



Appeal Decision

Site Visit made on 18 January 2021

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 February 2021

Appeal Ref: APP/D0840/W/20/3261122

Land East of Chy-An-Elow, Harris Mill, Illogan, Redruth, Cornwall TR16 4JH

- 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 David Ball (Treloweth Concepts Ltd) against the decision of Cornwall Council.
 - The application Ref PA20/02685, dated 25 March 2020, was refused by notice dated 7 August 2020.
 - The development proposed is 6 residential dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal has been made in outline, with all matters reserved for future consideration. Plans have been submitted showing a site layout and vehicular access to the highway. As these are reserved matters, I have considered the plans solely on the basis that they have been submitted for illustrative purposes.

Main Issue

3. The main issue is whether the site is suitable for residential development, having regard to the settlement policies of the development plan and the character and appearance of the countryside.

Reasons

4. The appeal site is part of a large field that lies on the north-eastern edge of Illogan, and abuts Bassett Road on its southern boundary. Most of the built development of the settlement lies to the south of Bassett Road, but there is a continuous line of frontage development on its northern side, to the west of the appeal site. There is also a small cluster of houses to the east. The appeal site comprises the southern part of the field, which borders the road, but is separated from it by a line of mature trees. The appeal seeks outline permission for six dwellings.
5. The main settlement policies of the development plan are Policies 2 and 3 of the Cornwall Local Plan Strategic Policies 2010 – 2030 (adopted 2016) (the Local Plan). The strategy set out in Policy 2 seeks to maintain the dispersed development pattern of Cornwall, and provide housing based on the role and function of each place. Policy 3 defines how development will be accommodated, based on this hierarchy of role and function. Camborne with Pool, Illogan and Redruth (CPIR) is identified as a location where delivery of

housing will be managed through a Site Allocations DPD or Neighbourhood Plans.

6. The Cornwall Site Allocations Development Plan Document (adopted 2019) (the DPD) does not allocate the site for development. Rather, it explains that the priority for delivering housing at CPIR is focused on the urban area, minimising the use of greenfield land. In line with this strategy, no allocations are required at Illogan to meet the CPIR target. Consequently, the DPD indicates that further growth on the edge of the settlement will either relate to rounding off, or sites identified through the Illogan Parish Neighbourhood Development Plan (the Neighbourhood Plan), which was made on 31 May 2019.
7. In conformity with the Local Plan, the Neighbourhood Plan seeks to deliver 89 new dwellings between 2017 and 2030. This is to be achieved through the identification of Settlement Boundaries that contain sufficient space for the new housing. Policy PH1a supports the provision of small-scale infill within the boundaries. The appeal site lies outside the identified Settlement Boundary, so the proposal is not supported by Policy PH1a.
8. As infill sites are likely to be too small to deliver sufficient affordable housing, the Neighbourhood Plan allows for exception sites outside, but adjacent to, the Settlement Boundary. Policy PH1b supports such proposals where their primary purpose is to provide affordable housing to meet local needs. The site is adjacent to the Settlement Boundary on its western and southern boundaries, so meets the requirements of the policy in this respect. However, the application form indicates that only two of the six dwellings would be affordable. No evidence has been submitted to demonstrate that a higher proportion of affordable housing would not be viable. I cannot, therefore, conclude that the primary purpose of the proposal is to provide affordable housing.
9. In any event, no planning obligation has been completed to secure the proposed affordable housing, so there is no mechanism to ensure that it is delivered and retained as such in the long-term. The proposal is not, therefore, supported by the housing policies of the Neighbourhood Plan. Consequently, the proposal would only accord with the DPD strategy for delivering housing at CPIR if it constituted rounding off.
10. Rounding off is defined at paragraph 1.68 of the Local Plan as 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. Furthermore, it should not visually extend building into the open countryside. Additional guidance on rounding off is contained in the Chief Planning Officer's Advice Note (the CPOAN) titled Infill/Rounding Off. This note advises that suitable sites are likely to be surrounded on at least two sides by existing built development.
11. The appeal site is part of an extensive field, and there is no existing physical feature demarcating its northern edge. Its southern edge abuts Bassett Road, but there are trees and hedges on both sides of the road, so there is little visual relationship with the housing in the settlement to the south. There are dwellings to either side, on the northern side of Bassett Road. However, they are a long way apart and, in view of the openness of the site to the wider field to the north, they do not have a significant enclosing effect on the southern part of the field. As a result, rather than being substantially enclosed, the site

appears as part of a large, open field, which extends into the wider countryside beyond the settlement to the north and east.

