



Appeal Decision

Site visit made on 30 October 2023

by C Cresswell BSc (Hons) MA, MBA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th November 2023

Appeal Ref: APP/D0840/W/23/3314901

Land South of Cudna Bungalow, Cudna Lane, Crowntown, Helston, Cornwall TR13 0AD

- 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 Mr & Mrs Bickford-Smith against the decision of Cornwall Council.
- The application Ref PA22/06932, dated 26 July 2022, was refused by notice dated 7 October 2022.
- The development proposed is the construction of dwellings.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address in the heading above is taken from the Decision Notice as this provides a more accurate description of the location of the site than the address shown on the Application Form.
3. The application was made in outline with all matters reserved for future determination. I have considered the appeal on that basis.

Main Issues

4. The main issues in this case are:
 - whether the site is a suitable location for the proposed development, having particular regard to development plan policies which seek to control new housing in the countryside.
 - the effect of the proposal on the character and appearance of the area.

Reasons

Location

5. The appeal concerns an open field which is situated in Crowntown, a small settlement in the countryside. Development in this area is spread out in a linear pattern along the length of the B3303.
6. Policy 3 of the Local Plan¹ aims to steer the majority of new housing towards the main towns. However, the policy does enable a limited amount of new development to take place outside the main towns in particular circumstances. This includes *infill schemes that fill a small gap in an otherwise continuous built*

¹ Cornwall Local Plan Strategic Policies 2010-2030

frontage and do not physically extend the settlement into the open countryside. The policy goes on to state that proposals should consider the significance or importance that large gaps can make to the setting of settlements and ensure that this would not be diminished.

7. The proposed housing would occupy the road frontage between Lyntor House to the south and Cudna Bungalow to the north. The distance between these properties is relatively substantial and there is potentially enough space to accommodate more than the three dwellings being proposed. As such, I am not convinced that the site represents a small gap in an otherwise continuous built frontage in the context of Policy 3. The circumstances are similar to those described in paragraph 1.66 of the Local Plan which says that *many frontages however are not continuously built up and have large gaps, i.e. bigger than one or two dwellings between buildings or groups of buildings.*
8. Policy 3 also says that infill schemes should not physically extend the settlement into the open countryside. As the appeal site is a field and there is another agricultural field on the opposite side of the road, this part of the B3303 maintains a particularly open and rural character. When travelling along the road and approaching the site from the south, the landscape is also predominately open, even though there are some individual clusters of housing (including Lyntor House and Sunnyside immediately to the south). It is only beyond the appeal site further to the north that there is continuous line of development on both sides of the road.
9. The site therefore gives the appearance of being part of the countryside rather than being within the main built up area of Crowntown. Hence, developing the site for housing would have the effect of physically extending the settlement into the open countryside. When the size of the gap between Lyntor House and Cunda Bungalow is also taken into account, I am lead to conclude that the proposal would not constitute infill as defined by Policy 3.
10. Policy 3 also enables the *rounding off of settlements and development of previously developed land within or immediately adjoining that settlement of a scale appropriate to its size and role.* The term 'rounding off' is not defined in the policy but paragraph 1.68 of the Local Plan says it *applies to development on land that is substantially enclosed but outside of the urban form of a settlement and where its edge is clearly defined by a physical feature that also acts as a barrier to further growth (such as a road). It should not visually extend building into the open countryside.*
11. The appeal site is enclosed on three sides as there is housing to the north and south and a road to the east. However, the western boundary of the site is a continuation of the existing open field. While a physical boundary feature could be constructed if the site were to be developed in the future, I have assessed the site as it exists at present. On that basis, the land is not substantially enclosed. Furthermore, I have already found that the proposal would visually extend development into the open countryside. As such, the proposal would not be rounding off in the context of Policy 3 or paragraph 1.68.
12. I have been referred to a number of other planning permissions that have been granted in the area. Although I am not familiar with the exact circumstances of these cases, they would appear to differ from the appeal proposal. From the details provided, PA16/08395 seems to be more substantially enclosed than the appeal site is, with development on all sides. Similarly, PA18/02809 and

PA18/10154 appear to be gaps within the main built-up area of Crowntown while the appeal site is on the fringes of the settlement with distinctly rural characteristics. It would appear that PA18/06510 and PA20/01067 relate to far smaller areas of land than the appeal site. Hence, these examples do not establish a convincing precedent for the current appeal.

13. Policy 21 of the Local Plan encourages *sustainably located proposals that increase building density where appropriate, taking into account the character of the surrounding area and access to services and facilities to ensure an efficient use of land*. With this mind, I am aware that there are some local services in the area, including a school as well as buses to Camborne and nearby Helston where there is a much wider range of facilities.
14. However, the services available in Crowntown are quite limited compared to the largest settlements where the Local Plan seeks to focus most new housing. It seems likely that future occupiers of the proposed housing would be at least partially reliant on private vehicles to access many of their everyday needs, especially as bus services in the area are not particularly frequent. As such, I am not convinced that the appeal site is such a sustainable location that the proposal can be justified on the basis of Policy 21.
15. My attention has also been drawn to paragraph 85 of the NPPF² which says that *planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport*. It seems to me that this approach is broadly reflected in Policies 1, 2 and 3 of the Local Plan which (when taken together) distribute new development based on the role and function of places. By permitting infill and rounding off, Policy 3 provides a mechanism for enabling a limited quantity of housing development to take place in smaller settlements with poor access to services. For the reasons provided above, the appeal proposal does not meet the terms of Policy 3 in these respects. While the proposal would provide a small boost to local housing supply, the same benefits could be achieved in locations that are supported by Local Plan housing policies.
16. I therefore conclude on this issue that the site is not a suitable location for the proposed development.

Character and appearance

17. As the site is open and undeveloped, it creates a distinct visual buffer between Lyntor House and the main built-up area of Crowntown further to the north. This contributes to the rural setting of Crowntown and is particularly noticeable when travelling north along the B3303.
18. It is not possible to assess the visual impacts of the proposal in any great detail because the application was made in outline. However, while the scheme could be designed to incorporate some traditional features (such as Cornish hedges) it is inevitable that built development would prevail over open space. The rural setting of Crowntown would therefore be eroded.
19. I therefore conclude on this issue that the proposal would harm the character and appearance of the area. There would be conflict with Policies 12 and 23 of the Local Plan which aims to preserve landscape character.

² National Planning Policy Framework, July 2021.

Conclusion

20. The harm to the character and appearance of the area would not be outweighed by a policy justification to develop the site for housing. The appeal is therefore dismissed.

C Cresswell

INSPECTOR