



Appeal Decision

Site Visit made on 27 July 2021

by Mr A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 13 August 2021

Appeal Ref: APP/D0840/W/21/3273109

Land north of Woodcocks Roost, Barriper, Camborne, TR14 7QN

- 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 Poltair Housing Ltd against the decision of Cornwall Council.
 - The application Ref PA20/10327, dated 20 November 2020, was refused by notice dated 3 February 2021.
 - The development proposed is for outline planning with access reserved for the permission of 5 proposed dwelling houses.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the submission of the appeal the revised National Planning Policy Framework (the Framework) was published and came into force on 20 July 2021. In light of this, I have sought the views of the main parties in writing, and I have taken any relevant correspondence into consideration.
3. Outline planning permission is sought with all matters reserved except for access. I have determined the appeal on this basis.

Main Issues

4. Since the application was determined and the appeal lodged, the Council has withdrawn the reason for refusal in relation to the effect of the proposed development on ecology. The Appellant has been made aware of this change to the reasons for refusal and has had the opportunity to comment. Therefore, the second reason for refusal given by the Council no longer applies to this appeal, and accordingly I have considered it appropriate to identify a single main issue and determine the appeal on that basis.
5. The main issue in this appeal is whether the proposed development would be in a suitable location for new dwellings, having regard to Local and National Planning Policies and to the character and appearance of the surrounding area.

Reasons

6. The appeal site comprises land located at the north eastern edge of the settlement at Barriper. The site is agricultural in character and appearance and, at the date of my visit, appeared as part of a larger agricultural field across which a substantial earth bund had been constructed. The evidence before me indicates that the earth bund is a recent addition. The site is bordered to the

- northwest by a residential development that was recently approved at appeal, with further, less densely arranged dwellings being located to the southwest.
7. The land surrounding the appeal site to the south and east comprises open agricultural land. Whilst the appeal site is a relatively small component of the wider, undeveloped, predominately open agricultural land east of Barriper, the site, nonetheless, has an intrinsic attractiveness and in my view forms a part of the countryside and its undeveloped rural characteristics make a positive contribution to the pleasant rural landscape setting of the settlement.
 8. The Council's settlement strategy is contained within Policy 2 of the Local Plan which sets out a sustainable approach to accommodating growth and maintaining the dispersed development pattern of Cornwall, providing jobs in a proportional manner based on the role and function of each place. Policy 3 of the Local Plan seeks to control the distribution of new dwellings across Cornwall and provides that other than at the named larger settlements, housing growth will be delivered through; the identification of sites within neighbourhood plans, infill schemes, rural exceptions sites or rounding off of settlements and development of previously developed land (PDL) within or immediately adjoining that settlement of a scale appropriate to its size and role.
 9. The evidence indicates that there is currently no neighbourhood plan which allocates the site for development. The proposal would not fill a gap in an otherwise continuous built frontage and, consequently, would not represent infill. The site is agricultural in appearance and would not constitute PDL. However, the Appellant has put it to me that the proposal would represent rounding off of Barriper and, in this regard, my attention has been drawn to the Chief Planning Officer's Advice Note – Infill/Rounding Off (December 2017) (The CPOAN) which, whilst being informal guidance, provides clarity on the approach to be adopted in relation to, amongst other things, rounding off of settlements, and as such I have had regard to this advice.
 10. As noted above, the appeal site forms a component of the countryside setting to the settlement and, in my view, the site is located outside of, but adjacent to the settlement boundary. Within the context of Policy 3 of the Local Plan, rounding off is defined as being development on land that is substantially enclosed and where its edge is clearly defined by a physical feature that also acts as a barrier to further growth. The supporting text to this policy further confirms that rounding off of settlements should not visually extend building into the open countryside. The CPOAN further provides that suitable sites for rounding off are likely to be surrounded on at least two sides by existing development.
 11. In this regard, the Appellant has put it to me that the site is substantially enclosed by residential development to the north and west, with the abovementioned earth bund forming a barrier to further growth. However, even if I were to accept that the dwellings to the northwest and southwest of the appeal site would bound the site on two sides, it was apparent from observations made on my site visit and from the evidence submitted in this appeal, that development of the site would both visually and physically extend the built form of the settlement into the countryside and would not provide symmetry or completion to the settlement boundary. The scheme would therefore fail to accord with the provisions of Policy 3 of the Local Plan with regards to rounding off.

12. As noted above, Policy 3 of the Local Plan also provides that in location such as the appeal site, growth can be delivered through rural exception sites which accord with Policy 9 of the Local Plan. In this respect, the proposal is for open market dwellings and, consequently, the appeal scheme would not accord with this exception to new housing being located outside of but adjoining, the settlement. For the above reasons the proposal would conflict with Policy 3 of the Local Plan.
13. The supporting text to Policy 7 of the Local Plan defines open countryside as being the area outside of the physical boundaries of an existing settlement where it has a clear form and shape. For the reasons given above, the appeal site is located outside of the settlement and, accordingly, the provisions of Policy 7 apply to the appeal scheme. The policy supports development proposals within the open countryside where it is shown that special circumstances exist. A number of criteria are listed against which proposals may be assessed. The appeal scheme fails to accord with any of these criteria.
14. As noted above, development of the site would both visually and physically extend the built form of the settlement into the countryside. This encroachment into the countryside which contributes positively to the setting of Barriper, with all the domestic paraphernalia that would be associated with residential occupation of the proposed dwellings, would erode and be harmful to the rural character and landscape quality of the area.
15. This harm would fail the requirements of paragraphs 130 and 174 of the Framework, which seeks to ensure that developments are sympathetic to local character and contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside. For the same reasons the proposal would conflict with Policy 23 of the Local Plan which requires that development sustains local distinctiveness and character, protects, and where possible, enhances Cornwall's natural environment.
16. It has been put to me by the Appellants that the appeal scheme would accord with the definition of "other development within a settlement" as provided for within the CPOAN, and would also comply with the provisions of Policy 21 of the Local Plan which concerns best use of land. In these respects, whilst I acknowledge that the appeal site has convenient access to services and facilities, the proposal would, for the reasons given above, result in harm to the character and appearance of the surrounding area. The proposed development would not be located within a settlement. Consequently, the proposal would fail to accord with the provision of "other development within a settlement" included within the CPOAN and would conflict with criterion c. of Policy 21 of the Local Plan.
17. In summary of the above, the appeal scheme would be located outside of but adjoining the settlement and would not represent rounding off. The proposed development would be harmful to the character and appearance of the surrounding area. The appeal scheme would conflict with Policies 3, 7 and 23 of the Local Plan in these regards. The proposal would also conflict with Policies 1 and 2 of the Local Plan insofar as it would be contrary to the spatial strategy of the Local Plan which seeks to control the location of new development. The conflict with the policies of the development plan weighs significantly against the proposal.

18. The appeal scheme would provide five additional units towards housing supply at a location which provides convenient access to the services contained within Barriper and which includes wider transport links to the nearby larger settlement at Camborne. Economic benefits would arise in the form of future spend of occupants within local businesses, and through employment opportunities during construction. However, these benefits are limited by the scale and scope of the proposal and these benefits would not, in my view, outweigh the harm resulting from the proposal's conflict with the development plan in respect of the location of the development and in relation to the harm to the character and appearance of the surrounding area.

Conclusion

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

Mr A Spencer-Peet

INSPECTOR