



Appeal Decision

Site visit made on 20 April 2022

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 May 2022

Appeal Ref: APP/D0840/W/21/3289061

Land at Perrancoombe, Perranporth, Cornwall TR6 0JB

- 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 Mrs P Townsend and Mrs D Copus against the decision of Cornwall Council.
 - The application Ref PA21/02112, dated 23 February 2021, was refused by notice dated 3 August 2021.
 - The development proposed is an outline permission for new access and entrance road together with up to five detached dwellings.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mrs P Townsend and Mrs D Copus against Cornwall Council. This application is the subject of a separate Decision.

Preliminary Matter

3. The application has been submitted in outline with access for determination at this stage and matters of appearance, landscaping, layout and scale reserved for future consideration. I have had regard to the indicative site plan showing the potential siting of the dwellings and I have noted the comments of the appellant that there are other options for the layout and built form of the site for the up to five dwellings proposed.

Main Issue

4. The main issue is whether or not the development plan would support the proposal in this location.

Reasons

5. Policy 3 of the Cornwall Local Plan Strategic Policies 2010-2030 (the Local Plan) sets out the strategic approach for the location of development across the plan area, based on the role and function of places. Housing development is to be focused at the main towns. Outside these areas, in summary, housing is to be delivered through rounding off of settlements and development of previously developed land within or immediately adjoining that settlement, infill schemes that fill a small gap in an otherwise continuous built frontage and do not physically extend the settlement into the open countryside, rural exception sites, and the identification of sites through neighbourhood plans.

6. The proposal would not be sited on previously developed land, would not deliver affordable housing or, because of the size of the site and surroundings, should be considered as an in-fill scheme. The site is not identified for development in a neighbourhood plan. The scheme is advanced as rounding off and it is argued would be compliant with Policy 3 of the Local Plan in this respect.
7. The Chief Planning Officer's Advice Note: Infill/Rounding Off (December 2017) (the Advice Note) provides additional advice on the interpretation of Policy 3 of the Local Plan and I attribute it substantial weight.
8. The Advice Note explains the steps to help determine whether a scheme should be considered to be rounding off. This includes establishing whether the proposal physically relates to a recognisable settlement and then whether the development would be of an appropriate scale to that settlement. The section of the Advice Note on rounding off further explains that when making a judgement on rounding off, the decision maker needs to review the settlement and the surrounding area by visiting the site as well as reviewing maps and photographs to understand where the physical and logical boundaries of the existing settlement are. The Advice Note continues, in summary, that rounding off should not visually extend development into open countryside and that boundaries of some settlements can be irregular and edges can include lower density development.
9. The Advice Note indicates that a judgement will be required on a case by case basis whether a site has the appearance of being within the physical boundaries of that settlement.
10. Examining the details of this proposal, Perranporth extends into Perrancoombe with ribbon development along the C177 road up to the area surrounding the appeal site. The appeal site can therefore be considered to adjoin a settlement and the provision of five dwellings would be of a scale appropriate to the size and role of the settlement.
11. Plans of the area show that the C177 road consists mainly of individual properties facing towards the road but in the vicinity of the site there are some dwellings set back behind others giving some depth to the built form. Also the plans show that there are properties accessed off the C369, which is a road that runs along the northern boundary of the appeal site, again giving the plan form a depth of development. In plan form, therefore, I can appreciate that there is some logic to the view that the appeal land could form a rounding off site. When examining the plans in isolation there appears dwellings to three sides and the proposed development would extend back no further than the existing buildings, up towards the boundary with the old railway line.
12. However, I gained a very different impression of the character and relationship of the appeal site with the surrounding area at my site visit. In terms of my observations, to the very broadly north there are dwellings which front both sides of the C177. These properties are often visible from the road and, despite the presence of some mature trees and other landscaping, their mix of garden walls, grassed verges and generally domestic gardens provides a fairly suburban appearance to the street scene. This generally suburban appearance continues with some of the properties, and some of their front boundary treatments, along the C177 to the west of the appeal site. There are again fairly suburban properties and gardens to the south of the appeal site. The

