



Appeal Decision

Site visit made on 23 September 2025

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd October 2025

Appeal Ref: APP/D0840/W/25/3366033

Land to the East of Chapel of Rest, Gilbert's Coombe, Lower North Country, Redruth TR16 4HJ

- 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 Mr B Willey against the decision of Cornwall Council.
 - The application Ref is PA25/01556.
 - The development proposed is the construction of between four and five dwellings.
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Decision

1. The appeal is allowed and permission in principle is granted for the construction of between four and five dwellings at Land to the East of Chapel of Rest, Gilbert's Coombe, Lower North Country, Redruth TR16 4HJ in accordance with the terms of the application, Ref PA25/01556, and the plans submitted with it.

Preliminary Matters

2. The proposal is for permission in principle. The Planning Practice Guidance (the 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 stage (or permission in principle stage) establishes whether a site is suitable in-principle, and the second (technical details consent) stage, is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted¹. 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 accordingly.
4. An applicant can apply for permission in principle for a range of dwellings by expressing a minimum and maximum number of dwellings as part of the application. In this instance, permission has been sought for a minimum of four and a maximum of five dwellings.

Main Issue

5. The main issue is whether the site is suitable for four or five dwellings, having regard to its location, the proposed land use, and the amount of development.

¹ The PPG Paragraph: 012 Reference ID: 58-012-20180615

Reasons

6. Policy 2 of the Cornwall Local Plan Strategic Policies 2010 – 2030 (adopted 2016) (the Local Plan) sets out the spatial strategy for development. It seeks to maintain the dispersed development pattern of Cornwall, providing homes and jobs based on the role and function of each place. Based on this strategy, Policy 3 defines how development will be accommodated, with growth focussed on identified main towns. However, it also supports housing growth within or adjoining smaller settlements through rounding off; development of previously developed land (PDL); infill schemes that fill a small gap in an otherwise continuous built frontage; or rural exception sites. The appeal site lies outside the Development Boundary for Redruth as defined by the Redruth Neighbourhood Development Plan 2020-2030 (the Neighbourhood Plan). However, Policy HS1 allows for development outside this boundary where it accords with Policy 3, 7, 9 or 21 of the Local Plan.
7. The main part of the settlement of Gilbert's Coombe spans both sides of the B3300, and lies some distance to the south. There is a substantial stretch of undeveloped land on the western side of the road, which separates this core from the scatter of buildings around the appeal site. A ribbon of dwellings on the eastern side of the road extends as far north as the appeal site, but they are set back from the B3300, so there is little visual or physical connection between these buildings and the appeal site. The development to the west of the road, around the appeal site, is loosely, and informally arranged, and has no cohesive shape or form. It does not, therefore form a settlement in its own right, and its physical and visual detachment from the main part of Gilbert's Coombe means that it does not form part of that settlement either. The appeal site therefore lies in a loose scatter of buildings outside any settlement.
8. However, the dwellings on the opposite side of the B3300 are part of a continuous line of buildings that extend from the core to the south, and are therefore part of the settlement. I am mindful that case law² has held that an intervening road does not prevent land from being immediately adjacent to a settlement. For the purposes of Policy 3, therefore, the site immediately adjoins Gilbert's Coombe.
9. The proposal is not put forward as a rural exception site, so support for residential development under Policy 3 is dependent on the proposal comprising infill, rounding off, or development of previously developed land (PDL) within or immediately adjoining the settlement. Infill schemes are described in the Policy as those that fill a small gap in an otherwise continuous built frontage. In this case, the site has an undeveloped frontage of about 50 metres, and the gap between the Chapel of Rest to the west, and the nearest building to the east is in the region of 75 metres. In view of the extensive gap between the buildings, the site frontage could not reasonably be described as a small gap in an otherwise continuous built-up frontage. The proposal would not, therefore, comprise infill in accordance with Policy 3.
10. Paragraph 1.68 of the Local Plan says that rounding off applies to development on land that is substantially enclosed but outside of the urban form of a settlement and where its edge is clearly defined by a physical feature that also acts as a barrier to further growth (such as a road). It should not visually extend building into the open countryside. Further guidance is contained in the Chief Planning Officer's

² William Corbett v Cornwall Council v Dymrna Wilson [2022] EWCA Civ 1069

Advice Note of December 2017 (the CPOAN) titled Infill/Rounding Off, which both parties have referred to. This note advises that rounding off provides a symmetry or completion to a settlement boundary, and is not intended to facilitate continued incremental growth. It says that proposals must be adjacent to existing development, and that suitable sites are likely to be surrounded on at least two sides by existing built development.

