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# Appeal Decision

Site visit made on 28 May 2019

**by Neil Pope BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4 June 2019

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**Appeal Ref: APP/K1128/W/19/3220547**

**Land at Lower Combe, Brixton Torr, Brixton, Devon, PL8 2BW.**

- 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 Mr and Mrs Wilkins against the decision of South Hams District Council.
  - The application Ref. 3721/18/PIP, dated 8 November 2018, was refused by notice dated 14 December 2018.
  - The development proposed is a detached dwelling.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is whether this is an appropriate location for a new dwelling, with particular regard to access to services and facilities, as well as the character of the area.

## Reasons

3. The appeal site lies within the countryside and is outside the confines of any main or recognisable settlement. It comprises former railway sidings on a section of dismantled railway. Whilst the adjoining section of the abandoned railway line and the remains of a bridge can be discerned, trees and vegetation have blended the appeal site into this rural landscape.
4. The development plan<sup>1</sup>, amongst other things, aims to secure sustainable rural communities (with consideration to service provision in a network of villages)<sup>2</sup> and to protect the special characteristics and role of the countryside<sup>3</sup>. This is consistent with the provisions of the National Planning Policy Framework.
5. As I noted during my visit, the site is a considerable distance from the nearest services and facilities upon which, occupiers of the proposed dwelling would be largely dependent upon. Like much of the countryside, there are no footways serving the site and it is poorly served by public transport. The gradient of sections of the local road network is also challenging for cyclists and pedestrians. The site is not conveniently located for residential use.
6. The proposal would increase the need to travel by private motor vehicle and there is no cogent evidence to demonstrate that it would help support the

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<sup>1</sup> Includes the Plymouth and South West Devon Joint Local Plan 2014-2034 adopted in March 2019 (JLP).

<sup>2</sup> JLP policy SPT2.

<sup>3</sup> JLP policy TTV26.

delivery of sustainable development in any village or other rural settlement. It conflicts with JLP policy SPT2 and this weighs against granting permission.

7. Even if designed to a high standard, a new dwelling in this location, by virtue of its likely form and mass, would markedly erode the green, open qualities of the site and detract from the pleasing rural character of the area and the largely unspoilt qualities of the countryside. This would be exacerbated by the inevitable associated domestic paraphernalia and the 'comings and goings' of residents and their visitors which would be ill-fitting in this rural area. This harm to the character of the countryside conflicts with the provisions of JLP policy TTV26 and also weighs against granting permission.
8. The site is smaller in size than the land that was subject of a previous appeal for a dwelling that was dismissed in 2005<sup>4</sup>. Since that time, there have also been changes to the development plan and to national planning policies. Whilst this previous decision does not set a precedent, the broad thrust of securing sustainable development and protecting the character of the countryside remains an integral part of local and national planning policies.
9. The proposal would be small-scale and would add to the stock of housing within the district. However, this would be insufficient to outweigh the harm that I have identified above and the conflict with the recently adopted JLP.
10. Given all of the above, this is not an appropriate location for a new dwelling. I therefore conclude that the appeal should not succeed.

*Neil Pope*

Inspector

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<sup>4</sup> Ref. APP/K1128/A/04/1155676.