

Appeal Decision

Site visit made on 1 November 2017

by C Cresswell BSc (Hons) MA MBA MRTPI

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

Decision date: 14 November 2017

Appeal Ref: APP/D0840/W/17/3179912

Woodville, 56 Grenville Road, Lostwithiel PL22 0ER

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Ms J Gendall and Mr J Doney against the decision of Cornwall Council.
 - The application Ref PA16/09705, dated 13 October 2016, was refused by notice dated 7 June 2017.
 - The development proposed is residential development (for up to 10 houses).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was made in outline with all matters reserved, except access arrangements. I have determined the appeal on that basis.

Main Issues

3. The main issues in this case are:
 - whether the site provides a suitable location for the proposed dwellings, having particular regard to the development plan.
 - the effect of the proposal on the character and appearance of the area.

Reasons

Location

4. The appeal site is part of an undeveloped grassy paddock associated with Woodville, a detached property situated immediately to the west. It is proposed to construct up to ten dwellings on the site, together with the formation of a new vehicular access onto Grenville Road.
5. Policy 3 of the Cornwall Local Plan (the Local Plan) aims to steer the majority of new housing towards the main towns. Although Lostwithiel is not a main town, the policy does allow a limited amount of new development to take place outside the main towns in particular circumstances. This includes sites specifically identified in Neighbourhood Plans, development that leads to the rounding off of settlements, previously developed land within or immediately adjoining settlements, infill development and rural exception sites for affordable housing brought forward under Policy 9 of the plan.

6. Given that the proposed development is for open market housing, it cannot be justified under Policy 3 on the basis that it would provide a rural exception site. Nor am I aware that the site has been specifically identified for housing in the emerging Lostwithiel Neighbourhood Development Plan. While the appellant states that the site is previously developed land, I do not consider that it meets the definition within the National Planning Policy Framework (the Framework). There is no evidence of permanent structures having been on the site and it is essentially open and undeveloped in character.
7. Policy 3 defines 'infill' as development which fills a small gap in an otherwise continuous built frontage. Although the site is positioned between Woodville to the west and Hazelmere House to the east, there is a substantial amount of open space between these properties. The proposed development would therefore not fill a small gap and cannot be described as infill.
8. According to paragraph 1.68 of the Local Plan supporting text, 'rounding off' applies to land that is substantially enclosed but outside of the urban form of the settlement where its edge is clearly defined by a physical feature that also acts as a barrier to further growth. My attention has also been drawn to a draft advice note which has been produced by the Council and provides a more detailed interpretation of what is meant by rounding off. Whilst I have borne this document in mind, it is only in draft form and appears to have no formal planning status. I therefore give it limited weight.
9. The pattern of development along this part of Grenville Road is of a much lower density than the main built up area of Lostwithiel further to the west. Indeed, there is considerably more open space in the vicinity of the appeal site than there is built development. I am aware that planning permission¹ has been granted for housing to the south west of the appeal site, on the opposite side of Grenville Road. Nonetheless, the land to the immediate north, west and east of the appeal site is essentially open and undeveloped in nature, even if it is not being used for agricultural purposes. I am therefore not convinced that the site is 'substantially enclosed' in the context of the Local Plan.
10. Mature hedgerows clearly define the east and west boundaries of the site and there is a busy road to the south. It seems to me that these are capable of acting as physical barriers to further growth. However, the boundary to the north is a continuation of the existing open field and would therefore not form an easily definable barrier to future development.
11. An additional requirement for 'rounding off' in paragraph 1.68 of the Local Plan is that a proposal should not visually extend building into the open countryside. Paragraph 2.33 of the Local Plan defines open countryside as the area outside the physical boundaries of existing settlements (where they have a clear form and shape). Although there is already low density development on this side of the road, it is visually distinct from the more concentrated built up areas of Lostwithiel further to the west, which has a clearer form and shape. While the proposed new housing on the opposite side of Grenville Road may change the built form of Lostwithiel to a certain extent, the appeal site is positioned beyond this further to the north east. It would therefore remain outside the distinct physical boundaries of Lostwithiel, even though there is a pavement outside the site linking to the centre. On that basis, I consider that the site lies in the open countryside for the purposes of Policy 3.

¹ Council Ref: PA14/05685

12. I have dealt with the issue of whether the proposal would have an acceptable effect on the character and appearance of the area elsewhere within this decision. However, the matter of whether the proposal would visually extend building into the open countryside in the context of Policy 3 is somewhat different. In this regard, the development would certainly be seen from Grenville Road, particularly from the vehicular access which would need to be relatively wide in order to accommodate ten dwellings. This section of road is defined by a low density and mostly open pattern development. The appeal proposal would visually extend building into this part of the countryside and is therefore not rounding off in terms of Policy 3.
13. I therefore conclude on this issue that site would not provide a suitable location for the proposed dwellings. For the reasons given above, there would be conflict with Policy 3 of the Local Plan.

Character and appearance

14. This part of Grenville Road is defined by natural hedge boundaries on either side of the road and limited built development. Although there are vehicular entrances along the northern side of the road they are relatively small and many of the buildings are concealed behind natural vegetation. Consequently, the road maintains a distinctly rural appearance until approaching the main built form of Lostwithiel further to the west. This landscape is designated as an Area of Great Landscape Value (AGLV) within the saved policies of the development plan, indicating that it is of local merit.
15. While it is argued that the proposed housing would be screened from the road by the existing hedges, there remains some potential for dwellings to be glimpsed through the trees given the topography of the site. There would also be views directly into the site from the vehicular access, where a group of ten dwellings would be interpreted as an urban scene in an otherwise rural part of the road defined by spacious, low density development. Furthermore, the site would require a relatively wide visibility splay. While this would include elements of Cornish hedging and retain much of the existing vegetation, it would nonetheless provide this length of road with a harder edge and more developed appearance than it does at present.
16. I am mindful that implementation of the extant planning permission to the south may alter the street scene of Grenville Road. Nonetheless, additional housing within the appeal site would only serve to extend the urban form of Lostwithiel even further into the AGLV, eroding its rural qualities.
17. I therefore conclude on this issue that the proposal would result in incremental harm to the character and appearance of the area. There would be conflict with Policies 2, 12 and 23 of the Local Plan. These all seek to protect local character. There would also be conflict with saved Policy 14 of the Restormel Local Plan 2001 which aims to protect the qualities of the AGLV.

Planning balance

18. The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development, of which there are three dimensions; economic, social and environmental.

19. I recognise that there would be some temporary benefits to the local economy during the construction phase of the development and future occupants would help to support local services in Lostwithiel.
20. I am conscious that the proposed development to the south of the appeal site was approved on the basis of its contribution to housing supply. However, this application was approved prior to the Local Plan being adopted and at a time when the Council was unable to demonstrate a five year supply of deliverable housing sites. Consequently, the draft policies of the Cornwall Local Plan carried limited weight when the scheme gained approval.
21. The Local Plan has now been formally adopted and the Council indicates that it can currently demonstrate a five year supply of housing sites. On that basis, I do not consider that the benefits of providing ten homes on the site are sufficient to outweigh the conflict with the development plan that I have identified in the main issues. The proposal is therefore not sustainable development in the context of the Framework.

Conclusion

22. For the above reasons, and having regard to all other matters raised, the appeal should therefore be dismissed.

C Cresswell

INSPECTOR