



Appeal Decision

Site visit made on 23 September 2025

by **G Roberts BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 October 2025

Appeal Ref: APP/D0840/W/25/3366932

Land south east of Wyvern, Penvose Lane, Four Cross, Treluswell, Cornwall, TR10 9AN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mrs Sally Jones against the decision of Cornwall Council.
 - The application Ref is PA24/07348.
 - The development proposed is outline planning permission with all matters reserved for four family homes.
-

Decision

1. The appeal is allowed and planning permission is granted for outline planning permission with all matters reserved for four family homes at land south east of Wyvern, Penvose Lane, Four Cross, Treluswell, Cornwall, TR10 9AN in accordance with the terms of the application, Ref PA24/07348 and the plans submitted with it, subject to the following conditions:
 - 1) Details of the access, appearance, landscaping, layout, and scale, (hereinafter called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.
 - 2) Application for approval of the reserved matters shall be made to the Local Planning Authority not later than 3 years from the date of this permission and the development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
 - 3) No development shall take place until a Construction Traffic Management Plan and programme for works has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:
 - Construction vehicle details (number, size and type).
 - Vehicular routes and delivery hours.
 - The Parking of vehicles of site operatives and visitors.
 - Loading and unloading of plant and materials
 - Storage of plant and materials used in constructing the development.
 - Wheel washing facilities.
 - Measures to control the emission of dust and dirt during construction.

Preliminary Matters

2. I have adopted the description of development from the decision notice as this is more concise.
3. The application seeks outline planning permission with all matters reserved for four family homes on the appeal site. Supporting illustrative plans and photographs indicate that the development would utilise the existing site access from Penvose Lane and include four plots arranged in a linear layout running from north to south. I have determined the appeal on that basis.

Main Issues

4. The main issues are: (a) whether the proposed development would be acceptable having regard to local and national planning policies on the location of new housing and (b) the effect of the development on the character and appearance of the area.

Reasons

Suitability of location

5. The appeal site comprises an elongated parcel of land located to the south of Four Cross. The Appellant indicates that the land has been used for various purposes including recreation, the storage of domestic items, as workshops and for business use and storage. There are a number of large buildings on site including shipping containers, as well as areas of hardstanding and open storage. There is also some evidence of residential use in the form of a static caravan. The Council refer to the land being used for agricultural use, but there was no evidence of that on my site visit, and the only activity related to a construction business that appeared to be using some of the buildings for storage.
6. The appeal proposal seeks outline planning permission, with all matters reserved for future approval, for four family self-build homes.
7. Policy 2 of the Cornwall Local Plan Strategic Policies 2010-2030 (CLP) sets out the spatial strategy and seeks to manage the location and scale of new housing. This approach is expanded in policy 3 which states that housing will be accommodated in accordance with a hierarchy, namely: part 1, a Site Allocations Development Plan Document or Neighbourhood Plan for the identified main towns; part 2 through eco-communities; and part 3, for areas outside the main towns, through Neighbourhood Plans, infill, rounding off, previously developed land or rural exception sites. These policies need to be read in conjunction with policies 1, 7 and 21 of the CLP.
8. The parties agree that the appeal site falls within the open countryside but disagree as to whether Four Cross can be defined as a recognised settlement for the purposes of part 3 of policy 3 of the CLP. The latter, as with other policies of the CLP, seek to support Cornwall's dispersed settlement pattern and unplanned organic growth in and adjacent to existing settlements. In terms of infill and rounding off regard is to be had to the Chief Planning Officer's Advice Note: Infill/Rounding Off. The latter is not a statutory document but provides guidance in interpreting CLP policies and in establishing if there is a recognised settlement.
9. Based on the above and the evidence before me, I am satisfied that Four Cross is a recognisable settlement in that it comprises defined groups of dwellings with a

collective name and a reasonable form and shape, largely linear development that is centred around Treluswell roundabout. Indeed, the Advice Note recognises that “*Some linear settlements can meet the test of a clear form and shape suitable for infill and on occasion rounding off.*” There are also definable boundaries to Four Cross.

