



Appeal Decisions

Site visit made on 10 February 2026

by **Andy Harwood CMS MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 March 2026

Appeal A Ref: APP/P1133/W/24/3357574

Little Haven, Higher Sandygate, Newton Abbot, Devon TQ12 3PU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) (the Act) against a refusal to grant planning permission.
 - The appeal is made by Mr Stuart Williams (of Seaworthy Marine) against the decision of Teignbridge District Council.
 - The application Ref is 20/01080/FUL.
 - The development proposed is described as a change of Use of land to storage (B8), siting of 14 shipping containers, a portable office and garage.
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Appeal B Ref: APP/P1133/C/24/3357576

Land at Little Haven, Higher Sandygate, Newton Abbot, Devon TQ12 3PU

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Stuart Williams (of Seaworthy Marine) against an enforcement notice issued by Teignbridge District Council.
 - The notice was issued on 4 December 2024.
 - The breach of planning control as alleged in the notice is: Without planning permission, the unauthorised change of use of the land from agricultural land to the storage of boats, trailers, vehicles, caravans, steel containers and other items associated with the storage of boats in the area edged red on the attached plan.
 - The requirements of the notice are to:
 - (i) Cease using the land edged red on the attached plan for the storage of boats, trailers, vehicles, caravans, steel containers (other than the one shown hatched blue on the attached plan) and other items associated with the storage of boats, and
 - (ii) Remove from the land edged red on the attached all boats, trailers, vehicles, caravans, steel containers (other than the one shown hatched blue on the attached plan) and other items associated with the storage of boats.
 - The period for compliance with the requirements are: 3 months.
 - The appeal is proceeding on the ground set out in section 174(2)(g) of the Town and Country Planning Act 1990 (as amended).
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Appeal A Decision

1. The appeal is dismissed.

Appeal B Decision

2. The appeal is dismissed and the enforcement notice is upheld.

Preliminary Matters

3. Ground (a) was pleaded in appeal B but that ground of appeal was barred given that Appeal A concerns a related application.
4. I have been provided with a plan showing the proposed layout of the appeal site with reference 'PL1 Rev B' whereas 'Rev A' has been referenced on the decision

notice. When I showed this to the parties at the appeal site, it was pointed out that the site-fencing around the storage area delineates a smaller area than shown on that plan, with the boundary not as far south. I will deal with the proposal on the basis of what I saw given that the development is already in existence.

Appeal A

Main Issues

5. The first is the effect of the development on the character and appearance of the site and surrounding area. The second is the effect upon living conditions and nearby residential properties in terms of outlook.

Reasons – character and appearance

6. The appeal site is a field located to the immediate west of the busy A380 and to the north of the residential area known as Woodlands. Sandygate is closely related to Kingsteignton. The site is within an area with mature landscaping including large areas of informal woodland. Although I did see a large business park as well as some indications of extensive mineral workings nearby, they are interspersed by fields and woodland. The surrounding area is generally rural with an informal character, dominated by the mature landscaping alongside narrow country lanes. This is open countryside as defined within Policy S22 of Teignbridge Local Plan 2013-2033, adopted May 2014 (LP) because the site is outside of any defined settlement boundary. The appeal site is on the sensitive rural margin between the open countryside and a settlement.
7. The boat storage has resulted from the relocation of the long-standing business from another location near to Shaldon Bridge. The overall field is larger than the area where the storage takes place and extends down to the nearby houses to the south. The site is accessed along a typically narrow rural lane with informal vegetation along both sides. This extends out from the settlement with its more formalised roads and suburban character.
8. The site is enclosed by substantial vegetation on 3 sides although the boundary adjoining the 2 storey residential dwellings to the south is less robust with some garden fencing and hedging. There are large wooden gates that define the entrance to the site. The part of the field nearest to the residential area is uneven with a surface of rough grass which leads up towards the area enclosed by site-fencing where there is also a raised area which was covered with boggy mud at the time of my site visit. To the side of the fenced off area, between it and the A380, is a slightly raised area which has a gravelled surface with grass growing through. Although that is separate from the enclosed storage area, the gravelled surface appears to be contiguous with it.
9. The development involves a tightly packed storage use with boats, some on trailers, standing high above the field along with other items such as vehicles, caravans, containers and various machinery. The photographs provided of the site previously show that it was undeveloped with a rough grass surface and was open within the landscaped perimeter, other than a container in one corner that has been on site for some time. Whilst the site is screened to an extent from the lane, there are glimpses through the vegetation which give away the fact that there is an intensive storage use taking place on the other side. The use of the narrow lane, a rural no through road, for access to bring the boats to the site on trailers

and other large vehicles will at some times of the year also affect the character of the lane. I have been provided with some photographs that show that. The use is urban in character at this sensitive part of the countryside between the main built up area and other industrial and commercial activities.

