



Appeal Decision

Site visit made on 23 September 2020

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 October 2020

Appeal Ref: APP/D0840/W/20/3252894

Land South of Curlews, Road From Holywell Beach To Junction At Sea View Lane, Holywell Bay TR8 5PP

- 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 Steve Bazeley of Bazeley Construction Ltd against the decision of Cornwall Council.
 - The application Ref PA19/07621, dated 30 August 2019, was refused by notice dated 22 November 2019.
 - The development proposed is described as the '*construction of five dwellings to round-off existing built development within the settlement*'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether or not the site is suitable for the proposal, having regard to development plan policy for the supply of housing; and,
 - the effect of the proposal on the character and appearance of the area.

Reasons

Suitability of the site

3. The site comprises open land of sparsely covered earth and piled scrub at the edge of the village of Holywell. To the north is the residential site at Curlews. Holywell Road, the main road to the village, adjoins the site along its east boundary. To the south is the entrance to Holywell Bay Holiday Park (HBHP). Across Holywell Road is housing at Wheal Golden Drive. To the west the land drops to a Public Right of Way (the PROW). Beyond this, Holywell Beach and its surrounding sand dunes topography are within an Area of Great Landscape Value (the AGLV). The nearest neighbouring settlement is Cubert, around 1 mile away along Holywell Road, between which is open countryside.
4. Policy 3 of the Cornwall Local Plan: Strategic Policies Document 2010–2030 (adopted 2016) (CLP) supports housing at settlements such as Holywell, subject to a scheme meeting one of given criteria. Of potential application to this appeal is where a proposal would lead to 'rounding off' or infill a small gap in a continuous built frontage. Rounding off applies to land that is substantially enclosed but outside of the urban form of a settlement where its edge is clearly defined by a physical feature that acts as a barrier to further growth. Either way, proposals should not visually extend building into the open countryside.

5. Whilst the access to HBHP is large and wide, it is also low and innocuous, being formed of a simple and rustic stone wall which continues seamlessly from the hedgerow boundary along Holywell Road. It is also surrounded by grass and/or scrubland. HBHP occupies the valley floor and is basically unseen from Holywell Road. The entrance to HBHP does not therefore contribute to any continuous built frontage in my view, nor, it follows, is the appeal site a gap within such.
6. As for rounding off, the site is bound by Holywell Road and Curlews, has a bank/wall as its south boundary and a post and wire fence along its west side. The latter two features are not particularly robust or extensive and, given also the way the land sweeps down and blends with adjacent scrub, do not substantially enclose or define the edge of the site nor act as a barrier to future growth. The wall to the HBHP entrance tapers away from the site and does not substantially enclose it or act as a barrier to growth either.
7. On the final approach to the village, Holywell Road becomes populated by power lines, lampposts, a footpath, signage and other street furniture, with Wheal Golden Drive above the road to the east. However, the land to the west drops down and provides sweeping coastal views. It is this prominent and striking vista, framed by the low, verdant scrub and stone walling aside the road, which dominates the perception of place at this point. Given the site's openness and undeveloped appearance, it is an inherent part of this scene. The HBHP entrance splay does little to alter this, as it has a low profile and evokes rurality with its use of natural materials. Holiday parks are ubiquitous within the countryside in tourist locations in any event. As such, it is not until the appeal site has been passed and the Curlews is reached that the land to the south of Holywell Road becomes within the physical boundaries of the settlement.
8. From the PROW the site also appears as part of the open and rough hillslope around the village. Whilst Curlews and housing at Wheal Golden Drive is also visible from here, they are partly screened by vegetation and are peripheral to the view. For these reasons, the site does not read as a part of the village, despite its immediate proximity, and is instead better described as a small and initial part of the expansive area of open countryside between it and Cubert¹.
9. Whilst the proposal would set most of the built form down within the site, both the houses and the garage block would be at least partially visible from Holywell Road and would be highly evident from the PROW. It follows that the scheme would visually extend building into the open countryside, would not round off the village nor constitute infill in Policy 3's terms.
10. The proposal therefore applies to Policy 7 of the CLP, which seeks to avoid new housing in the open countryside unless in given special circumstances. There is no evidence that any of these circumstances would apply to this case.
11. I have been referred to appeal decisions² and Council decisions³ where Policy 3 was applied. They make it clear that the application of Policy 3 is heavily influenced by the detailed and individual circumstances of each site and is reliant upon the exercise of planning judgement. None of the proposals closely share features of this site or its association with the surrounding area which have been pivotal to my reasoning, such as its place within the foreground of an important coastal view. For these reasons, I have given them little weight.

