



Appeal Decision

Site visit made on 27 January 2020

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 February 2020

Appeal Ref: APP/D0840/W/19/3239132

Land at Rosewarne Mill, Rosewarne Downs, Camborne TR14 0BD

- 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 John Gotts against the decision of Cornwall Council.
 - The application Ref PA19/05822, dated 28 May 2019, was refused by notice dated 16 September 2019.
 - The development proposed is the construction of dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the development plan would support a dwelling in this location, and
 - the effect of the development on the character and appearance of the area.

Reasons

Location

3. Policy 3 of the Cornwall Local Plan Strategic Policies (2010-2030) (the Local Plan) sets out the spatial approach for the delivery of housing. Growth is centred on named, larger settlements. Outside the main towns new housing will be delivered through the identification of sites through Neighbourhood Plans, rounding off of settlements and development of previously developed land within or immediately adjoining that settlement, infill schemes in a gap in an otherwise continuous built frontage, and rural exception sites.
4. Other than in respect of Neighbourhood Plan sites (which is not applicable in this case), this section of Policy 3 applies to sites within or adjoining settlements. It is, therefore, necessary to consider whether the appeal site lies within or adjoins a settlement.
5. My attention has been drawn to the Chief Planning Officer's Advice Note – Infill/Rounding Off (December 2017) (the Advice Note). While informal guidance the Note provides more detailed background to the approach to be adopted in considering whether a proposal is related to a recognisable settlement.
6. At my site visit I noted the main built up area of Camborne was generally south of the A30. When travelling broadly north of the A30, the Duchy College affects

the character of the area and includes a series of buildings within reasonably sizeable grounds. However, beyond the College when travelling to the site, the road has a more rural character. Although there are some sporadically sited dwellings and small groups of dwellings, the area has a predominance of agricultural fields, with copses of trees and is largely undeveloped land.

7. The Town Council consider the scheme would accord with Policy 3 of the Local Plan and the Advice Note indicates that local residents are well placed to assist with making the judgement as to settlement status. However, the three dwellings and outbuildings in the general vicinity of the proposed dwelling comprise a small, informal and loose knit form of built development. This existing built development is limited in extent, set within and forms part of a wider area of predominantly undeveloped land and, in my judgement, does not have the form and shape and clearly definable boundaries of a recognisable settlement.
8. Furthermore, given the layout, number and arrangement of the buildings they do not form a grouping that I consider to be a hamlet. The proposed dwelling would therefore not be within or adjoin a smaller village or hamlet. Consequently, the proposal would not be able to benefit in the way envisaged in the Local Plan, and explained in the Advice Note, where a dwelling was proposed in conjunction with a smaller village or hamlet that was part of a network of settlements and/or was in reasonable proximity to a larger village or town.
9. The site and the surroundings should, therefore, be considered countryside for planning purposes. As the site would not be within or adjoin a settlement the proposed dwelling would not accord with the approach set out in Policy 3 of the Local Plan, including the allowance for rounding off.
10. Furthermore, the proposal would not meet with any of the criteria for the construction of an open market dwelling in the countryside as specified in Policy 7 of the Local Plan.
11. The site is connected to the built up area of Camborne by a road that does not have a footway or street lighting. While I noted the proximity of the site to the nearby town, for most occupants of the proposed dwelling, in all likelihood, it would not be convenient to walk or cycle on a regular basis to access the services and facilities. As a consequence, future residents would be largely dependent on the private vehicle. In this way, this site, in its countryside location away from a village or town, would not meet with the approach in the National Planning Policy Framework (the Framework) that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.
12. While the site may not be isolated within the meaning set out in paragraph 79 of the Framework, the site would not, nevertheless, be a location which would meet with the spatial strategy in the Local Plan for the location of new housing.
13. The case is made that the site is previously developed land because it forms part of a motor cross track and/or includes the vehicular accesses to the residential accommodation passing through the site. The Council has indicated in its statement that investigations indicated that the motor cross use fell within the limitations for the temporary uses of land. Even if the site was considered to be previously developed land as defined in the Framework, I

attribute this matter limited weight because the site is not sustainably located such as to accord with the spatial strategy of the Local Plan and the proposal would conflict with the approach to the location of development in rural areas as set out in the Framework.

14. In the light of the above analysis, I conclude that the development plan would not support a dwelling in this location, and in particular the proposal would conflict with Policies 1, 2, 3 and 7 of the Local Plan and the Framework which seeks, amongst other things, through the spatial strategy to provide homes based on the role and function of each place.
15. Policy 9 of the Local Plan is referenced in the reason for refusal. As this policy concerns rural exception sites, with its primary purpose to provide affordable housing to meet local needs, it is not directly relevant to the proposal.

Character and appearance

16. When viewed from the road, the site has some elements of domestic surroundings including the entranceway with double gates, fencing and vehicular accesses through the land. However, most of the buildings themselves are located on lower land away from this part of the site and would not generally be seen from public view points in association with the proposed dwelling. The banks and other undulations of the appeal land are reasonably low in height such that overall the area for the proposed dwelling has an open and undeveloped appearance that makes a modest, but positive, contribution to the rural character and appearance of the immediate surroundings.
17. The dwelling would be a reasonably sizeable two storey building with attached double garage. It would be apparent from a short section of the adjoining road and the height and bulk of the building would add built development to a location that is presently reasonably open in appearance. The presence of the building would undermine the contribution that the site makes to the rural character of the area, and would bring a greater domestic and built character to the site.
18. The building would be acceptably designed and would incorporate the use of natural and traditional materials. This would comply with the design policies of the Local Plan and the Framework in this respect. However, the acceptable design would not outweigh the harm resulting from the encroachment of a reasonably sizeable building, together with the related curtilage and likely domestic paraphernalia, into land that has a generally open and rural character.
19. As a consequence, the proposal would not contribute to and enhance the natural and local environment as required by the Framework. In all the circumstances, I am not satisfied that the proposal, taken as a whole, would acceptably recognise the intrinsic character and beauty of this part of the countryside.
20. For the above reasons, I conclude that the proposal would unduly harm the character and appearance of the area and therefore would conflict with policies 1 and 2 of the Local Plan and the Framework which seeks, amongst other things, to recognise that all rural landscapes, designated and undesignated, are important.

Other Matters

21. I have taken into account the support for the proposal from the Town Council. The scheme would deliver an additional dwelling, on a windfall site, and this would be a small, but worthwhile, contribution to housing supply. There would be economic and social benefits to the wider area during construction and in subsequent occupation. However, as only a single dwelling is proposed, I afford these benefits limited weight.
22. It is explained that the development of the site would lead to the loss of the motor cross track and this would result in amenity benefits to local residents. However, I have limited information regarding the track and its impact on the area and it is said by the Council that it operates on a temporary basis in accordance with permitted development rights for the use of open land. In these circumstances, I attribute this potential benefit of the proposal limited weight in my overall analysis.
23. Taken together, all the benefits that would accrue from the proposal would afford limited weight and these would not outweigh the harm identified above, which are matters which I attribute significant weight.

Conclusion

24. Having regard to the above, and taking all other matters into account, I conclude that the appeal should be dismissed.

David Wyborn

INSPECTOR