



Appeal Decision

Site Visit made on 23 March 2021

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 March 2021

Appeal Ref: APP/D0840/W/20/3261181

Land off Forthvean Road, Porthtowan, Truro, Cornwall TR4 8AY

- 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 Michael Price, Ian Price and Mary-Ann Astbury (Westcountry Land (Kenwyn) Ltd) against the decision of Cornwall Council.
- The application Ref PA20/04003, dated 13 May 2020, was refused by notice dated 11 August 2020.
- The development proposed is rounding off residential development of 4 residential dwellings.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - a) Whether the site would be suitable for the development, bearing in mind the settlement policies of the development plan and the character and appearance of the countryside; and,
 - b) Whether occupants of the dwellings would be reliant on private vehicles to access services and facilities.

Reasons

3. The appeal site comprises a grass field, adjacent to a collection of residential properties that are situated around the confluence of Chapel Hill, Rose Hill, and Forthvean Road. This cluster is separated from the main village of Porthtowan, which is located to the north, in the steep-sided valley leading to the beach. It is proposed to construct four detached houses on the site, served by an improvement of the existing gated access off Forthvean Road.

Settlement policies of the development plan

4. 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. Outside specific main towns, housing growth is to be delivered through the identification of

- sites through Neighbourhood Plans; rounding off of settlements; development of previously developed land within or immediately adjoining settlements; infill schemes; and rural exception sites.
5. It is not disputed that Porthtowan constitutes a settlement for the purposes of Policy 3. Those parts of the adjacent cluster of dwellings that fall within the relevant parish, are included within the Porthtowan Settlement Boundary in the St Agnes Parish Neighbourhood Development Plan (the Neighbourhood Plan). Therefore, although detached from the main village, the cluster forms part of the settlement. The site is not identified for development through a Neighbourhood Plan, does not comprise previously developed land, and is not put forward as a rural exception site. The development would not fill a gap in an otherwise continuous built frontage, so would not constitute infill. Consequently, the proposal would only comply with Policy 3 of the Local Plan if it constituted rounding off.
 6. The supporting text to the Local Plan defines rounding off 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.
 7. Additional guidance on rounding off is contained in the Chief Planning Officer's Advice Note (the CPOAN) titled Infill/Rounding Off, which both parties have referred to. This note advises that rounding off should provide a symmetry or completion to a settlement boundary, rather than facilitating incremental growth, so a development that would result in a further site for rounding off is unlikely to be rounding off in itself. It says suitable sites are likely to be surrounded on at least two sides by existing built development.
 8. The appeal site is bounded by residential development to the northeast and, on the opposite side of the road, to the northwest. The other two sides, however, border open countryside. There is a row of tall conifers along the short south-western boundary, which provides a degree of screening of the countryside beyond, in this direction, but the long south-eastern boundary is marked only by a loose row of small deciduous trees. These trees are largely clear-stemmed, and they arise from ground level, rather than a raised bank, so they do not form a solid boundary feature. The pasture grows around, under and beyond the trees. Consequently, they do not functionally or visually enclose the site from the wider field and countryside beyond, and do not constitute a physical feature that would act as a barrier to further growth.
 9. The appeal site is undeveloped, and has a natural character that is similar to the wider field, and those beyond, to the southeast. The lack of a strong enclosing boundary feature along the south-eastern edge of the site results in it appearing as a continuation of this larger tract of open countryside, rather than as a self-contained parcel. It therefore forms part of an expanse of open countryside, lying beyond the clearly defined development edge that runs along the garden boundaries of the dwellings in Forthvean Road/Crescent, and continues along the western side of Chapel Hill. Development of the appeal site would, therefore, appear as a visual intrusion into the open countryside, rather than as a logical completion of the settlement boundary.
 10. The dwellings on South View Parc mean that there is built development on the opposite side of Forthvean Road, that extends as far as the south western edge

of the appeal site. However, the visual separation resulting from the boundary hedging on both sides of the road means that the countryside character of the site is not diminished. Approaching the site from the northeast, along Forthvean Road, the dwelling at Pen An Dre marks a distinct edge to the built development on the southern side of the road. At this point, the dwellings in South View Parc are largely screened by the roadside hedging. From this viewpoint, therefore, the proposed development would appear as a visual extension of built development into the countryside, beyond the western edge of the settlement.

