
Appeal Decision

Site visit made on 31 August 2016

by CD Cresswell BSc (Hons) MA MBA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 September 2016

Appeal Ref: APP/D0840/W/16/3151667

Land adj Moorlands, Prazegooth Lane, Cadgwith, Ruan Minor, Helston, Cornwall.

- 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 Miss Jenny Wicks against the decision of Cornwall Council.
 - The application Ref PA16/00008, dated 2 January 2016, was refused by notice dated 17 March 2016.
 - The development proposed is erection of dwelling with artist's studio.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - the effect of the proposed development on the character and appearance of the area.
 - whether the site provides a suitable location for the proposed development having particular regard to its accessibility to shops and services.

Reasons

Character and appearance

3. This part of Prazegooth Lane comprises a strip of low density housing on the outer fringes of Cadgwith. Built development becomes more prevalent to the east of the appeal site, as the lane winds downhill towards the centre of the village. To the south-west, the lane becomes more rural in character as it heads into the open countryside. Whilst housing development is clearly visible within this part of the lane, there are also undeveloped areas with tall hedgerows along the road frontage. This provides the street scene with a distinctly open and verdant appearance, consistent with its location on the edge of the countryside.
 4. Although there are dwellings on either side of the lane, they form two separate strips of development. On the north side of the road (next to the appeal site) there is a row of properties which includes Moorlands and Greenroofs. On the opposite side of the road there is a separate line of development including Eskelly Gwydth and Treetops. The arrangement of dwellings is such that there is not a continuous built frontage on both sides of the lane.
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5. The appeal site itself is part of larger field which is mostly undeveloped apart from an agricultural building. It contains young trees and other vegetation. Because there is a tall hedgerow along the frontage with Prazegooth Lane, the interior of the site is not easily seen from the road. However, its undeveloped nature nevertheless contributes to the open and verdant characteristics of the street scene in this particular location. The site and wider surroundings are within an Area of Outstanding Natural Beauty (AONB). Such landscapes have the highest status of protection according to the National Planning Policy Framework (the Framework).
6. Due to the topography of the area and the height of surrounding hedgerows, the proposed dwelling would not be widely exposed within the AONB and I note the findings of the landscape assessment in this regard. Because the dwelling would be relatively low in height and set back from the street frontage, it would not be prominent in some longer views from within Prazegooth Lane. However, as it would be necessary to remove a section of hedgerow to create a new access, the dwelling would be clearly seen at closer quarters. Apart from causing a break in the hedgerow frontage, it would introduce additional built development onto a side of the road that is presently characterised by its open and undeveloped appearance to the south-west of Moorlands. Despite its relatively modest scale, the dwelling would therefore harm the street scene by eroding the open and verdant qualities of the lane at this point.
7. Although the appeal site is adjacent to Moorlands and opposite Eskelly Gwydn, the proposed development would not 'round off' the settlement boundary as suggested by the appellant. Rather, the new dwelling would incrementally extend the line of development on this side of the road beyond Moorlands and further into the countryside. Dwellings on the opposite side of the road clearly form a separate line of development. I note that the extension to Moorlands is of similar proportions to the appeal property. Nonetheless, it is within an existing residential curtilage and therefore does not erode the undeveloped parts of the street scene to the same extent as the appeal proposal.
8. I therefore conclude on this matter that the proposed development would harm the character and appearance of the area. There would be conflict with paragraph 17 of the Framework which, amongst other things, states that the intrinsic character and beauty of the countryside should be recognised. There would also be conflict with paragraph 115 of the Framework which states that great weight should be given to conserving landscape and scenic beauty in the AONB. I am mindful that these areas have the highest status of protection in relation to landscape and scenic beauty.

Location

9. There are no shops and services in the immediate vicinity of the appeal site, although I understand that there are some facilities in the centre of Cadgwith, including a pub. Additional services are situated in the neighbouring village of Ruan Minor. Whilst the appellant indicates that Ruan Minor is within walking distance of the appeal site, the topography of the route would not make it a particularly attractive option for all potential occupiers of the proposed dwelling. There is also limited street lighting which would further reduce the attractiveness of the route for walking or cycling during hours of darkness. Furthermore, no evidence has been submitted to indicate that this part of the village is well served by public transport.

10. It is therefore most likely that future occupiers of the dwelling would be heavily reliant on private vehicle use in order to meet their day-to-day needs for shopping and other essential services. As such, the proposal would not accord with the core principle of the Framework to make fullest possible use of public transport, walking and cycling. However, the Framework recognises that opportunities to maximise sustainable transport solutions will vary from urban to rural areas. With this in mind, I appreciate that reliance on private vehicles may be necessary in some rural locations such as this, particularly to access higher order services. Nonetheless, an additional dwelling in this area would only exacerbate the level of reliance. Whilst an additional dwelling may help to support local shops and services, these may be equally well supported by dwellings in more accessible rural locations near public transport routes or within a more convenient walking distance of basic facilities.
11. I therefore conclude on this matter that the appeal site would not provide a suitable location for the proposed dwelling. Although it would not constitute isolated development in the countryside according to paragraph 55 of the Framework, it would conflict with a core principle in paragraph 17 to make fullest possible use of public transport, walking and cycling.

Other matters

12. I am aware that it is the intention of the appellant to pursue a small enterprise on the site involving an art studio and the selling of local produce. It has been made clear that the appeal is not being pursued on the grounds that there is an essential need for a worker to live on the site in the context of paragraph 55 of the Framework. Nonetheless, the appellant implies that, in practice, the enterprise is unlikely to succeed unless a dwelling is provided. I understand the appellant travels some distance to manage the site and that the intention is to integrate the art studio with a residence to provide classes.
13. I am very mindful that Paragraph 28 of the Framework places a strong emphasis on encouraging rural businesses and tourism. I recognise the potential benefits of the proposal in supporting these objectives and saw on my site visit that the site was being actively managed. However, relatively little evidence has been put forward in this appeal to explain how the enterprise would operate or how it might help to support the tourist economy or local community in terms of paragraph 28 of the Framework.
14. In the absence of such information, I am able to afford this matter only limited weight. It has not been demonstrated that the potential benefits are sufficient to outweigh the harm I have identified within the main issues above.

Conclusion

15. For the above reasons, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

CD Cresswell

INSPECTOR