
Appeal Decision

Site visit made on 28 March 2021

by Paul Griffiths BSc(Hons) BArch IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 09 April 2021.

Appeal Ref: APP/D0840/W/20/3263296

Land East of 1 Godolphin Court, Godolphin Bridge, Townshend TR27 6AR

- 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 Kingfisher Developments against the decision of Cornwall Council.
 - The application Ref.PA20/06606, dated 6 August 2020, was refused by notice dated 3 November 2020.
 - The development proposed is the construction of one residential dwelling.
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Preliminary Matters

1. The originating application was made in outline with all matters reserved. I have dealt with the appeal on the same basis.

Decision

2. The appeal is dismissed.

Main Issue

3. This is whether the appeal site is an appropriate location for new housing in the light of the approach of the development plan and linked to that, the effect of the proposal on the character and appearance of the area.

Reasons

4. The development plan for the area includes the Cornwall Local Plan (LP), adopted in November 2016.
5. The appellant argues that the proposal should be considered under strand 3 of LP Policy 3 which sets up a hierarchy for development. The policy is permissive of new housing where the proposal (i) relates to a site identified in a Neighbourhood Plan; (ii) consists of the rounding off of a settlement and development of previously developed land within or immediately adjoining that settlement of a scale appropriate to its size and role; (iii) is an infill scheme that fills a small gap in an otherwise continuous built frontage and does not physically extend the settlement into the open countryside; and (iv) provides for a rural exception site under LP Policy 9.
6. The site is not identified for housing in a Neighbourhood Plan and there is no suggestion that the scheme is to be dealt with as a rural exception site. As such, the principle of the development rests on whether the proposal can properly be described as rounding off, or infill, as provided for in LP Policy 3.

7. However, on my reading, the concepts of 'rounding off' and 'infill' espoused by LP Policy 3 relate to the development of new housing in settlements. The appeal site sits adjacent to a group of houses that were built on the site of what was a mill and there are other houses nearby. However, the grouping is too small, and disparate, to be reasonably described as a settlement in the manner envisaged by the LP. The appeal site is, in effect, part of the open countryside.
8. LP Policy 7 allows for housing in the countryside where the new dwelling would replace an existing dwelling; be formed from the subdivision of an existing dwelling, comprise the re-use of a suitably constructed redundant, disused, or historic building considered appropriate to retain; or provide temporary or permanent accommodation for rural workers. The proposal does not fall into any of those categories.
9. On that overall basis, the proposal fails to accord with the approach of the development plan to new housing and falls contrary to LP Policies 3 and 7.
10. On top of that, while I understand that it was permitted on the site of a former mill, on previously developed land, the existing group of dwellings, arranged in a cul-de-sac alongside a bridge over the River Hayle, appears as a rather incongruous modern insertion that has a negative impact on its surroundings. The proposal would amplify that incongruity by bringing development closer to the bridge. On that basis, it would have a harmful impact on the character and appearance of the area, contrary to LP Policy 12 that put simply, requires development to respect Cornwall's distinctive natural and historic character.
11. For all these reasons, I conclude that the appeal should be dismissed.

Paul Griffiths

INSPECTOR