



The Planning Inspectorate

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Your reference:
DIS.662
Our reference:
T/APP/P0810/A/96/269841/P7

Date: 12 FEB 1997

Dear Sir

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY BURRELLS ENTERPRISES LTD
APPLICATION NO:- OP21/0538/96/N**

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This is against the decision of the Carrick District Council to refuse outline planning permission for residential development on land at Ramoth Way, Perranporth. I held a local inquiry into the appeal on 15 and 16 January 1997.
2. The planning application form indicates that other than the position of the access, all matters of detail are intended to be reserved for future consideration. At the outset of the inquiry, it was agreed by the main parties that access should also be a reserved matter. It is on this basis that I shall determine the appeal.
3. The second reason for refusal refers to Structure Plan Policy C10, which relates to development within an Area of Great Scientific Value. The appeal site lies outside the boundary of this designation, and prior to the inquiry, the Council confirmed the withdrawal of this policy from the justification for refusal.
4. From what I have heard, read and seen, I consider that the main issue to be addressed in this case is the effect of the proposal on the character and appearance of the area, with particular reference to landscape and nature conservation considerations.
5. Policy H8 of the approved Cornwall Structure Plan - First Alteration advises that residential development will normally be accepted in those villages which meet defined criteria. The location, scale and type of development in those villages meeting the criteria



in H8 is provided for under the umbrella of policy H9. These policies are complemented by Policy H10 in the emerging review of the Structure Plan. Policy P5 of the adopted Cornwall Countryside Local Plan 1985 states that development on the edge of a town or village which would adversely affect the setting or character of the settlement will not normally be permitted. Policy 6D of the emerging Carrick District Wide Local Plan states that residential development will be permitted in certain settlements, including Perranporth, subject to all of defined criteria being met. The first of these is that the development should lie within the settlement as defined by the settlement boundaries on the proposals map. The second states that the development should not detract from the character of the settlement. The emerging plan is well advanced on its route towards adoption, and therefore attracts due weight. There are a number of policies, and emerging policies, which combine to seek to protect ecology and the environment.

6. In the emerging District Wide Local Plan, the site is shown within the village settlement boundary. The boundary reflects that previously used by the Council but which was not embodied in a statutory document. It is stated in the Plan that settlement boundaries perform the function of controlling development. Within the boundaries, there is a general presumption in favour of infilling, redevelopment or conversion for residential purposes, subject to normal planning criteria. This general statement must now be read against the most recent version of Policy 6D, which as stated previously refers to residential development, and not the more restrictive wording set out in the earlier statement in the Plan, and in the deposit version of 6D.

7. The second reason for refusal alleges that the site is within an Area of Great Landscape Value, but I note that at present the boundary of the approved AGLV excludes the site. There is a stated intention by both the County and District Councils that the AGLV should be extended, but both authorities agree that it will be for the Local Plan to define the precise boundary. It is also agreed that this will occur by way of the first review of the District Wide Plan.

8. Planning permission for the development of the site was granted in 1973. This permission was not implemented, and it subsequently lapsed. A separate application was made to construct roads and sewers, this being granted in 1974. Preliminary site works have been undertaken pursuant to this permission, and the Council confirm that these amount to a valid start which keeps the permission alive.

9. The site comprises dune land which includes areas of moss, grass and brambles on the eastern slope of the valley to the west of which lies the more closely-knit development in the village of Perranporth. There is limited development adjoining and near to the site and lying to the east and north of the B3285 road.

10. In my opinion, the Council are correct in their contention that the site is inextricably linked to the dune system on the other side of Ramoth Way and beyond. Its open, semi-rural character contrasts markedly with the more densely developed built form of Perranporth lying to the west. This is clearly seen as the site and village are approached from the east, along the B3285. The site is also readily apparent and seen as a prominent hillside feature when viewed from numerous points within the village, near the beach, and on the approach roads from St Agnes and Truro. I consider that the site is extremely important to the setting of

Perranporth. Despite the limited development along the main road and Ramoth Way, the semi-rural appearance of what is a dominant sloping hillside has been substantially retained, and not compromised to an unacceptable degree.

11. You explain that it is the intention of the appellant to adopt the density and layout principles of the earlier applications, which envisaged sixteen plots. The plan which was submitted with application No C/TR/73/52369 (decision No 59255/C dated 21 February 1974) shows twelve additional plots within the appeal site. I am firmly of the view that twelve dwellings would be seen as an alien, urban form of development, which would be greatly at odds with the semi-rural character of the area and the dune-land landscape. This would detract severely from the character of Perranporth village.

12. The proposal would therefore be in conflict with the aims and objectives of Structure Plan Policies H8 and H9, and the Statutory Local Plan Policy P5. In addition, the development would fail to meet criteria (ii) and (iii) of the emerging Policy 6D.

13. Dealing with the nature conservation issue, the Cornwall Wildlife Trust has recommended to the Council that the site be designated as a Cornwall Nature Conservation Site. Such sites have been identified as being of at least county importance for nature conservation. Among other things, you question the justification for designation, and whether the English Nature Sand Dune Survey actually covered the site, or intended to include it within the boundary of the CNCS. You contend also that the works which have already been undertaken in relation to the estate road detract from its nature conservation value, but although the works are disruptive, I consider that their effect has not been great. I realise that the extant permission could be fully implemented, but on the balance of probabilities, I feel that this is unlikely in the absence of planning permission for residential development which it would serve.

14. I note that at the Local Plan Inquiry, there were no objections to the extension of the boundary around the appeal site. Consequently, there is a strong possibility that the proposal will be confirmed in the adopted version of the Local Plan. The development of the site as envisaged would clearly result in the loss of most of its value as a NCS, and this reinforces my conclusion that the appeal should not succeed.

15. I am particularly conscious of the arguments which have been put on behalf of the appellant company concerning the inclusion of the site within the village settlement boundary, and to the views expressed by the Council that the issues would have been made simpler had the site been excluded. Nevertheless, I am left in no doubt that the objections which I have identified should prevail over all other considerations.

16. Finally, local residents have expressed strong concern over the access onto the classified road, but I have no reason to question the findings of the Council and the Highway Authority that a satisfactory junction layout could be achieved. All other matters raised at the Inquiry and in the written representations have been taken into account, but none of these matters outweigh the factors which led me to my conclusion on the main issue.

17. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

Yours faithfully

A handwritten signature in black ink, appearing to read 'R D Newington', with a horizontal line underneath the name.

R D NEWINGTON FRICS MRTPI
Inspector