10. I could see houses are located in Woodlands just the other side of the southern boundary of the site. The stored items on the site will be visible from the first-floor windows of those houses. Even if the site is reduced in area from what was proposed to what is framed by the current temporary site fencing and if additional landscaping is implemented along with important nearby trees being protected, I am not confident that this will fully screen the development from those houses or from other people using the lane. Further landscaping could also in itself emphasise a change in the character of the field bringing a false separation of what had previously been a single enclosed field.
11. The appellant refers to LP Policy KS1 which from what I am told, allocates land nearby for industrial, storage and distribution uses and possibly other things. I have not been provided with any detail of any schemes that have been proposed or approved as a result of that policy. I have considered this main issue on the basis of what exists at the moment on and around the appeal site. The development creates an incursion of industrial storage within these sensitive rural surroundings of the settlement.
12. In relation to the first main issue, the development has had a harmful impact upon the character and appearance of the site and surrounding area. This would not in these respects comply with LP Policies S1, S2, S22 and EN2A. These together and amongst other things, seek to maintain or conserve the character and appearance of landscapes; creating places with a distinctive character integrating with the built and natural environment; providing attractive landscapes. I am aware that the Council's Landscape Officer did not object and considered the scheme to be acceptable but, in my view, the development does not comply with the foregoing policies nor does it contribute to or enhance the natural and local environment as required by the National Planning Policy Framework (the Framework).

Reasons – living conditions

13. The nearby dwellings have windows facing towards the site as I have explained above and views will now be less attractive for those residents than they were without the development. However, from looking at the position of the dwellings and the windows, I consider that this would affect only a small amount of what can be seen by those occupants. They would retain an outlook of the open countryside. There is a significant gap between those houses and the storage use. The development does not have an oppressive impact upon those residents.
14. In relation to this main issue, the development has not had a harmful effect upon living conditions and nearby residential properties in terms of outlook. As such, in this respect, the development does not conflict with LP Policy S1 and its requirement to perform well against various criteria, including the impact upon residential amenity of existing dwellings.

Other Matters

15. The appellant confirms that the business is run by himself with only some

contractor time used. They also say however that there would be 2 full time members of staff on site. There would be some economic benefits to the area. This to some extent this is therefore supported by LP policies seeking to improve business and rural employment such as elements of S1, S3 and EC3. The submitted evidence does not indicate a lack of supply of sites for the use.

16. The offer to limit hours, which could be addressed by planning conditions, would make little difference to the main issues as set out above although would help to limit further effects on nearby residents. Existing tree-lined hedgerows around the site including protected trees would be maintained. The appellant would also take measures on site to prevent harm to ecology on and near to the site as well as to limit broader effects on the South Hams Special Area of Conservation which could also be dealt with by planning conditions. These factors would help to limit harm rather than bring any benefits and are neutral in the overall balance.

Appeal A Conclusion

17. These other matters including those that support the proposal and my conclusion on the second main issue, do not outweigh my conclusion on the first main issue. I conclude that, having had regard to the development plan as a whole and all other material considerations, that the development is unacceptable. Appeal A will be dismissed.

Appeal B on ground (g)

18. The appeal on this ground is that any period specified in the notice falls short of what should reasonably be allowed. The notice requires compliance within 3 months from the effective date of the notice.
19. Boat storage is mainly required from October until March and at the time of submitting representations, the appellant requested 8 months to comply. That would assist their financial security to get through a storage season and also once boats are removed, it would enable easier access to remove other items. Given the timing of this decision, that justification would seem to diminish as the 3 months will start from the date of this decision, towards the end of the storage season.
20. The practical reasons for the request to extend the period for compliance has reduced. I have no detail about how the 3 month period will cause the significant financial difficulties that the appellant has referred to. The notice strikes a reasonable and proportionate balance between seeking to overcome the harm caused by the development and the difficulties involved in complying.
21. The appeal on ground (g) therefore fails.

Appeal B Conclusion

22. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice.

Andy Harwood

INSPECTOR