



Appeal Decision

Site visit made on 19 July 2022

by Mr S Rennie BSc (Hons), BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 October 2022

Appeal Ref: APP/D0840/W/22/3290810

Land adjacent to 'Wheal Prussia Dry', Treleigh, REDRUTH, TR16 4BG

- 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 Mr Robert Tolley against the decision of Cornwall Council.
 - The application Ref PA21/03726, dated 7 April 2021, was refused by notice dated 16 July 2021.
 - The development proposed is for the change of use of land for residential use and stationing of a residential caravan.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The land subject to this appeal is already used for residential purposes and the caravan is on site.

Main Issues

3. The main issues are (1) whether the location is suitable for residential development, for reasons such as the level of accessibility to services and facilities; and (2) the effect of the development on the character and appearance of this area.

Reasons

Location

4. The site is to the north of the A3047 highway, which is a busy road to the northern side of Redruth in the Treleigh area. The parcel of land is set within what is mainly agricultural or paddock land with some scattered buildings and dwellings. The area of the site, to the north of the A3047 has a distinctly rural character, which is very different from that to the south of the A3047 which is much more urban and built up, with a school, public house and housing for example.
5. Policy 1 of the Cornwall Local Plan Strategic Policies (the LP) requires that development is sustainable, which includes the location of development. It requires that when considering whether a development proposal is sustainable or not, account will be taken of its location, amongst other things.
6. Although not included in the reasons for refusal I would consider that Policy 3 of the LP is relevant and is covered by the Council in its statement for this

appeal. This sets the criteria for housing outside of the identified main towns, which includes infill and/or rounding off, for example.

7. Having regard to the Chief Planning Officer's Advice Note: Infill/Rounding Off, it is my view that the land north of the A3047 is not a distinct settlement, but more of a scattered number of dwellings set in an area of countryside, which is separate from Treleigh/Redruth. It is not a well-defined group of dwellings. Being separate from the settlement it cannot be considered as rounding off of a settlement. I note that on some maps the area has been given a name (Wheal Prussia) but my 'on the ground' assessment is that this is not a settlement in itself. Furthermore, it is a large parcel of land and not set within a continuous built-up frontage, and therefore cannot be a form of infill development. The proposal therefore does not benefit from any of the criteria for housing outside the main towns, as set out within Policy 3.
8. I would regard the development as a form of housing in the countryside, and therefore Policy 7 of the LP is relevant. Although a caravan it is essentially the introduction of a permanent dwelling in the countryside that is being proposed. New dwellings in the countryside are restricted by Policy 7 and this proposal does not meet any of the exception criteria contained within this policy.
9. In terms of accessibility there appears to be very few or no facilities or services in the area of the site to the north of the A3047. There are some in the Treleigh area, such as the public house and school, but for a pedestrian to access these they would need to cross the A3047, which from my observations is a busy and fast road around the edge of Redruth, with a lack of sufficient continuous footways also. This road therefore acts as a barrier and would result in the occupants of the dwelling being very reliant on private vehicle transport due to the lack of accessibility by other forms of transport (walking or cycling).
10. There has been a development of housing approved in principle to the north of the A3047 (ref PA21/03184), but this would be connected to an existing residential street. It may also have better pedestrian/cycling connections than the site for this appeal. Though I have taken this other case into consideration there are distinct differences and it is not a direct comparison to this appeal proposal. There have also been other planning permissions in the area near the site, though I do not have all the details and circumstances of these approved developments to make a full comparison. I have considered this case on its own merits and against current adopted policies.
11. The appellant has drawn my attention to Policy 21 of the LP. The proposal would increase building density, but the policy requires this to be in locations where the site is sustainably located, taking into account access to services and facilities. I would not agree that this site is sustainably located as there is the road barrier to accessing facilities and services, and so the proposal does not benefit from support from this policy in my view.
12. The area has typically agricultural or paddock uses of land. There is no substantive evidence provided that this land at the site could not be used for agricultural or equestrian uses, or that such rural land uses would cause harmful impacts to neighbouring properties or uses.
13. Overall, the proposal is contrary to policies 1, 2 and 7 of the LP, as it is the introduction of a dwelling into the countryside in what is an unsustainable location due to the lack of accessibility for pedestrians especially. These policies

require a consideration of the location in regard to sustainability and also to restrict new development in the countryside, avoiding inappropriate development in such areas.

Character and Appearance

14. The site as developed has a formal and residential character. This differs significantly from the mostly rural landscape of this area to the north of the A3047. Indeed, it is noted that the site was likely a paddock or field previously, which would have been much more in keeping with the mostly undeveloped rural character of the area. There are some buildings and houses, but these are scattered throughout this area and the rural character of this countryside location is dominant.
15. The more formal residential use of the site has an urbanising effect on what is a substantial parcel of land, which therefore erodes the sense of rural character of this area. As such, it has a detrimental impact to the rural qualities of this countryside area.
16. There is a high fence along much of the site boundaries. This reduces the visual impact of the site development. However, there are still some partial views into the site from some points, including from higher land. There is, though, also a mitigating effect of caravans being generally low profile structures of modest size, which would have low levels of visual impact within the landscape.
17. Overall, the urbanisation of the site does erode the rural character of the area, but only to a limited degree. Nonetheless, the proposal is contrary to LP policies 2 and 23, which require that development maintain and respect the special character of Cornwall, recognising that all urban and rural landscapes, designated and undesignated, are important, amongst other things.
18. However, I do not conclude that there would be a particular conflict with LP Policy 13, which has regard to development standards.

Planning Balance

19. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, I am required to determine appeals in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
20. The Council state that they can demonstrate more than a sufficient housing land supply. The appellant has drawn my attention to a development at Truro which has not commenced development and suggests some doubt as to its deliverability. However, I have very little evidence of this case and the fact it has not commenced yet does not mean it will not be deliverable. From the evidence before me I am satisfied that the Council can demonstrate a sufficient housing land supply.
21. The Council has declared a housing crisis and indeed the National Planning Policy Framework requires a boost to housing developments nationally. The proposal would provide a single dwelling, which would be beneficial, but as it is only for one dwelling such benefits would be limited.
22. There would be economic benefits from the construction of the caravan (maybe as a form of self-build) and associated works, together with the financial boost from future occupiers using local businesses. The proposal could include

biodiversity enhancement and the proposal could be considered an efficient use of the site, amongst other potential benefits.

23. There are also the personal circumstances with the support needed by the wife of the appellant. Whilst I sympathise with the appellant on this issue, there is not the detailed evidence before me that caravan accommodation in this particular countryside location is required to support his wife and her health. It has not been explained with sufficient detail why an existing dwelling or a more sustainably appropriate location cannot be used to provide a suitable dwelling for the appellant's wife.

24. Overall, I give all the benefits limited weight.

25. However, the harm I have identified above and the conflict with development policies is such that it significantly and demonstrably outweighs these benefits. As such, my determination of this appeal should not be made other than in accordance with the development plan.

Conclusion

26. For the reasons given above I conclude that the appeal should be dismissed.

Mr S Rennie

INSPECTOR