10. I find, therefore, that Four Cross represents a recognisable settlement.
11. The Appellant does not contend that the appeal proposal represents infill or previously developed land (pdl), even though in terms of the latter there are large parts of the appeal site that would appear to fall within the definition of pdl. They do contend, however, that the proposal amounts to rounding off, which is a finding I concur with. I also agree that the proposal would be of an appropriate scale to the size and form of the settlement.
12. The above findings are based on the fact that the appeal site adjoins the southern boundary of Four Cross and would represent the logical expansion and completion of its linear form. It would not facilitate continued incremental growth in that the land to the south already benefits from detailed planning permission, granted in May 2024, for a large Student Village (the development would relate well to this planned scheme even though the northern part of the Village is currently shown as landscaping/open space). The boundary to the west is defined by mature trees and hedging, beyond which is agricultural land. The eastern boundary is also screened by mature trees and hedging, with a railway line beyond this and then the B 3292.
13. The appeal site is, therefore, enclosed by long standing and firm boundaries that include roads, a railway line and well established landscape features. The latter finding is in part supported by paragraph 2.2 of the Council’s Statement of Case (CSOC) which confirms that the site “*is enclosed by a substantial mature hedge*”. In view of this, the appeal site does not, in my view, form part of a large expanse of open countryside in between two settlements and is effectively self-contained. As such, the appeal proposal would not visually extend development into the open countryside.
14. As with all such assessments they require an element of judgement to be applied on a case by case basis having regard to various considerations including the sites relationship to the open countryside and settlement, and the history and nature of the land. In addition, rounding off, by its very nature, will involve greenfield or open and partly used land on the edge of existing settlements, as in this case.
15. In reaching my finding I have had regard to the Council’s approval of the Student Village to the south of the appeal site and their approval for two dwellings, in March 2025, to the south west of Treluswell Roundabout, on the edge of Four Cross.
16. The Appellant has also drawn attention to the Chief Planning Officer’s Advice Note: Housing (March 2023) and the Interim Policy Position Statement (IPPS) (April 2025) produced in response to the housing crisis in Cornwall and inability to identify a 5 year supply of housing land respectively. Both are not statutory documents but seek to provide guidance on delivering much needed new housing, how policies can be interpreted positively and flexibly to aid delivery and to enable best use is made of land in sustainable locations.
17. The Council have referred to conflict with policy 7 of the CLP which states that new homes in the countryside will only be permitted where there are “*special*

circumstances". However, as I have found the appeal proposal to constitute rounding off in line with part 3 of policy 3, there is no need to have regard to this policy or to paragraph 84 of the National Planning Policy Framework (NPPF).

18. Policy 21 of the CLP also supports my findings in that it relates to the best use of land and gives encouragement to sustainably located proposals that have regard to the character of the surrounding area and access to services and facilities. The character and appearance of the area is a matter I address later in my decision. In relation to services and facilities, this policy needs to be read in conjunction with policies 1 and 27 of the CLP and policies C1 and T1 of the Climate Emergency Development Plan Document (DPD). Combined, these seek, amongst other matters, to ensure that new development is sustainably located and minimises the need to travel by private car.
19. I note that in approving the scheme for two dwellings south west of Treluswell roundabout the Council accepted that the site was in a reasonably sustainable location. In relation to the approved Student Village, I understand that this will include shops, doctors and public transport links. In terms of Four Cross, the Texaco garage sells basic day to day shopping items and is a short walk from the appeal site. There are also bus stops just to the north west of the appeal site or on the A39 (south west of the roundabout) from where I understand there is a good service, with a short travel time, to Penryn and its various services, facilities and branch line station.
20. In relation to the latter, the CLP and the Advice Note on infill/rounding off recognise that in view of Cornwall's rural setting and its dispersed settlement pattern, that in considering the availability of local services and facilities regard should be had to proximity and accessibility of services in nearby larger settlements. Also, that it is unrealistic for public transport, walking and cycling to meet all of new residents' transport needs. In this case, basic day to day shopping needs are provided at the Texaco garage, and public transport links to Penryn are available from nearby bus stops. I also note that the centre of Penryn can be reached by bicycle in some 12 minutes from the appeal site (via the B 3292) or in some 16 minutes using a more rural route.
21. For all the above reasons, I consider that the accessibility of the appeal site is good and that there are opportunities for future occupants to access facilities, services, shops and employment through using public transport and cycling, thus reducing the potential reliance on the use of the private car. In view of this, I also find that the appeal proposal would constitute sustainable development.
22. Accordingly, I find that the appeal proposal would constitute rounding off and sustainable development in accord with policies 1, 2, 3, 21 and 27 of the CLP, the Advice Note on infill/rounding off, policies C1 and T1 of the DPD and the corresponding policies of the NPPF.

Character and appearance

23. As I confirmed earlier the appeal site is enclosed by well-established and firm boundaries that include roads, a railway line and established landscape features. The latter include extensive mature tree and hedge cover to the majority of the site's boundaries, to an extent that the site is effectively self-contained and screened from public views. In addition, the site does not form part of a large expanse of open countryside between two settlements. The appeal proposal would

not, therefore, visually extend development into the open countryside. In addition, my attention has not been drawn to any prominent views into or out of the appeal site and public views are largely restricted to those from the gated access onto Penvose Lane.