12. When approaching the settlement along Bassett Road from the east, the field is seen rising away from the road behind the trees. As a result of the extensive greenery on both sides of the road, it is not seen within the context of the built form of the settlement, so visually forms part of the wider countryside, which extends to the ridgeline to the north. The small group of dwellings to the east of the site appears as an isolated cluster of development in this countryside setting, rather than as part of the settlement. The proposed dwellings would, therefore, appear as a consolidation of built development in the open countryside, rather than as a rounding off of the existing settlement.
13. Viewed from Bassett Road to the west, the field is, again, seen rising behind the roadside trees. From this direction the cluster of dwellings to the east is not visible. As a result, there is a marked visual transition between the largely continuous line of development that forms part of the settlement to the west of the site, and the undeveloped nature of the appeal site and the land beyond. The dwellings would, therefore, appear as a linear extension of built development into the countryside.
14. The site is readily visible from a public footpath that runs along the western boundary of the site. Looking eastwards from this path the wider field is seen, in its entirety, as part of the open countryside setting of the settlement. The trees on both sides of the road frontage mean that the site is physically and visually separated from the built form of the settlement, so the site has a much greater visual connection with the open countryside. The dwellings would, therefore, appear as an extension of built development into the countryside, with no clearly defined physical feature to act as a barrier to further growth.
15. Having regard to the definition in the Local Plan, and the guidance in the CPOAN, the development would not be rounding off, because the site is not substantially enclosed, has no physical barrier to development on its northern edge, and would result in the visual extension of building into the countryside. The proposal would, therefore, amount to residential development in the countryside, without any special justification, which would be contrary to the settlement policies of the development plan.
16. The area to the north and east of the village, including the appeal site, comprises rolling agricultural fields. Although it does not have any specific landscape designation it is, nevertheless, attractive countryside. Paragraph 170 of the National Planning Policy Framework (the Framework) says planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside. Policy 23 of the Local Plan is consistent with this aim.
17. The urban form of Illogan is largely concentrated to the south of Bassett Road. The surrounding landscape is visible through gaps in the frontage development to the north, providing an attractive rural setting to the settlement. The appeal site, the wider field, and the countryside beyond make a positive contribution in this regard. Although it is intended that the dwellings would be designed to embrace local character, they would, nevertheless, intrude into the countryside outside the clearly defined edge of the settlement, and would interrupt views through the site to the fields beyond. Consequently, although the impact on the

wider landscape would be limited, the development would be harmful to the countryside setting of the north-eastern part of the village.

18. I therefore conclude that the proposal would conflict with the settlement policies of the development plan, because the site lies outside the Neighbourhood Plan Settlement Boundary; it would not, primarily, provide affordable housing; and it would not amount to rounding off. Furthermore, the development would harm the countryside setting of the village. Consequently, the proposal would be contrary to Policies 2, 3, 7, 9, 12 and 23 of the Local Plan, and Policies PH1a and PH1b of the Neighbourhood Plan. Together, these policies set out the spatial strategy for the delivery of housing; identify exceptions to the restriction on housing in the countryside; and seek to ensure that development respects landscape character.

Planning Balance

19. The proposal would make a moderate contribution to the housing requirement of Illogan, and would accord with the Framework's objective of significantly boosting the supply of homes. These benefits carry some weight in my decision. However, the Framework also says that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. Consequently, I conclude that the benefits do not outweigh the harm that I have found to the settlement strategy of the development plan.

Conclusion

20. For the reasons given above, I conclude that the appeal should be dismissed.

Nick Davies

INSPECTOR