



Appeal Decision

Site visit made on 22 July 2025

by **S Harrington MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 July 2025

Appeal Ref: APP/D0840/W/25/3360494

Land adjacent Skyber, Trevurvas, Ashton, Helston, TR13 9TY

- 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 Philippa Wright against the decision of Cornwall Council.
 - The application Ref is PA24/06287.
 - The development proposed is new dwelling and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the course of the appeal the revised National Planning Policy Framework (the Framework) was published. The main parties have had the opportunity to comment on the implications of this change and no parties will have been prejudiced by my having regard to the latest version in reaching my decision.

Main Issues

3. The main issues are:
 - whether the appeal site would be a suitable location for new dwellings with specific regard to the local development strategy and accessibility to services and facilities; and
 - the effect of the proposal on the character and appearance of the area, with particular regard to the location of the site within the Cornwall National Landscape (CNL).

Reasons

Location

4. The appeal site is outside of any settlement boundary as defined within the Cornwall Local Plan Strategic Policies 2010- 2030 (LP) or Breage Neighbourhood Development Plan 2017-2030 (NP). It is an area of land which features a workshop and other small outbuildings and is put to me has been used as a domestic garden in associated with 'Skyber' since 1970. The site is located adjacent a small grouping of buildings known as Trevurvas.
5. LP policies 1 and 2 set out the Council's approach to sustainably accommodating growth based on the role and function of each place, with LP Policy 3 aiming to steer the majority of new housing towards the main towns. However, LP Policy 3

does enable a limited amount of new development to take place outside the main towns in particular circumstances. This includes rounding off of settlements and development of previously developed land (PDL) within or immediately adjoining settlements.

6. The LP defines rounding off as 'development on land that is substantially enclosed but outside of the urban form of a settlement and where its edge is clearly defined by physical features that also acts as barrier to further growth. It should not visually extend building into the open countryside'. Furthermore, LP para 2.33 states that 'open countryside is defined as the area outside of the physical boundaries of existing settlements (where they have a clear form and shape)'.
7. The Chief Planning Officer's Advice Note – Infill/Rounding Off (December 2017) (CPOAN) does not form part of the statutory development plan and is to be regarded as informal guidance. Nonetheless, it does provide some clarity on the locally adopted approach in relation to matters such as settlements, rounding off and PDL, and as such I have had regard to it in the determination of this appeal.
8. Trevurvas is not a 'named' settlement within LP Policy 3. Notwithstanding, the CPOAN notes that a settlement is a place where people collectively live in permanent buildings and has a form and shape and clearly definable boundaries, not just a low-density straggle of development. Furthermore, Trevurvas is referenced as a hamlet within the NP, although NP para 7.13 states that all of the smaller hamlets form an important part of the 'open countryside'.
9. I observed that people live collectively in permanent buildings within the grouping of buildings at Trevurvas. However, whilst there is a small number of dwellings in close proximity centred around the 'Old Farmhouse' and Trevurvas Lane, these do not form a clearly recognisable settlement centre. In-combination with a low density and the wider spatial separation of buildings without a clear wider settlement form, the character of the grouping of buildings is more akin to a dispersed straggle of development and an outlier of the nearby main settlement of Praa Sands.
10. Consequently, I find that this grouping of buildings is not a settlement for development plan purposes. Therefore, even if the appeal site constitutes PDL, it does not meet the requirements of LP Policy 3 in terms of rounding off or development of PDL.
11. Moreover, LP Policy 21 seeks to ensure the best use of land, providing support for development of 'sustainably located' proposals that, amongst other things, use PDL. In this regard I observed at my site visit the proximity of the appeal site to Praa Sands, which is the nearest settlement with a range of facilities and services.
12. The vehicular highway to Praa Sands is particularly narrow and enclosed and whilst not uncommon for rural roads, lacks pedestrian pavements or highway lighting. Furthermore, I observed a large part of the road is within the national speed limit, and combined with the topography and distance, is not attractive for cyclists or pedestrians.
13. Nevertheless, Praa Sands is accessible by foot via a public bridleway, with the appellant stating the centre of Praa Sands is approximately 1km from the appeal site. However, I observed that whilst the distances to services and facilities may be achievable by foot or bicycle, such a route would be unattractive for most people to

meet their day to day living needs due to part of this pedestrian route being unlit and featuring undulating topography. This would be particularly so in inclement weather or hours of darkness. Subsequently, I find that an increase in travel by private car would be a likely consequence of the appeal scheme.

14. In conclusion, the proposal would not be in a suitable location with regard to the local development strategy and access to services and facilities. The proposal therefore conflicts with LP policies 1, 2, 3, 7 and 21, NP policies S1, S2, and S3 and Policy C1 of the Climate Emergency Development Plan Document 2023. These policies, amongst other things, take a hierarchical approach, to direct development to appropriate locations based on the role and function of places and seek the promotion of sustainable means of transport.

