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# Appeal Decision

Site visit made on 11 April 2024

**by T Burnham BA (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 05 June 2024**

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**Appeal Ref: APP/D0840/W/23/3329559**

**Land at Sandy Lane, Sandy Lane, Redruth TR15 2DR**

- 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 and Mrs Turner against the decision of Cornwall Council.
  - The application Ref PA22/08130, dated 2 September 2022, was refused by notice dated 22 March 2023.
  - The development proposed is Outline application for the erection of 5 houses, along with the provision of a new access, parking and associated landscaping. All matters reserved except for access.
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## Decision

1. The appeal is dismissed.

## Procedural Matters

2. The Council initially had concerns with regard to surface water drainage, the effect of the proposal on the integrity of the Fal and Helford Special Area of Conservation (SAC) and with regard to a lack of a mechanism to secure contributions towards education infrastructure.
3. Further information has been submitted in relation to surface water drainage and it is likely on the basis of the evidence that this could be dealt with via condition, were I minded to allow the appeal. With regard to the SAC, I am advised that a payment has been made which addresses the issue. In any event, given that I am dismissing the appeal for other reasons I will not pursue this matter further. The Council indicate that a unilateral undertaking has been submitted which addresses the need for a contribution to deliver improvements to mitigate pressures on education infrastructure and I will not therefore consider that matter further.

## Main Issue

4. The main issue therefore is the effect of the proposal on the character and appearance of the area and whether the proposal would represent rounding off.

## Reasons

5. In amongst other matters, Policy 3 of the Cornwall Local Plan (2016) (CLP) indicates that some housing will be delivered through rounding off of settlements.
6. The appeal site is located to the east of Sandy Lane, in a lengthy gap between some residential properties to the north and south. The gap in which the

dwellings are proposed forms the western part of two fields, the site being divided by a hedgerow. Further sporadic hedging and planting bounds the edge of the site with Sandy Lane.

7. Whilst there are occasional properties on this side of Sandy Lane and some development beyond, whilst noting the appraisal<sup>1</sup> my impression is that this site is visually attractive, forming part of the open countryside in views from Sandy Lane. The development, which would be likely to be of a locally significant scale even accounting for the outline nature of the application, would extend built development into that open countryside, which is clearly appreciable from Sandy Lane in views across the site.
8. Although I note the presence of limited development to the north and south of the site, as well as that to the east, the rear boundary of the development would not follow any established on site boundary but would rather form a newly created boundary line across the fields.
9. The proposal would subsequently not represent rounding off as identified within the CLP or within the note<sup>2</sup> and would incur into open countryside. There would therefore be conflict with policies 1, 2, 3, 7, 12, 21 and 23 of the CLP which amongst other things seek to resist this type of development within the open countryside, maintain and enhance Cornwall's distinctive natural character and sustain local distinctiveness and character. There would also be conflict with section 3 of the design guide<sup>3</sup>, which has similar aims. There would be conflict with Policy C1 of the DPD<sup>4</sup> which amongst other things seeks to conserve the natural environment and increase built and natural environment distinctiveness. The proposal would not be in line with the housing location aspirations of the site allocations DPD<sup>5</sup>.

### **Planning Balance and Conclusion**

10. The properties proposed would contribute towards housing supply and would provide some social and economic benefits both during and post construction on a site that is conveniently located to access the services and facilities within Redruth. Cycle links are available. However, these benefits would overall be limited owing to the modest size of the scheme and they would not outweigh the harm identified.
11. There is nothing, including the Framework<sup>6</sup>, to indicate that the decision should be made otherwise than in accordance with the development plan with which the proposal conflicts. The appeal is therefore dismissed.

*T Burnham*

INSPECTOR

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<sup>1</sup> Landscape and Visual Appraisal – Tyler Grange – August 2022.

<sup>2</sup> Chief Planning Officer's Advice Note: Infill/Rounding Off – December 2017.

<sup>3</sup> Cornwall Council – Design Guide – Achieving quality in development for people, wildlife & the environment.

<sup>4</sup> Cornwall Council Climate Emergency Development Plan Document February 2023.

<sup>5</sup> Cornwall Council Site Allocations Development Plan Document November 2019.

<sup>6</sup> National Planning Policy Framework 2023.