



Appeal Decision

Site visit made on 9 January 2018

by **C J Ball** DArch DCons RIBA IHBC

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

Decision date: 16 January 2018

Appeal Ref: APP/D0840/W/17/3181615

Land east of Greenhill Villas, Greenhill, Wadebridge PL27 6HN

- 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 Mr D Williams and Mrs L Brindley against the decision of Cornwall Council.
 - The application Ref PA16/10610, dated 10 November 2016, was refused by notice dated 6 February 2017.
 - The development proposed is up to 2 dwellings and associated residential curtilages.
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Decision

1. The appeal is allowed and planning permission is granted for 2 dwellings and associated residential curtilages on land east of Greenhill Villas, Greenhill, Wadebridge PL27 6HN in accordance with the terms of the application Ref PA16/10610, dated 10 November 2016, subject to the following conditions:
 - 1) Details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
 - 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission. The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan PL-101B; Proposed site access 4181-001A.
 - 4) No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: *Trees in relation to design, demolition and construction - Recommendations* (or in an equivalent British Standard if replaced) has been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees shall be carried out as approved. In this condition "retained tree" means an existing tree or hedgerow which is to be retained in accordance with the approved plans and particulars.

Preliminary matters

2. The application was made in outline with details of access to be considered. The other matters of appearance, landscaping, layout and scale were reserved for future consideration. A proposed site plan and section PL-A100A, which I take to be illustrative, shows how the development could be accommodated on the site. I have taken it into account but, since layout is a reserved matter, it does not have formal status as an application plan.

Main issue

3. The Council confirms that the proposed access arrangements would be acceptable so this is a decision in principle - whether this is an acceptable location for residential development, in light of the local development plan and other material considerations.

Policy background

4. The Cornwall Local Plan (CLP) was adopted in November 2016. Relevant policies include Policy 2, which sets key targets for the provision of housing; Policy 3, which focuses the delivery of development through, in the case of Wadebridge, a Neighbourhood Plan; and Policy 12, which sets out required design and layout standards. While this policy has some limited applicability in this case, the application is in outline where design and layout are reserved matters so remain in the Council's control.
5. The Egloshayle, St Breock and Wadebridge Area Neighbourhood Plan to 2030 (NP) was published for consultation in January 2017. It is currently still at consultation stage so, while it indicates current thinking on the direction of growth, it does not yet carry the weight of the adopted development plan.

Reasons

6. The site is a small elongated area of overgrown and underused land adjacent to the road known as Green Hill. It lies between 2 dwellings, Green Hill and Elm Cottage, on the edge of Egloshayle, at the eastern side of the current built-up area of Wadebridge. A roadside hedge includes a number of immature trees in poor condition, although there are a number of mature trees within the site beyond. A further hedge separates the site from the agricultural land beyond. This land extends to the A389 bypass.
7. The CLP identifies a requirement of a minimum of 1,100 new homes in Wadebridge over the plan period. The Council's CLP Housing Implementation Strategy August 2017 confirms that in Wadebridge there is a projected shortfall of 561 against the CLP housing target, virtually half. While in Cornwall overall the Council can demonstrate a 5 year supply of deliverable housing land, the supporting text to policy 3 confirms that, in these circumstances, the adequacy of supply in meeting the needs of a particular town is a material consideration when making planning decisions.
8. CLP policy 3 sets out a hierarchy of development delivery, giving priority to the main towns. Part 1 indicates that housing and other development is to be delivered in Wadebridge, among other main towns, through a Site Allocations DPD or Neighbourhood Plan. Wadebridge and Egloshayle have decided to promote development growth through the Neighbourhood Plan process rather than through the Council's Site Allocations DPD.

