



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: 19 November 2020

Appeal Ref: APP/D0840/W/20/3255507

Land to the east of Pendethys, Trelill, Bodmin PL30 3HY

- 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 R Harris against the decision of Cornwall Council.
 - The application Ref PA19/09421, dated 24 October 2019, was refused by notice dated 10 January 2020.
 - The development proposed is outline planning permission for two dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application has been submitted in outline with all matters reserved. I have had regard to the block plan showing the potential siting of the dwellings and access as indicative of what the appellant has in mind in these respects.

Main Issues

3. The main planning issues are:
 - whether the development plan supports the location of the proposed dwellings, and
 - the effect of the proposal on the character and appearance of the area.

Reasons

4. Policy 3 of the Cornwall Local Plan Strategic Policies 2010-2030 (the Local Plan) sets out the strategic approach for the location of development across the plan area, based on the role and function of places. Housing development is to be focused in 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 that fill a small gap in an otherwise continuous built frontage and do not physically extend the settlement into the open countryside, rural exception sites, and the identification of sites through neighbourhood plans.
5. 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 and I attribute it substantial weight.
6. In terms of the general location, along parts of the main road through Trelill there is a reasonable extent of housing, which is fairly closely spaced together,

and generally faces the road. The appeal site is accessed off a side road, the entrance to which has housing on either side and these buildings form part of the street scene of dwellings through the village.

7. The appeal site is an area of land which forms part of a larger field. It lies behind a road side hedge with an existing field access. There are some walls and other elements remaining of a structure adjoining the existing field access. Further along the side road, there are some dwellings and other buildings which have a reasonably scattered form, interspersed with established trees and hedging.
8. The Council consider that Trelill can be considered a settlement for the purposes of Policy 3 of the Local Plan. However, there is a change in the character of the side road just beyond the houses by the main road. The appeal site has a more rural character and a greater affinity with the countryside than the built form of the settlement. The buildings further along the side road are scattered such that they do not visually or physically appear within the confines of the built form of the area. It follows from this assessment that the appeal site lies in the countryside and outside, but adjoining, the settlement.
9. In terms of the approach set out by Policy 3 of the Local Plan, the site has not been identified for development in a Neighbourhood Plan and is not advanced as a rural exception site. The proposed dwellings would not infill a small gap in an otherwise continuous built frontage because there is no development on the immediate eastern side.
10. In terms of rounding off, in this case the land is not substantially enclosed by existing physical features that would act as a barrier to future growth because the site merges with the rest of the field. The proposed dwellings would not provide symmetry or completion of the settlement boundary because on the other side of the road the property is set back in its plot and with the extensive vegetation it is barely discernible within the side road. In the circumstances of this case, the dwellings would appear visually on the ground to be adjoined only by housing on one side and the development would visually extend building into the countryside. While the proposal indicates that boundaries to the plots would be formed by Cornish hedgebanks, these are not presently in place and in terms of the eastern boundary would appear arbitrary on the ground and not effectively exclude the potential for future growth because of the space to the established field boundary further to the east.
11. Taking all these matters into account, the proposal would not meet with the requirements for a rounding off scheme under Policy 3 of the Local Plan and the related details for such schemes as amplified by the supporting text in the Local Plan and the Advice Note.
12. Although not detailed as part of Policy 3 of the Local Plan, the Advice Note also sets out circumstances for "other development within a settlement". This is where, in summary, the development of land would not entirely fit the definition of infilling or rounding off but would be within the form and shape of the settlement. However, in this case the scheme would not be within the settlement but beyond its limits and the proposed housing would not, for the reasons explained, accord with the present form and shape of the built form of Trelill.

