

Appeal Decision

Site visit made on 6 January 2022

by Mrs H Nicholls FdA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 January 2022

Appeal Ref: APP/D0840/W/21/3280794

**Land east of The Roundhouse, Lower Amble, Chapel Amble, Wadebridge
PL27 6EW**

- 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 Mrs D Tucker against the decision of Cornwall Council.
 - The application Ref PA21/01566, dated 15 February 2021, was refused by notice dated 8 April 2021.
 - The development proposed is outline application for the erection of a dwelling, together with use of the existing access serving the land, with all matters reserved other than access.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was made in outline form with all matters save for access reserved for future consideration. As such, any details relating to the specific siting, scale or appearance of the dwelling has been treated as being indicative.

Main Issue

3. The main issue is whether the proposal accords with local policies that seek to locate housing where it would have an acceptable relationship with an existing settlement in order to minimise the need to travel by private vehicle and limit the construction of housing in the countryside.

Reasons

4. The appeal site is formed from a small pocket of scrubby vegetated land, bordering the edge of an agricultural field and which is separated therefrom by a barbed wire fence. Two gardens belonging to neighbouring dwellings lie either side of the appeal site, separated by vegetated boundaries. Due to the elevated level of the site relative to the adjoining access track, its frontage is formed from a sloping, vegetated bank.
5. In a wider context, the appeal site falls within an area known as 'Lower Amble', which has a rural character and which clearly evolved from a farmstead or collection of farms and associated buildings which have been converted. The number of dwellings forming part of Lower Amble amounts to six, and their layout is low density, loosely defined, and they are very separate from the neighbouring settlement known as 'Chapel Amble'. The road linking Lower Amble and Chapel Amble is rural in nature, lacking footways and streetlighting and around a distance of around 0.8 km. The settlement of Chapel Amble is

tighter-knit, with a larger collection of dwellings and also includes a small shop with post office counter, and a separate public house.

6. In terms of the policy context, the Cornwall Local Plan (CLP) was adopted in 2016. Policy 3 of the CLP states that outside of the main settlements, new dwellings will be provided through a combination of neighbourhood plan allocations, infill, rounding off, redevelopment of previously developed land (PDL) and rural exceptions sites. The qualification of what constitutes infilling, rounding off or redevelopment of PDL is explained further in the policy preamble but also in the separate Chief Planning Officers Advice Note (2017) (CPOAN). The CPOAN does not carry the status of a development plan document, but it is useful guidance that is regularly used alongside the CLP to assist with the application of Policies 3, 7 and 21.
7. The outline proposal is for the construction of a single detached dwelling. The appellant asserts that the scheme constitutes the infilling of a small gap within an otherwise continuous built frontage and that its substantial boundaries would prevent any further extension of the settlement beyond its built limits.
8. I first deal with whether Lower Amble constitutes a settlement. Whilst I expect that its existing residents feel a sense of being part of a small community, the straggle of dwellings that exists does not constitute a settlement. That it has a name does not provide any further qualification in this regard, beyond being useful to help locate it and a directional road sign assisting with the same. There is simply a collection of dwellings which grew up from a farm, or farms, the like of which are innumerable across the county of Cornwall given its rural nature. Whilst the settlement appears to be a straggle of loosely defined dwellings, that is not to undermine the pleasant, typically rural charm that it holds and which is befitting of its countryside setting.
9. Whilst these dwellings may be reliant on the nearby Chapel Amble for the most limited of services, such as the shop and public house, I do not consider that return journeys are made thereto by means other than private vehicle, unless perhaps for recreational walking or cycling endeavours. Chapel Amble itself, whilst small, is the rural settlement in this location, but I do not regard any straggles of dwellings peripheral to it as forming a coherent cluster of settlements that depend thereupon. Despite that Middle Amble is alleged to exist between Lower Amble and Chapel Amble, there was an even less definable collection of buildings along the linking rural road to merit such a name. This further underlines that a place name is not always a well-founded basis for determining whether somewhere constitutes an actual settlement.
10. On my visit, I noted the site's relationship with neighbouring dwellings and did not regard there to be a continuous frontage either side of the appeal site. The neighbouring dwelling to the north-west, Walmesley, is only a short distance away, but the siting of the dwelling to the south, The Mill Barn, means that the built form terminates at the boundary of Walmesley and tapers significantly in the direction of The Mill Barn. The site appears to be in the countryside as does much of the expansive garden belonging to The Mill Barn.
11. The boundaries of the site are formed from vegetation to both sides with the neighbouring gardens. The barbed wire fence to the rear separating the site from the adjoining field is far less substantial. It does not provide a feature that would suitably enclose the built form, resulting in an abrupt transition between the countryside and the built form. I have concerns about the potential creep of

the development into the field given the modest scale of the site, that both are in the same ownership and the simplicity with which such a boundary feature could be moved. The need to locate the non-mains drainage solution within the adjoining field also hints at the modest size of the site, also when compared with the plot sizes of neighbouring dwellings.

12. I have had regard to the plan showing a notional 'settlement rounding off line', but do not consider that this aids the interpretation of the settlement's form. Its current form is logical. The development of the elevated site with lacking enclosure on the field side would interrupt the existing sense of order and undermine the rural character of the area. Consequently, I do not regard the development as a suitable 'rounding off' proposal either.
13. The relatively new dwelling, 'Piggy Whidden', exists a short distance to the north-east, although limited details were provided to indicate why that was considered acceptable to approve at that time. I do not consider that it has resulted in a precedent that indicates that the appeal should be allowed.
14. I also note that the evidence contains detail of a previous use of the site which is alleged gives it PDL status. However, there was limited evidence of this on my site visit, and an absence of a Certificate of Lawfulness to verify the same. Even if the site were PDL, CLP Policy 21 still requires that regard should be given to the character of the surrounding area and access to facilities, and neither of these factors suggest to me that the site should be developed.
15. Lastly, I have considered the proposal against CLP Policy 7 which relates to dwellings in the countryside. As the proposal does not fall under any of the criteria that allow some exemptions to the normal objective of limiting new housing development in the countryside, also echoed by the National Planning Policy Framework (the Framework), it is not supportable under CLP Policy 7.
16. Taking into account all of the above, the location of the proposal does not accord with, in particular, CLP Policies 1, 2, 3 and 7, which, amongst other things, seek to ensure the scale and mix of uses of development are based on the role and function of places and restrict the development of new homes in the open countryside.

Planning Balance and Conclusion

17. In terms of its nature and location, the development conflicts with, not only the aforementioned policies, but with the development plan considered as a whole.
18. The public benefits of the proposal include the construction phase economic benefits, albeit temporary in nature, and the longer-term economic and social benefits that would derive from introducing new residents into the area and increasing the local housing stock by an additional dwelling.
19. However, these benefits and other considerations, including the Framework, are not of such materiality that they indicate that a decision should be taken other than in accordance with the development plan.
20. For the reasons set out above, the appeal is dismissed.

Hollie Nicholls
INSPECTOR