
Appeal Decision

Site visit made on 10 July 2017

by Gareth W Thomas BSc(Hons) MSc(Dist) PGDip MRTPI

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

Decision date: 20th July 2017

Appeal Ref: APP/D0840/W/16/3167555

Westward, Wheal Rose, Scorrier, Redruth, Cornwall TR16 5DA

- 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 Dean Jameson against the decision of Cornwall Council.
 - The application Ref PA16/01209, dated 3 February 2016, was refused by notice dated 13 July 2016.
 - The development proposed is for the construction of a barn and access road.
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Decision

1. The appeal is dismissed.

Procedural matters

2. Since the decision of the Council, the Cornwall Local Plan (Local Plan) has been adopted and which replaces the policy of the Carrick District Wide Local Plan that was cited in the decision notice. The appellant was aware of this change from the Council's evidence and I do not believe he has been prejudiced by the change in planning policy.
3. During the appeal process, the appellant sought to submit revised drawings that showed changes to the design of the appeal building and layout which were different to those which the Council considered. In accordance with the Procedural Guide – Planning Appeals – England, planning appeals should not be used to evolve schemes. The Council confirmed which drawings were considered when it refused planning permission. Accordingly, I have determined this appeal on the basis of the original plans and not the amended drawings that show a sloping roof (rather than a pitched roof) and revised position and increased number (two) of the roller shutter doors.

Main Issue

4. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appellant owns the property Westward which occupies a roadside position at Westway within the scattered village of Wheal Rose. The curtilage area to the dwelling has extended into an adjoining field and now comprises a garden area associated with Westway. A separate access to this extended garden curtilage is available from an unmade track that runs in an easterly direction
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from Westway some 50m from the appellant's bungalow. The appellant operates a small drainage contracting business from the site.

6. The proposal would see the construction of a simple rectangular and somewhat utilitarian green/grey coloured metal clad building measuring some 13.5 x 8 metres with a ridge height of approximately 4.8m. Roller shutter doors together with a separate doorway would provide the openings into the building which will also include roof lights. A new short section of tarmac access would link the building to the lane. It would be used partly for domestic purposes and for the storage and maintenance of equipment associated with the appellant's business. From what I saw of the site, the building would replace an existing shed structure; however the appeal proposal would be noticeably bulkier than this existing structure. No details of any cut and fill operations are depicted and it is difficult to understand from the drawings how the proposed building in the position shown with the entrance doorway facing northwards would not require the building up of the south facing elevation, which would inevitably result in an increased height to the proposal. Alternatively, the access would need to be cut into the steep bank, a scenario which would render the driveway difficult to negotiate due to the steeply sloping ground.
7. Whilst Westway is within the settlement of Wheal Rose, the appeal site lies outside it and in open countryside. The National Planning Policy Framework (the Framework) at paragraph 17 include securing high quality design and good standards of amenity for existing and future occupiers of buildings, recognising the intrinsic character and beauty of the countryside and; making effective use of land. Whilst securing economic growth by supporting a strong rural economy through amongst other things, supporting the sustainable growth and expansion of all types of businesses and enterprises in rural areas is a key consideration of paragraph 28 of the Framework, the Framework also points out that new development should integrate with the natural, built and historic environment and proposals that fail to enhance the quality of the area should be refused.
8. The appeal site falls within the landscape character area CA11 Redruth Camborne and Gwennap as defined in the Cornwall and Isles of Scilly Landscape Character Study. This is described as a generally small scale rolling landscape heavily influenced by tin and copper mining. Fields are irregular and enclosed. The settlement pattern outside the main towns is described as dispersed although relatively dense, which is the case in this appeal. Pressures on landscape are identified as development within or on the edges of settlements with the objective of integrating new development into the landscape.
9. The Council's approach to the location of new business and tourism development is set out in Policy 5 of the Local Plan and includes developments in appropriate countryside settings and smaller rural villages provided they are of a scale that is appropriate to their location. This Policy builds upon the Council's spatial strategy as defined by Policy 2 which seeks to generate and sustain economic activity through, amongst other things, supporting employment schemes in both towns and rural areas. This approach is consistent with section 3 of the National Planning Policy Framework (the Framework) and which is particularly relevant to Cornwall where breaking seasonal labour cycles is a vital component of the Council's economic development aspirations. Moreover, it is clear that the Council generally

adopts a flexible approach to ensure that sufficient sites and a range of premises come forward in the right place and at the right time to meet the business needs of the economy.

10. Local Plan Policy 5 sets out that the scale of development should be appropriate to its location. Policy 12 amongst other matters requires development to maintain and enhance local distinctiveness. The proposed building, owing to its substantial size would have a significantly detrimental effect on the character and setting of this hamlet and rural backdrop. Whilst there are other buildings of similar construction and size in the area as depicted in the appellant's photographs and there are strands of trees and hedgerows that help contain the site, the extended garden area forms an integral part of adjoining land that rises to provide an attractive rural backdrop to the road frontage development below.
11. Whilst the appellant has sought to revise his proposal so that a building could be dug into the landscape and to lower the roof profile from that of a pitched to a sloping roof that might lessen the overall massing effect, this is not the proposal that is presently before me. I would agree with the Council that the orientation of the building the subject of this appeal together with its height and present land levels would represent an incongruous addition in an otherwise tranquil rural scene. It would be unduly prominent and represent a jarring feature that would fail to integrate well into its surroundings.
12. Consequently, I conclude that the proposed development would unduly harm the character and appearance of the countryside contrary to Local Plan Policy 1 and 2 in terms of sustainable development and to policy 5 in relation to requiring the scale of development to be appropriate to its location and to Policy 12 that requires the design of new developments to reflect its context and promote local distinctiveness.
13. Having taken into account all representations made, I dismiss this appeal.

Gareth W Thomas

INSPECTOR