¹ Taking into account the definition of open countryside set out within the CPOAN

² Appeal refs 3225000, 3237217, 3210910, 3229068

³ Refs PA19/03269 and PA18/03857

12. I have had regard to the 'Chief Planning Officer's Advice Note: Infill/Rounding Off' (2017) (CPOAN). This is not part of the development plan, is a guidance document, and its tone is reflective of such. It contains a number of suggestions for the type of site that may comply with Policy 3 but, ultimately, it reinforces my point that each case must be considered on a site by site basis, and it reemphasises the requirement set down by Policy 3 that schemes should not visually extend development into the open countryside. Given the site's circumstances, the CPOAN adds little in the way of support for the proposal.
13. Consequently, I conclude on this issue that the site would not be suitable for the proposal, having regard to development plan policy for the supply of housing. The proposal would conflict with Policies 1, 2, 3 and 7 of the CLP.

Character and appearance

14. Housing within Holywell Bay is varietal in design, and contemporary dwellings are not necessarily inappropriate within this context and have been granted planning permission elsewhere within the village⁴. That said, housing, regardless of its style, must successfully assimilate with its environs. Much of the housing around the appeal site is quite simple and suburban and, in many cases, only the roof form is publicly visible. Whilst Curlews has grown to be untypically large, its true form is not readily apparent from the PROW or Holywell Road. The overall character around the site is therefore of modest buildings offering a clear subservience to the surrounding coastal landscape.
15. The aforementioned vista, with its sand dunes, hillslopes of scrub and heath, and views of Holywell Beach and the sea, is picturesque and offers up several important characteristics of the wider area⁵ whilst also providing views towards the AGLV. Given the site's sloping topography, undeveloped appearance and (remaining) rough scrub ground cover, it contributes to this natural environment in landscape terms. Its openness provides views over and beyond the site, particularly from Holywell Road and the elevated entrance to Wheal Golden Drive. The site therefore allows visual appreciation of the attractive rural environment around Holywell Bay, including the AGLV.
16. The proposed dwellings and associated structures would partially urbanise and detract from the quality of the site's own form and its contribution to the wider vista as experienced from Holywell Road and Wheal Golden Drive. From the PROW, the three large and closely sited buildings housing the dwellings would present a discordantly expansive and dense form of development over three floors. The extensive use of glazing and the bold, assertive form of the buildings would add to the overall intensity of development, which would appear close the PROW and domineering on higher land. They could not be adequately softened by planting and would be incomparable in effect to the existing buildings within the village, which are more distant, at the edges of sight and largely shrouded in greenery.
17. My attention has been drawn to Policy 21 of the CLP which seeks to make the best use of land by, amongst other things, encouraging proposals which use despoiled, degraded, derelict and contaminated land provided that it is not of high environmental or historic value, or, increase housing density where appropriate, taking into account, the character of the surrounding area and

⁴ As identified by the appellant's Planning and Design Access Statement

⁵ Cornwall and Isles of Scilly Landscape Character Study – LCA No 15 Newquay and Perranporth Coast

access to services and facilities. I have no reason to doubt that the site has adequate access to services and facilities. However, given the role of the site within the coastal vista, I consider it to be of high environmental value, and, considering my findings in relation to this main issue, the scheme would cause significant harm to the character of the surrounding area.

18. I therefore conclude on this issue that the proposal would have an unacceptable effect on the character and appearance of the area. It would conflict with the visual and landscape aims of Policies 12, 21 and 23 of the CLP and the National Planning Policy Framework (the Framework).

Planning Balance

19. The government is seeking to significantly boost the supply of housing and the proposal would provide five modern homes in a location with adequate access to services. Given the small scale of the proposal, the social benefits of the additional housing attract modest weight. The scheme would provide a small and time-limited economic benefit during the construction phase, which may also render a small social benefit if it were to lead to extra local employment.
20. Conversely, the location of the proposal beyond the settlement would undermine the Council's plan-led approach to the delivery of housing. In doing so, it would harm the character and appearance of the area. These matters attract significant weight in the balance, outweighing the scheme's benefits.
21. I therefore find that the proposal would conflict with the development plan when read as a whole and that there are no other considerations, including the Framework, that outweigh this conflict.

Conclusion

22. For the reasons outlined above, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR