



Appeal Decision

Site visit made on 7 October 2025

by H Faulkner BSc (Hons) MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2025

Appeal Ref: APP/D0840/W/25/3360691

Land north of West Haven, Sandy Lane, Redruth TR16 5SR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs M Curtis against the decision of Cornwall Council.
 - The application Ref is PA24/02088.
 - The development proposed is the erection of a single storey dwelling with an integral garage and the installation of a septic tank.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey dwelling with an integral garage and the installation of a septic tank at Land north of West Haven, Redruth TR16 5SR in accordance with the terms of the application, Ref PA24/02088, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. The appeal site is within the zone of influence for the Fal and Helford Special Area of Conservation (SAC). The appeal has been accompanied by a Unilateral Undertaking (UU) under Section 111 of the Local Government Act 1972 to mitigate the recreational impacts from residential accommodation on the SAC. The Council have, in their officer report confirmed that the UU mitigates any related harm. However, as the competent authority in relation to this appeal, I am required to consider this matter and the related duties under the Conservation of Habitats and Species Regulations 2017. As a result, I will deal with this as a main issue.
3. On 16 October 2025, a referendum was held in relation to the Redruth Neighbourhood Development Plan 2020-2030 (NP). The vote found in favour of the plan, although at the time of writing the plan has not yet been 'made', however, the policies within it attract significant weight.

Main Issue

4. The main issues are:
 - whether the appeal site is an appropriate location for the proposed development, with particular regard to the local development strategy and the character and appearance of the area; and,
 - the effect of the development on the integrity of European, nationally, and internationally protected sites.

Reasons

Location

5. The site is on the edge of Redruth, identified as a named town in the Cornwall Local Plan Strategic Policies 2010 - 2030 (CLP) where in Policy 3 the delivery of new housing is managed through a Site Allocations DPD or Neighbourhood Plans. The site is well related to the town being adjacent to the A393 and the housing on the opposite side of the road.
6. The proposal has been presented as a 'rounding off' site where development is permitted on land immediately adjoining a settlement provided that it is of a scale appropriate to its size and role, in accordance with Policy 3 of the CLP.
7. In terms of the scale of development a single dwelling is appropriate for the location. The background text to Policy 3 describes rounding off as development that is substantially enclosed but outside of the urban form of the settlement and where its edge is clearly defined by a physical feature which acts as a barrier to further growth and should not visually extend in to the open countryside.
8. The site has a main road running along the frontage. To one side is a bungalow along with other properties and to the other is land being used for allotments. Hedgerows surround the site with a group of taller trees on the boundary furthest from the road.
9. Although the allotments could be considered as agricultural land they differ in appearance to open fields. The land has been segregated into smaller plots and there are various structures and fences in place commensurate with the activities taking place. To my mind this, along with the other features, act as physical barriers and the site would appear to be enclosed.
10. The proposal would not result in an encroachment into the countryside. While the site is currently an open field, this side of the A393 already accommodates residential and other forms of development. The proposed bungalow would adjoin an existing row of properties and would therefore be perceived as a logical continuation of the established built form, rather than an outward extension of the settlement into the rural landscape.
11. In terms of views into the countryside, the site currently contributes to the sense of openness at the settlement's edge. However, while its appearance will change with the addition of a new dwelling, open views across the allotments and the countryside beyond will remain visible. From the wider area, the proposed bungalow would sit within the context of existing housing and the town beyond. Existing trees and hedgerows will provide natural screening and soften the site's boundaries. Due to the low height of the building and the generous plot size, the development will avoid creating an urbanised feel. Overall, the proposal is sympathetic to the site's context and character.
12. The proposed single-storey dwelling, with a spacious arrangement and landscaping, constitutes an appropriate scale and form of development within its context. It responds sensitively to the surrounding environment, which comprises high-density housing opposite the site, adjacent low-rise dwellings, and the open countryside beyond. The scheme will positively contribute to local character and

reinforce a strong sense of place, in accordance with the principles set out in the Cornwall Design Guide (2021).

13. The Council's appeal statement references the site as being within the Carnmarth Area of Great Landscape Value. The statement of significance highlights the landscape forming a visually prominent landmark feature due to the topography. It notes the mining heritage of the landscape and well-connected network of medieval fields with strong boundaries of Cornish hedge. The proposal being close to the road and adjacent to other housing does not harm this significance. Due to the elevated nature of the land to the rear of the site the area of importance remains visible. Hedgerows are also retained and therefore continue to contribute to the character of the area.
14. Site falls within CCA09: Silverwell to Camborne character area within the Cornwall and Isle of Scilly Character Area Study. Whilst development sprawling into the landscape around settlements is noted as a pressure, given that I have found that the proposal complies with Policy 3 of the CLP I do not find any harm in this regard as the policy allows for such development as appropriate.
15. Drawing together the above, the proposal would represent rounding off and whilst it would result in the development of a greenfield site it would not be out of character and would be appropriate for the edge of settlement location.
16. Policy 7 of the CLP relates to housing in the countryside. Given that I have concluded that the site would represent rounding off it is supported by Policy 3 of the CLP. Policy 7 is not therefore applicable. Furthermore, the development site is on the edge of Redruth where there are a good range of services. While visiting the site I observed there were well lit pavements, sign posted walking and cycling routes and bus stops all close by. The site is therefore well located for access to services which are accessible without a car, the site is therefore sustainable in this regard.
17. The NP includes a development boundary for the town and the proposed development would be adjacent to this boundary. Policy HS1 is supportive of development inside the boundary and sites outside will not be supported unless it is in accordance with listed policies in the CLP, including Policy 3. As I have concluded above that the proposal is in accordance with Policy 3 there is no conflict with Policy HS1 of the NP.
18. Overall, for the above reasons I conclude that the appeal site is an appropriate location for the proposed development with particular regard to the local development strategy and character and appearance of the area. It would, therefore, be in accordance with or not conflict with Policies 1, 2, 3, 7, 12, 21 and 23 of the Local Plan and Policies C1 of the Climate Emergency Development Plan Document (February 2023). These seek, amongst other things, to approve applications that develop sites adjoining settlements, conserve the landscape character of the area, and secure high-quality design.
19. For the same reasons, the proposal would comply with the provisions of the Framework that seek to promote sustainable transport modes and be sympathetic to local character and the surrounding landscape.

Protected Sites

20. The appeal site lies within the zone of influence for the Fal and Halford SAC. This has been designated due to its international importance for wildlife with qualifying features such as saltmarsh, mudflats, sandbanks, shallow inlets and bays, estuaries, and reefs. There is a need to conserve and restore the SAC and prevent deterioration or significant disturbance of its qualifying features to meet the Conservation Objectives of the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations).
21. The proposed development would likely result in additional cumulative recreation pressure on the SAC whether alone or in combination with other developments. Through public access and recreational activity there is an impact pathway between additional residential development in the zone of influence resulting in a likely significant effect on qualifying features of the SAC.
22. Policy 22 of the CLP requires proposals to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects on the SACs. The Council has a European Sites Mitigation Supplementary Planning Document 2021 (the SPD). It outlines a strategic mitigation strategy which has been agreed between the Council and Natural England. The mitigation highlighted in the SPD measures include onsite access and management as well as off-site provision of suitable alternative recreational facilities.
23. Section 111 of the Local Government Act 1972 (as amended) allows Local Authorities to charge provided they are discharging a Council function or the payment is incidental to discharging any such function.
24. Natural England has been consulted as part of this Appropriate Assessment and is content that the appellant's Section 111 agreement, which align with the Council's adopted strategy, would provide a financial contribution to the mitigation measures. Consequently, it would address the adverse effects associated with the proposed development and thereby relieve pressure on the SAC. As a competent authority, I am satisfied that the planning obligation would secure and ensure the delivery of mitigation sufficient to address the harm likely to be caused by the development. I therefore find that, subject to the proposed mitigation, the proposal would not have an adverse effect on the integrity of the SAC.
25. The proposal would therefore comply with Policy 22 of the CLP which requires mitigation measures for recreational impacts on European Sites.

Other Matters

26. Regarding concerns that approving this proposal might set a precedent, each case is assessed on its individual merits. In this instance, I have determined that, due to the specific characteristics of this site, the proposal constitutes rounding off, however, this conclusion may not apply to other sites.

Conditions

27. I have had regard to the conditions suggested by the Council and the advice in the Planning Practice Guidance. Where necessary I have amended the wording of the suggested conditions for clarity, brevity, to avoid duplication and to ensure accordance with the tests set out in paragraph 57 of the Framework. Where pre-commencement conditions are needed the appellant's agreement has been sought.

28. In the interests of certainty, conditions are necessary specifying the time limit for commencement and the relevant approved plans.
29. The approval of materials is necessary to ensure that the appearance of the building is appropriate within the context of the area.
30. I have imposed pre-commencement conditions requiring an assessment and remediation of any risks of contamination to ensure that risks from land contamination to the future users of the land, in the interests of brevity I have combined the Council's conditions into a single condition. A condition requiring the submission of details in relation to landscape works, tree protection, tree planting and maintenance is needed to ensure the appeal scheme will assimilate into the surrounding area. It is necessary for them to be in the form of pre-commencement conditions to have their intended effect.
31. Due to the location of the appeal site a condition requiring a construction method statement is reasonable to ensure that the works do not affect the adjacent highway or the amenity of neighbouring properties and businesses.
32. The approval of the details of the access is required to ensure that it is safe and remains so for the lifetime of the development.
33. A drainage condition is needed to prevent the increased risk of flooding and minimise the risk of pollution of surface water.

Conclusion

34. For the reasons given above the appeal should be allowed.

H Faulkner

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos: Proposed 1921 2 A, Proposed 1823 3 D, Proposed 2001 P1, Proposed 2000 P1, Proposed 1001 P1, Proposed 1000 P1 and Proposed 2002 A.
- 3) No development above ground level shall take place until details and samples of the materials to be used in the construction of the external surfaces (doors/ windows/ lintels/ sills/ stonework/ render), of the building hereby permitted, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.
- 4) No development shall commence until a scheme of landscaping has been submitted to and approved in writing by the local planning authority. The landscaping scheme shall provide planting plans with written specifications including:

- Details of all existing trees and hedgerows on the land, showing any to be retained, and measures for their protection to be used in the course of development.
- Full schedule of plants.
- Details of the mix, size, distribution & density of all trees/shrubs/hedges.
- Cultivation proposals for the maintenance and management of the soft landscaping.
- Full details of all boundary treatments.

The protection measures proposed shall be completed in accordance with the approved scheme before the development hereby permitted commences and shall thereafter be retained until it is completed. Notice shall be given to the local planning authority when the approved scheme has been completed.

All planting, seeding, or turfing comprised in the approved scheme of landscaping, shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner. Notice shall be given to the local planning authority when the approved scheme has been completed.

Any trees or plants which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species as those originally planted.

- 5) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
- i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during construction;
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - viii) delivery, demolition, and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 6) Before any other building or engineering works are carried out on the site, the access shall be laid out and constructed in accordance with Drawing No.1921 2 A with its gradient, surfacing, drainage and sight lines having first been approved in writing by the Local Planning Authority. The access shall be retained as approved thereafter.
- 7) The proposed surface water drainage systems shall be in accordance with the principles set out in PWS Ltd Drainage Strategy Drawings Ref J-1219-

1000 Rev P1 and J-1219-1001 Rev P1 (dated 23/07/2024). No development approved by this permission shall be commenced until details of a scheme for the provision of surface water management has been submitted to and approved by the Local Planning Authority. The details shall include:

- A description of the foul and surface water drainage systems operation.
- Details of the final drainage schemes including calculations and layout.
- A Construction Phase Surface Water Management Plan.
- A Construction Quality Control Plan.
- A Plan indicating the provisions for exceedance pathways, overland flow routes, and proposed detention features.
- A timetable of construction.
- Confirmation of who will maintain the drainage systems and a plan for the future management and maintenance, including responsibilities for the drainage systems and overland flow routes.

The Plan must include a drawing which clearly indicates the management responsibility for each drainage element, and schedule of maintenance. The Developer must inform the Local Planning Authority of any variation from the details provided and agree these in writing before such variations are undertaken. The surface water drainage systems shall fully manage surface water flows resulting from the developed site up to the 1 in 100-year peak rainfall event plus a minimum allowance of 50% for the impacts of climate change. Flows discharged from the site will be no greater than 2.5l/sec for all rainfall events. The approved scheme shall be implemented in accordance with the timetable so agreed and the scheme shall be managed and maintained in accordance with the approved details for the lifetime of the development.

- 8) No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the local planning authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 14 days of the report being completed and approved in writing by the local planning authority.