



Appeal Decision

Site visit made on 11 August 2025

by **S Harrington MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 September 2025

Appeal Ref: APP/D0840/W/25/3362599

Land to SW of 25 Goonbell, Goonbell, St Agnes, TR5 0PN

- 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 Ms M Roberts against the decision of Cornwall Council.
 - The application Ref is PA24/04853.
 - The development proposed is the construction of two dwellings.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Ms M Roberts against Cornwall Council. This application is the subject of a separate Decision.

Preliminary Matters

3. Planning Practice Guidance 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) (PIP) establishes whether a site is suitable in-principle, and the second ('technical details consent' stage) (TDC) is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
4. 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 TDC application if PIP is granted.
5. 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 Issue

6. 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

7. The appeal site is located within the Cornwall and West Devon Mining Landscape World Heritage Site (WHS). The Framework states that World Heritage Sites are

heritage assets of the highest significance, which are internationally recognised to be of Outstanding Universal Value (OUV).

8. The Cornwall and West Devon Mining Landscape World Heritage Site Management Plan 2020-2025 (WHSMP) describes the WHS as a series of ten areas comprising the distinctive patterns of buildings, monuments and sites which together form the coherent series of distinctive cultural landscapes created by the industrialisation of hard-rock mining processes in the period 1700 to 1914.
9. The Statement of OUV outlines that the remains of mines, engine houses, smallholdings, ports, harbours, canals, railways, tramroads, and industries allied to mining, along with new towns and villages reflect an extended period of industrial expansion and prolific innovation. Mineworkers' smallholdings are identified as one of seven attributes through which the OUV of the WHS is expressed.
10. I observed that despite the loss of some historic field boundaries, and nearby modern development, the appeal site is seen as being within the countryside landscape. It exhibits some characteristics of the landscape character area CCA14 St Agnes (CCA) it falls within, including enclosed field patterns of small to medium scale fields.
11. The CCA description outlines that the patchwork of small fields testify to their origins as miners' smallholdings. Furthermore, historic mapping also indicates that the area was, and remains heavily influenced by miners' cottages and smallholdings, with mines and mine shafts evident in the area, and as well as engine houses, one of which can be observed at distance from the appeal site.
12. The WHS Supplementary Planning Document (2017) (SPD) sets out that the way land is used and managed has changed significantly over time, with traditional miners' smallholdings no longer being occupied or managed under their original use or tenure. However, their authenticity is retained through the preservation of historic field boundaries, and their relationship between domestic buildings and their associated land holdings.
13. The appeal site features a hardstanding, stable and utilitarian buildings, and is utilised for recreational purposes rather than being used as a productive enclosure. Nevertheless, although not easily observed or appreciated from the public realm as part of a historic smallholding, its integrity and character as part of the legible historic smallholding landscape, and associations to a mine-workers subsistence lifestyle remains. That it remains despite parts of the nearby area being developed also emphasises its intact form. I find that the site therefore does positively contribute to the OUV of the WHS.
14. Even if the proposal would constitute development of previously developed land (PDL) adjacent to the existing settlement in accordance with Policy 3 of the Cornwall Local Plan Strategic Policies 2010-2030 (LP), or if future occupiers were to work the surrounding land, the principle of the proposal would result in the visual extension of residential development into the historic landscape. This would be the case even if the remaining hedge boundary were to be retained, and notwithstanding detailed design which would be considered at the TDC stage.
15. The proposal would therefore inevitably diminish the historic legibility of the site. As such, I find the proposal would not enhance the WHS by efficiently using PDL.

as is put to me, rather, it would result in a reduction in the positive contribution that the appeal site makes as part of the historic cultural landscape.

