



Appeal Decision

Site visit made on 1 June 2021

by C Cresswell BSc (Hons) MA MBA MRTPI

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

Decision date: 14 June 2021

Appeal Ref: APP/D0840/W/21/3270382

Land between Loveton and 43 Vollarads Lane, Hatt, Cornwall PL12 6PT

- 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 Christopher, Ann, Alistair and Jane Mason against the decision of Cornwall Council.
 - The application Ref PA20/02824, dated 26 March 2020, was refused by notice dated 28 January 2021.
 - The development proposed is erection of four detached bungalows with a private drive access
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The heading above shows the names of the applicants as they appear in the Application Form. However, the subsequent Appeal Form names the appellants as 'Mr, Mrs, Ms Christopher, Ann, Alistair, Jane Mason and Johnson'.

Main Issue

3. The main issues in this case are:
 - whether the site provides a suitable location for the proposed housing.
 - the effect of the proposal on the character appearance of the area.

Reasons

Location

4. Policy 3 of the Local Plan¹ aims to focus the majority of development in the largest settlements. However, the policy enables a limited amount of housing development elsewhere, including through *rounding off of settlements and development of previously developed land within or immediately adjoining that settlement of a scale appropriate to its size and role*.
5. The appeal site is an open field which is situated on the edge of Hatt. While this is only a small village with limited facilities, a development of four dwellings would be of a scale appropriate to its size and role. Despite the previous use of

¹ Cornwall Local Plan Strategic Policies 2010-2030.

- the site for agricultural purposes, it is not previously developed land and the site's suitability for development under Policy 3 therefore rests on whether the proposal would amount to 'rounding off'.
6. Rounding off is defined in 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 (such as a road). It should not visually extend building into the open countryside.*
 7. In this case, the northern boundary is defined by the street frontage along Vollards Lane, whilst the western boundary adjoins Loveton and the eastern boundary adjoins No 43 Vollards Lane. However, the lengthy southern boundary adjoins another open field. Although there is a boundary feature separating the appeal site from the adjacent field, it is not a built structure which would serve as a substantial barrier to future growth. As such, the site maintains a very open appearance along its southern boundary.
 8. I am also mindful that paragraph 1.68 says that rounding off should not visually extend building into the open countryside. The effect of the proposal on character and appearance is dealt with as a separate issue later in this decision. However, with regard to Policy 3 and the Local Plan definition of rounding off, it is noted that Vollards Lane maintains an open appearance on both sides beyond No 43. Whilst Loveton lies further down the lane to the west, this is a single dwelling surrounded by undeveloped space. It is clearly separated from the main built-up form of Hatt and the presence of this dwelling does little to change the sense of openness in this part of the lane.
 9. Walking down Vollards Lane in a westerly direction, the street scene noticeably changes beyond No 43 from one where houses are prominent features to one where openness and undeveloped space becomes dominant. As such, this part of Vollards Lane has more in common with the open countryside than it does with the built-up area of Hatt. Although there are village and speed limit signs further to the west beyond Loveton, they do not define the start of the built-up area as physically represented on the ground.
 10. The plans indicate that a hedgerow frontage would be maintained along Vollards Lane. Although this would partially screen the proposed homes, they would still be visible within the lane. Given the open and rural street scene in this location, it follows that the development would have the effect of visually extending building into the open countryside. In combination with the open southern boundary of the site, this leads me to determine that the proposed development would not amount to rounding off according to the definition that is provided within the Local Plan.
 11. I have been referred to an Advice Note² which provides further guidance on the meaning of rounding off. As this is not part of the statutory development plan and I have not been provided with evidence to show that it has been subject to widespread public consultation, it carries limited weight. Nonetheless, I note that it says rounding off should bring symmetry or completeness to a settlement boundary. In this case it seems to me that the proposal would not provide a sense symmetry but would instead appear as a line of development extending beyond the existing confines of Hatt.

² Chief Planning Officer's Advice Note: Infilling and Rounding Off (Cornwall Council, December 2017).

12. The appellants have referred me to a planning application³ that was approved in the village of Botus Fleming. From the information provided, it would appear that this site had a different relationship with the built form of that village. While I am informed that Botus Fleming is more remote than Hatt and has no shops or services, these are not criteria for determining whether a development meets the Policy 3 definition of rounding off.
13. I am also aware of a planning application⁴ for housing on the other side of Vollards Lane, immediately opposite the appeal site. Although the officers report in that case said that the site was well related to the physical form of the village, it was an affordable housing led scheme. Policy 9 of the Local Plan makes exceptions for this type of development and so the applicant was not reliant on meeting the Policy 3 interpretation of rounding off as is the case with the current appeal proposal. I recognise that the proposed housing in that case would have extended the built-up form of Hatt further to the west and so the lane may have become more urbanised in the vicinity of the appeal site. However, the application was ultimately refused by the Council and the housing was not constructed. I have based my decision in the current appeal on the characteristics of Vollards Lane as it exists at present.
14. I therefore conclude on this issue that the site would not provide a suitable location for the proposed housing. For the reasons given above it would not be in accordance with Policy 3 of the Local Plan. Nor would it meet the terms of Policy 7 which permits development in the countryside in exceptional circumstances. The proposal would also conflict with Policies 1 and 2 insofar as it would be contrary to overarching spatial strategy of the Local Plan which seeks to control the location of new development.

Character and appearance

15. One reason why the proposed development would not be in compliance with Policy 3 is because it would visually extend building into the open countryside. However, even though the proposal would not meet the Local Plan definition of 'rounding off' it does not necessarily follow that it would have a harmful effect on the character and appearance of the area.
16. When approaching the site from within Hatt, the homes would be seen in the context of other development in Vollards Lane. Similarly, when approaching Hatt from the countryside to the west, the housing would be read against the more urbanised backdrop of the village. As such, the development would be in general keeping with its village surroundings. Although there would be some visual encroachment into the countryside, the hedge bank along the Vollards Lane frontage would have potential to at least partially screen the development from the public domain. Overall, the effect on the rural character of the locality would be relatively limited.
17. I therefore conclude on this issue that the proposed development would have an acceptable effect on the character and appearance of the area. There would be no conflict with the policies of the Local Plan which seek to protect the characteristics of the area, including Policies 12 and 23.

³ Council Ref: PA18/00764.

⁴ Council Ref: PA19/005565.

Conclusion

18. I have found that the proposal would be acceptable in terms of character and appearance but would not comply with Local Plan policies which seek to control the location of new housing. The lack of harm in terms of character and appearance does not outweigh the harm in terms of location.
19. Nonetheless, I recognise that the proposal has potential to contribute to other planning objectives, including the provision of new homes. There are bus stops within walking distance of the site as well as a garage which also serves as a convenience store and post office. Although somewhat limited, these services may help to reduce dependence on using private vehicles for some day-to-day trips. Future occupiers of the proposed housing would be likely to use these facilities and contribute to their continuing viability.
20. However, there is little before me to indicate that the proposed housing is absolutely necessary for these facilities to remain viable. Furthermore, the Council provide evidence that new housing can be provided in more accessible locations than this which can make better use of public transport, walking and cycling opportunities. Overall, it seems to me that the appeal site is not so sustainable that it would justify deviating from the policies of the Local Plan which aims to establish a pattern of development that balances economic, social and environmental objectives. By diverging from the plan, the proposal would incrementally undermine this strategy and would therefore not deliver the sustainable development for which there is a presumption in favour.
21. I therefore conclude that the appeal should be dismissed.

C Cresswell

INSPECTOR