The Planning Inspectorate

Appeal Decision

Site visit made on 17 February 2020

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 March 2020

Appeal Ref: APP/D0840/W/19/3242481
Land at Cox Hill, Chacewater, Truro, Cornwall TR4 8LY

- 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 and Mrs C Maddern against the decision of Cornwall Council.
- The application Ref PA19/01003, dated 30 January 2019, was refused by notice dated 31 July 2019.
- The development proposed is replacement of existing stables into two bedroom bungalow.

Decision

1. The appeal is dismissed.

Procedural Matter

2. The Chacewater Parish Neighbourhood Development Plan 2018 to 2030 (the Neighbourhood Plan) was made on 5 November 2019, after the determination of the application by the council. The Neighbourhood Plan is therefore now part of the Development Plan for the area. Both parties have had the opportunity to comment on its change in status in their appeal submissions.

Main Issues

3. The main issue is whether the site is suitable for a dwelling, having regard to development plan policies and national guidance on the location of new residential development, and its accessibility to services and facilities.

Reasons

4. The appeal site comprises part of a roughly triangular field that lies on the south-eastern side of High Street, approximately 0.75km to the southwest of Chacewater. There is a partly derelict former stable building in the centre of the site, which it is proposed to replace with a bungalow. Apart from a long-established pair of cottages to the north of the site, land on this side of the road is largely undeveloped, with just a scatter of agricultural or equestrian buildings. On the opposite side of the road, however, there is a farm machinery business, a camping site and a loose spread of residential properties.

5. The Council's spatial strategy is set out in Policy 2 of the Cornwall Local Plan Strategic Policies (2010-2030) (the Local Plan). The strategy seeks to maintain the dispersed development pattern of Cornwall, and provide housing based on the role and function of each place. Policy 3 of the Local Plan defines how development will be accommodated, based on this hierarchy of role and

function. Outside specific main towns, housing growth is to be delivered through the identification of sites through Neighbourhood Plans; rounding off of settlements; development of previously developed land (PDL) within or immediately adjoining settlements; infill schemes; and rural exception sites.

6. The appeal site is not identified for development by the Neighbourhood Plan and is not put forward as an exception site. The proposal would only comply with Policy 3 of the Local Plan, therefore, if it constituted rounding off, infill, or development of PDL within or immediately adjoining a settlement. All of these scenarios are dependent on the cluster of development on the opposite side of the road, referred to as Cox Hill, being considered as a settlement.

7. The Local Plan does not define all settlements, but the supporting text indicates that they should have a form and shape and clearly definable boundaries, not just a low-density straggle of dwellings. Further guidance is contained in the Chief Planning Officer's Advice Note (CPOAN) titled Infill/Rounding Off, which both parties have referred to. However, the CPOAN says that it provides guidance only, and should not be used as a substitute for the policies of the adopted Local Plan. So, although I have noted the guidance it contains, I have based my consideration on the policies and supporting text of the Local Plan.

8. I saw that the collection of buildings is loosely spread around a camping and caravanning site, which was largely vacant at the time of my visit. As a result, there are no clearly defined boundaries to the permanent development in the area, which is loosely dispersed around the edges of the holiday park. Furthermore, there are no services or facilities to provide a focus for any community. The supporting text to the Local Plan says that Neighbourhood Plans can provide detailed definition on which settlements are appropriate for infill. The Neighbourhood Plan does not identify Cox Hill as one of the five settlements that merit a Settlement Boundary. Taking account of all these factors, I conclude that the amalgamation of buildings does not amount to a recognisable settlement. That being the case, the proposal does not accord with the rounding off, infilling or development of PDL aspects of Policy 3, all of which are reliant on the site being within or adjoining a settlement.

9. Even if I had decided that Cox Hill was a settlement, the very clear physical and visual separation of the appeal site, on the opposite side of a busy road, would have led me to the conclusion that it does not adjoin the settlement. Therefore, even in these circumstances, the proposal would not have constituted infilling, rounding off or development of PDL within or adjoining a settlement. The site therefore lies in the open countryside, where Policy 7 of the Local Plan says new homes will only be permitted in special circumstances. None of these apply to the appeal proposal.

10. It is common ground between the parties that the site comprises PDL. Policy 21 of the Local Plan encourages sustainably located proposals that use PDL, without reference to the site being within or adjoining a settlement. The presence of development at Cox Hill means that the proposed dwelling would not be "isolated", as described by paragraph 79 of the National Planning Policy Framework (the Framework). However, there are no community facilities in Cox Hill, so occupants of the proposed dwelling would have to travel to Chacewater to meet their day to day needs for goods and services. This would entail travelling approximately 0.75km along a busy road, that has no lighting

or footpaths, and which, for part of its length, is steeply sloping. This would not be conducive to pedestrian and cycle movements to and from the site.

11. There is a bus stop close to the appeal site entrance, with a service running between Camborne to the west and Truro to the east, via Chacewater. However, this only provides an hourly service, with no evening buses, and only four buses on a Sunday. So, whilst the occupants would have a public transport option for some of their journeys, they would still be reliant on private vehicles for a significant proportion of movements. Deliveries and visiting services, generated by the occupants of the dwelling would, in all likelihood, be carried out using private vehicles. Due to the location of the site, away from a settlement, these movements are unlikely to be linked to trips to other residents nearby. The proximity to a bus stop, in a location that is otherwise remote from services, does not therefore persuade me that the proposal would be sustainably located for the purposes of Policy 21.

12. The previous use of the stables on the site is likely to have generated some traffic movements. However, I have limited evidence of the scale of the use, and the number of movements generated. The stables do not appear to have been used for some time and it is likely, anyway, that a dwelling would give rise to a significantly greater number of vehicle movements by the occupants and their visitors. The proposed development does not, therefore, represent a trade-off for the previous use in terms of traffic generation.

13. The appellant contends that the replacement of the stable building would not have an adverse landscape impact, and that any domestic paraphernalia could be screened through additional landscaping. However, even with reinforced boundary screening, the bungalow and its garden would be visible through the proposed access. Being surrounded by undeveloped agricultural land to the north, east and south, it would appear as an uncharacteristic domestic intrusion into the open countryside.

14. I have taken account of the appeal decisions referred to by both parties, but I have found none of them to be directly comparable to the particular details of the case before me. I have therefore considered the proposal on its own merits. Accordingly, for the reasons given above, I conclude that the appeal site is not a suitable location for a dwelling, as it is in the countryside, away from any recognised settlement, where access to day to day services by sustainable transport modes is limited. The proposal would therefore be contrary to Policies 1, 3, 7 and 21 of the Local Plan. In combination these policies seek to encourage sustainable patterns of development, by directing new development in accordance with the settlement hierarchy and avoiding new houses in the countryside. The proposal would also conflict with the aims of Section 9 of the Framework to promote sustainable transport.

Conclusion

15. For the above reasons, I conclude that the appeal should be dismissed.

Nick Davies

INSPECTOR