11. The site is bounded by roads to the south and east, and by buildings to the west. However, it is entirely open to expansive countryside to the north. Furthermore, the lack of any significant boundary vegetation to its long roadside boundaries, means that it is almost entirely open to view from the B3300, which is at a higher level. It is not, therefore, substantially enclosed. From most viewpoints, and particularly those to the south, the site is seen in a rural context with open fields rising beyond, and the Chapel of Rest being the only building having any prominence. In this context the provision of four or five dwellings, regardless of their scale, layout and design, would visually extend built development into the countryside.
12. Rather than providing symmetry or completion to the settlement boundary, the proposal would result in the uncharacteristic introduction of buildings onto the opposite side of the B3300, which could facilitate further incremental growth to the south. Furthermore, there is no robust physical feature to act as a barrier to further growth to the north. Bearing all of these factors in mind, I conclude that the proposal would not constitute rounding off in accordance with Policy 3.
13. Policy 3 supports development of PDL within or immediately adjoining settlements of a scale appropriate to their size and role. The site does not have a natural undeveloped appearance, having been levelled at some time in the past. There is also some rough hard surfacing across part of the site. However, whilst the evidence indicates that it once accommodated buildings, there are none on the site now, and the remains of any permanent structure or fixed surface structure have blended into the landscape. Consequently, on the evidence before me, the site does not fall within the definition of PDL in the glossary to the National Planning Policy Framework (the Framework). There is, therefore, no support for the proposal under this strand of Policy 3.
14. My attention is drawn to part of the CPOAN entitled "Other development within a settlement". This section advises that the development of land which does not entirely fit the definition of infilling or rounding off, but would be within the form and shape of the settlement, would accord with Policy 21c) of the Local Plan. However, I have already concluded that the site does not lie within the settlement, so this advice is not applicable in this instance.
15. Paragraph 2.33 of the Local Plan says that land outside the physical boundaries of existing settlements is defined as open countryside. In the absence of support from Policies 3 and 21, Policy 7 says that the development of new homes in the open countryside will only be permitted where there are special circumstances, none of which apply in this case. Consequently, the proposal would conflict with the spatial strategy set out in Policies 2, 3, 7 and 21 of the Local Plan.
16. The proposal would introduce built development into the countryside, so would result in some harm to the predominantly rural character and appearance of the immediate surroundings. This would be particularly evident in views from the south, where the site is seen chiefly in the context of rising agricultural land

beyond. The development would, inevitably, appear obtrusive in this pastoral scene. However, the level of harm would be moderate, as the artificial topography, and hard surfacing of the site means that it does not currently have a natural appearance. Furthermore, in views from the north, the development would be seen in a more urban context, with dwellings on either side of the road, and beyond. Nevertheless, the moderate harm results in conflict with Policies 12 and 23 of the Local Plan, which seek to maintain and enhance Cornwall's distinctive natural environment.