13. In reasonable proximity to the site and forming another part of the field, a dwelling has recently been permitted. This development would have an access from the side road and the building would be positioned between the existing buildings adjoining the main road through Trelill. I am satisfied by the evidence that this can be considered an infill proposal in accordance with Policy 3 of the Local Plan and would fall within the settlement, which in this area, adjoins the road. This permission, therefore, does not alter my conclusions on the application of Policy 3 in respect of the appeal proposal.
14. The case is made that as this dwelling has been permitted nearby, the present proposal should not be considered, as set out in the reason for refusal, as being sited in a location with unacceptable access to local services and facilities other than by the private car. Given the permission on the adjoining land and that the Council accept that Trelill can accommodate some level of development in accordance with Policy 3, I have some sympathy with that view.
15. It is important to note that Policy 3 of the Local Plan does not set a requirement for a settlement to have a certain level of services or facilities before it can accommodate some housing. Given the circumstances, and the relationship of Trelill to the services and facilities at other locations, in particular at St Kew Highway, occupiers of the 2 units proposed could help support services and facilities in adjoining settlements, notwithstanding the likelihood that there would be a reliance on the private car for most journeys. The proposal would therefore accord with the policy approach set out in paragraph 78 of the National Planning Policy Framework regarding the general principles for the location of rural housing. However, this finding could apply to any site in the vicinity and does not alter my conclusion in respect of the application of Policy 3 which sets detailed criteria for the positioning of new housing within or adjoining rural settlements.
16. Furthermore, the scheme would not meet with any of the exceptions for housing development in the countryside as set out in Policy 7 of the Local Plan.
17. In terms of Policy 21 of the Local Plan, the evidence does not demonstrate that the site should be considered as previously developed land as it forms part of a larger field. The scheme would make efficient use of the land and occupiers would have reasonable access to services and facilities. However, the increase in building density in this location would harm the character of the surrounding area for the reasons explained in the next section of this decision. Consequently, the proposal would not comply with the requirements of Policy 21 in this case.
18. In the light of the above analysis, I conclude that the policies of the development plan would not support the location of the proposed dwellings. In particular, the scheme would conflict with Policies 1, 2, 3, 7 and 21 of the Local Plan which, amongst other things, sets the approach to housing development across the plan area. The reason for refusal references Policy 2a of the Local Plan, however, as this concerns the key targets for the distribution of housing, the policy would not appear directly relevant to the issues in this appeal.

Character and appearance

19. The site lies within the Area of Great Landscape Value (AGLV) and the Cornwall and Isles of Scilly Landscape Character Study identifies the area as part of the

CA33 Camel and Allen Valleys Character Area. The description of this Character Area includes that the settlements are often clustered in small villages on higher ground.

20. In this case, the site forms part of the wider field and has a reasonably open character although views in and out of the field are fairly constrained by the topography and by some vegetation along the field boundaries. Nevertheless, it is one of a patchwork of fields adjoining the edge of the settlement that help to provide a rural setting to the built form. The present section of the side road in the vicinity of the site has a generally undeveloped and rural character and the scattering of other buildings away from the main road area constitute a reasonably minor element of the surroundings.
21. Some parts of the built form of the proposed dwellings, subject to the precise details at the reserved matters stage, would in all likelihood be visible above the hedge line and through the access. The presence of this built form, and the likely glimpses of vehicles and domestic paraphernalia through the access, however well designed and laid out the scheme could be, would erode part of the undeveloped and rural character of the site. These negative effects of the development would be localised and reasonably modest. Nevertheless the harm resulting from the encroachment of development into the open field, with it extending away from the adjoining cluster of buildings, would, notwithstanding any submissions at the reserved matters stage, be unlikely to be mitigated satisfactorily by a comprehensive planting scheme and other details.
22. As a consequence, the requirement in Policy 23 of the Local Plan that development within the AGLV should maintain the character and distinctive landscape quality of the area would not be met.
23. Accordingly, I conclude that the proposal would harm the character and appearance of the area and not comply with Policy 23 of the Local Plan and saved Policy ENV1 of the North Cornwall District Local Plan (1999) that require, notably, that the protection of the landscape quality will be particularly important within the AGLV.

Other Matters

24. The construction of the appeal dwellings would provide a small addition to the supply of housing within the Padstow and Wadebridge Community Network Area. The site would constitute a windfall gain and would make effective use of the land. There would be social and economic benefits to the local area during construction and in subsequent occupation, although these would be to a limited degree due to the scale of the proposal, and in respect of construction would only be for a limited time. However, as only two units of accommodation would be provided the benefits of the proposal afford limited weight and would not outweigh the harm I have identified above.

Conclusion

25. For the reasons given above, the scheme would not comply with the development plan when considered as a whole and there are no material considerations that outweigh the identified harm and associated development plan conflict. I therefore conclude that the appeal should be dismissed.

David Wyborn INSPECTOR