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## Appeal Decision

Site visit made on 20 May 2025

by **B Astley-Serougi BA(Hons) LLM MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 September 2025

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**Appeal Ref: APP/D0840/W/24/3353618**

**Land south of Psykes Meadow, Goonbell, St Agnes, Cornwall TR5 0PQ**

- 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 Katie Deards, Ian Heyworth and Stephanie Tomlinson against the decision of Cornwall Council.
  - The application Ref is PA24/02313.
  - The development proposed is Permission in Principle for the construction of 3 self-build dwellings.
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### Decision

1. The appeal is allowed and permission in principle is granted for residential development comprising a minimum of 3 and maximum of 3 dwellings at Land south of Psykes Meadow, Goonbell, St Agnes, Cornwall, TR5 0PQ in accordance with the terms of the application, Ref PA24/02313, dated 21 March 2024.

### Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two 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 two stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted<sup>1</sup>. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.
4. I have used the description of development contained within the appeal form and Decision Notice in the banner heading above for clarity.

### 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 appeal site is located on the edge of St Agnes and is adjacent to residential development as well as a public highway and mature vegetation including hedgerows. It is located within the Cornwall Character Area CCA09 - Silverwell to

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<sup>1</sup> PPG Paragraph: 012 Reference ID: 58-012-20180615

Camborne (CCA09) and is adjacent to the Cornwall Character Area CCA14 – St Agnes (CCA14).

7. CCA09 is characterised by a complex rolling landscape and outside the main towns and villages, the predominant pattern in the former industrial areas is of dispersed but relatively dense settlements based on farmsteads and characteristic granite miners' cottages. One of the pressures listed regarding CCA09 is further demand for residential development, sprawling into the landscape around existing settlements.
8. CCA14 is predominantly improved grassland in enclosures. The enclosed field pattern contributes strongly to the overall visual landscape of the area and the pressures highlighted regarding this area include residential development on the edges of St Agnes
9. Policy 3 of the Cornwall Local Plan Strategic Policies 2010-2030 (the LP) establishes a hierarchy of how and where development will be accommodated. The aim of this policy is to control development so as to ensure, amongst other things, that new development contributes to the area's housing needs whilst safeguarding the open countryside.
10. In the reasoning text of Policy 7 of the LP it establishes that open countryside for planning purposes is defined as the area outside of the physical boundaries of existing settlements where they have a clear form and shape. This is also supported in the reasoning text of Policy 21. Nevertheless, given the proximity and close relationship of the appeal site to the adjacent residential dwellings as well as the centre of St Agnes, the mature hedgerow at the rear of the site and the road that adjoins the highway leading through Goonbell at two points, there is, to my mind a clear demarcation of the physical boundary of the existing settlement of St Agnes. Thus, the appeal site is located within the physical boundary of the settlement.
11. Accordingly, in my judgement, St Agnes has a clear form and shape and thus the appeal site is not in the open countryside for the purposes of Policy 7 and Policy 21 of the LP. It is for these same reasons that the appeal scheme would not contribute to the relevant pressures outlined in CCA09 and CCA14.
12. The Chief Planning Officer's Advice Note (CPOAN) on infill and rounding off outlines that rounding off provides a symmetry or completion to a settlement boundary and is not intended to facilitate continued incremental growth. Given the boundary provided by the rural lane close to the rear of the appeal site, as well as the hedgerow, and other residential dwellings adjacent to it, the appeal scheme would not result in a harmful visual extension of built development. It is to my mind, that the proposal would be enclosed by edging features. Moreover, the CPOAN highlights that the presence of landscape features amongst other things, will be important considerations in terms of assessing the physical boundaries of the settlement. Consequently, even if the lane near to the rear of the site was not deemed to be the settlement edge, the mature hedgerow at the boundary of the site would be sufficient.
13. The appeal site is bordered by development on the northern boundary as well as partially on its eastern boundary. However, the COAN is not prescriptive and instead refers to suitable sites being likely to be surrounded by existing built development on at least two sides. Consequently, even if the development on the

eastern boundary was to be discounted given it does not border the full length of the boundary, it would not preclude the appeal site from rounding off.

14. Whilst St Agnes is modest in size, the addition of three dwellings would be proportionate. The Council has not indicated concern regarding the land use or amount of development and I find no reason to disagree.
15. Accordingly, the appeal scheme would, in my judgement, constitute rounding off and therefore comply with Policy 3 of the LP which provides support, amongst other things for rounding off of settlements within or immediately adjoining that settlement of a scale appropriate to its size and role.
16. Regarding appeal decisions at Eastcliff and Mile Hill, I do not have the full circumstances of these and therefore cannot be certain that they are wholly comparable to the appeal before me. Nevertheless, given the specific site circumstances in the appeal before me, notably the mature hedgerow and close relationship to adjacent dwellings, these appeal decisions do not lead me to a different conclusion.
17. Given all of the above, I conclude that the appeal site is a suitable location for the proposed development. Accordingly, the appeal scheme would comply with Policies 2 and 3 of the LP insofar as they seek to ensure a sustainable approach to growth including rounding off and reflect the dispersed development pattern of Cornwall.
18. I have identified above that the appeal site is not located within the open countryside for planning purposes and therefore Policy 7 of the LP is not determinative for this issue.

## **Other Matters**

### *Appropriate Assessment*

19. The appeal site lies within the zones of influence for both the Penhale Dune Special Area of Conservation and the Fal and Helford Special Area of Conservation (the SAC's). The Penhale Dune SAC has important shifting dunes including white dunes, humid dune slacks, fixed dunes with herbaceous vegetation also known as grey dunes. The Fal and Helford SAC has the following qualifying features: saltmarsh, intertidal mudflats, subtidal sandbanks, large shallow inlets and bays, estuaries and reefs. The proposed development would likely result in additional cumulative recreation pressure on these SAC's, whether alone or in combination with other developments.
20. Policy 22 of the LP requires proposals to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects on the SAC's. The Council has a European Sites Mitigation Supplementary Planning Document 2021 (the SPD). It outlines a strategic mitigation strategy which has been agreed between the Council and Natural England. The mitigation highlighted in the SPD measures include onsite access and management as well as off-site provision of suitable alternative recreational facilities.
21. Section 111 of the Local Government Act 1972 (as amended) allows Local Authorities to charge provided they are discharging a Council function or the payment is incidental to discharging any such function.

22. Natural England has been consulted as part of this Appropriate Assessment and is content that the appellant's Section 111 agreement, which align with the Council's adopted strategy, would provide a financial contribution to the mitigation measures. Consequently, it would address the adverse effects associated with the proposed development and thereby relieve pressure on the SAC's. As a competent authority, I am satisfied that the planning obligation would secure and ensure the delivery of mitigation sufficient to address the harm likely to be caused by the development. I therefore find that, subject to the proposed mitigation, the proposal would not have an adverse effect on the integrity of the SAC's.
23. Concerns regarding the affordability of the appeal scheme is not a determinative matter in this case, especially given it is for permission in principle.

### **Conclusion**

24. The material considerations do not indicate that a decision should be made other than in accordance with the development plan. For the reasons set out above, I conclude that the appeal should be allowed.

*B Astley-Serougi*

INSPECTOR