



Appeal Decision

Site visit made on 11 August 2025

by **S Harrington MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20th August 2025

Appeal Ref: APP/D0840/W/25/3362282

Land to the southwest of Hendrawna, Perranporth, Cornwall TR6 0DA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr Darran Goldby, Tregothnan Estate against the decision of Cornwall Council.
 - The application Ref is PA24/02832.
 - The development proposed is permission in principle for the construction of dwellings.
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Decision

1. The appeal is allowed and permission in principle is granted for residential development comprising a minimum of 1 and a maximum of 2 dwellings at land to the southwest of Hendrawna, Perranporth, Cornwall TR6 0DA in accordance with the terms of the application, Ref PA24/02832.

Preliminary Matters

2. Planning Practice Guidance (PPG) advises that permission in principle is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or 'permission in principle' stage) establishes whether a site is suitable in-principle, and the second ('technical details consent' stage) is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent technical details consent application if permission in principle is granted.
4. Following the decision by the Council, 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 Issue

5. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use, and the amount of development.

Reasons

6. The Perranzabuloe Neighbourhood Development Plan 2018-2030 (NDP) forms part of the development plan and through Policy SD1 identifies development boundaries for Perranporth and Bolingey. The appeal site is located outside of the

defined development boundary. However, NDP Policy SD1(2), permits development outside of the development boundary where it complies with the requirements of Policy 3 of the Cornwall Local Plan Strategic Policies 2010-2030(LP) for infill and rounding off, and conforms to other policies in the Plan.

7. LP Policy 3 sets out a hierarchical strategy for the delivery of new housing and provides criteria for housing growth outside the larger named towns. This criterion includes rounding off on land 'immediately adjoining' a settlement.
8. LP Paragraph 1.68 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 a physical feature that also acts as a barrier to further growth (such as a road). It should not visually extend building into the open countryside'.
9. LP paragraph 2.33 defines 'open' countryside as the area outside of the physical boundaries of settlements (where they have a clear form and shape), whilst the CPOAN adds that open countryside is part of an expansive area before the next settlement.
10. Informal guidance provided within the Chief Planning Officer's Advice Note – Infill/Rounding Off (December 2017) (The CPOAN) further advises that rounding off should provide a symmetry or completion to a settlement boundary; it is not intended to facilitate continued incremental growth; and suitable sites for rounding off are likely to be surrounded on at least two sides by existing built development, as well as being contained within long standing and enclosing boundary features.
11. Although outside of the designated development boundary, the boundary runs along two sides of the appeal site, and it is bounded on three sides by existing residential development. Furthermore, despite its verdant character, given the quantum and spatial relationship of surrounding built form, the appeal site does not appear as part of an expansive area before the next settlement and is visually, physically and functionally related to the settlement, rather than open countryside.
12. If this appeal were to be allowed the Council have stated that they would find it hard to refuse planning permission at a further site. However, any future proposals for adjacent land would need to be assessed on its own merits having consideration of its relationship with the surrounding area. Notwithstanding, given the relationship of the appeal site and settlement boundary, adjacent existing built form and that it is also clearly defined by existing boundaries, I find that the proposal would constitute rounding off.
13. Although not quoted within the reason for refusal, NDP Policy NE6 has also been brought to my attention, however the appeal site does not lie within a designated green buffer. Moreover, given the spatial relationship with nearby built form and size of the appeal site, I see no reason why up to 2 dwellings could not be successfully introduced onto the appeal site in principle.
14. Detailed matters such as design and the effect of the proposal on the character and appearance of the area (including tree cover), as well as drainage would be assessed at technical details stage. Furthermore, I see no reason why a suitable access to the site could not be provided, the details of which would also be assessed at technical details stage.

15. Accordingly, I conclude that the site is suitable for residential development, having regard to its location, the proposed land use, and the amount of development. The proposal, at this stage, would not conflict with LP Policy 3 and NDP Policy SD1, the purposes of which have previously been outlined.

Other Matters

16. Other appeal decisions¹ have been cited by the Council in relation to the approach Inspectors have taken to development plan policies and weight afforded to housing in light of the Council's lack of a five-year housing land supply (5YHLS). However, in this case, notwithstanding the lack of 5YHLS, I have found that the proposal accords with relevant development plan policies.
17. The appeal site is within the zone of influence of the Penhale Dunes and Fal and Helford Special Area of Conservation (SACs). The Cornwall Council European Sites Mitigation - Supplementary Planning Document – July 2021 (SPD) explains that the Penhale Dunes SAC is important and has qualifying features because of the specified range of rare plant species amongst the shifting sand dunes. The Fal and Helford SAC qualifying features include saltmarsh, intertidal mudflats, subtidal sandbanks, large shallow inlets and bays, estuaries and reefs.
18. Recreational activity within these areas has the potential to disturb the habitats. The SPD concludes that additional residential development within the identified zones of influence, in combination with other residential development, would likely increase recreational visits and, thereby, increase disturbance to the habitats. There is, therefore, an impact pathway between additional residential development in the zone of influences and a resulting likely significant effect on the qualifying features of the SACs.
19. As recreational pressure would compromise the sites conservation objectives as detailed in the SPD, an adverse effect on integrity cannot be ruled out. In this case, without mitigation the additional residents who would occupy the proposal would be, in combination with other schemes, likely to adversely affect the SACs by way of increased recreational disturbance.
20. A strategic mitigation scheme is available, and the SPD sets out a series of measures, which include a Strategic Access Management and Monitoring plan, to mitigate the effect of increased recreational pressure resulting from additional residential development within the zones of influence. Natural England have been consulted as part of the appeal process and have not objected to the proposal subject to securing a financial contribution. In this case, the appropriate financial contribution has been demonstrated to have been paid to the Council.
21. On this basis, in carrying out the Appropriate Assessment, the adverse effects of the proposal on the integrity of the SACs would be avoided. For these reasons, the proposal would not harm the integrity of the SACs.

Conditions

22. The PPG² indicates that it is not possible to impose conditions as the terms of any permission in principle must only include site location, type of development and amount.

¹ APP/D0840/W/24/3348094, APP/D0840/W/24/3343450, APP/D0840/W/24/3349247

² Paragraph: 020 Reference ID: 58-020-20180615

Conclusion

23. For the reasons given above the appeal is allowed.

S Harrington

INSPECTOR