



Appeal Decision

Site Visit made on 30 June 2021

by Alison Fish BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 August 2021

Appeal Ref: APP/D0840/W/21/3271497

Land North of Chy Dewetha, Trenance, Mawgan Porth, Cornwall TR8 4BY

- 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 Susan and William Schofield against the decision of Cornwall Council.
 - The application Ref PA20/05877, dated 13 July 2020, was refused by notice dated 22 September 2020.
 - The development proposed is an application for outline planning permission with some matters reserved for the construction of two dwellings (access only).
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. For clarity, I have used the location of the appeal site given by the Council in its decision notice as it refers to the name of the nearest dwelling. I have also used the description of development from the same document as it clarifies that the proposal is in outline and that access is the only reserved matter to be considered at outline stage.
3. A revised National Planning Policy Framework (the Framework) was published on 20 July 2021. Insofar as relevant to this appeal, its provisions are consistent with the version extant at the time the appeal was made and I have had regard to it in reaching my decision.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal site is a triangular shaped piece of open land located at the northern edge of a small settlement of houses known as Trenance. Its triangular shape was created when an access track was constructed from the B3276 to Pirate's Perch and High Cove Farm, cutting across the agricultural field and divorcing the appeal site from the remainder of the field.
6. The appeal site is enclosed by hedges on all sides with the B3276 running along the eastern boundary, the northern and western boundaries bounded by the access track and the southern boundary of the appeal site abutting the residential curtilages of 3 dwellings including 'Chy Dewetha'.

7. The site is located in the open countryside, outside any main settlement as described in the Cornwall Local Plan Strategic Policies 2010-2030 (LP). My attention has been drawn to a previous appeal at the site in 2017 which was dismissed (Ref: APP/D0840/W/17/3177431). In that appeal decision, the Inspector deals with the relevant policy considerations in some detail at paragraphs 3 – 9 and since I have not been made aware of any significant change in policy since the date of the appeal decision, I do not propose to rehearse the policy position again here.
8. The appeal site is positioned just where the B3276 starts to level off, after climbing from Mawgan Porth in the south up through Trenance. I noted the clear change in surroundings the moment I passed Chy Dewetha on the left and 'Halwyn' on the right, from a dispersed settlement to an open countryside location where agricultural land stretches out in front of you.
9. The appeal site is located in an elevated position, with glimpses of the sea from it. It is open, natural and in my mind, clearly distinct from the character and appearance of the settlement of Trenance. It is for these reasons that I find that the site contributes to the landscape, character and features of the Watergate and Lanherne Area of Great Landscape Value (AGLV) which saved Policy 14 of the Restormel Local Plan 2001 (RLP) is seeking to protect.
10. The development of the appeal site with 2 dwellings, notwithstanding that the proposal is in outline, would inevitably detract from the qualities I have set out above and as a result find that the proposal would significantly harm the character and appearance of the immediate area and the AGLV contrary to Policy 2 of the LP which seeks to maintain and respect the special character of Cornwall and its rural landscapes and paragraphs 8 and 174 of the Framework which seek to protect and enhance natural and valued landscapes.

Other Matters

11. The appellants contend that the proposal constitutes 'rounding off' in the context of Policy 3 of the LP, notwithstanding the findings of the Inspector who dealt with the 2017 appeal here. They contend that there have been three main changes in circumstances since that previous appeal – the adoption of the LP; the content of the Chief Planning Officer's Advice Note (CPOAN); and a grant of planning consent for dwellings at High Cove Farm.
12. However, the LP had been adopted at the time of the previous Inspector's decision and therefore I do not find that this is to be a material change in circumstances. I understand that the CPOAN provides additional detail and information with regard to how the Council intend to apply LP policy 3, however it does not lead me to take a different view to the previous Inspector who considered rounding off in detail. With regards to the recent consent for new dwellings at High Cove Farm, I understand that these have resulted from a Class Q conversion fall-back position. There are buildings already in existence on the site, they are set well back and screened from the B3276 and would not in my view extend the settlement of Trenance northwards in the same harmful manner as the appeal proposal.
13. Even if I did find that the proposal constituted 'rounding off' under Policy 3, supporting paragraph 1.68 to LP Policy 3 sets out how 'rounding off' should not visually extend building into the open countryside, which I have reasoned would effectively occur here.

14. I have considered the benefits of the proposal as put to me by the appellants including the accessibility of the location, the contribution that two dwellings would make to the supply of housing in Cornwall and the economic benefits which would result. However, I find that these benefits do not outweigh the harm which would arise from the development in terms of the adverse effect on the character and appearance of the area.
15. As a result, I have concluded that the proposal would result in significant harm to the character and appearance of the area such that the appeal should not succeed.

Conclusion

16. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

Alison Fish

INSPECTOR