



Appeal Decision

Site visit made on 31 January 2023

by C Rose BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th February 2023.

Appeal Ref: APP/D0840/W/22/3304619

Grahams Garden Machinery, A3058 Between Brighton Cross Roundabout And Myrtle Villa, Brighton Cross, Grampound Road TR2 4HD

- 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 Grahams Garden Machinery Ltd against the decision of Cornwall Council.
 - The application Ref PA21/07705, dated 28 July 2021, was refused by notice dated 9 February 2022.
 - The development proposed is to construct a managers dwelling within the grounds of the business known as Grahams Garden Machinery Ltd.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The site falls within close proximity to the Penhale Dunes and the Fal and Helford Special Area of Conservation (SAC). The Council has adopted the Cornwall European Sites Mitigation Supplementary Planning Document July 2021 (SPD) that seeks contributions from development towards mitigation measures to address impacts from development upon the SAC. I will return to this below.

Main Issues

3. The main issues are:
 - whether the appeal site is in an appropriate location for housing with particular regard to the local development strategy; and,
 - the effect of the proposal on the character and appearance of the area.

Reasons

Location for housing

4. Policies 2 and 3 of the Cornwall Local Plan Strategic Policies 2010-2030 (LP) set the spatial strategy for development. Policy 2 states that new development should provide a sustainable approach to accommodating growth with strategic scale growth in the main towns and city. Policy 3 states that development should be based on the role and function of places with the delivery of housing managed in the main towns identified in the policy. The site is not within an identified main town.

5. Outside of the identified towns, Policy 3 states that housing growth will be supported through Neighbourhood Plans, the rounding off of settlements and development of previously developed land within or immediately adjoining a settlement, through infill schemes that fill a small gap in an otherwise continuous built frontage and through exception site proposals.
6. There is no neighbourhood plan for the area and the proposal is not for a rural exception site. With no built development to the south and east of the site, it adjoins the countryside and as a result does not infill a gap in a continuous built frontage. As a result, to gain support for the appeal from Policy 3 of the LP, the appeal site would need to be located within a settlement and either rounding off the settlement or being on previously developed land.
7. Policy 3 of the LP does not define what a settlement is. However, in relation to this a Chief Planning Officer's Advice Note: Infill Rounding Off (AN) has been referred to by both parties. The AN is not part of the adopted Development Plan, but it is used for development management purposes. The AN states that there is no absolute definition of a settlement but clarifies that they should have a 'form and shape and clearly defined boundaries, not just a low density straggle of development'. It goes on to state that well-defined groups of dwellings with a collective name will normally be settlements.
8. Although the appellant has drawn attention to the Council's on-line mapping service identifying the area as 'Brighton', the area is characterised by the large roundabout with no particular notable form or shape. The area has no clearly defined boundaries, being a very loose spread of buildings, often visually separated, that have limited relationships with each other resulting in a lack of a sense of arrival or place. Due to the separation between the buildings spread out along four arms of the roundabout, they do not create a sense of a settlement, appearing as a very low-density sprawl of individual buildings. I note the lack of any village name or gateway road signs depicting a settlement.
9. The AN goes on to state that whilst there is no expectation of services and facilities to define a settlement, smaller villages and hamlets should 'be part of a network of settlements and/or be in reasonable proximity to a larger village or town with more significant community facilities, such as a primary school'. I have been presented with limited evidence supporting the area being part of a network of settlements. Whilst I note the availability of a bus stop close to the front of the site, it offers limited services, and the wider area is devoid of pavements and street lighting making journeys to nearby settlements unattractive on foot or bicycle. In addition, any benefit to the closest settlements, as detailed under paragraph 79 of the National Planning Policy Framework (the Framework), from one additional dwelling supporting somebody who already works in the area would be limited.
10. In light of the above, I do not find that the area meets the definition of a settlement. As a result, the appeal proposal does not find support under Policy 3 of the LP as a proposal that rounds off a settlement or relates to previously developed land within a settlement.
11. Policy 7 of the LP supports the development of new homes in the open countryside where there are special circumstances. Whilst I appreciate that it would be more convenient for the manager of the business to live at the site, and that there may be some benefits to the operation of the business and to site security, there is little evidence in front of me demonstrating an essential

need for the occupier to live at the site. Security concerns are not enough to justify a new dwelling, particularly in light of the limited evidence of security problems at the site. The proposal would not meet any of the criteria in the National Planning Practice Guidance¹ to demonstrate an essential need to live at the site. The proposal would not therefore meet any of the circumstances listed in Policy 7.

12. In conclusion, the proposal would lead to the creation of a new dwelling in an inappropriate location in conflict with the settlement hierarchy for the location of housing outlined in the development plan. It is therefore contrary to Policies 2, 3 and 7 of the LP which, amongst other things, seek to direct new housing to settlements and sustainable locations.

Character and appearance

13. The appeal site immediately adjoins the business workshop, Grampound Road and an agricultural field. The appeal site itself is mainly hard surfaced with the existing buildings partly screened from Grampound Road by existing planting. The site is not visible in long distance views and due to its lower level in comparison to land to the east, is not visible on approach from Grampound Road.
14. The site is however visible from Brighton Cross Roundabout and on approach on Grampound Road from the west. From here the site is viewed against the backdrop of the rising adjoining field which provides a visual end to the existing built form and a soft visual transition from built development to the countryside beyond.
15. The construction of the dwelling, which is of a considerable size given its depth, width, and form over three levels, would be more prominent than the existing storage containers on the site. It would be constructed on land raised above the business units over a split level and be considerably taller. As a result, it would screen views of the backdrop of the rising field when travelling from the west diminishing the sense of transition to the countryside. By reason of its scale and prominence, it would extend the built form further to the east and south undermining the rural setting of the area.
16. In conclusion, I find that the proposal would harm the character and appearance of the area. As such the proposed development is contrary to Policies 2, 12 and 23 of the LP and the Framework which, amongst other things seek to ensure that proposals maintain and enhance Cornwall's natural character, respond to its landscape setting, are visually attractive and protect and enhance valued landscapes and natural environment.

Other Matters

17. I have limited information in relation to the previous consent for the expansion of the business (reference: PA19/02822) adjoining the appeal site or the planning history for the nearby holiday cottages (reference: PA20/03885). However, as these planning permissions relate to a business unit and holiday accommodation, I cannot be certain they are directly comparable to the scheme before me.

¹ Paragraph 010 Reference ID:67-010-20190722

18. A financial contribution has not been provided by the appellant to mitigate the impact from development on the SAC. However, as I am dismissing the appeal for other reasons, I do not need to consider this matter or the related duties under the Conservation of Habitats and Species Regulations 2017 further.

Conclusion

19. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

C Rose

INSPECTOR