



---

# Appeal Decision

Site visit made on 23 January 2013

**by CD Cresswell BSc (Hons) MA MBA MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 16 May 2013**

---

**Appeal Ref: APP/D0840/A/12/2184613**

**The Workshop, Pill Lane, North Pill, Saltash, PL12 6LJ**

- 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 Mr & Mrs F Linford against the decision of Cornwall Council.
  - The application Ref PA12/07189, dated 26 July 2012, was refused by notice dated 20 September 2012.
  - The development proposed is demolition of existing workshop and construction of single dwelling with associated vehicle access and site landscaping works.
- 

## Decision

1. The appeal is dismissed.

## Application for Costs

2. An application for costs was made by Mr Linford against the Council and is the subject of a separate decision.

## Main Issues

3. The main issues in this case are:
  - whether the proposal would provide a suitable site for housing, having regard to the principles of sustainable development.
  - the effect of the proposal on the character and appearance of the area.

## Reasons

4. The appeal site is a plot of land situated within a group of established dwellings which are accessed from Pill Lane, close to the edge of Saltash. It occupies an elevated position overlooking the River Tamar, with expansive views of the surrounding landscape. The plot contains a workshop, although the majority of the land remains undeveloped. It is proposed to demolish the workshop and replace it with a detached dwelling of a contemporary design.

## *Sustainable development*

5. Policy HO7 of the *Caradon Local Plan First Alteration* (The Local Plan) states that permission will not be granted for new dwellings outside town development limits. This is consistent with policy 10 of the *Cornwall Structure Plan 2004* (The Structure Plan) which states that most housing development should be in or well integrated within the existing built-up area of towns. Although the appellant suggests that the wording of the Structure Plan is less restrictive than that of Local Plan policy HO7, both policies are intended to

ensure that the majority of new development is situated within established urban areas in order to promote sustainable patterns of land use. Although the *National Planning Policy Framework* (The Framework) is less prescriptive about the location of new housing than the development plan, the overarching objective is also to achieve sustainable patterns of land use. Therefore, there is consistency between the Framework and the objectives of the development plan in this regard.

6. As the appeal site is situated approximately 160 metres outside the development limit of Saltash, it is not a suitable location for new housing according to the development plan. However, the site is within an established group of dwellings and the appellant provides evidence to demonstrate that it is within walking distance of a range of facilities. Whilst the proposal would not lead to an isolated dwelling in the countryside as the Council contend, the site is nevertheless separated from the main built-up area of Saltash by an area of open land to the north of Saltmill Park. Although future occupiers of the proposed dwelling would not be completely reliant on private car use in order to meet their day-to-day needs, the site does not necessarily represent the best location to maximise use of public transport. For example, the nearest bus-stop is situated in New Road, which is just under a kilometre away. As such, the proposed development would represent incremental development of the town in location that is not necessarily the most sustainable option for future growth. On balance, I therefore consider that whilst the site is situated relatively close to some local services, it is not a sufficiently accessible location to merit a departure from the adopted development plan.
7. The proposed dwelling would achieve a high standard of design and the evidence provided by the appellant indicates that it would be highly efficient in terms of energy consumption. Although paragraph 55 of the Framework makes provision for truly outstanding new buildings within the countryside, a single detached dwelling of this nature is not of sufficient gravity to justify an exception in this case. The appellant also argues that the workshop is out of place within an established residential area and that the site represents previously developed land. However, whilst use of brownfield sites are advocated, there is no justification within national or local planning policy to permit a dwelling purely on the basis that it would be situated on previously developed land.
8. The development plan for this area is currently under review, including policies relating to the application of development limits. As such, the status of the site, with regard to its suitability for development, may change in the future. The appellant refers to the *Saltash Town Framework Urban Extension Assessment* which was produced by the Council and shows potential future housing sites in close proximity to the appeal site. However, as this is a consultation document with no statutory status at this stage, I am unable to give it significant weight in my decision. Nor am I able to infer from the document that the Council consider the area adjacent to the appeal site to be sustainable or otherwise appropriate for housing.
9. In conclusion, I have found that, on balance, the proposed dwelling would be harmful to the objectives of national and local planning policy to promote sustainable development. The proposal is therefore in conflict with policy HO7 of the Local Plan and policies 1, 10 and 26 of the Structure Plan which aim to direct new housing development towards the most sustainable locations. The

proposal is also in conflict with the overarching objective of the Framework to achieve sustainable patterns of land use. Overall, the proposal is not sustainable development for which there is a presumption in favour. In arriving at my conclusions on the issue, I have had regard to the fact that Structure Plan policies will not be preserved for much longer. However, at the date of this decision they remain part of the development plan.

*Character and appearance*

10. This part of Pill Lane is characterised by low-density development and the prominence of vegetation and mature trees. The Council are satisfied that the proposal would be compatible within the local street scene, but express concern about the impact of the development within the wider landscape. Being situated on elevated land, the appeal site is relatively prominent and is visible from many parts of Saltash and the surrounding area. The site is within an Open Area of Local Significance (OALS) which is a local landscape designation regulated by Policy ENV6 of the Local Plan.
11. During the course of my site visit, I viewed the appeal site from a number of vantage points including Saltmill Park and North Road. From these positions, the appeal site is seen against the backdrop of trees and vegetation present along Pill Lane. Whilst the proposed dwelling would be significantly larger than the existing workshop, it would sit alongside other properties within this part of Pill Lane, including those on either side of the appeal site. Like other properties in this group, the dwelling would be situated within its own plot and there would be nothing particularly incongruous about the height or form of the dwelling that would make it appear more prominent than other buildings in the locality. Moreover, the outline of the new dwelling would be softened against a background of vegetation. As such, the proposed development would not be particularly noticeable or appear out of context when viewed from longer distances.
12. Policy EV6 states that development within OALS should not be permitted if it conflicts with various objectives which are specified in the policy. The Council draw particular attention to the open land immediately to the south of the appeal site, which faces the River Tamar, and suggest that the proposal would undermine the character of this area. The land plays a role in separating the built-up area of Saltash from the countryside to the north and thereby contributes to the setting of the town. However, whilst this is a sensitive landscape, the proposed development would not physically encroach upon the open land or appear particularly noticeable from within it. Therefore, the proposal would not significantly conflict with the function of the OALS in terms of preserving views of the countryside or maintaining open gaps between settlements.
13. The Council also argue that the site makes a significant contribution to providing a green foreground to Saltash. Whilst the site is currently overgrown in places, the most visually prominent vegetation is found along the site boundaries, including the frontage with Pill Lane. The proposal would retain most of the boundary vegetation and would also include garden space. As such, the proposed development would have a relatively minor impact on the verdant appearance of the area when viewed from distance. Therefore, the proposal would not significantly conflict with the function of the OALS in providing a green foreground to Saltash.

14. To conclude on this matter, I find that the proposal would not cause harm to the character and appearance of the area and would not conflict with policy EV6 of the Local Plan. The proposal would also be in conformity with the objectives of the Framework to maintain landscape quality.

*Conclusion*

15. I have found the proposal to be acceptable in terms of its effect on the character and appearance of the area. I have also had regard to the letters of support which highlight that the redevelopment would remove a workshop from near dwellings. However, these factors are not sufficient to outweigh my concerns regarding the harm caused to the objectives of national and local policy to promote sustainable patterns of land use. For the above reasons, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

*CD Cresswell*

INSPECTOR.