
 - The development proposed is erection of a self-build house and garage.
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Decision – Appeal A

1. The appeal is dismissed.

Decision – Appeal B

2. The appeal is dismissed.

Applications for Costs

3. Applications for costs for both appeals were made by Mrs P Parkes against Teignbridge District Council. These applications are the subject of separate decisions.

Procedural Matters

4. The appeals have been submitted by the same appellant. They are both for a single dwelling on overlapping sites with similar main issues. Accordingly, I have dealt with them together in my reasoning.
5. The proposals are for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. These appeals relate to the first of these 2 stages.

6. Appeal A is for a micro-dwelling on the site of an existing garage, that would utilise a small site area that is effectively between two existing dwellings. Appeal B is for a dwelling and garage to be located on a larger site that covers part of an undeveloped field that is to the rear of the existing dwellings and garage.
7. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.
8. A submitted plan shows how the Appeal B proposal could be laid out. However, as the appeal does not relate to technical details, I will view this plan as illustrative only.
9. The emerging Teignbridge Local Plan 2020-2040 (ELP) is at an advanced stage of preparation. Its Policies therefore attract moderate weight.

Main Issue

10. The main issue is whether the sites are suitable for residential development, having regard to its location, the proposed land use and the amount of development.

Reasons

11. The appeal site is part of an agricultural field that is undeveloped, apart from the garage that occupies the Appeal A site. The field is adjacent to the developed edge of the small village of Cockwood, and behind dwellings that stand to the west of Vicarage Road. Adjacent development is linear in character, with most fronting Vicarage Road or taking the form of backland development that sits behind road fronting development. The historic part of the small village, to which the appeal site is closely related, is arranged tightly around its narrow roads and Harbour.
12. Policy S22 of the Teignbridge Local Plan 2012-2033 (LP) establishes that the site area for Appeal B is open countryside. At my visit I was able to see that, although it abuts the developed area of the village, it has the appearance of an undeveloped rural field and is part of a swathe of undeveloped land between Vicarage Road and Middlewood that connects to the surrounding countryside.
13. Policy S22 establishes that development in open countryside will be strictly managed. The Appeal B proposal would not accord with any of the development types listed at a) to e).
14. Part f) of Policy S22 states that particular account will be taken of the distinctive characteristics and qualities of the Landscape Character Area. To satisfy Policy S2 of the LP, new development will take account of integrating with and where possible enhancing the character of the adjoining built and natural environment. Similarly, Policy EN2A of the LP states that development proposal should conserve and enhance the qualities, character and distinctiveness of the locality, maintain landscape quality and minimise adverse visual impacts.
15. Neither site is prominent to view from Vicarage Road and erecting a dwelling on either site would have limited impact on the character or appearance of the streetscene. The appellant submits that the sites exhibit little of the characteristics

of the Devon Redlands National Character Area or area LCT 3B of the Teignbridge Landscape Character Assessment.

16. Notwithstanding this, at my visit I was able to observe that Cockwood Harbour is easy to view from the Appeal B site area. When looking back towards the site from the north side of the Harbour I could see that the site is prominent to view and is seen alongside the wooded area to the east of Middlewood. From this perspective, the undeveloped appearance of the site has notable value, as it provides a visual and spatial link to the rural and countryside setting of the small village and softens the impact of development, which is highly prominent given how steeply the land rises to the south of the Harbour. It also serves to reinforce the separation between the settlements of Cockwood and Middlewood, the separate identity of which is valued. These attributes make it worthy of its inclusion within an Area of Great Landscape Value.
17. Thus, if a dwelling is erected on the Appeal B site, the attractive view from the north side of the Harbour would be eroded, as the undeveloped swathe of land would no longer be visible, and the hillside would have a more developed appearance. This would serve to significantly lessen the separate identity of Cockwood and Middlewood, to the extent that a significant negative impact could occur with reference to Policy GP3 of the ELP.
18. Therefore, unlike the proposal at Rock Cottage¹, as well as the clear conflict with Policy S22, the Appeal B proposal would also result in physical harm to the character and appearance of the area.
19. The appellant suggests that a new dwelling on the Appeal B site could be within the existing building line, if a line is drawn across the back of Littlefield and across the appeal site. This is however a rather simplistic analysis that is derived solely from the angle of the rear wall of this existing dwelling. It is necessary instead to consider the broader relationship between existing buildings near to the site and the relationship they have with the road.
20. Littlefield sits behind a dwelling that fronts Cofton Hill. In this respect it is similar to The Beeches and Highfield, which also sit directly behind road fronting development. It would thus be more appropriate to consider a building line that runs behind these three dwellings as they all share the same characteristic as backland development. A line drawn between Littlefield and Highfield would be broadly parallel with the road. Most of the Appeal B site would be outside this, and in any case a dwelling erected in this area would be behind existing backland development, thus further extending the depth of development away from the road into an area of open countryside and in a manner that is not otherwise seen along this side of Vicarage Road or Cofton Hill. This reinforces my finding that the Appeal B site is unsuitable for residential development.
21. The existing garage and site area for the Appeal A proposal is almost entirely within the settlement limits defined by the LP. The modest difference is immaterial, particularly as the line appears to have been intentionally plotted to include the existing garage; and this is essentially the entirety of the Appeal A site area. The site area is already developed, and replacing the garage with a dwelling would not represent an incursion into undeveloped land or harm to the landscape. I note that the ELP removes the site area from the settlement limit. Whilst this weighs against

¹ Planning Inspectorate Ref: APP/P1133/W/22/3303189

the Appeal A proposal it is appropriate to give priority to the LP, which is current and adopted.

