



Appeal Decision

Site visit made on 8 August 2024

by T Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 September 2024

Appeal Ref: APP/D0840/W/24/3336480

Land adjacent Sampson, Lanvean, St Mawgan TR8 4EY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
- The appeal is made by Mrs Maria Shaw against the decision of Cornwall Council.
- The application Ref is PA23/04572.
- The development proposed is described as Construction of dwellings.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first ('permission in principle') establishes whether a site is suitable in principle and the second ('technical details consent') is when the detailed development proposals are assessed. This appeal relates to the first stage.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent technical details consent application if permission in principle is granted. I have determined the appeal on this basis.

Main Issue

4. The main issue is whether the appeal site is suitable for residential development, having regard to location and land use.

Reasons

5. Part of the appeal site appears to be in use as a garden/allotment and the submitted Planning Statement sets out that it is currently used as an extended garden of Sampson. However, the remainder of the site is predominantly grass and scrubland; and irrespective of any visible marks from part of the field being cut, the site forms part of a larger undeveloped parcel of land. Although near to several properties, the site is situated on the edge of the Lanvean, St Mawgan; and it is physically and visually separated from those properties and the settlement's built-up area by the undeveloped parcel of land to the east, the line of trees along much of the southern boundary, and the adjoining public highway and private lane. Consequently, even though the site is said to have not been used for agricultural purposes for some time and a summer house and shed were placed there some years ago, it reads as a field and marks the start of the countryside rather than forming part of the settlement. Its

undeveloped nature and verdant appearance also positively contribute to the rural context of Lanvean and means the site relates to the open, surrounding countryside.

6. Although there are properties to the west and east, the site is separated from them by the public highway and the adjoining undeveloped parcel of land. As such, despite Menawethan and the other relatively new properties to the east which fronts the same side of the private lane, the site is not situated within an otherwise continuous built frontage. Whilst it adjoins the settlement and is enclosed on two sides by the public highway and private lane, there is also no physical separation between the site and the wider field; and the boundary treatment with the adjoining plot to the east is relatively insubstantial.
7. Irrespective of the reference in the Council's Chief Planning Officer's advice note that rounding off development should be predominantly enclosed by edging features, the site's edges are therefore not clearly defined by physical features that act as barriers to further (rounding off) growth. Given the development pattern in the locality and the site's location and degree of physical and visual separation from existing properties, neither could the proposed development reasonably be described as providing a symmetry or completion to the settlement boundary. The proposed dwellings not being isolated does not change this.
8. Accordingly, the appeal proposal constitutes neither an infill scheme nor rounding off development under Policy 3 of the Cornwall Local Plan Strategic Policies 2010 - 2030 (CLP). In coming to this view, I have taken into account that the proposed development of up to two dwellings would be of an appropriate scale in relation to the size and role of the settlement and the site; the argument that the proposed development would create a more defined settlement boundary that would better protect the countryside from future visual extension into it; and that the site is within the title of Sampson.
9. It has not been put forward that the proposed development would provide housing in the countryside that would meet any of the circumstances set out in CLP Policy 7. Furthermore, due to the site's setting, as set out above, its connection to the wider field that it forms part of, and its position divorced from surrounding properties, the appeal proposal would physically extend the settlement into the open countryside. Rather than forming part of the built residential context, the appeal proposal would also have a suburbanising presence on the setting of Lanvean and, being visible in public views, read as a harmful intrusion of development into the rural landscape. Designing the proposed dwellings to have a similar character, appearance and density to others in the locality and positioning them in the lower part of the site – so that they would not intrude as far or any further than other properties – do not lead me to a different conclusion. Neither does the ability to impose conditions at detailed design stage.
10. For the above reasons, I conclude that the appeal site is not suitable for residential development, having regard to location and land use. I therefore find that it does not accord with CLP Policies 2, 3, 7, 12, 21 and 23, and Saved Policy 14 of the Restormel Borough Council Local Plan 2001 – 2011. Amongst other aspects, these set out the Council's spatial strategy and the approach to the delivery of housing in the district; require development to maintain and respect landscape character and local distinctiveness; support proposals that

appropriately increase building density; and set out that developments harming Areas of Great Landscape Value will not be permitted.

Planning Balance

11. I have found that the site is not suitable for residential development, having regard to location and land use. On the basis of the submitted evidence and the proposal not according with various CLP policies, this leads me to conclude that the proposal conflicts with the development plan as a whole.
12. The windfall development would help to achieve some of the CLP's overarching objectives, including meeting the housing needs of the community through the provision of high-quality, family-sized housing in an accessible location with access to services and facilities. The provision of additional housing would also support the objectives of the Council's plan to address Cornwall's Housing Crisis (Securing Homes for All) and Cornwall's Housing Strategy to 2030.
13. Construction of the proposed development would generate some employment related to the design and build, whilst future occupiers' use of local services and facilities would support the role and function of settlements in the surrounding area. With expansion in and around Newquay airport likely to result in further employment opportunities, the proposed development could provide housing for people employed there. In addition, it has been put to me that the appeal proposal would enhance Cornwall's year-round tourist offer and that future occupiers would have better air quality and space compared to being in one of the larger towns.
14. However, given the scale of the development, the benefits would be relatively limited. Although there is no maximum or ceiling on housing supply, the provision of up to two additional units would also only have a limited effect on the area's housing stock. In addition, the submitted evidence does not indicate that the proposal is needed to ensure a sufficient supply of housing land in the district. Consequently, I find that the above matters outweigh neither the harm I have identified nor the conflict with the development plan. The harm and conflict also mean that the appeal proposal can neither reasonably be described as sustainable development nor making best use of land.

Conclusion

15. The proposal conflicts with the development plan read as a whole and there are no material considerations which carry sufficient weight to warrant a decision otherwise than in accordance with it. The appeal is therefore dismissed.

T Gethin

INSPECTOR