



Appeal Decision

Site visit made on 24 August 2021

by Colin Cresswell BSc (Hons) MA MBA MRTPI

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

Decision date: 7 September 2021

Appeal Ref: APP/D0840/W/21/3273620

Shears Farm, Woodford, Morwenstow, Bude EX23 9JD

- 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 P Littlejohns against the decision of Cornwall Council.
 - The application Ref PA20/07104, dated 20 August 2020, was refused by notice dated 10 December 2020.
 - The development proposed is a new dwelling.
-

Decision

1. The appeal is allowed and planning permission is granted for a new dwelling at Shears Farm, Woodford, Morwenstow, Bude EX23 9JD in accordance with the terms of the application, Ref PA20/07104, dated 20 August 2020, subject to the conditions set out in the Schedule at the end of this Decision.

Procedural Matter

2. The application was made in outline with all matters except access reserved for future determination. I have considered the appeal on that basis.

Main Issues

3. The main issues in this case are:
 - whether the site is a suitable location for the proposed development, having particular regard to development plan policies which seek to control new housing in the countryside.
 - the effect of the proposed development on the character and appearance of the Cornwall Area of Outstanding Natural Beauty (the AONB).

Reasons

Location

4. Policy 3 of the Local Plan¹ aims to focus the majority of new development in the main towns. However, the policy does enable a limited amount of housing development elsewhere, including through the 'rounding off' of smaller settlements. Rounding off is defined in paragraph 1.68 of the Local Plan as *development on land that is substantially enclosed but outside of the urban form of a settlement and where its edge is clearly defined by a physical feature that also acts as a barrier to further growth (such as a road). It should not visually extend building into the open countryside.*

¹ Cornwall Local Plan Strategic Policies 2010-2030.

5. The appeal site is a grassy field situated on the edge of Woodford, a small village surrounded by open countryside. The northern boundary of the site is defined by a rural lane while the eastern boundary adjoins the garden of Shears Cottage, a neighbouring dwelling. While the southern and western boundaries adjoin open agricultural fields, they are separated from these by a tall hedgerow. The hedgerow is a substantial feature, comprising a raised bank of mature bushes and trees that would represent a clear physical barrier to further development. It therefore seems to me that the site is well enclosed on all sides and, in this particular respect, the proposal would be consistent with the paragraph 1.68 definition of rounding off.
6. Paragraph 1.68 of the Local Plan also says that rounding off should not visually extend building into the open countryside. The effect of the proposal on the character and appearance of the AONB is dealt with as a separate issue later in this decision. However, with regard to Policy 3, I note that there is a mature hedgerow running along the road frontage which, if retained, would screen large parts of the dwelling from the public domain. Furthermore, the site is relatively well integrated into the form of the village insofar as there are other buildings in this part of the street (including Shears Cottage immediately to the east as well as farm buildings and a house a short distance to the west). While the graveyard immediately opposite the site has an open aspect, it nonetheless reinforces my view that the dwelling would be seen as part of the village rather than a conspicuous extension into the open countryside.
7. An additional requirement of Policy 3 is that *the scale and mix of uses of development and investment in services and facilities should be based on the role and function of places*. Although this is a very small village with little in the way of services, a modest development of one dwelling would be proportionate to the role and function of a small settlement such as this.
8. I have also been referred to a Cornwall Council advice note² which provides further guidance on rounding off. This is not part of the statutory development plan and I have not been provided with evidence to show that it has been subject to widespread public consultation. As such, it only carries limited weight in this appeal. Nonetheless, there is nothing within the document to change my view that the proposed development would comply with Policy 3. The clearly defined boundary features would prevent continued incremental expansion of development into the open countryside and, for the reasons given above, the dwelling would relate to the existing form of the village.
9. I therefore conclude on this issue that the site is a suitable location for the proposed dwelling. There would be no conflict with Policies 1, 2, 3, 7 and 21 of the Local Plan in terms of the hierarchical approach to distributing new housing development within Cornwall.

Character and appearance

10. As the proposal is for outline planning permission, there are few details of the design and scale of the proposed dwelling. However, whatever built form the proposed dwelling takes, it would inevitably be visible from certain vantage points within the vicinity. I am conscious that this is a particularly attractive rural landscape and the site and surroundings are within the Cornwall AONB, which has the highest status of protection in relation to these issues.

² Chief Planning Officer's Advice Note: Infilling and Rounding Off (Cornwall Council, December 2017).

11. Due to the topography of the area, a new dwelling in this location would not be easily seen from more distant vantage points within the wider landscape. Where the dwelling could be seen, it would be viewed in the context of existing development in Woodford and would therefore appear in general keeping with its village location.
12. The development is likely to be more noticeable when seen at closer quarters, particularly from within the street and from the public footpath to the west. The extent to which the dwelling would be visible from these perspectives would be dependent on its design, scale and boundary treatments. Retention of the substantial hedgerow along the western boundary and street frontage would limit the extent to which the development could be seen and would help to maintain the leafy, rural characteristics of the area. Hence, it seems to me that an appropriately designed dwelling would have a limited impact on the qualities of the protected landscape in this location.
13. I therefore conclude on this issue that the proposed development would have an acceptable effect on the character and appearance of the Cornwall AONB. There would be no conflict with Policy 23 of the Local Plan which seeks to protect designated landscapes.

Conclusion

14. For the reasons given above, I conclude that the appeal should be allowed.
15. I have imposed the standard requirement for further details to be approved before development takes place, together with standard time limit conditions. In the interests of highway safety, there is a condition requiring the access to be implemented before other works are carried out. For similar reasons there is requirement for a construction traffic management plan.

Colin Cresswell

INSPECTOR

Schedule of Conditions

- 1) Details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) Before any other building or engineering works are carried out on the site, the access shall be laid out and constructed in accordance with Drawing No. 07880-TDA-DR-CD-003 P04 with its gradient, surfacing, drainage and sight lines having first been approved in writing by the local planning authority. The access shall be retained as approved thereafter.
- 5) No development shall take place until a Construction Traffic Management Plan and programme of works has been submitted to and approved in writing by the local planning authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for: i) construction vehicle details (number, size and type); ii) vehicular routes and delivery hours; iii) the parking of vehicles of site operatives and visitors; iv) loading and unloading of plant and materials; v) storage of plant and materials used in constructing of the development; vi) wheel washing facilities; and vii) measures to control the emission of dust and dirt during construction.