

Appeal Decision

Site visit made on 29 November 2016

by Colin Cresswell BSc (Hons) MA MBA MRTPI

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

Decision date: 05 January 2017

Appeal Ref: APP/D0840/W/16/3157209

The Old Reservoir, Windmill, Trevone, Padstow.

- 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 Mr J Blackmore against the decision of Cornwall Council.
 - The application Ref PA16/04770, dated 23 May 2015, was refused by notice dated 1 August 2016.
 - The development proposed is demolition of former storage reservoir and erection of a dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Cornwall Local Plan was adopted during the course of the appeal process. I have determined this appeal in accordance with the policies of this plan.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site is a disused reservoir which is situated on the opposite side of Trevone Road from the main built up area of the village. It comprises a small concrete building which is accessed from the road via an existing break in the hedgerow. Vegetation has been cleared from the site to expose the bare walls and earth mounds, which partly bury the structure. It is surrounded on three sides by open agricultural land and has a mature hedgerow running across the road frontage which extends to the north and south, providing this side of Trevone Road with a distinctly verdant and rural appearance. Whilst the reservoir is clearly visible from the site entrance, it is a relatively inconspicuous feature which maintains the generally open and undeveloped character of the street scene on this side of the road. The appeal site and surroundings are within an Area of Outstanding Natural Beauty (AONB).
 5. It is proposed to demolish the reservoir and construct a dwelling on the site which would be a similar height to the existing structure. The new dwelling would be seen in some longer distance views from surrounding properties and from parts of the open countryside. This includes a public footpath which is
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situated to the north of the site. As the elevations of the dwelling would feature contemporary materials and glazing, it would inevitably appear more conspicuous than the existing reservoir. Nonetheless, it would be a relatively modest sized property and would be viewed against the backdrop of existing development in Trevone where it would blend with the built form of the village. As such, it would have an acceptable effect on the character of the wider landscape when seen in longer distance views.

6. The proposal would have a greater impact on the local street scene within Trevone Road as alterations would be made to the existing hedgerow in order to accommodate visibility splays around the newly formed access. The plans indicate that 5.75 metres of existing hedgerow would be replaced with a new boundary that would be set in from the road to create a visibility splay. Although drawing No 15067.54 states that the replacement hedgerow would match the existing, the illustrative view (15067.57) is not a particularly accurate representation of the existing appearance of the site as it shows hard surfaces as opposed to a softer, vegetated hedgerow. The proposed view also shows the replacement boundary having hard surfaces. Nonetheless, on the basis that the replacement boundary was designed to match the height and appearance of the existing hedgerow, it would serve to screen the new dwelling from much of the road and maintain a vegetated frontage. In this respect, the development would be compatible with the street scene.
7. I note that the current proposal differs in a number of ways from the scheme that was previously dismissed at appeal¹. The proposed dwelling would be lower in height, positioned further within site and the newly created entrance would be of a similar width to that which exists at present. Whilst this would potentially help to make the dwelling less visible, there would nonetheless be clear views of the glazed doors and associated outdoor amenity space from Trevone Road in the vicinity of the site entrance. Indeed, this is illustrated on the indicative proposed view which appears to show a raised patio where residents are likely to sit outside. I am aware that the previous Inspector expressed concern at the potential for domestic paraphernalia to be seen from Trevone Road and I consider that the current proposal would have a similar impact in this respect given the proximity of the outdoor amenity area to the site entrance. This would be the case even if a condition were imposed to restrict permitted development rights as suggested.
8. The visual exposure of the private amenity space from the site entrance would give the site a blatantly domesticated appearance which would undermine the predominantly rural characteristics of the street scene along this side of Trevone Lane. Whilst the site already contains built development, the existing reservoir is far less conspicuous than the proposed dwelling would be, even with the vegetation cleared. Although the revised proposal attempts to address some of the concerns raised by the previous Inspector, I am mindful that the National Planning Policy Framework (the Framework) indicates that areas designated as AONB have the highest status of protection in relation to landscape and scenic beauty and that 'great weight' should be given to conserving beauty within them. The core principle of the Framework to always seek to secure high quality design is therefore especially pertinent.

¹ Appeal Decision APP/D0840/A/14/2222803

9. During the site visit I saw that a development of affordable housing units to the north had recently been completed. This involved encroaching on a previously undeveloped part of the AONB as well as removal of hedgerow in order to create a new site entrance along Trevone Road. Although I do not have the full details of the circumstances under which this scheme gained permission, it is physically well separated from the appeal site. As such, I do not consider that the presence of these affordable housing units lessens the harm that the proposed development would cause to the character of Trevone Lane in the immediate vicinity of the appeal site. Nor do I consider that it establishes a convincing precedent for further development on that side of the road.
10. I recognise that there are some merits to the proposal. It would make use of a previously developed site, it would make a contribution to housing supply in an accessible location and there would be some economic benefits arising from the construction process. However, these benefits would not outweigh the harm that I have identified to the character and appearance of the AONB, which carries great weight. Consequently, the proposal cannot be said to represent a sustainable form of development for which the Framework states that there is a presumption in favour.
11. I therefore conclude that the proposal would harm the character and appearance of the area. There would be conflict with Policy 13 of the Cornwall Local Plan which seeks to promote good design and maintain local distinctiveness. Whilst Policy 3 of the Local Plan supports some forms of infill development, it clearly states that infill for the purposes of residential development should respect the settlement and landscape character. As I have found that the development would harm the character of the area, the proposal is not supported by this policy.
12. For the above reasons, and having regard to all other matters raised, including the representations in support of the proposal, I therefore conclude that the appeal should be dismissed.

Colin Cresswell

INSPECTOR