



Appeal Decision

Site visit made on 22 October 2019

by L McKay MA MRTPI

Inspector appointed by the Secretary of State

Decision date: 6th November 2019.

Appeal Ref: APP/D0840/W/19/3233794

Land to the north of Reawla Lane, opposite No 32a Reawla Lane, Reawla, Hayle TR27 5HQ

- 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 Mrs Sheila Marter against the decision of Cornwall Council.
 - The application Ref PA18/10599, dated 16 October 2018, was refused by notice dated 30 April 2019.
 - The development proposed is new detached dwelling and associated amenity space & parking provision at land to the North of Reawla Lane.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The north-western side of Reawla Lane has a mature hedge along most of its length, with open countryside beyond. The appeal site and the remains of the building within it are very overgrown and do not therefore form a break in the greenery along this side of the road. There are no other buildings for some distance either side of the appeal site. Consequently, this side of the road has a verdant and rural character. This contrasts with the suburban character of the other side of the road, which consists of mainly 2 storey dwellings of varying styles and materials, with parking and gardens to the front. The road marks a clear transition between the built form and the countryside.
4. The appeal site is within the Carnhell Green, Reawla and Wall boundary identified on the Proposals Map Inset of the Gwinear-Gwithian Parish Neighbourhood Plan 2016-2030 (GGPNP). Policy 3 of the GGPNP allows for housing development in such areas where it meets a list of criteria, including the requirement to provide a high quality of design and layout. Although it is within this boundary, from the public realm the appeal site is seen in the context of the countryside beyond, rather than with the built form opposite.
5. The proposed dwelling would be 2 storeys high, but the shallow roof pitch proposed would keep the overall height lower than most of the dwellings opposite. Nevertheless, it would be significantly taller and larger in footprint than the existing building, which in any event has largely collapsed. The reuse

of stone from the site would reflect local building materials, however the scale of the proposed dwelling and its siting close to the edge of the carriageway would make it prominent in the street scene. As a result, it would be a sizeable and conspicuous building, out of character with this side of the road which is otherwise devoid of such structures.

6. The proposed parking area and wooden fence would create a hard edge to the site. The layout would not provide any opportunity for planting along the frontage to soften this. The existing Cornish hedge around the boundary of the site would be screened by the proposed development, therefore while this traditional feature would be retained, it would not make any contribution to the street scene. Consequently, the proposed development would have a suburban appearance, at odds with the rural and undeveloped character of this side of the road.
7. The proposed development would be contained by the Cornish hedges, so would not physically encroach into the open countryside beyond. Nevertheless, development of this scale and layout on this side of the road would erode the clear distinction between the settlement and the countryside on the approach into Reawla, diluting local distinctiveness.
8. For the reasons set out above, the development proposed would significantly harm the character and appearance of the area. As such, it would conflict with criterion (a) of Policy 3 of the GGPNP which requires housing development within the settlement boundary to provide a high quality of design and layout. I also find conflict with Policies 1, 2, 12 and 23 of the Cornwall Local Plan Strategic Policies 2010–2030 (CLP) which seek to, amongst other things secure development that improves the environmental conditions in the area; ensure design is high quality and demonstrates a physical and aesthetic understanding of its location; demonstrate a clear understanding and response to its landscape and townscape setting; and sustain local distinctiveness and character.
9. Furthermore, the proposal would conflict with paragraphs 127 and 170 of the National Planning Policy Framework (the Framework) which, amongst other things, require development to add to the overall quality of the area and contribute to and enhance the local environment.

Other matters

10. The proposal would contribute a small dwelling to the supply of housing and generate economic benefits during construction. The occupiers would be likely to support facilities and services in the local area. The benefits of one additional dwelling would be very modest however, and would not outweigh the harm that I have identified.
11. Planning permission was granted in 1987¹ for conversion of the building on the appeal site to residential purposes. The submissions by both parties indicate however, that the permission could not be implemented and lapsed. As such, it does not appear to be an alternative that can still be pursued. Furthermore, it was considered under different local and national policies. As such, it does not justify granting permission in conflict with the development plan and the Framework.

¹ Council reference W1/86/P/1061/F

12. The appellant suggests that the appeal site is previously developed land, use of which is encouraged by the Framework and the CLP. While the remains of the existing building have not yet completely blended into the landscape, the planning history provided by the appellant indicates that it was an agricultural barn and I have no evidence that it been used for any other purpose since. It would therefore appear that the site is 'land that is or was last occupied by agricultural...buildings', which the Framework specifically excludes from the definition of previously developed land. There is no compelling evidence before me therefore, that the site should be considered previously developed land.
13. The site is currently in poor condition however the evidence before me is that it has been in the appellant's ownership for several decades. No evidence of contamination of the site has been submitted. Therefore, the ability to make the site cleaner and safer would appear to be within the power of the appellant to resolve. It does not therefore justify the harm that I have identified.
14. The appellant has directed me to two other housing developments² in the vicinity of the appeal site which they consider are similar to the appeal proposal. While both sites are further from the centre of Reawla than the appeal site, they remain within the settlement boundary. Both are located to the south-east of Reawla Lane and I saw at my site inspection that both sites have a dwelling on one side and fields behind. The approved dwellings on these sites are set back from the road in general alignment with the existing pattern of development. The context of the sites is therefore very different to that of the appeal site. While I have not been provided with elevations of those schemes, it is evident that the Council considered that the design and scale of those dwellings would be acceptable. The use of render on the dwellings adjacent to 35 Reawla Lane would appear to be appropriate given the similar materials on the neighbouring property. The Council considered that both schemes complied with both the location and design aspects of Policy 3 of the GGNDP. Therefore, there are distinct and material differences between those schemes and the appeal before me, which I have considered on its own merits.
15. The appellant has referred me to Policy 9 of the GGNDP, which relates to reuse of buildings for residential or commercial use. As the appeal proposal is for a new build dwelling, Policy 9 is not relevant to this appeal.

Conclusion

16. For the reasons given above, the appeal is dismissed.

L McKay

INSPECTOR

² Council references: PA17/08486 at Land adjacent to 37 Reawla Lane, and PA18/09079 at Land adjacent to 35 Reawla Lane