- properties along the side of the C369 appear to be more sporadic in layout and have better screening from the road.
13. The appeal site consists of two fields and with the generally good and natural boundary screening the site appears separated and different in character from the surroundings. It has a generally rural and undeveloped feel. The lower, western field is elevated above the C177 and the dwellings in this part of the road. Although from the lower, western field the dwellings are visible through and above the boundary planting, this field is not experienced as part of or visually merges with these built surroundings. The field boundary along the western side of the appeal site generally delineates along parts of the road a clear change in character between the built form and the undeveloped field. The nearest dwelling to the south, and its more clipped boundary hedge, provides a more suburban feel to this corner of the western field, but this appearance is not continued further up the slope within the appeal site.
 14. The upper, eastern field is elevated and forms a reasonably sizeable undeveloped area. The boundary screening is fairly well established around both fields and this limits clear and open views of the adjoining built development from this upper area. From within this field, because of its elevated position on the valley side, there are views across to the other side of the valley and the vista includes fields, woodland and sporadically located buildings. This aspect contributes a distinctively countryside experience and complements the pastoral character of this part of the appeal site such that when within the upper field it does not feel associated with or part of the adjoining built form. It leads me to conclude that the eastern field has a greater affinity with the countryside than with the settlement area. The western field is more visually related to the eastern field and its countryside character than with the adjoining buildings and built form. Together this fairly sizeable area falls to be considered as open countryside which is distinct and visually separated from the adjoining settlement.
 15. When viewed from the adjoining roads, the appeal site also appears distinct from the built development because it is separated by the mix of trees and hedges along the boundaries which are generally of a rural character. In the case of the C177 road on the western side of the appeal site there is also the level difference which provides a further visual differentiation in dividing the settlement from the countryside character of the appeal site. Overall my site visit leads me to the conclusion that the appeal site forms part of the countryside. This may involve an irregular boundary to the settlement in this location but, on the ground, the appeal site has well defined and logical boundaries that visually separate the site and its countryside character from the settlement area.
 16. As a consequence, the proposed housing development, of up to five dwellings with access road and likely other domestic paraphernalia, would have the visual effect of extending development into open countryside. Following my site visit, my judgement is that the scheme would not meet with the requirements of rounding off as set out in Policy 3 of the Local Plan and the Advice Note when considered as a whole because the site is generally distinct from the surrounding built form and the scheme would visually extend built development into open countryside. I give greatest weight to my findings at the site visit rather than simply interpreting the situation from the plans. Landscaping, layout and/or planning conditions attached to this outline or proposed as part

of a reserved matters approval would not be able to address the concerns that I have identified.

17. In coming to this judgement, I have had regard to the details and analysis in the Committee Report which recommended approval and all the submitted evidence seeking to justify the scheme, including the Outline Landscape Appraisal. With this latter document, while it comes to the conclusion that the site would be appropriate for in-fill development, the photographs which have been included generally reinforce my considerations that the site is rural in character and has a greater affinity and connection with the wider rural surroundings than the built form.
18. I have also taken into account the appeal decisions from sites elsewhere in Cornwall where other Inspectors have come to the judgement that the schemes in each case met with the approach to rounding off in accordance with Policy 3 of the Local Plan. However, as the Advice Note explains, it is necessary to make a case by case assessment and each site will have its own characteristics and relationship to the surroundings. As a consequence, I attach limited weight to the findings of these other Inspectors in helping me form a judgement on the detailed circumstances in this case.
19. For completeness, as the scheme would provide open market housing on land in open countryside, it would not meet with any of the special circumstances allowed for under Policy 7 of the Local Plan.
20. In terms of Policy 21 of the Local Plan, the scheme would increase building density but it would not be in an appropriate location taking into account the character of the surrounding area. Accordingly, and having regard to the conflict with Policies 3 and 7 of the Local Plan which set the locational housing strategy, I am not satisfied that the scheme would meet with Policy 21 of the Local Plan.
21. Finally, I have noted the proposed settlement boundary in the emerging Neighbourhood Development Plan. However, this emerging Plan is not at an advanced stage and therefore I have attached very little weight to this document and its proposals.
22. In the light of the above analysis, I conclude that the development plan would not support the proposal in this location, in particular because it would conflict with Policies 3 and 7 of the Local Plan which, amongst other things, set the policy tests for housing development in rural areas.

Other Matters

23. The Council has explained in its appeal statement that the appeal site lies within the zone of influence of both the Penhale Dunes Special Area of Conservation (SAC) and the Fal and Helford SAC. If the scheme was to be considered acceptable it would be necessary for appropriate mitigation to be secured¹ to ensure that the proposal would not, either alone or in combination with other projects, likely to have a significant and adverse effect on the integrity of the habitat sites. However, given my overall conclusion I have not had to consider this matter further and needed to undertake an appropriate assessment.

¹ I have noted the signed and dated undertaking under section 111 of the Local Government Act 1972 which has secured a payment for the required Penhale Dunes SAC Habitat Mitigation Contribution.

Conclusion

24. The construction of the proposed dwellings would provide a boost to housing supply, on a windfall site and at a location close to this end of the settlement. The settlement of Perranporth has a range of services and facilities and although they would be accessible by bicycle and to a more limited extent by foot, given the distance, it is likely that most future occupants would access these services and facilities by private vehicle. Nevertheless, the scheme would result in economic and social benefits during construction and in subsequent occupation. There is the potential for the site to deliver a net gain in biodiversity. However, as five additional dwellings would be provided, and in a Council area that can demonstrate a Framework compliant supply of housing land, I attribute the cumulative benefits of the proposal limited weight.
25. On the other hand, the scheme would extend development into open countryside and conflict with Policies 3 and 7 of the Local Plan. It would, therefore, not accord with the development plan strategy for the location of development. This is a matter of significance to which I attribute substantial weight. As a consequence, the policy conflict would not be outweighed by the benefits of the scheme.
26. It is such that the proposed development would not accord with the development plan when considered as a whole. The evidence does not indicate a decision should be made otherwise than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

David Wyborn

INSPECTOR