



Appeal Decision

Site visit made on 6 June 2024

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 July 2024

Appeal Ref: APP/D0840/W/24/3337053

Land off Tolvaddon Road, Camborne, Cornwall TR14 0EQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Matthew Daniel against the decision of Cornwall Council.
 - The application Ref is PA23/01465.
 - The development proposed is the erection of single storey dwelling including installation of septic tank.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: (i) whether the proposed development would be in a suitable location, taking account of development plan policies; (ii) the effect of the proposed development on the character and appearance of the area; and (iii) the effect of the proposed access on highway safety.

Reasons

Location

3. The site is located in an area of land that sits between the built up areas of Pool and Camborne. Policy 3 of the Cornwall Local Plan, November 2016 (LP) sets out that, in such areas, development will be permitted on previously developed land (PDL), within or immediately adjoining a settlement, which is of a scale appropriate to its size and role.
4. In this instance, there are existing dwellings to the north west of the appeal site which effectively form the edge of the settlement of Pool. However, the A3047 is routed between the site and those dwellings. In my view, the road, which is a busy dual carriageway, is a significant and obvious barrier that creates a clear feeling of separation between the two. Furthermore, the topography of the land is such that the appeal site sits well below the level of the road. This change in levels exacerbates the feeling of separation from the existing built form and ensures that the site has a much stronger relationship with the openness of the country park to the south.
5. As such, these factors lead me to conclude that the site is not located within or immediately adjoining a settlement, either visually or physically. The Council has produced a Chief Planning Officer's Note on Infill and Rounding Off (December 2017) which seeks to provide some additional guidance. I recognise that this note uses the word 'adjacent' rather than 'immediately adjoining'.

However, the note has no formal status and while it is a material consideration, the wording does not lead me to interpret the clauses in LP Policy 3 in a different way. Having identified this conflict with policy, any consideration of whether the site represents PDL is a point that I do not need to explore further as part of this decision.

6. I therefore find that the proposed development would not be in a suitable location, taking account of development plan policies. It would therefore conflict with LP Policies 1, 2, 3, 7 and 12, the relevant aspects of which seek to promote sustainable patterns of development.

Character and Appearance

7. The area that surrounds the site is characterised by fairly sporadic mixed-use development that has emerged over the years around the historic mine workings that are still present. The site itself is an area of grassland which contains a stable with an access track leading to the road. At present, the site has an open and verdant character, providing an important visual gap between existing development which adds a pleasant feeling of spaciousness to the immediate area. Indeed, despite the presence of the busy road above, there is a perception of being within open countryside when on the site.
8. The proposed development would involve the construction of a new dwelling next to the stable block, along with a parking area. Despite the topography of the land, the building would be visible from the road. In my view, the proposed additional built form would result in harm by adding to the feeling of sprawl that currently exists in the wider area. In combination with the parking area, the dwelling and the inevitable domestic paraphernalia that would accompany it would somewhat erode the feeling of openness, spaciousness and verdancy which currently exists. While the site is currently used as a stables and exercise area for horses, any equipment associated with that use would be much less visually significant than the proposed development and would therefore be less harmful.
9. The design of the dwelling would be acceptable when considered in isolation. It would be of a modest size and there could be potential for some additional landscaping. Nevertheless, I find that the proposal would lead to moderate harm to the character and appearance of the area. It would therefore conflict with LP Policies 12 and 23, which in part seek to ensure that development is well designed and that it preserves existing character.

Highway Safety

10. The site can only be accessed via the west bound carriageway of the A3047. The Council's highways officer has objected to the scheme on the basis that future occupiers would likely perform 'u turns' on this road in order to access and exit the site. However, the existing equestrian use means that the site access is already likely to be used several times a day to care for horses. The addition of a dwelling on the site would negate the need to make such journeys, and I am satisfied that any increase in car movements, over and above those that already happen, would likely be fairly minimal.
11. Therefore, while future occupiers may indeed perform 'u turns' as envisaged by the highways officer, there is unlikely to be any additional harm in this regard. Furthermore, such 'u turns' are not currently prevented by signage and so are

legitimate manoeuvres. I also have no substantive evidence before me that would lead me to conclude that such manoeuvres have led to accidents previously.

12. As a result, I do not find harm in relation to highway safety, and so there would be no conflict with LP Policy 27, which in parts seeks to ensure that safety of all road users.

Conclusion

13. I have found that the appeal proposal would cause harm in relation to character and appearance and that its location would be contrary to the adopted spatial strategy. Consequently, the proposal would conflict with the development plan taken as a whole, notwithstanding that I have not found harm in relation to highway matters.
14. Whilst the provision of one new dwelling would contribute to local housing supply and could provide some economic benefits for the local area, the small-scale nature of the scheme means that any such benefits are likely to be very limited. Accordingly, there are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict. The appeal is therefore dismissed.

C Butcher

INSPECTOR