

Chief Planning Officer's Advice Note:

Infill/Rounding Off

This is one of a series of notes issued by the Chief Planning Officer to guide greater consistency when making planning decisions. These notes may be updated from time-to-time in response to changing circumstances.

It provides guidance to help reach a decision only and should not be used as a reason for refusal. The note cannot be used as a substitute for the policies of the adopted Local Plan.

The Local Plan: Strategic Policies (LP:SP) supports Cornwall's dispersed settlement pattern. It steers larger scale growth to the main towns as named in Policy 3 Role and function of places, and also supports unplanned 'organic' growth in and adjacent to Cornwall's existing city, towns, villages and hamlets, but not normally in the open countryside.

This 'organic' growth is provided for in Policies 2, 2a, 3, 7 (Housing in the countryside), and Policy 21 (Best use of land and existing buildings) of the Local Plan. In addition, Policy 9 (Rural exception schemes) allows a more tolerant stance for affordable housing led schemes. The purpose of this note is to help provide consistent interpretation of these policies. We also strongly advise that visiting the site and the area is a critical part of decision making. How a place is on the ground may be different to how it appears on a map or aerial photo.

Establish if a settlement

The LP:SP Policy requires decision makers to first identify if the proposal physically relates to a recognisable settlement. A settlement is a place where people collectively live in permanent buildings. Other than at the named towns there is no absolute definition, but the smaller villages and hamlets should have a *'form and shape and clearly definable boundaries, not just a low density straggle of development'* (paragraph 1.68 LP:SP). Some linear settlements can meet the test of a clear form and shape suitable for infill and on occasion rounding off. Well-defined groups of dwellings with a collective name will normally be settlements. Local residents are well placed to assist with making this judgement; asking the opinions of the parish/members will be useful. This can be a reflection of how a place feels from the perspective of residents including community and social networks as well as services and facilities.

In defining settlements there are no expectations of services or facilities. The only specific exception to this is when assessing proposals for infill or rounding off in smaller villages and hamlets where, for development to be acceptable, such smaller villages and hamlets should *'be part of a network of settlements and/or be in reasonable proximity to a larger village or town with*

more significant community facilities, such as a primary school.' (paragraph 1.68 LP:SP).

This requires a decision maker to consider the proximity, accessibility and relationship of a smaller village or hamlet to other settlements, facilities, employment and services required for day to day living. In a rural place like Cornwall, other than in our city or towns it is unrealistic for public transport, walking and cycling to meet all of residents' transport needs alone. Consideration should be given to whether opportunities exist to minimise the number or length of car trips. This could include the availability of superfast broadband for home working, the ability to shorten car journeys by accessing rail or fast bus links to main towns which contain the most jobs, or the ability to make short journeys on foot or bicycle.

In addition, Neighbourhood Development Plans (NDPs) may name or define the settlements in their area, including the introduction of a settlement boundary to provide additional guidance on housing location.

Main towns

The primary housing apportionment for main towns is given in Policy 2a, page 20-22 of the LP:SP, and progress towards these figures is updated and published in the Housing Trajectory. This includes an expectation of small scale windfall development on unplanned sites. Windfall development is defined in the National Planning Policy Framework (NPPF) as sites which have not been specifically identified as available in the Local Plan process. They are therefore unplanned development and would not be identified as site allocations.

The NPPF allows Local Planning Authorities to make an 'allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply' (paragraph 48 NPPF). This was the argument the Council successfully made within the LP:SP to allow windfall to be counted as part of our housing supply. To confidently assess future delivery, and to ensure there was no double counting of SHLAA sites, an assumption for windfall sites being less than ten

dwellings (set out in table 1 of the Plan) was used. The EIP Inspector's report is clear that it is "...not the intention..." of the Council that 10 is a cap for windfall development.

The ongoing delivery of the LP:SP housing target requires delivery on unplanned (windfall) sites in the main towns; this may be on sites significantly larger than 10 dwellings. Neither is it intended that all sites over 10 dwellings must be managed through allocations within the Allocations DPD or NDPs. Site allocations are required to ensure delivery of the housing apportionment in line with the settlement strategy outlined in Policy 2 (Spatial strategy). They do not preclude other windfall development coming forward, but their location or layout should not prevent planned sites being delivered. As with smaller towns and villages, this windfall development is anticipated to include appropriately scaled infilling, re-use of previously developed land and rounding off opportunities, and these should be considered against Policy 8 for affordable housing purposes.