17. Policies C1 and T1 of the Climate Emergency Development Plan Document (February 2023) (the DPD) seek to ensure that new development is located to minimise the need to use private cars for day-to-day living. The site lies within about 400 metres walking distance from North Country, which contains limited services. There are bus stops in this settlement, with regular services to the full range of facilities in Redruth, about 1km to the southeast. Access to North Country would, however, involve crossing the busy B3300 at a crossroads where there is no street lighting or proper pedestrian refuges. This is likely to be a significant deterrent for bus use by occupants of the development.
18. Similarly, although many of the services in Redruth could be reached by a bicycle ride of about 1.5km, the route is via a busy, unlit road, with no segregated cycle lane for most of its length. This is likely to deter all but the most dedicated and able cyclists. Consequently, whilst there are alternatives, the location of the site is such that the private car is likely to be used for a considerable proportion of journeys to and from the dwellings. There would, therefore, be conflict with the aims of Policies C1 and T1 of the DPD.
19. The Chapel of Rest lies immediately to the west of the site. It is not disputed that it is a non-designated heritage asset (NDHA). It is a simple gable-ended building, originally constructed as a methodist chapel, but now used by a funeral director as a chapel of rest. It has an arched doorway and windows, with plaster ornamentation to the eaves and quoins. A circular feature on the gable carries the inscription "1899" with a timber cross below. Its significance lies in its simple, historic architecture that is reflective of its original use, which is still discernible today, despite its modern fenestration.
20. The building occupies a small plot, and is closely surrounded by a boundary wall on all sides. The historic mapping shows that this has always been the case. A high hazel hedge visually divides it from the appeal site. Consequently, the undeveloped nature of the appeal site does not play a key role in the significance of the NDHA. Being at a higher level than the chapel, development on the appeal site could have a dominating impact on it. However, the site is extensive, so there would be scope at the technical details consent stage to ensure that the scale, design, and layout of the buildings would provide a sympathetic relationship. I am not therefore persuaded that the proposal would be harmful to the setting of the NDHA in principle, so see no conflict with Policy H24 of the Local Plan or Policy H1 of the Neighbourhood Plan.

Other Matters

21. As the proposal is for permission in principle, details of vehicular access to the site, land contamination, and water and sewage arrangements are not for consideration at this stage.

Planning Balance

22. The proposal would conflict with the spatial strategy of the development plan and with its policies that seek to minimise private car use and to protect the natural environment. There are no policies that positively support development of the appeal site, so the proposal would conflict with the development plan as a whole. However, it is not disputed that the Council cannot currently demonstrate a five-year supply of deliverable housing sites. The most recent evidence indicates that the supply is 3.8 years, so the shortfall is considerable. In these circumstances, the approach to decision-making set out at Paragraph 11d) of the Framework applies.
23. Paragraph 232 of the Framework says that due weight should be given to existing development plan policies according to their degree of consistency with the Framework. The spatial strategy set out in Policies 2, 3, 7 and 21 of the Local Plan is consistent with the Framework's aims to direct development to locations where there is a genuine choice of transport modes, and to maintain the vitality of rural communities. However, it is not delivering a sufficient supply of homes in accordance with the aims of the Framework. Consequently, I can only afford moderate weight to the conflict with the development plan policies governing the spatial location of housing.
24. Policies C1 and T1 of the DPD are consistent with the Framework's general aim to promote sustainable transport. However, at paragraph 110, the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in decision-making. In this case, although there are deterrents to their use, there are alternatives to the private car. Furthermore, any car journeys to obtain day-to-day services would be short. Consequently, I give only moderate weight to the conflict with Policies C1 and T1.
25. Policies 12 and 23 of the Local Plan are generally consistent with the Framework's aims to achieve well-designed places and to conserve and enhance the natural environment. The proposal would result in moderate harm to the character and appearance of the area. I am mindful, however, that meeting the shortfall in housing provision is unlikely to be achieved without some visual impacts. In this case, the site does not lie within a protected landscape, and there is scope to minimise the harm through the technical details consent process. Consequently, I give limited weight to the conflict with Policies 12 and 23.
26. Set against the harm that I have identified, there would be benefits associated with the development. It would support the Framework's objective of significantly boosting the supply of homes as set out at paragraph 61. In view of the current shortfall in housing land supply this benefit carries significant weight.
27. There would also be economic benefits associated with the development, through the creation of jobs during the construction phase. Thereafter, residents would contribute to the local economy through ongoing spending and support for local services. The limited scale of the development means that these benefits carry modest weight.
28. When assessed against the policies in the Framework, taken as a whole, the adverse impacts of the proposal do not significantly and demonstrably outweigh the

benefits. Therefore, despite the conflict with the development plan, material considerations indicate that permission in principle should be granted.

Conclusion

29. For the reasons given above, I conclude that the appeal should be allowed.

Nick Davies

INSPECTOR