



Appeal Decision

Site visit made on 14 May 2024

by S D Castle BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 June 2024

Appeal Ref: APP/D0840/W/23/3326440

Land at Mayon Green Car Park, Sennen TR19 7BT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Jack Shannon against the decision of Cornwall Council.
 - The application Ref PA23/01947, dated 7 March 2023, was refused by notice dated 2 May 2023.
 - The development proposed is construction of dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken into account the revised version of the National Planning Policy Framework ('the Framework') published in December 2023. While there have been changes to paragraph numbers since the previous iteration, the parts of the Framework most relevant in this case have not significantly changed. I am satisfied, therefore, that the revised version of the Framework does not raise new considerations necessitating further submissions from the parties.
3. On 22 November 2023, all designated Areas of Outstanding Natural Beauty (AONBs) in England and Wales became "National Landscapes". However, the legal designation and policy status of these areas are unchanged, so I have therefore referred to the Cornwall National Landscape (CNL) as the AONB where relevant.
4. The application was made in outline, with access to be determined at this stage, and with scale, layout, appearance, and landscaping to be reserved matters.

Main Issue

5. The main issue is the effect of the development on the character and appearance of the area, having particular regard to the landscape and scenic beauty of the Cornwall National Landscape and Heritage Coast.

Reasons

Character and appearance

6. The appeal site is located at the southern edge of Mayon Green, an open expanse of elevated grassland located above Whitesand Bay. Cove Road immediately adjoins the site to the south and separates Mayon Green from the

built-up area of residential development to the south. A container is sited at the south-eastern corner of the site upon a concrete base. The container is screened by adjoining boundary vegetation to the south and east, and partially screened by an overgrown raised bank of land to the north. Vehicular access to the site would be via an existing access from Cove Road.

7. The site lies within the designated CNL and is within an area defined as Heritage Coast. The Cornwall AONB Management Plan 2022-2027 identifies the site as within the West Penwith section of the CNL, and describes this area as a rugged, exposed, and dramatic coastal landscape punctuated by secluded valleys. The Council's Landscape Character Assessment identifies the key characteristics of the surrounding area as including a theatrical and varied coastline that provides extensive recreational opportunities for walkers in a visually stunning setting, with minimal modern clutter, a very strong sense of tranquillity and remoteness, and dark night skies.
8. The open grassed elevated plateau landscape of Mayon Green is an exposed and dramatic coastal landscape that provides a visually stunning setting to the main built-up areas of Sennen. The area surrounding the site provides extensive recreational opportunities for walkers, with minimal modern clutter and a sense of tranquillity. As such, the positive landscape and visual contribution of Mayon Green to the West Penwith section of the CNL is readily perceived both from nearby surrounding roads, and the public rights of way criss-crossing the landscape.
9. The contrast between the residential development on Cove Road and the existing open landscape of Mayon Green forms an important part of the local landscape. Whilst the existing container is detrimental to the landscape character and visual appearance of the area, its harmful effect is limited given its small scale and the surrounding vegetation. Similarly, the harmful effect of the adjacent seasonal car parking is limited by its temporary nature.
10. Notwithstanding the limited details before me, it is reasonable to expect the proposed dwelling would significantly change the appearance of the site. The erection of a dwelling would reduce openness, whilst introducing domestic activity, including lighting. The likely and reasonable expectations of future occupants would be to create a domestic lawn, introduce ornamental planting, patio area, and a range of domestic paraphernalia such as a washing line and garden furniture. Many of these features could not be, or it would not be reasonable to, control by the removal of permitted development rights.
11. Due to the many surrounding public vantage points, the dwelling and the surrounding domestic activity would be clearly visible, and would lead to an overtly domestic, unsympathetic, and urbanising intrusion into a valued landscape. Whilst there are some existing buildings between Cove Road and Sunny Corner Lane, they are a significant distance from the site. The proposed location for a dwelling on the north side of Cove Road would, therefore, harmfully intrude into the open landscape of Mayon Green, which is an important component of the setting of Whitesand Bay and the approach to the coast.
12. For these reasons, the development would harm the character and appearance of the area, failing to preserve or enhance the landscape character and scenic beauty of the CNL and Heritage Coast. Additional planting as shown on the indicative site plan would not fully address nor overcome the adverse effects of

the scheme. Furthermore, whilst the proposed house could be designed to be sympathetic to the local vernacular style and form of dwellings within the area, compatibility in these respects would not sufficiently ameliorate the identified harms.

13. The proposal would result in some economic and social benefits, including through the dwelling's construction and as a result of a slight increase in spending and patronage of services in the local area. The proposal would also make a limited contribution to the Government's objective of significantly boosting the supply of homes. However, as the proposal is for only a single dwelling, the benefits identified attract limited weight. I note that a range of ecological enhancements could be secured by condition, and I acknowledge that a biodiversity net gain could be achieved. Such enhancements are afforded limited weight given the small scale of the site.
14. Whilst Policy 3 of the Cornwall Local Plan Strategic Policies 2010-2030 (the Local Plan) supports the development of previously developed land (PDL) immediately adjoining settlements, it also requires development within the AONB to demonstrate that it conserves and enhances the landscape character and natural beauty of the AONB. Furthermore, the Framework dictates that great weight should be given to conserving and enhancing the landscape and scenic beauty of the AONB. As such, even if I were to accept the entire site to represent PDL, the support offered by local and national policies for the redevelopment of PDL, when combined with all the other benefits of the development cited by the appellant, would not outweigh the identified harms to the character and appearance of the area and to the AONB.
15. I have taken into account the appeal decision at New Mills Lane¹ referred to me by the appellant. It is of limited relevance, however, given it is materially different in terms of its site's location and surroundings. I have assessed this appeal on its own merits based on its particular circumstances and evidence.
16. The proposal conflicts with Local Plan Policies 1, 2, 3, 21 and 23 and Framework paragraphs 8, 182, and 184. Taken together these policies require development, amongst other things, to sustain local distinctiveness and character, taking account of the intrinsic character and beauty of the countryside, and giving great weight to the character and special qualities of the AONB and Heritage Coast. The proposal would also conflict with guidance contained within Policy C1 of the Climate Emergency Development Plan Document (February 2023), and policies PD-P1, PD-P2 and PD-P11 of the Cornwall Area of Outstanding Natural Beauty Management Plan 2022 – 2027.
17. Overall, the proposal would conflict with the development plan when read as a whole and there are no other considerations that outweigh that identified conflict.

Conclusion

18. For the reasons above, the appeal is dismissed.

S D Castle

INSPECTOR

¹ APP/D0840/W/23/3320333