
Appeal Decision

Site visit made on 16 January 2017

by H Porter BA(Hons) PGDip IHBC

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

Decision date: 03 February 2017

Appeal Ref: APP/D0840/W/16/3160166

Land adjacent to Roscarrack Cottage, Roscarrack Road, Budock Water, Falmouth TR11 5BL

- 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 Steve Lampshire against the decision of Cornwall Council.
 - The application Ref PA16/05865, dated 24 June 2016, was refused by notice dated 19 August 2016.
 - The development proposed is conversion of existing stables into dwelling and erection of new timber stable block.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. During the course of the appeal, Cornwall Local Plan Strategic Policies 2010 – 2030 was adopted on 22 November 2016. As such, the saved policies from the Carrick District Local Plan referred to in the Council's decision notice have been replaced. Both the main parties had referred in their appeal submissions to the policies of the emerging plan. I have therefore determined this appeal under the latest policy context.

Main Issues

3. The main issues in this appeal are the effect of the proposed development on the character and appearance of the area, with particular regard to the Cornwall Area of Outstanding Natural Beauty (the AONB); and suitability of the location in terms of access to social, community and other facilities.

Reasons

Character and appearance

4. The appeal site is situated on the south side of Roscarrack Road, in a semi-rural location between Falmouth and the village of Budock Water. Travelling along Roacarrack Road in a westerly direction, the residential development is seen as loosely fragmented; it terminates sooner on the south than on the north side, so that, at the location of the appeal site, the route is more readily defined by a rural country-lane in a setting of open fields and mature hedgerow boundaries. Consequently, notwithstanding the site's relative proximity to other residential development, it has a strong connection with the surrounding open countryside. The appeal site is also within the Cornwall Area of
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Outstanding Natural Beauty (the AONB), which is afforded the highest status of protection in relation to its landscape and scenic beauty.

5. The Cornwall Local Plan Strategic Policies 2010 – 2030 (the Local Plan) defines the open countryside as the area outside the physical boundaries of existing settlement. Under this definition, it is clear and undisputed between the main parties that the appeal site is located in the open countryside. In seeking to protect the open countryside from inappropriate development, Policy 7 of the Local Plan identifies special circumstances where development of homes may be permitted, including where it would be appropriate to the character of the location, involves the reuse of a suitably constructed redundant building, and would lead to an enhancement to the immediate setting. Paragraph 55 of the Framework also seeks to avoid new isolated homes in the countryside; setting out four tests, at least one of which must be met for residential development to be acceptable. None such circumstances exist at the appeal site.
6. The appeal scheme involves the residential conversion of the existing stable building for residential use, and the provision of a new stable block close to the sand school. The existing stable stands in an elevated position towards the northeast corner of a roughly rectangular parcel of land used for keeping and exercising horses. The site is largely screened from the road by a dense vegetal boundary, although it is more prominent from the rear where a public bridleway runs along the eastern boundary into the open countryside. While the existing structure is utilitarian, with no specific architectural merit, its form is apt for the countryside setting and reflects the use of the site for stabling and grazing horses.
7. While the overall form of the existing stable structure would be largely retained, the proposed conversion to residential use would involve the insertion of new windows and sky lights, as well as the part-rendering of the exterior walls. The proposed modifications to the exterior would not improve the architectural merit of the building but would delineate it as being clearly domestic rather than agricultural in form and function. Even though the appeal site encapsulates a relatively small portion of the wider landholding, the proposal would still introduce a domestic formality into the countryside location and an activity that is out of character with the existing use.
8. The exterior plot would lie principally on the sloping land between the proposed dwelling and Roscarrack Road. It would be reasonable to expect that residential use would result in the creation of a domestic garden, with beds, plant pots, garden seating, washing lines and other domestic paraphernalia. This would add further to the incongruity of the proposed use in contrast with the appearance of the less formally maintained adjacent countryside uses including grazing and stabling. The appellant has suggested a condition could be imposed restricting permitted development rights to alter the building or erect outbuildings. However, there is no planning control over the creation of a formal garden and widening of the roadside access.
9. For these reasons I consider that the proposed development would result in harm to the character and appearance of the countryside. As such, the development would run contrary to Policy 2, 3, 7, 12 and 23 of the Local Plan as well as to Policy MD9 of the Cornwall AONB Management Plan insofar as they seek to ensure development leads to the protection and enhancement of the distinctive landscape and natural character; conserves the landscape character and natural beauty of the AONB; will reuse suitably constructed redundant buildings, leading to enhancement of the immediate setting; and is

appropriately located and compatible with the distinctive character of the location.

Location

10. Budock Water is the closest established settlement to the appeal site, and could evidently provide some of the essential facilities, services and public transport options that occupiers of the proposed dwelling could make use of. However, access to this settlement would be via a relatively narrow, semi-rural route, unlit, with no footway and bounded by high hedges. While public by-ways may provide alternative routes close to the appeal site, these are similarly isolated and unlit. Therefore, even in the absence of any accident record data for the route, I consider that access from the appeal site would not feel safe to walkers or cyclists, thus limiting options for residents to travel to them by any means other than by private car.
11. The appellant refers to bus services that run close to the appeal site. The most regular service, however, runs only every two hours and is situated some 950m from the appeal site along an un-lit, rural route. The distance and nature of the routes to the nearest bus stops, coupled with the relative infrequency of the services they offer, lead me to conclude that there is no offer of viable or reliable public transport close to the appeal site. With limited options for future occupiers to travel without using a car, the appeal proposal would consequently result in car-reliant development.
12. Therefore, notwithstanding the proximity to pockets of residential development and Budock Water, in my judgement the appeal site is functionally isolated from nearby services and facilities. The proposed development would therefore not be a suitable location and would fail to enhance or maintain the vitality of the rural community. The development is therefore contrary to Policy 2 of the Local Plan, Policy MD5 of the Cornwall AONB Management Plan, and to paragraph 55 of the Framework, insofar as they seek to actively manage patterns of growth, promote sustainable development in rural areas, build and maintain resilience to climate change, and sustain economic activity, unless exceptions apply.

Planning balance

13. The proposal would have the social and economic benefits associated with the provision of one additional dwelling, which would contribute in a small way to the mix of market housing available in the area and employment during construction. The benefits of the scheme to the appellant's daughter in terms of convenience, the size of the existing stables, improved security and supervision of horses, and use of an existing access are neutral benefits; while not counting against the proposed development, they do not weigh in its favour.
14. On the other hand, the positive attributes of the appeal proposal are outweighed by the degree of harm that would arise from adding to an already isolated group of dwellings in the countryside, unacceptably remote from essential facilities. The environmental dimension of sustainable development would therefore not be achieved. The development is therefore contrary to Policy 1 of the Local Plan and overall, the proposal would not represent sustainable development as defined in the Framework.

Other matters

15. In support of the appeal, my attention has been drawn to other properties in the area that have been recently granted planning permission. I do not have full details of the circumstances that led to these proposals, but note that in both instances the sites were previously-developed land. In the instance of Roscarrack Cottage, the description identifies the building to have been 'substandard'; and the redevelopment of the former care home involved the delivery of five additional homes. In this example, rather than conclude that the location was sufficiently accessible, it was concluded that the benefits of the scheme in terms of delivering 5 homes on previously-developed land were sufficient to outweigh the unsuitability of the location. I therefore do not find that these approvals represent a useful parallel to the appeal proposal, which I have determined on its own merits.

Conclusion

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

H Porter

INSPECTOR