



Appeal Decision

Site visit made on 5 October 2020

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2020

Appeal Ref: APP/D0840/W/20/3254168

Land at Goonearl, Lane From Junction South Of Terrigal To Glencoe Farm, Goonearl, Scorrier TR16 5EB

- 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 & Mrs G Broad against the decision of Cornwall Council.
 - The application Ref PA19/08792, dated 1 October 2019, was refused by notice dated 12 December 2019.
 - The development proposed is described as "the construction of two dwellings to round-off the residential developments of Goonearl".
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The application has been made in outline with access to be considered at this stage and other matters reserved. I have had regard to the layout, elevational and floor plans as illustrative as to what the appellant has in mind for the development.
3. After the submission of final comments, the Council submitted an appeal decision for a development proposal at Glencoe Vean, Goonearl¹. The appellant was given the opportunity to comment and therefore would not be prejudiced by the inclusion of the appeal decision as part of my considerations.

Main Issue

4. The main issue is whether the development plan would support the development in this location, having particular regard to access to services and facilities.

Reasons

5. Policy 3 of the Cornwall Local Plan Strategic Policies 2010-2030 (the Local Plan) sets out the locational strategy for the delivery of housing across the plan area based on the role and function of each place. Most development is to be directed to the main towns. Outside these areas, in summary, housing is to be delivered through rounding off of settlements and development of previously developed land within or immediately adjoining that settlement, infill schemes which fill a small gap in an otherwise continuous built frontage and do not

¹ APP/D0840/W/20/3248222 – 2 September 2020

extend the settlement into open countryside, rural exception sites, and the identification of sites through neighbourhood plans.

6. In this case, the site has not been advanced as a rural exception site nor identified in a neighbourhood plan. There is no clear evidence that the site should be considered as previously developed land. In terms of examining whether the scheme could benefit from being considered infill or rounding off it is necessary to determine, firstly, whether the site lies within or adjoining a settlement.
7. In this respect, the Chief Planning Officer's Advice Note: Infill/Rounding Off (December 2017) (the Advice Note) provides additional advice on the interpretation of Policy 3 of the Local Plan, including the approach to consider whether a location constitutes a settlement. I attribute the Advice Note substantial weight.
8. In this case, the site for the two dwellings is located adjoining other dwellings and with a new house recently constructed broadly to the east. This fairly small group of buildings are reasonably tightly positioned together, however, other parts of the wider site, known as Goonearl, are more loosely spaced and scattered often amongst the treed environment. The mix of buildings, including large dwellings, cottages and equestrian buildings appear to have no clear focus and the various sections of the wider built site, some of which are accessed from the main road via separate drives, are reasonably spaced apart with little clear visual association.
9. There are few clearly defined boundaries to the wider grouping, or a sense that there is a distinct community with a shared identity. While the Goonearl area changes in character and appearance across the wider site, with some buildings grouped more closely together, overall the area appears collectively as a low density cluster of individual dwellings, equestrian buildings and other structures in the countryside rather than the form and character of a settlement. The numerical and density analysis based on the Office of National Statistics and the postcode information does not alter my view on this matter which I have substantially based on the circumstances which I have found on the ground.
10. The Council and the appellant have provided examples of other locations, together with Council and appeal decisions which it is argued help provide examples where a settlement has and or has not been identified. I accept that they provide a wide range of different circumstances and types of grouping of buildings across parts of the dispersed area of Cornwall. However, each of the situations and arrangement of buildings appears to be distinct, having its own particular circumstances and relationship of buildings and leading to a specific judgement in each case. Therefore, while I have taken them all into account they are not determinative in my analysis of the particular situation at the appeal site and therefore I attach them limited weight.
11. It follows from the above analysis that the appeal site would not fall within or adjoining a settlement for the purposes of Policy 3 of the Local Plan. This is both in terms of the immediate group of buildings adjoining the appeal site and also if consideration was made of the buildings as a whole across the wider area. Consequently, the circumstances where infill or rounding off of development, allowed by Policy 3, would not apply. This conclusion is consistent with the Inspector when he recently examined this matter and

concluded that the site at Glencoe Vean was not within or adjoining a settlement.

12. A wide range of other planning decisions across the Goonearl area have been highlighted. However, it seems to me that they generally relate to different types of proposal including holiday lets being approved and replaced with permanent dwellings, replacement dwellings, the conversion of existing buildings and a rural worker's dwelling. There is no clear example when a new build dwelling has been permitted on an undeveloped site. Consequently, there would appear to be no meaningful inconsistency in the approach between those decisions and the approach taken with this proposal, including in respect of my earlier appeal decision at Glencoe Vean² where a holiday let was already approved and this was replaced by a permanent new build dwelling.
13. The St Agnes Neighbourhood Development Plan 2018-2030 (the NDP) sets out an approach to development across that plan area. The NDP names settlements and provides boundaries and also allows infill development at "other settlements" under Policy 7 of the NDP. In helping to decide whether a site is an "other settlement" reference is made in the supporting text to Policy 3 of the Local Plan. As I have found that the appeal site would not fall to be considered as a settlement, it follows that the scheme would not benefit from the approach to infill development set out in Policy 7 of the NDP, nor would it be supported by Policies 1 or 2 of the NDP which set the approach for housing and community dwellings in the NDP area.
14. In support of this judgement, I note that the Parish Council has objected to the proposal, including on the basis that the scheme is contrary to Policy 7 of the NDP, as it considers the development would be housing in the countryside and not an infill housing scheme.
15. Furthermore, the proposal would not comply with any of the special circumstances for housing development in the open countryside as specified in Policy 7 of the Local Plan.
16. While the site for the two dwellings would not be isolated within the meaning of paragraph 79 of the National Planning Policy Framework (the Framework) the location would be a reasonable distance from the nearest settlement. The adjoining roads are generally without street lighting or footways and I am not aware of any public transport options that would provide a convenient and regular service. In all likelihood the occupants of the proposed dwellings would be largely dependent on the private car to access services and facilities, and any employment opportunities which would be likely to be away from the site. Consequently, the appeal site, which in planning terms should be considered countryside, would not represent an accessible location for the new dwellings, even taking into account that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.
17. It follows from the above analysis that the site would not be sustainably located and therefore would not meet with the requirements of Policy 21 of the Local Plan in this respect.

² APP/D0840/W/18/3196494 Glencoe Vean, Lane from junction south of Terrigal to Glencoe Farm, Goonearl, Scorrier TR16 5EB – 31 August 2018

18. In the light of the above analysis, I conclude that the policies of the development plan would not support the proposal in this location and, in particular, occupants of the dwellings would not have access to day to day services and facilities by sustainable transport modes. Accordingly, the proposal would conflict with Policies 1, 3, 7 and 27 of the Local Plan, Policies 1, 2 and 7 of the NDP and the Framework which seek, amongst other things, that new housing is directed to accessible locations within or adjoining settlements.

Other Matters

19. I have taken into account the representations both in support and in objection to the proposal and the main issues which have been raised have been considered above.
20. The site would provide a boost to housing supply on a windfall site, making effective use of the land and could be delivered by a small builder adding to the overall mix and offer of housing in the area. There would be economic and social benefits to the area during construction and in subsequent occupation. The scheme could be assimilated onto the site without detriment to the character and appearance of the wider area. However, as only two dwellings are proposed, and in a Council area that can demonstrate a Framework compliant supply of housing, I attribute the cumulative benefits of the proposal limited weight. The benefits would not outweigh the harm that I have found.

Conclusion

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

David Wyborn

INSPECTOR