16. As a result, there would be harm to the OUV of the WHS, although the impact would be minimal relative to the overall extent of the WHS and would be less than substantial within the meaning of the Framework. The Framework sets out great weight should be given to the conservation of heritage assets and notes that less than substantial harm should be weighed against any public benefits associated with the development.
17. Two dwellings would benefit the areas housing supply, in a location close to services, facilities and transport links. There would also be short term economic benefit due to employment during construction, and an ongoing benefit from future occupants supporting local businesses and services. However, due to the limited scope and scale of the proposal, these benefits in combination attract only modest weight and would not outweigh the harm that I have identified to the WHS.
18. Other appeal decisions cited by the appellant materially differ from the case before me. The Inspector relating to APP/D0840/W/19/3242572 did not consider effects of that proposal on the WHS, and indeed I have no detail as to if that particular appeal site was indeed within the WHS. Moreover, the appeal site of APP/D0840/W/23/332033 was also outside of the WHS, with the Inspector in that appeal finding that the proposal would not adversely affect the WHS. Furthermore, the Inspector in relation to APP/D0840/W/23/3333112 whilst finding conflict with policies relating to spatial strategy, also found harm to the OUV of the WHS, and conflict with LP Policy 24 and WHSMP policies.
19. The Inspector appointed to APP/D0840/W/23/3332955 found that matters in relation to character and appearance should have been deferred to TDC stage. However, the Inspector was clear that in that case, there appeared to be sufficient scope for landscaping and planting and could not conclude at the PIP stage that the mere principle of additional built form in that location would result in harm. Moreover, that Inspector also noted that they were still required to determine the effect of the proposal on a nearby heritage asset.
20. Other planning applications have also been cited by the appellant. With regard PA22/05071, the evidence indicates that whilst supported by the Council, and a suggestion that the Council would assess the impacts of the proposal on the historic environment at TDC stage, that site nevertheless did not fall within the WHS, and therefore materially differs from the case before me. With regards to PA17/08394, whilst within the WHS, this proposal relates to a greater number of dwellings and therefore differing levels of public benefit. This limits the equivalence of the other permissions to the current proposal. Moreover, the current proposal has its own circumstances and relationship with the WHS as I have identified above.
21. Accordingly, I conclude that the site is not suitable for residential development, having regard to its location, the proposed land use, and the amount of development. The proposal would conflict with LP policies 21 and 24, Policy 11 of the St Agnes Neighbourhood Development Plan 2018-2030, and Policy C1 of the Climate Emergency Development Plan Document 2023. These policies seek, amongst other matters, to ensure that proposals respond to and are demonstrably informed by historic landscape character and to avoid harm to the authenticity and

integrity of the OUV of the WHS. The proposal would also conflict with policies P3, C2 and C9 of the WHSMP, which seek, amongst other things to protect, maintain and enhance the historic character and distinctiveness of the WHS.

Other Matters

22. 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. For the purposes of paragraph 11 of the Framework, the WHS is an asset of particular importance as denoted by footnote 7.
23. The proposal would cause less than substantial harm to the WHS, and the application of the policies in Section 16 of the Framework provide a strong reason for refusing the proposal. Consequently, the provisions of paragraph 11d(ii) of the Framework are not engaged in this instance.
24. The proposal's benefits include the provision of two new dwellings in a location close to services, facilities and public transport links. Further benefits include short term economic benefit due to employment during construction, and an ongoing benefit from future occupants supporting local businesses, services, and the community. Notwithstanding, given the scale of the development, I find the benefits would be modest.
25. The appeal site is within the zone of influence of the Penhale Dunes Special Area of Conservation (PDSAC) and the Fal and Helford Special Area of Conservation (FHSAC) (the habitat sites). Designated features of the PDSAC include shifting dunes along the shoreline with *Ammophila Arenaria*, dunes with *Salix repens* ssp. *argentea*, humid dune slacks, fied dunes with herbaceous vegetation, *Rumex rupestris*, *Gentianella anglica* and *Petalophyllum ralfsii*.
26. Designated features of the FHSAC include saltmarsh, intertidal mudflats, subtidal sandbanks, large shallow inlets and bays, estuaries and reefs. Within the vicinity of the habitat sites, 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 habitat sites either on its own or cumulatively with other similar development, without avoidance measures.
27. The application had been accompanied by an undertaking under Section 111 of the Local Government Act 1972 with an associated financial contribution to seek to mitigate recreational impact of the proposal on the habitat sites. 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 issue 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 habitat sites. 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