22. The proposal would however occupy a very small plot. Whilst it might be technically possible to erect a micro dwelling on a plot of this size, the site is heavily constrained by its proximity to neighbouring dwellings to the north and south. Highfield to the north is at a lower level. A dwelling at the site would be highly likely to have an overbearing impact on the living conditions of the occupants of this dwelling, even if openings could be designed and positioned to avoid overlooking, as there would be very little space to separate the buildings.
23. To the south, a dwelling at the Appeal A site would face towards the front elevation of The Beeches. If openings are positioned in the south elevation they would result in overlooking towards this dwelling. If this face of the dwelling is left blank to avoid this impact then it is likely that erecting a blank façade that would face the neighbour would result in a harmful impact on outlook for the occupants of that dwelling.
24. I accept that such matters are usually appropriately considered at the technical details consent stage. However, in this case, given that the site is very small and heavily constrained, it is difficult to envisage how it could be successfully brought forward in principle for the development of a dwelling, in a manner that would safeguard the living conditions of the occupants of the existing neighbouring dwellings.
25. In summary, with regard to the proposed location, land use and amount of development, neither site would be suitable for the principle of the development proposed. The proposals would not accord with Policies S1, S2, S22 and EN2A of the LP, and Policies GP1, GP2, GP3 and H12 of the ELP. Together these seek to direct new development to suitable locations, avoid harm to the character and appearance of an area including its landscape value, and manage the impact on amenity.

Other Matters and Planning Balance

26. Both proposals would deliver a dwelling. In the context of the Government's objective to significantly boost the supply of homes this is a matter that weighs in favour of the proposal. There would also be a modest economic benefit from the construction work and as future occupants make use of existing services and facilities. A dwelling at either site would be well located with regard to local services and facilities. Appeal A would be largely within the settlement limit for Cockwood and, whilst Appeal B would be outside, it would be immediately adjacent, with easy access to nearby services and facilities. These are matters that weigh in favour of both proposals, although the weight I give them should be no more than modest given that both proposals would only deliver a single dwelling.
27. Paragraph 73 of the Framework refers to support for the development of windfall sites through decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes. Although the appeal proposals would be windfall sites, I have not found that either site would be suitable for a dwelling, and therefore do not consider that great weight should be applied in relation to this matter.

28. The Appeal B scheme is referred to as self-build. Specifying this only in the description of development is not sufficient to ensure that the dwelling would be constructed as a genuine self or custom-built dwelling rather than general market housing. A s106 obligation is likely to be the most appropriate method of securing this. The Planning Practice Guidance² indicates that there is no scope to secure obligations at the permission in principle stage. Nevertheless, there is no legal reason why an obligation cannot be entered into at any time, with a trigger to link it to an associated technical details consent. In any case, there is no mechanism before me that would ensure that the Appeal B scheme would be developed as a genuine self or custom-built dwelling. I therefore give this matter little weight.
29. The appellant refers to support in the ELP for micro dwellings. I give this matter little weight however, as the information before me is insufficient to convince me that the Appeal A site is suitable for the erection of a dwelling for the reasons set out above.
30. I have found against the Appeal A proposal on the basis that a dwelling at the site would have a harmful impact on the living conditions of adjoining occupiers. I have found against the Appeal B proposal on the basis that the site is outside the defined settlement limit and would harm the character and appearance of the area. The benefits of either scheme do not outweigh these important matters.
31. The appellant is of the view that the Council might not have a five year supply of deliverable housing sites (5YHLS) following the publication of the revised National Planning Policy Framework (Framework) in December 2024 and the requirement to calculate housing need based on the new standard method. The Council does not appear to have engaged with this matter and has relied on its Annual Monitoring Report from December 2024, which demonstrates a supply of 5.1 years of deliverable housing sites.
32. Paragraph 11 d) of the Framework states that where the policies which are most important for determining the application are out-of-date (which footnote 8 clarifies includes for applications involving the provision of housing situations where the Council cannot demonstrate a 5YHLS) the presumption in favour of sustainable development should be applied; unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
33. Paragraph 11 d) ii. of the Framework goes on to say that particular regard should be had to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes. Both sites are well located, to the extent that future occupiers would have easy access to local services and facilities without the need to rely on a private car, and the Appeal A proposal would make efficient use of an existing developed site. These are objectives that are set out in the Framework.
34. However, with regard to securing well-designed places and Paragraph 135 of the Framework, without any evidence to convince me otherwise I am of the view that a dwelling at the Appeal A site would fall well short of creating a place with a high standard of amenity for existing users. Additionally, with further reference to Paragraph 135, the principle of a dwelling at the Appeal B site would not be

² Paragraph: 022 Reference ID: 58-022-20180615

sympathetic to local character, including the surrounding built environment and landscape setting.

35. Evidence that the Council's 5YHLS position is incorrect is not before me. Even if I were to conclude that there is a significant shortfall in 5YHLS and that Paragraph 11 d) of the Framework is engaged, the adverse impacts of granting permission in principle for either scheme would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Neither proposal therefore benefits from the presumption in favour of sustainable development.
36. The appeal sites are within 10km of the Exe Estuary Special Protection Area and Ramsar Sites and the Dawlish Warren Special Area of Conservation. Within this area mitigation towards recreational impacts is required. I am however dismissing the appeals for other reasons; the impacts would not occur and this matter does not therefore need to be considered further.

Conclusion

37. The proposals would be contrary to the development plan and there are no material considerations, including the provisions of the Framework, that outweigh this finding. Therefore, for the reasons given, the appeals should be dismissed.

A Tucker

INSPECTOR