



Appeal Decision

Site visit made on 23 October 2024

by H Faulkner BSc (Hons) MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2024

Appeal Ref: APP/D0840/W/23/3332998

Land South of Sanstone, Yeolmbridge, Launceston, Cornwall PL15 8TL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mrs R Greenaway against the decision of Cornwall Council.
 - The application Ref is PA23/01609.
 - The development proposed is Outline application for the construction of dwelling including access (all other matters reserved).
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. Following the submission of a Flood Risk Assessment to support the appeal, and the lack of objection from the Local Lead Flood Officer and the Environment Agency, the Council consider the matters in respect of flood risk to be resolved. Therefore, the main issue is whether the site is suitable for residential development, having regard to local and national policies for the supply of housing including the effect of the development on the character of Yeolmbridge.

Reasons

3. The appeal site is the corner of a field to the south of the main road running through Yeolmbridge adjacent to the River Ottery. Behind a stone boundary wall, a low-level barn with a corrugated roof, occupies the site.
4. Yeolmbridge is a small settlement with a mix of historic buildings and more recent housing developments. The route through the village from the B3254 is characterised by traditional cottages and buildings. Some set back from the road and others directly abutting it. The more modern housing developments on Milltown Gardens and Attery View are to the north while to the south there is a break in development with clear views across the countryside. Giving the settlement a pleasing rural character.
5. Policy 2 of the Cornwall Local Plan Strategic Policies 2010 – 2030 (adopted 2016) (the CLP) sets out Cornwall's spatial strategy. It seeks to maintain Cornwall's dispersed development pattern, based on the role and function of places. Based on this strategy, Policy 3 defines how development will be accommodated, with growth focussed on identified main towns.

6. The supporting text to Policy 3 of the CLP states that 'rounding off' relates to 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. Proposals should not visually extend building into the open countryside.
7. The Chief Planning Officers Advice Note: Infill/Rounding Off (2017) (the CPOAN) references that suitable sites are likely to be surrounded on at least two sides by development. The CPOAN is clear that sites should be judged 'case by case', considering whether they have the appearance of being within the physical boundaries of a settlement. It repeats the requirement that proposals should not visually extend building into the countryside.
8. The position of the site on the outside edge of the bend in the road makes it appear particularly open rather than enclosed, with the road in this part of the village forming a clear boundary edge. Whilst there are houses adjacent to the north these are arranged in a row with the trees and level changes forming a buffer between them and the site. Although the river is a physical feature it is not highly visible at this point due to the levels and does not enclose the site. The houses to the east are too far removed to create any sense of enclosure. Even with the close proximity of the barn opposite I find that the development of the site would appear as expansion into the countryside rather than 'rounding off'.
9. The appellant refers to an appeal which was allowed for the construction of a dwelling at Land adjacent to Shepherd's Rest, Holywell Road, Cubert (Appeal Ref. APP/D0840/W/23/3319700). The full details of that development are not before me but in any event I have not relied on the site being totally enclosed in making my assessment.
10. Policy 23 requires that development is of an appropriate scale, mass and design that recognises and respects landscape character. The lack of recent development within the south part of the village plays an important part in its setting, with the road providing a clear delineation between the open countryside and the built-up nature of the village. The curve in the road and the band of trees create a further visual break between the site and the dwellings beyond.
11. The building currently on the site is single storey, and due to the level change is well contained behind the wall. Its design is consistent with the rural area and it does not detract from views into the countryside.
12. The construction of a dwelling would change the character of the site from one of low-level agricultural activity to one of a domestic nature.
13. The drawings provided, whilst only indicative, show a building in a similar location to the barn and the provision of two parking spaces. Although further details are not provided at this stage, a house would likely result in a more substantial construction than the existing barn on the site and would erode the rural character of this part of the village.
14. Paragraph 2.33 of the CLP defines open countryside as "the area outside of the physical boundaries of existing settlements (where they have a clear form and shape)". In view of my findings, the appeal site lies in such an area. Policy 7 of the Local Plan sets out the limited circumstances in which housing in the

countryside is permissible. The appeal scheme would not meet any of the five identified circumstances that would justify an exception to the general constraint applied to housing in the countryside. The proposal would, therefore, conflict with Policy 7.

15. The site is not suitable for residential development, having regard to local and national policies for the supply of housing and that the development would have a harmful effect on the character of Yeolmbridge. Therefore, the development is contrary to Policies 1,2,3,7 and 23 of the CLP which require proposals to, amongst other things, protect and enhance the natural environment, respect local character and distinctiveness, and integrate well with the surroundings.

Other Matters

16. The site is proximate to the Grade II* listed Milltown House. Mindful of the statutory duty set out in section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have had special regard to the desirability of preserving its setting. The special interest and significance of Milltown House is derived in part from its architectural interest and its walled garden as appreciated principally from the road. The site is to the west of the listed building with The Old Barn in between. Notwithstanding that there is some intervisibility between the listed building and the site, in my judgement, the appeal proposal would preserve the setting of Milltown House, the significance of which would not be harmed. A lack of harm in this respect, however, does not alter my overall conclusions.
17. Reference is made to an outline permission for two dwellings in Werrington, ref PA22/09686 which was granted on the basis of rounding off. No details have been provided to enable a comparison of the sites to be made. As referenced above the assessment of rounding off will be site specific in each case.
18. In considering the fallback positions there are no Class Q or Class R permissions in place and no details of any scheme is before me. Without such information a full and detailed comparison with the case cannot be made. Additionally, there is no compelling evidence that the fallback position is a greater than theoretical possibility, or that if the appeal is dismissed the fallback would be pursued. Even if the Class R were possible, it would not relate to a residential use. The scale of the existing building and its appearance would not alter and therefore there would be minimal visual impact. Any further works would require additional permissions and no details of these being acceptable have been provided. I therefore attach limited weight to the fallback positions in favour of this appeal.
19. Highway safety concerns have been raised by interested parties. The lack of pavement in this location is not uncommon for the village. Whilst the site may be used for pedestrians to walk off the road, as private land there is no requirement for it to be available for such use. The Highway Authority has not identified a highway safety issue and there is little substantive evidence before me to lead me to conclude otherwise.
20. Issues in relation to the pumping station, soakaways, and pressure on drainage are noted, however there is limited evidence before me to substantiate these concerns. The use of the site for refuge for animals in times of flood is a matter between the owner of the site and the farmer.

Planning Balance and Conclusion

21. The Government's objective is to significantly boost the supply of housing and the proposal would provide minor benefits through the provision of an additional dwelling and spending in the local economy. The provision of a single house which could be designed to achieve Net Zero Carbon would increase housing supply and could potentially be built out quickly. The location within close proximity to a settlement is also beneficial. These matters attract weight in favour of the development. In addition, I have given limited weight in favour of the appeal in respect of the potential fallback schemes as set above.
22. The location of the proposal in the countryside, beyond the settlement, would undermine the Council's plan-led approach to the delivery of housing and result in harm to local landscape character. This harm is not outweighed by the benefits which I have identified.
23. For the reasons given above, the proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.

H Faulkner

INSPECTOR