Appropriate scale

The decision-maker should consider the proposal in relation to the role and function of that place (LP:SP Policies 2 and 3). Proposals should be of a scale and nature to be considered 'organic' growth appropriate to the character, role and needs of the community (LP:SP 1.64). Decision makers will need to balance other considerations and consider when rounding off becomes disproportionate to the size of settlement or housing target. Larger developments should be considered to be of a strategic nature, relative to the settlement, and should be plan led either through Site Allocations DPD or NDPs and should not be considered to be rounding off or infill.

NDPs will normally have considered infilling and rounding off opportunities, if preparing a settlement boundary, and additional sites will need discussion with the relevant Local Council. NDPs form part of the statutory planning policy framework, so long as they demonstrate that provision of new housing can be met they provide the most up to date and detailed policy for local areas.

All other development should be judged on its own merits in relation to the role and function of the place it relates to. It should not perpetuate unfettered incremental growth in excess of the housing need of a settlement as identified through the LP:SP policies. Evidence of an affordable housing need at any settlement does not necessarily provide a measure of 'appropriate scale' for rounding off and infill purposes. Larger scale schemes should be brought forward on

a plan led basis through the Site Allocations DPD or NDP process.

The LP:SP provides specific advice in relation to infill development in smaller villages and hamlets where advice at paragraph 1.68 indicates that 1 or 2 dwellings is an appropriate scale.

Rounding off

After considering the policy stipulation about scale, a key consideration is rounding off. Rounding off provides a symmetry or completion to a settlement boundary, it is not intended to facilitate continued incremental growth. When making a judgement on rounding off, the decision maker needs to review the settlement and the surrounding area by visiting the site as well as reviewing maps and photographs to understand where the physical and logical boundaries of the existing settlement are. Rounding off development should not visually extend development into the open countryside and should be predominantly enclosed by edging features. The boundaries of some settlements can be irregular and edges can include lower density development, large gardens that are important to the character and setting of the settlement and previously developed land. A judgement will be required on a case by case basis whether a site has the appearance of being within the physical boundaries of that settlement. The presence of definite boundaries, landscape features, the history and nature of the land, whether it is despoiled, degraded, derelict or contaminated, existing development and topography will be important considerations in this respect.

Proposals must be adjacent to existing development and be contained within long standing and enclosing boundary features, for example, a road, Cornish hedge or stream. Suitable sites are likely to be surrounded on at least two sides by existing built development. Development resulting in the creation of a further site for rounding off is unlikely to be rounding off in itself.

In contrast, Policy 9 (Rural exceptions sites) is not restricted to this enclosed site characteristics.

Infill

This is development that would fill a gap in an otherwise continuous frontage which will normally be a road frontage. The layout and density of the development should be in character with and similar to others in the continuous frontage. Development should not diminish a large gap that is considered important to the setting of the settlement. Paragraph 1.67 notes that the large gaps between the urban edge of a settlement and other isolated dwellings are

not appropriate locations for infill development. This applies to settlements of all sizes.

Open countryside

Open countryside is beyond the physical boundaries of existing settlements where they have a clear form and shape and is part of an expansive area before the next settlement. The open countryside may include areas containing groups of dwellings which might not constitute a settlement, due to the lack of a clear form and shape.

Previously developed land

The development of previously developed land within or adjacent to settlements or where it is sustainably located is acceptable unless other environmental, social and economic considerations outweigh this.

Previously developed land is defined in the NPPF, Cornwall Council's Vacant Buildings Credit note and case law. The Council accepts in line with case law that the gardens of dwellings that are not in built-up areas are previously developed land. It should not be assumed that the whole of the curtilage or area of PDL should be developed and the scale of the proposal should be appropriate to the role and function of the location.

Other development within a settlement

The development of land which does not entirely fit the definition of infilling (part of continual frontage) or rounding off, but would be within the form and shape of that settlement, whether a main town or other settlement, will be acceptable where there is no significant harm arising to social, environmental or economic considerations.

Development in this respect would accord with Policy 21 c) which encourages proposals to increase building density where appropriate, taking into account the character of the surrounding area and access to services and facilities to ensure an efficient use of land.

Affordable housing exception sites

Rural Exceptions Sites are affordable housing led schemes to meet an identified local need and would be on land that is currently considered to be outside of the built up area of smaller towns, villages and hamlets. They should be adjacent to or well related (i.e. reasonably close and within a short and safe walk) to the built up area of the settlement and be appropriate in scale, character and appearance. Such sites would not meet the definition of infill or rounding off or necessarily be on previously developed land.