11. The impact on the wider landscape would be limited, as the site lies in a hollow, with higher land on three sides, and the settlement to the north. However, from South View Parc, the site is seen as part of the swathe of countryside that sweeps down from the southeast, all the way to the natural boundary hedge on the Forthvean Road frontage. Consequently, from here, the development would appear as a visual intrusion into this open countryside, with no robust boundary enclosure to mark the edge of the settlement, or to act as a barrier to further growth. Whilst landscaping could be incorporated into the development to soften its appearance to some extent, there would still be harm, through the loss of part of the open countryside that provides an attractive setting to the west of the settlement.
12. I have had regard to the advice in the CPOAN that advises that suitable sites for rounding off are likely to be surrounded on at least two sides by existing built development. However, that is only one of the factors that must be considered in assessing whether a proposal constitutes rounding off. Furthermore, the CPOAN says that it provides guidance only, and it should not be used as a substitute for the policies of the adopted Local Plan. So, although I have had regard to it, the policy and supporting text of the Local Plan leads me to the conclusion that the development would not be rounding off, because the site is not substantially enclosed, has no physical barrier to development on its south-eastern edge, and it would result in the visual extension of building into the countryside.
13. I therefore conclude that the proposal would involve residential development in the countryside that would harm the setting of the settlement. Consequently, the proposal would be contrary to Policies 2 and 3 of the Local Plan, which set out the spatial strategy for the delivery of housing.

Access to services and facilities

14. The appeal site is somewhat divorced from the facilities and services that are in the main part of the village. The most direct route for occupants of the development to access these facilities would be via Forthvean Road, Rose Hill, and Beach Road. This would be a distance of about 850 metres, only a little further than the 10-minute (800 metre) distance that Manual for Streets advises is characteristic of walkable neighbourhoods. However, whilst Forthvean Road is quiet, and functions safely as a shared access for cars and pedestrians, the same is not true of Rose Hill and Beach Road. Rose Hill is steep, unlit, and carries a significant level of fast-moving traffic. It only has an intermittent pavement, so pedestrians must share the carriageway with vehicles. It is not, therefore, a safe walking route into the village and its gradient makes it unattractive for cyclists.

15. Beach Road is on less of an incline, and carries lighter traffic travelling at lower speeds. However, it is narrow, and without lighting or footways for much of its length, so is not a suitable route for pedestrians. There are alternative routes into the village via off-road footpaths and byways, but these would involve considerably lengthier trips. The nature of Rose Hill and Beach Road, and the length of the other alternatives would, therefore, be likely to dissuade occupants of the development from using sustainable transport modes to access the village services.
16. However, occupants of the cluster of dwellings centred on Forthvean Road, and the linear spread of residential development on Chapel Hill have similar, or longer, distances to travel to the village centre, using the same routes. These dwellings are included within the Neighbourhood Plan Settlement Boundary. The Neighbourhood Plan recognises that settlement boundaries will include opportunities for further development through infill, in accordance with paragraph 1.68 of the Local Plan. The development plan therefore accepts the principle of some small-scale development in this general location.
17. The proposed development would be of limited scale, in relation to the number of existing dwellings in the Settlement Boundary. Occupants of these existing dwellings will be similarly dissuaded from using sustainable transport modes to obtain village services. The development would not, therefore, be likely to significantly increase the overall level of non-sustainable traffic movements associated with the existing development within the Settlement Boundary.
18. I therefore conclude that, although the occupants of the dwellings would be largely reliant on private vehicles to access services and facilities, the resultant increase in private traffic movements would not be significant. The development would not, therefore, conflict with Policy 27 of the Local Plan, which seeks to ensure that all developments provide safe and suitable access to the site for all people, and do not cause a significantly adverse impact on the local or strategic road network that cannot be managed or mitigated.

Planning Balance

19. Paragraph 59 of the National Planning Policy Framework (the Framework) seeks to significantly boost the supply of homes. The development would provide four houses, which would assist with this aim, and would be a benefit of the proposal. However, as I have found that the site does not lie within the settlement, this benefit does not attract the great weight applied by paragraph 68 of the Framework.
20. There would also be economic benefits associated with the construction phase of the development, and the future spend by occupants in the local area. However, due to the relatively small scale of the development, these benefits would be modest, so the weight I give them is limited.
21. The Framework makes it clear at paragraph 12, that the presumption in favour of sustainable development does not change the statutory status of the development plan, and that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. I have found that the proposal would conflict with the settlement policies of the development plan. The relatively small scale of the benefits does not outweigh this conflict.

Conclusion

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

Nick Davies

INSPECTOR