



Appeal Decision

Site visit made on 19 November 2024 by S Wilson LL.B. MSc MRTPI

Decision by Mr A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 05 December 2024

Appeal Ref: APP/D0840/W/24/3337472

Land South of Site 1A Golden Bank, Swanpool Road, Falmouth, Cornwall TR11 5PR

- 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 David Hughes (Above the Bay Ltd (formerly known as 'DC Hughes Falmouth Limited')) against the decision of Cornwall Council.
 - The application Ref is PA23/00419.
 - The development proposed is the construction of two dwellings.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. Areas of Outstanding Natural Beauty (AONB) are now known as National Landscapes. This change in terminology has not affected the reasons for their designation or the fundamental aspects of their special qualities. I have accordingly referred to the Cornwall AONB as the Cornwall National Landscape (CNL) in my recommendation. The CNL is made up of 12 separate geographical areas and in this case the relevant one is the South Coast Western (08).

Main Issue

4. The effect of the proposal on the character and appearance of the area with particular regard to the CNL.

Reasons for the Recommendation

5. The appeal site is located in the countryside south of Swanpool Road, which clearly demarcates the distinct separation of the urban form of Falmouth town from the CNL beyond. The boundary of the site to Swanpool Road is a mature Cornish hedge and the site is currently laid to grass and appears to be part of the golf course to the south. There is a footpath that runs along the northern edge of the appeal site. The appeal site is located within the South Coast Western geographical area of the CNL and is within the Cornwall Character Area CCA 16, and in close proximity to Cornwall Character Area CCA 11.

6. I noted that the site is highly visible from the road, the footpath, and the golf course. It would also likely be visible from the nearby surrounding residential properties. I have not been provided with a landscape and visual appraisal to assess longer range receptors such as the river, ocean or other land-based receptors.
7. The area is influenced strongly by the coast on its southern edge and there is a clear contrast between the urban form of Falmouth north of Swanpool Road and the designated landscape south of the road, albeit tempered by recent development in close proximity. Valued features of the area are noted as cliffs and headlands, estuaries and creeks, valley systems with undulating grassland and arable pasture interspersed with woodland. Cornish hedges are characteristic of the area and threats are noted as sprawling development on settlement edges.
8. The proposal seeks to introduce development of an inappropriate scale, siting and layout that extends the built form into the CNL, failing to conserve or enhance the visual qualities of the CNL or respect the sensitivity and capacity of the designated landscape. Despite recent development in the immediate vicinity which encroaches into the CNL, the appeal site contributes positively to the CNL. The proposal would further harmfully erode an area of green space which acts as a buffer between the line of development south of Swanpool Road and transitions the urban form north of Swanpool Road into the CNL.
9. Accordingly, the proposal fails to accord with policies 2, 12 and 23 of the Cornwall Local Plan Strategic Policies 2010 - 2030, policies DG1, DG2 and DG4 of the Falmouth Neighbourhood Development Plan 2020 - 2030 and the relevant paragraphs of the National Planning Policy Framework 2023, insofar as they seek high quality design which maintains and enhances local distinctiveness, conserves and enhances the designated landscape character and be appropriately located to address the CNL's landscape sensitivity and capacity.
10. It is asserted that there would be several public benefits associated with the proposal: that the proposal would improve the highway safety at the Swanpool Road and the unnamed private road to the west by means of improved visibility splays; that the addition of two dwellings to the housing stock would be a benefit; that a beneficial contribution to offsite affordable housing could be secured by legal agreement; and that the landscaping proposed would be an improvement on the current situation. Whilst those benefits are noted, in my view they would not, either individually or cumulatively, outweigh the harm I have identified and the great weight that I must attribute to conserving and enhancing the landscape and scenic beauty of the CNL. Furthermore, even though the appeal site has development on three sides and that the site is asserted to be accessible, that would not alter the fact that the site is within the CNL and that intrusion of built form at this location would be inappropriate.

Other Matters

11. The proposed development would be within the zone of influence of the Fal and Helford Special Area of Conservation. While an important issue, I have not found it necessary to examine this matter in greater detail as, for the reasons outlined above, it does not alter my overall conclusion in relation to this appeal.

Conclusion and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

S Wilson

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Mr A Spencer-Peet

INSPECTOR