

Appeal Decision

Site visit made on 18 September 2019

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 October 2019

Appeal Ref: APP/D0840/W/19/3221863

Land South of Chyvarton, Upton, Bude, Cornwall, EX23 0LY

- 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 William Daniel against the decision of Cornwall Council.
 - The application Ref PA18/07827, dated 17 August 2018, was refused by notice dated 31 October 2018.
 - The development proposed is an outline application for two new dwellings with all matters reserved except for access.
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs has been made by the Appellant against Cornwall Council. This application is the subject of a separate decision.

Procedural Matter

3. The appeal relates to an outline application. All matters are reserved except for access. I shall consider the submitted plans accordingly.

Main Issue

4. The main issue is whether the proposed development would provide a suitable site for housing, having regard to the development plan and the character and appearance of the area.

Reasons

5. Policy 3 of the Cornwall Local Plan Strategic Policies (2010-2030) (LP) explains that outside the main identified towns, housing growth is to be delivered through the identification of sites where required through Neighbourhood Plans, rounding off of settlements and development of previously developed land within or immediately adjoining settlements, infill schemes that fill a small gap in an otherwise continuous built frontage and do not physically extend development into open countryside, and rural exception sites.
 6. The case put by the Appellant is that this proposal would represent rounding off whilst the Council considers the scheme would result in extension of residential development into the countryside beyond the settlement of Upton.
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7. The LP explains that rounding off, in terms of Policy 3, applies to development on land that is substantially enclosed but outside the urban form of the settlement and where its edge is clearly defined by a physical feature that also acts as a barrier to further growth. It is explained that rounding off should not visually extend building into open countryside. There is also an informal Chief Planning Officer's Advice Note – Infill/Rounding Off (December 2017) (AN) which provides more detailed background to the approach to be adopted in such cases. It includes commentary to the effect that rounding off provides a symmetry or completion to a settlement, and that the decision makers should be looking for long standing and enclosing boundary features with suitable sites likely to be surrounded on at least two sides by existing built development.
8. This broadly rectangular site has a road to its south side with two properties across that lane, its approximately western end is enclosed by a road and dwelling boundary, its north edge, for the great majority is open field and its east edge has low key field fencing. A large percentage of the site would not be termed as enclosed. The rectangle itself projects appreciably outward relative to any immediate development to the north / north-west and whilst the road itself is an enclosing feature the homes to the south add little as they read to me as only having a loose connection to Upton and more rural ribbon or straggle in character. The site as a whole slopes away from the main body of Upton. Development here would not be a barrier or dissuade further growth; on the contrary it might well be taken as an amber light for more greenfield development.
9. Taking all this together I would simply not characterise this proposal as rounding off in any sense using a normal English interpretation and it would certainly not accord with the confines imposed by LP Policy 3 or the AN guidance.
10. I should add that an exception in relation to new developments in the open countryside is provided for under LP Policy 7 which sets out categories of development which would allow for new houses in the countryside. The appeal development, proposing two open market houses, does not fall within any of the categories.
11. LP Policy 23 sets out that development should sustain local distinctiveness and character and protect and where possible enhance Cornwall's natural environment. Saved Policy ENV1 of the North Cornwall Local Plan (NCLP) strictly controls new development in the countryside to protect amenity and landscape character.
12. Contrary to the Council's original assertion, the site does not lie in the Cornwall Area of Great Landscape Value and all that this would lead to as a planning policy basis. Nevertheless I found the area to be generally very attractive in landscape terms. Distant view points are varied and it is fair to say that the site is more often than not seen in the context of the nearby buildings. Nevertheless it does contribute to rural landscape character and it is part of a notable slope of open countryside which runs away from Upton. Two dwellings would be a sporadic incursion into this. Seen from close-by, and notwithstanding two homes opposite, there would be a marked and detrimental change in rural landscape appearance given site levels above the road, planned access arrangements, built structures, and domestic paraphernalia.

13. Given all of the above I conclude that the appeal scheme would conflict with LP Policies 3, 7 and 23 and NCLP Saved Policy ENV1.

Other Matters

14. The development would increase housing supply in the Bude Community Network Area and provide an economic and social benefit proportionate with the delivery of two houses. These are matters of weight in favour of the appeal; however they do not outweigh the harm that I have found in this instance.

Overall conclusion

15. For the reasons given above I conclude that the proposed development would not provide a suitable site for housing, having regard to the development plan and the character and appearance of the area. Accordingly the appeal is dismissed.

D Cramond

INSPECTOR