



Appeal Decision

Site visit made on 6 June 2023

by P Storey BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 August 2023

Appeal Ref: APP/D0840/W/22/3306887

**Land west of 25 Loscombe Road and north of 38 Trevarren Avenue,
Four Lanes, Redruth TR16 6QA**

- 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 Paul Kemp against the decision of Cornwall Council.
 - The application Ref PA22/02681, dated 16 March 2022, was refused by notice dated 17 June 2022.
 - The development proposed is erection of a single dwellinghouse.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application was submitted in outline form with all matters other than access reserved for future determination.

Main Issue

3. The main issue is whether the proposed development would be in a suitable location, having regard to the definable limits of the settlement and its associated effects on the character and appearance of the area.

Reasons

4. The appeal site comprises an area of open land accessed from Loscombe Road in Four Lanes. The main body of the site is roughly rectangular in shape. A narrower portion extends to the edge of Loscombe Road to provide the access route. The site is bound on two sides by existing development comprising dwellings and associated structures on Loscombe Road and Trevarren Avenue. In other directions, the site adjoins open countryside. I understand the site formerly contained a storage building that was removed in 2014, although at the time of my visit any limited remaining evidence appeared to have blended into the countryside.
5. The appeal seeks outline planning permission with all matters reserved other than access for the erection of a single dwellinghouse. Although an indicative site layout has been provided, I understand this to be purely illustrative and not necessarily reflective of the intended final scheme.
6. The village of Four Lanes has various facilities including a primary school, a church, public houses and some shops. It is also served by buses. The village appears to be centred around the junction of Loscombe Road and the B3297,

with the wider pattern of development generally following a linear form centred around these roads with some housing estates extending further back.

7. There is no defined boundary for the settlement of Four Lanes in the development plan. The supporting text to Policy 3 of the Cornwall Local Plan Strategic Policies 2010-2030 (the LP) advises that small settlements such as Four Lanes can contribute to the housing requirement through infill and small scale rounding off. Though not forming part of the development plan, the policy is supplemented by the Chief Planning Officer's Advice Note: Infill/Rounding Off (the CPOAN), which was introduced in December 2017. Insofar as it seeks to provide clarification on the interpretation of the development plan, I attach some weight to the CPOAN.
8. The CPOAN provides a broad definition of what rounding off can comprise, including that: *"Rounding off provides a symmetry or completion to a settlement boundary, it is not intended to facilitate continued incremental growth"*.
9. The site lies adjacent to existing development on two sides. However, it does not give the impression of being an integral part of the settlement or a site that would provide a completion to the settlement boundary. It faces the rear elevations and boundary treatments of the properties on Loscombe Road. In the other direction to the south, it faces towards the blank side elevation of No 38 Trevarren Avenue and the rear elevation of its neighbouring garage block, both of which are screened by dense boundary vegetation. As such, the development would appear to follow a backland typology, with outlook being either towards the rear or side of neighbouring properties or out over the countryside. Whilst the site benefits from an existing access point and may be closely related physically to existing development, it would bear very little relation to the functional layout of surrounding development, which predominantly comprises either a linear form following the main roads or forms part of a larger housing development. Accordingly, I do not find that the proposed development would comprise a rounding off to the edge of the settlement.
10. Although the proposal is submitted in outline form only and the design considerations could be reserved for future determination, there appears limited scope that any forthcoming scheme could integrate successfully with the surroundings to the extent that it would comprise a functional rounding off of the settlement. Irrespective of the detailed design or orientation, it would not relate well to neighbouring development and would appear as an isolated anomaly that would be incompatible with neighbouring development. In this respect, it would also fail to meet the exception criteria of the CPOAN under the title *"Other development within a settlement"*, because it would not be within the form and shape of the settlement.
11. It is acknowledged that the site does lie adjacent to existing development on two sides, and that the scale and appearance of the development could be controlled through future reserved matters applications. Nevertheless, it would encroach into the open countryside where it would appear as an incompatible and isolated form of development. Accordingly, the proposed development would have an adverse effect on the rural character and appearance of the open countryside.

12. I note the decision of my colleague¹ in relation to the site further to the north along Loscombe Road and I viewed the completed development as part of my visit. However, I consider there to be some key differences between the proposals.
13. The previous decision was primarily concerned as to whether the proposal would comprise infill development, which the CPOAN defines as “*development that would fill a gap in an otherwise continuous frontage which will normally be a road frontage*”. This is different to the current appeal, the most pertinent issue of which is whether it would comprise a rounding off of the settlement.
14. In reaching their decision, my colleague noted that the development would retain the established linear pattern along the road frontage and be within the form and shape of the settlement. In this case, the development does not form part of the linear pattern of development, nor does it relate well to surrounding development set further back from the main road.
15. Even acknowledging that my colleague found the previous development would not fulfil the strict definition of infill, it retained the established pattern and remained within the spirit of the definition. In the case of the current appeal, I find the proposal meets neither the strict definition of either infill or rounding off, nor accords with their spirit.
16. For the reasons above, the proposed development would lie outside of the definable limits of the settlement and would give rise to harmful intrusion of residential development which would adversely affect the rural character and appearance of the open countryside, resulting in conflict with Policies 1, 2, 3, 7, 12, 21 and 23 of the LP. Together, these policies seek to reflect the presumption in favour of sustainable development, to respect and enhance the quality of place, to provide housing within or well related to settlements, to permit housing in the countryside only in special circumstances, to provide good quality housing, and to make the best use of land and existing buildings. It would also conflict with Paragraphs 8, 119, 124, 130 and 174 of the National Planning Policy Framework, which have similar aims.
17. The Council has also made reference to Policy 23 of the LP, which addresses European Protected Sites including the Fal and Helford Special Area of Conservation (the SAC). I will address this in the following section.

Other Matters

18. I acknowledge that some benefits would arise through the proposed development. These would include the provision of a new dwelling in a location that is physically well related to the settlement and its services. I also note it would assist a prospective first-time buyer to step on to the property ladder. I acknowledge Cornwall’s current ‘housing crisis’ and the summary of measures proposed to tackle this provided as part of the Housing Strategy 2030 for Cornwall. However, whilst these benefits are clear and I attach moderate weight to them, they would not, either individually or cumulatively, outweigh the harm I have previously identified.
19. The site is within the zone of influence of the SAC. Mitigation of recreational impacts on the SAC is required for all developments resulting in a net gain of residential units within the zone of influence. In this case, the Council has

¹ APP/D0840/W/18/3211535

established a standard Section 111 Agreement and online payment system to enable advance payments to be received. The appellant has provided copies of the agreement and payment receipt to confirm this has been undertaken. In the event that I was minded to allow the appeal, it would have been necessary to consider this matter within an Appropriate Assessment. However, as I am dismissing the appeal for other reasons, I have not done so.

Conclusion

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

P Storey

INSPECTOR