Character and appearance

15. The appeal site is within the CNL which is an area designated for its landscape and scenic beauty. The Framework states that great weight should be given to conserving and enhancing landscape and scenic beauty in such areas, which have the highest status of protection in relation to these issues.
16. The site is located within the Cornwall Character Area CCA07: Mounts Bay (CCA). The surrounding area exhibits a number of the CCA landscape characteristics, including being within a valley system and undulating historic farmland. Overall, the surrounding area has an attractive rural character. I observed that the appeal site features modest built form of utilitarian appearance that are innocuous within this rural setting. Despite areas of domestic planting, the appeal site provides an open and positive contribution to the rural character and landscape beauty of the area.
17. The proposal would introduce a new pitch roof building in the place of the existing utilitarian buildings. Despite proposed vertical board timber cladding and corrugated roofing materials, the proposal would have a residential appearance and would introduce built form of significantly greater height, massing and bulk than the existing modest buildings.
18. Despite being of similar height to other adjacent dwellings, the proposal would be seen to extend significant residential built form away from the existing small cluster of dwellings appreciably diminishing the strong rural character of the area.
19. Furthermore, given the sloping topography of the area, the appeal site rises above highway level. Despite the siting of the dwelling to the middle this hillside, and existing and proposed landscaping, it would be evident and prominent from nearby public views both from the highway and adjacent public footpath, even more so during winter months when foliage is not in leaf.
20. The degree of change to the site as a result of the proposal would be discernible in the context of the character of the site as well as the wider landscape characteristics of the CNL. The erection of residential built form would result in the conspicuous visual urbanisation of the site, harmfully eroding the rural character of the area and scenic beauty of the CNL.
21. Consequently, the proposal would result in harm to the character and appearance of the area and would fail to conserve and enhance the landscape and scenic beauty of the CNL. As such, the proposal is contrary to LP policies 1, 2, 3, 7, 12,

21 and 23, and NP policies H6 and S2, which seek, amongst other matters, to ensure development leads to the protection and enhancement of the distinctive landscape and natural character and conserves the landscape character and natural beauty of the CNL.

22. The proposal would also conflict with policies PD-P1, PD-P2 and PD-P11 of the Cornwall Nationally Protected Landscape Management Plan 2022-2027, insofar as they seek to conserve and enhance the natural beauty of the CNL

Other Matters

23. The Council are unable to demonstrate a five-year housing land supply of deliverable housing sites and have stated that their supply is circa 3.8 years. Where the development plan is considered to be out of date for the policies most relevant to the determination, paragraph 11(d) of the Framework requires that presumption in favour of sustainable development is applied unless the application of policies in the Framework that protect assets of particular importance provides a strong reason for refusing the development proposed. For the purposes of paragraph 11, the CNL is an asset of particular importance as denoted by footnote 7.
24. The Framework seeks to conserve and enhance the landscape and scenic beauty of National Landscapes. In contrast, the proposal would cause harm to the CNL, and paragraph 189 of the Framework provides a strong reason for refusing the proposal. Consequently, the provisions of paragraph 11d)ii) of the Framework are not engaged in this instance.
25. Nevertheless, my attention has been brought to the findings of Securing Homes for All: A Plan to respond to Cornwall's Housing Crisis. The proposal's benefits include the provision of a new dwelling to the housing supply, short term economic benefits due to employment during construction, and an ongoing benefit from future occupants supporting local businesses, services, and the community. Notwithstanding, given the scope and scale of the development, I find the benefits would be modest.
26. The appeal site is within the zone of influence of the Fal and Helford Special Area of Conservation (SAC). Designated features of the SAC include saltmarsh, intertidal mudflats, subtidal sandbanks, large shallow inlets and bays, estuaries and reefs. Within the vicinity of the SAC, new residential development would lead to increased levels of recreational activity. This would be likely to have a significant effect on the designated features of the SAC either on its own or cumulatively with other similar development, without avoidance measures.
27. The application had been accompanied by a financial contribution and a S111 Agreement with the Council to seek to mitigate recreational impact of the proposal on the SAC. Notwithstanding, Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 indicates the requirement for an Appropriate Assessment is only necessary where the competent authority is minded to give consent for the proposal.
28. Given my conclusions on the main issues above, it is not necessary for me to consider this matter any further as the proposal would not take place and would not affect the SAC. Moreover, even if I were to find that suitable mitigation had been appropriately secured, a lack of harm would only be a neutral factor.

Conclusion

29. For the reasons given above, I find that the proposal would conflict with the development plan, read as a whole. No material considerations, individually or cumulatively, indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal is dismissed.

S Harrington

INSPECTOR