9. The supporting text to Policy 3 of the CLP at paragraph 1.54 requires development to be at, or well related to the main towns. The Council acknowledges that, since the site is located on the edge of the settlement, the proposed new houses would have easy direct access to local facilities and bus stops. The town centre of Wadebridge is approximately 1km from the site and provides all the services, shopping and leisure facilities expected from a town centre. The site is therefore well related to the town and the Council accepts that the proposal complies with CLP policy 2, which requires a sustainable approach to accommodating growth while also respecting and enhancing the quality of place, including the impact on the rural landscape.
10. While the site is undeveloped, it is enclosed by trees and hedges and lies between 2 existing dwellings, with others beyond to the north and south. It is not readily seen as part of the open countryside to the east. Development of the site would physically extend the edge of the settlement to be in line with the existing dwellings, but it would be well contained by a mature hedge on its eastern boundary. I do not consider that it would significantly extend the built form of the settlement into the open countryside.
11. The Council argues that the loss of trees and shrubs on the site would have a detrimental effect on the character and appearance of the locality. None of the trees currently has any form of protection and could be lost without notice. As the Council's Tree Officer confirms, the main arboricultural feature of the site is the presence of an elm clone throughout the hedgerows and within the site. He advises that many of the stems have reached a point where they are dying or dead and their removal is necessary, but the retention of as much as possible of the healthy rootstock is encouraged to preserve the clone for the future. If this is done, he has no objections to the development of the site.
12. While an opening would be formed for access, the required visibility splay would take in the narrow verge, leaving much of the roadside hedge in place. The eastern boundary hedge would remain and, although some shrubs within the site would be removed, a significant numbers of trees would be retained. There would be some loss of greenery but in many cases that would be necessary for the health of the valuable elm clone. I have taken account of the recommendations of the submitted Arboricultural Impact Assessment. With larger trees and groups of other varieties retained as indicated, I consider that the site would continue to contribute to the verdant quality of the area and that there would be no unduly harmful impact on the character and appearance of its surroundings.
13. The Council's reason for refusal refers to the proposed development as not representing infilling or rounding off of the settlement, in conflict with policy 3. However, as part 3 of policy 3 makes clear, the housing requirement is to be delivered through infilling or rounding off in settlements other than the main towns. Since Wadebridge is a main town where housing will be delivered through the NP process, this provision does not apply to this proposal. In all I find no conflict with policy 3.
14. The NP is intended to address the housing requirements of Wadebridge. Map C1 of the NP shows proposed growth areas to meet the housing target. The appeal site is included within the designated growth area lying between Green Hill and the bypass, known as the Trevarner/Above Town site. NP policy SD01 guides residential development to these locations.

15. Although the NP is currently under consultation, given the limited availability of developable land at Wadebridge there are no indications that the proposed growth areas are likely to be considered unsuitable or that the NP development locations identified are likely to be radically different. It seems to me therefore very probable that the Trevarner/Above Town site will remain an identified growth area as the NP progresses. I note that, in its consultation response to this application, the Town Council, a key stakeholder in the NP process, supported the proposal. In this particular respect I therefore give significant weight to the emerging NP as a material consideration in this case.
16. In considering a recent proposal for the development of 204 houses on most of the land designated as the Trevarner/Above Town site, the Council considered that site to be in principle a suitable location for residential development. This was confirmed on appeal although the proposal was eventually rejected because of its highway impact. A further scheme, which suggests that the highway objections can now be overcome, has been submitted to the Council and awaits determination. The site the subject of this appeal lies between the edge of the settlement and that development site. NP policy HS03 indicates that development proposals for infill sites within the built up area of the town will be supported where the site is closely surrounded by buildings. As well as being part of the designated growth area, if the larger site is developed, this proposal would meet that requirement too.
17. But regardless of the outcome of that decision, the fact that the NP designates the site as part of a larger growth area and that residential development in this settlement-edge location has been found acceptable in principle, both by the Council and on appeal, means that the development of the appeal site should be supported in principle.
18. The proposal would make an effective response to its setting and would provide continuity with existing and projected areas of built form, in accordance with CLP policy 12. I find no real conflict with the relevant CLP policies and, taking into account the substantial shortfall in meeting the housing target and the NP designation of the site as part of a proposed growth area, I consider this to be an acceptable location for the residential development proposed.
19. Planning permission should therefore be granted subject to the normal outline conditions. There is no need at this stage for a detailed landscape scheme as suggested by the Council as landscaping, which would include work to the elm clone, is one of the reserved matters. However, it is important to ensure that the trees to be retained are properly safeguarded during the construction period so I have attached an appropriate condition to that effect.
20. For the reasons given above I conclude that the appeal should be allowed.

Colin Ball

Inspector