



Appeal Decision

Site visit made on 7 September 2022

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 September 2022

Appeal Ref: APP/D0840/W/22/3290849

Land West of 17 Relistian Lane, Reawla, Hayle, Cornwall

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Mr A Johns against the decision of Cornwall Council.
 - The application Ref PA21/11052, dated 5 November 2021, was refused by notice dated 21 December 2021.
 - The development proposed is described as '*erection of a self-build dwelling on previously developed land*'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The proposal is for permission in principle (PiP). The Planning Practice Guidance advises that this is an alternative way of obtaining permission for housing-led development. The consent route has 2 stages: the first stage (or PiP stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
3. The scope of the considerations for PiP is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent Technical Details Consent application if PiP is granted. I have determined the appeal accordingly.

Main Issue

4. The main issue is whether or not the site is suitable for the proposal, having regard to its location, proposed land use and the amount of development.

Reasons

5. The site forms part of a larger field and contains a stable and adjacent hardstanding to the northwest of the settlement of Reawla. Towards Relistian Lane to the east are a group of buildings. A Pitch and Putt is to the southeast.
6. Policy 3 of the Cornwall Local Plan: Strategic Policies Document 2010–2030 (adopted 2016) (CLP) supports the 'rounding off' of rural settlements such as Reawla and the development of previously developed land (PDL) immediately adjoining or within such settlements. Policy 7 of the CLP relates to housing development within the open countryside. Its supporting text states that open countryside is defined as the area outside of the physical boundaries of existing settlements (where they have a clear form and shape).

7. The site is accessed down a basic lane which conveys a high sense of rurality. The Pitch and Putt is predominately an expansive, verdant space. It does not physically integrate with Reawla but rather assimilates into the surrounding countryside. The cluster of buildings to the east, which I note has medieval origins, nonetheless reads as an informal, standalone grouping and does not interact directly with Reawla either. Dense greenery and surrounding farmland lead the site to feel highly rural in its setting. As such, and with due regard to the referenced judgment¹, the site is not within or immediately adjoining a settlement. It is, in my view, comfortably within the open countryside.
8. Policy 21 of the CLP seeks to ensure the best use of land by encouraging sustainably located proposals, including those that use previously developed land and buildings provided that they are not of high environmental or historic value. Consideration should be had of, amongst other things, the accessibility to services and facilities to ensure an efficient use of land. However, even if one accepts this site to comprise PDL, it is not sustainably located.
9. The nearest bus stops are more than 500m away, and Reawla itself has little facilities of note. The normal bus services operate only around every two hours. The offroad Public Right of Way network is generally not suitably accessible for all demographics nor is it wholly reliable in inclement weather. The road into Reawla is somewhat inhospitable insofar as it is fairly narrow and without street lighting and dedicated pedestrian space for the first 200m or so. Thus, whilst I recognise that opportunities for sustainable transport vary between urban and rural places, occupants of the dwelling would likely almost entirely rely on private transport to access essential day to day services and facilities.
10. I have been referred to the 2017 Chief Planning Officer's Advice Note - Infill/Rounding off. However, this offers guidance, and should not be used as a substitute for the CLP. It is not an adopted policy document. This has led it to have little influence in my own assessment of the scheme against the CLP.
11. The appellant has referred to two schemes granted by the Council elsewhere². At Leedstown, the officer report notes that the site is not immediately adjoining the settlement but then goes on to find the scheme to accord with Policy 3. Whilst I am cognisant of the need for consistency across decision making, I cannot be beholden to reasoning that directly contradicts policy wording. I note that the site at Falmouth had outline permission for a dwelling which the officer report states '*...has established the principle of a dwelling in this location*'. It was therefore assessed in a markedly different planning context. Accordingly, these schemes have attracted limited weight in my own assessment.
12. I conclude that the site would not be suitable for the proposal, having regard to its location, proposed land use and the amount of development. The proposal would conflict with the relevant aims of Policies 1 3, 7 and 21 of the CLP and the National Planning Policy Framework (the Framework).

Other Matters

13. GGP Policy 3 of the Gwinear-Gwithian Neighbourhood Plan 2016-2030 (made 2017) (GGNP) relates to housing within the settlements of Carnhell Green, Reawla and Wall. GGP Policy 4 of the GGNP is permissive of rural exception

¹ Case NO CO/1039/2020

² Ref PA21/08773, and PA21/08773

sites in those areas. Neither take a stance on open market housing in the countryside and therefore the proposal cannot be found to conflict with them.

14. The Council considers that the scheme would harm the character and appearance of the area. However, such a conclusion in this case would be contingent on an assessment of a scheme in detail. This matter would have been better addressed to the Technical Details Consent stage, had I been minded to allow the appeal.

Planning Balance

15. The scheme would conflict with the development plan when read as a whole. It would provide a single dwelling to the local housing supply, and future occupants might frequent local facilities, such as the Pitch and Putt and the primary school, and other facilities within the wider area. However, the benefits of such attract modest weight. I also recognise that the Parish Council offered a response of no objection to the planning application. Overall, there are no other considerations, including the Framework, that serve to outweigh the conflict with the development plan in this case.

Conclusion

16. For the reasons outlined above, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR