



Appeal Decision

Site visit made on 7 January 2022

by P J Staddon BSc, Dip, MBA (Distinction), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 JANUARY 2022

Appeal Ref: APP/D0840/W/21/3278170

Land north of Moorfield, Praze an Beeble, Cornwall TR14 0LG

- 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 Jenna Hill against the decision of Cornwall Council.
 - The application Ref PA20/11113, dated 4 December 2020, was refused by notice dated 12 February 2020.
 - The development proposed is 'construction of dwelling'.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. A new version of the National Planning Policy Framework (the Framework) came into effect in July 2021. I have not considered it necessary to seek views from the appeal parties on this change, as the Framework's policy content, insofar as it relates to the main issue, is largely unchanged. However, I have referred to the current Framework paragraph numbering.
3. The application was submitted in outline with all matters other than 'access' reserved for future approval. However, a site plan showing the siting and footprint of a dwelling was submitted with the application, which I have treated as illustrative material to aid the understanding of the development proposal.
4. On 14 January 2022, the Government published the 2021 Housing Delivery Test (HDT) results. As the HDT results for Cornwall Council do not result in any policy change consequences, I have not considered it necessary to consult the parties on the latest publication.

Main issue

5. The main issue is whether the proposal is in a suitable location for a new dwelling.

Reasons

Policy Context

6. The development plan comprises 3 elements: the Cornwall Local Plan Strategic Policies 2010 – 2030¹ (the CLP); the Cornwall Sites Allocations Development

¹ Adopted in November 2016

Plan Document² (the DPD); and the Crowan Neighbourhood Development Plan 2018 – 2030³ (the NDP).

7. CLP policies 1 and 2 set out a sustainable approach to accommodating growth and maintaining the dispersed development pattern of Cornwall, and providing jobs in a proportional manner based on the role and function of each place. CLP policy 3 sets out the strategy for the delivery of housing. Growth is centred on the named, larger settlements within the county. Criterion 3 of the policy provides that, outside the larger named settlements, housing growth is to be delivered through the identification of sites through Neighbourhood Plans, rounding off of settlements and development of previously developed land (PDL) within or immediately adjoining settlements, infill schemes and rural exception sites for affordable housing.
8. CLP policy 7 sets out that new homes in the open countryside will only be permitted where there are special circumstances, including the replacement of dwellings, subdivision of existing dwellings, rural workers dwellings and the reuse of suitably constructed redundant, disused or historical buildings.
9. Other CLP policies which have some relevance to this appeal are policy 12 concerning good design, policy 21 relating to the best use of land, and policy 23 concerning the protection of the natural environment.
10. The DPD policy 1 complements CLP policy 3, with similar provisions for infill development that does not physically extend into the open countryside; small scale rounding off that is appropriate to the size and role of the settlement and does not physically extend development into the open countryside; and development of previously developed land within or adjoining the named settlements.
11. The NDP defines a settlement boundary for the village of Praze an Beeble. NDP policy HT1 allows for small scale infill proposals and development on previously developed land within the defined settlement boundaries, subject to compliance with other policies.
12. My attention has been drawn to the Chief Planning Officer's Advice Note – Infill/Rounding Off (December 2017) (The CPOAN). This advice note does not form part of the statutory Development Plan and does not attract the same weight as the policies of the CLP, DPD and NDP. However, whilst the advice note is informal guidance, it does nonetheless provide some clarity on the approach to be adopted in relation to matters such as infill and rounding off of settlements, and as such I have had regard to it in the determination of this appeal.

Location of development

13. The appeal site forms part of an agricultural field located to the east of the relatively large village of Praze an Beeble. Its north-west boundary fronts a narrow rural road with no footways; there is an existing field access to the site from this frontage. To the south and west, the appeal site has boundaries with 2 residential properties, Moorfield House and An Vedhegva Goth respectively, which are detached dwellings set within garden plots and appearing as part of

² Adopted in November 2019

³ Adopted in September 2019

- a low density dispersed pattern of development beyond the main village settlement.
14. The appeal site's eastern boundary is not defined by any discernible physical feature, but would be formed by truncating the site from the remainder on the narrow field at a point to the north of the Moorfield House dwelling. To the north and east of the appeal site is open countryside.
 15. The site has an intrinsically rural appearance and forms part of the surrounding, predominately open, countryside. Indeed, I observed a distinct transition when leaving the village settlement along the B3280 and turning past Crowan Primary School towards the appeal site, where the character becomes distinctly rural and verdant. As such, the appeal proposal would be well beyond the physical boundaries of the village settlement and its development to accommodate a new house would appear as an incursion into the open countryside and at odds with its attractive rural character.
 16. Praze an Beeble is not one of the named larger settlements identified for housing growth under CLP policy 3. As a result, the appeal proposal would need to find support from one of the 4 exceptions cited under criterion 3. However, the appeal site is not identified for development through the NDP (first bullet) and is outside its defined settlement boundary; it does not constitute rounding off of a settlement and development of PDL within or immediately adjoining a settlement (second bullet); it is not an infill scheme that fills a small gap in an otherwise continuous built frontage (third bullet); and the proposal is not presented as a rural exception site to deliver affordable housing (fourth bullet). Similarly, it would conflict with DPD policy 1, as it would not meet any of its allowable development types and would appear as an incursion into the open countryside.
 17. The appeal proposal would also conflict with CLP policy 7, as none of the special circumstances for allowing a new dwelling in the open countryside would apply. It would further conflict with policy 21, as there is no evidence that the proposal would represent the best use of this land.
 18. Notwithstanding the above, the appeal site is not located far away from other places, buildings or people, and, is relatively close to the Praze an Beeble village and its services and facilities. Consequently, the proposed dwelling would not be considered to be 'isolated' in terms of the Framework. Accordingly, the provisions of paragraph 80⁴ of the Framework do not apply in this instance and I find no conflict in that specific regard.
 19. I have noted the appellant's submissions concerning the gifting of this site by a relative to enable her to build a family home, an earlier refused scheme, the local family connections and the fact that building the house would enable the appellant's currently rented social housing property to be made available for another family. However, these matters do not outweigh the significant conflict with development plan policies that I have identified.
 20. For the above reasons, I conclude that the site would not be a suitable location for a new dwelling. It would conflict with CLP policies 1, 2, 3, 7, 12 and 21, DPD policy 1 and NDP policy HT1, which, amongst other things, seek to direct development to sites in line with the role and function of each place, promote

⁴ The Council's decision notice refers to paragraph 79 of the now preceded version of the National Planning Policy Framework.

sustainable development, protect the countryside from harmful development and which respects the distinctive landscape character of Cornwall, and make the best use of land. It also conflicts with paragraphs 8, 112, 130 and 174 of the Framework which similarly require new development to be sustainable, including in terms of their location, and to enhance the natural and local environment.

Other matters

21. I have noted concerns expressed by an interested party relating to drainage matters. The Council has not raised any objections on these grounds, although I did observe that large parts of the site appeared to be heavily waterlogged when I undertook my site inspection. However, given my findings on the main issue, I do not consider it necessary to explore this matter further.

Conclusion

22. For the reasons stated above, the appeal is dismissed.

P. Staddon

INSPECTOR