24. There is no evidence before me to indicate that the appeal site forms an important or integral part of a valued landscape. Indeed, the evidence available and my observations on site suggests the opposite, with the appeal site containing various large buildings and open storage, as well as workshops. There is also evidence of recreational and residential uses. There is also no evidence of the site having any high agricultural or amenity value. For all these reasons, I am satisfied that the appeal site is suitable for and could accommodate the amount of development sought without causing harm to local character and distinctiveness.
25. I accept that the appeal site is located within an Area of Great Landscape Value (AGLV) and within the Falmouth to St Mawes Character Area, CCA16. Even so, the landscape character of the AGLV cross refers to the summary of the landscape character of CCA16, namely: cliffs, headlands and beeches; enclosed moorland; estuaries, creeks and river valley floodplains; undulating historic farmland and valley systems. Based on the evidence before me, the appeal proposal would not result in any harm to these landscape characteristics.
26. Policy 23 of the CLP seeks to protect local distinctiveness and confirms that where new development is to be permitted it should protect and where possible enhance Cornwall's natural environment. For all the reasons given above, the development would not conflict with these requirements, nor would it result in any harm to the natural environment.
27. Accordingly, I find that the appeal proposal would not result in any harm to the character and appearance of the area and would therefore comply with policies 1, 2, 21 and 23 of the CLP, policy C1 of the DPD and the corresponding policies of the NPPF.

Other Matters

28. The Council Delegated Report indicates that the appeal site falls within the zone of influence for the Fal and Helford Special Areas of Conservation (SAC) where a financial contribution is sought from all new housing to fund agreed mitigation measures. The Appellant has already signed an undertaking pursuant to section 111 of the Local Government Act 1972 and paid its contribution. In view of this, I am satisfied that the appropriate level of mitigation has been sought in line with the requirements of policy 22 of the CLP.

Conditions

29. The Council have suggested the standard conditions for an outline planning permission as well as a condition requiring a construction management plan. The Appellants Final Comments raised no objections to these conditions, and I am satisfied therefore that these conditions are necessary and reasonable.

Planning balance and conclusions

30. The NPPF states that existing development plan policies should not be considered out of date simply because they were adopted prior to the NPPF's publication. Each policy should be assessed and due weight given to it based on its general

- conformity with the NPPF. In this respect policies 1, 2, 21, 23 and 27 of the CLP are consistent with and remain in general conformity with the NPPF's aims and objectives of promoting sustainable development, responding and where possible enhancing local character and distinctiveness, conserving and enhancing valued landscapes and promoting access on foot, by cycling and public transport.
31. Turning to policy 3 of the CLP, whilst its detailed locational aspects may be out of date in relation to housing supply, its more generic locational guidance in relation to understanding the extent of settlements and identifying opportunities for pdl, infill and rounding off remain in general conformity with corresponding policies in the NPPF. In particular, those NPPF policies seeking to ensure that new development responds to and is sympathetic to local character, including the surrounding built environment and landscape setting.
 32. In terms of other considerations, there are benefits to the appeal proposal. These include securing new residential units and boosting the supply of new homes in line with paragraph 61 of the NPPF. It would also secure the delivery of a small windfall site that paragraph 73 of the NPPF states can make an important contribution to the housing requirements of an area and be built quickly. The new homes would be self-build, there would be short term employment during construction and increased spend to support local services, all within an accessible and sustainable location. All of these are benefits supported by other development plan policies and combined I accord them significant weight.
 33. I have found the appeal proposal to be compliant with policies 1, 2, 3, 21, 23 and 27 of the CLP. These policies should be accorded significant weight as they remain consistent with the NPPF. As a consequence, I find that the appeal proposal would comply with the development plan, when read as a whole.
 34. As the IPPS, which I referred to earlier, confirms that following the publication of the revised NPPF the Council can no longer demonstrate a five year supply of housing land, paragraph 11 d) of the NPPF is engaged. This requires planning permission to be granted unless the policies of the NPPF that protect areas/assets of particular importance provide strong reasons for refusing development or where any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.
 35. The appeal proposal does not relate to any assets/areas of particular importance. As I have also found, the proposed development would not result in any adverse impacts. The presumption in favour of sustainable development therefore applies and outline planning permission should be granted.
 36. For the reasons given above and having taken all other matters raised into account, I conclude that the appeal should be allowed.

G Roberts

INSPECTOR