
Appeal Decision

Site visit made on 23 August 2022

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd September 2022

Appeal Ref: APP/D0840/W/22/3292730

Gwendra, Greenwith Hill, Perranwell Station TR3 7ND

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Sue & Holly Penna against the decision of Cornwall Council.
 - The application Ref PA21/10040, dated 30 September 2021, was refused by notice dated 30 December 2021.
 - The development proposed is for the construction of up to two dwellings.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the appeal proposal upon the character and appearance of the area; and upon highway safety, with specific reference to visibility.

Reasons

3. The appeal site is located within a rural area comprising a loose collection of dwellings within the Parish of Perranwell Station. As denoted on the Ordnance Survey base and confirmed by the main parties, this forms a settlement known as Coldwind.
4. The Council's Chief Planning Officer's Advice Note: Infill/Rounding Off December 2017 (CPOAN) provides support to the policies found within the Cornwall Local Plan Strategic Policies 2010 – 2030 adopted November 2016 (CLP), specifically those regarding housing.
5. The CPOAN highlights that the CLP requires decision makers to first identify if a proposal physically relates to a recognisable settlement. It states that smaller villages and hamlets should have a form and shape and clearly definable boundaries, not just a low density 'straggle' of development. It also goes on to say that well-defined groups of dwellings with a collective name will normally be settlements, such as the case here.
6. Map 3 of the Perranarworthal Neighbourhood Plan 2021 – 2030 pre-submission consultation draft May 2021 (PNP) specifically excludes the appeal site from the Greenwith settlement boundary, however due to its current status I can only give this limited weight. By virtue of the close proximity of other dwellings to it,

and due to some clear 'amenity' use by the appellants I find that the site appears relatively domestic in appearance and is not actively farmed. Therefore, I find it difficult to conclude that the site constitutes open countryside. Further, taking into account the other residential development to the west and north-western side of Greenwith Hill, I consider that Coldwind constitutes a settlement in its own right.

7. The CLP in paragraph 1.57 stipulates that the majority of Parishes that do not have a town or village named in its Policy 3 can meet the remaining housing requirement through, amongst other things, small scale rounding off. CLP paragraph 1.68 explains that rounding off applies to development on land that is substantially enclosed, but outside of the urban form of the settlement where its edge is clearly defined by a physical feature that also acts as a barrier to further growth such as a road. I therefore consider as a matter of principle the development to be acceptable, in accordance with CLP Policy 3 notwithstanding the fact that the development of up to 2 dwellings would give rise to a material change to the appearance of the appeal site and the immediate surrounding area. Any wider landscape harm to the Redruth, Camborne and Gwennap Landscape Character Area would be slight, subject to the approval of the detailed design.
8. Notwithstanding the above, I find the two main issues in this appeal are inextricably linked and I note that the appeal site is accessed via a private drive and Byway (Mount Pleasant) which forms a junction with Greenwith Hill opposite a Bridleway which leads to a dwelling known as Hilltop. The lanes are bounded by high Cornish hedges and visibility is poor in both directions Mount Pleasant, but especially to the south. I acknowledge that the Council did not raise visibility when determining other planning applications within the locality, but nonetheless each case must be assessed on its own merits. In this instance the proposal would give rise to the creation of 2no additional units of residential accommodation which would intensify the use of the access from Mount Pleasant on to Greenwith Hill.
9. The appellants' Highway Consultant stipulates that vehicle speeds along Greenwith Hill were approximately 20mph, however no speed surveys have been provided, neither has a topographical survey or any other drawing to demonstrate precisely how adequate visibility splays would be created. An ecological response letter has been submitted which highlights that in order to improve visibility, the boundary Cornish hedge due south of the junction would have to be reduced in height to 0.9m, involving the removal of the formal hedgerow on top, resulting in just the stone hedge with associated flora remaining.
10. No Arboricultural or Landscape evidence has been submitted to assess the proposal, nonetheless from what has been described as necessitating the enhancement of visibility concerns me, through its resultant loss of vegetation and the visual impacts that would ensue upon the character and appearance of the rural area.
11. Therefore by virtue of the unsubstantiated highway visibility splays, I conclude that the scheme would have an unacceptable impact on Highway safety contrary to paragraph 111 of the National Planning Policy Framework (the 'Framework'), as well as CLP Policy 27 which requires all developments to

provide safe and suitable access to the site for all people, and not cause a significantly adverse impact on the local road network that cannot be managed or mitigated.

12. In terms of the potential resultant visual effects which could result from the creation of such splays, and associated impacts upon the character and appearance of the area I find the proposal contrary to CLP Policies 2 and 23 which together require development to, amongst other things, maintain and respect the special character of Cornwall, recognising that all urban and rural landscapes, designated and undesignated, are important and that development should avoid adverse impacts on existing features of the natural environment.

Conclusion

13. Having regard to the above and all other matters raised, I conclude that the appeal be dismissed.

C J Tivey

INSPECTOR