



Appeal Decision

Site visit made on 2 September 2025

by Juliet Rogers BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th October 2025

Appeal Ref: APP/D0840/W/25/3363044

Land adjacent to Perran Round Lodge, Rose, Truro TR4 9PG

- 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 Mr Peter Postle against the decision of Cornwall Council.
 - The application Ref is PA23/09770.
 - The development proposed is the construction of two dwellings.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of two dwellings at Land adjacent to Perran Round Lodge, Rose, Truro TR4 9PG in accordance with the terms of the application, Ref PA23/09770, subject to the conditions in the attached schedule.

Preliminary Matters and Main Issues

2. The appeal site is located within the zones of influence (ZOI's) of the Fal and Helford Special Area of Conservation (SAC) and the Penhale Dunes SAC, European Designated Sites afforded protection under the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations). Although not a reason for refusal on the Council's decision notice, it is incumbent upon me as the competent authority to consider whether the proposal would be likely to have a significant effect on the integrity of the SACs. As the appellant has submitted a Section 111 agreement regarding this matter and the Council has made comments within its statement, neither party would be prejudiced by this matter being dealt with as a main issue.
3. Consequently, the main issues are:
 - the effect of the proposal on the character and appearance of the area, and whether the significance and the setting of the St Piran's Round Scheduled Monument¹ would be conserved;
 - the effect of the proposal on highway safety, with specific regard to the Perran Round Lane (the byway) junction with the B3285; and
 - whether the proposal would be likely to have a significant effect on the integrity of the SACs.

¹ Official listing 1016168, date first listed 1933

Reasons

Character and appearance including the Scheduled Monument

4. The appeal site comprises currently undeveloped land which was previously part of the garden area of an adjacent property. Nonetheless, the residential character of the site remains given its scale and siting between neighbouring properties. The site is accessed off a narrow, unsurfaced byway which is open to all traffic and serves approximately 18-20 dwellings. Whilst currently devoid of built form and overgrown, the site's character is influenced by its siting between existing residential properties rather than the more open fields and countryside in the wider area. Other properties located along the byway comprise a range of building forms and typologies with little consistency in scale and bulk, in their relationship to each other or proximity to the byway. This creates both a sense of space where detached buildings are sited away from property boundaries and the byway, interspersed with dwellings close to or defining the edge of the route.
5. Whilst smaller cottage forms are commonplace within the historic core of Rose and at the other end of the byway from the site, several large, detached dwellings, including some currently under construction, are also located along the byway. As such, no rhythm or regularity in the pattern of development is apparent. The features characteristic to the area include the prevailing single or two storey building heights and the use of similar materials, textures and colours.
6. St Piran's Round (St Piran's) is located close to the appeal site, on the opposite side of the byway. As a Scheduled Monument, it is a designated heritage asset which is, by definition, of national importance. Therefore, the National Planning Policy Framework (Framework) requires great weight to be given to its conservation.
7. Rounds are small, circular enclosures, with banked sides, initially used as agricultural settlements. They can, therefore, provide evidence of settlement and social organisation from the end of the Iron Age. As St Piran's is considered to be a well-preserved example, it is likely to contain archaeological evidence of how it was constructed, the lives of the inhabitants of the agricultural settlement and how the surrounding landscape was used.
8. St Piran's was later adapted for use as an amphitheatre or *plans-an-gwarry* for medieval mystery or miracle plays, where performances within the level base of the enclosure were watched by onlookers seated on its steep, high banking. Mature and dense planting has grown on the top of the bank and either side of the ditch which encircles the enclosure. Aside from the view through the narrow gap in the bank near the informal car park, any visual connection in or out of St Piran's is substantially restricted by its landscape and landform features.
9. The monument is best appreciated and experienced from within the structure itself, either from the flat base or looking inwards from the slopes of the bank. Its sense of enclosure and seclusion a key feature of its significance. Outside the circular banking, the principal area where St Piran's is best experienced includes from the car park on the opposite side of the round from the site. Here, views into the round are possible and the shape of the landform can be, to a modest degree, appreciated. Other uses close to the car park, including the adjacent and derelict, reservoir compound, do little to reveal the significance of St Piran's or its setting.

10. The significance of St Piran's, insofar as is relevant to the appeal scheme, relates to its condition, its historical use and later adaption, and archaeological potential, together with its well-preserved topographical form. As identified within the Heritage Impact Assessment (HIA)², the role of the Cornish Revivalist movement during the twentieth and twenty-first centuries also contributes to St Piran's, being a driver for restoring and conserving the value of the heritage asset.
11. Despite its proximity to the round, there is little visual connection from the site to St Piran's, with the mature trees and bushes encircling it appreciated as a small, wooded area when viewed from the site. No substantive evidence is before me demonstrating there is or was a physical or historical connection between the site and the heritage asset. The appeal site, therefore, makes little positive contribution to the significance of St Piran's in terms of its setting. However, given its unfinished appearance, the byway between the site and the round does, in a minor way, contribute to the significance of the asset as part of its setting.
12. The appeal scheme comprises two detached dwellings in a mirrored arrangement either side of their respective garden areas and parking spaces. Whilst of a compact nature and modest in scale, the gable end positioning of the proposed dwellings retains the sense of space which is intermittently found along the byway. Whilst the South House would be sited closest to St Piran's, it would be set back from the byway in alignment with the front of the adjacent garage. The ridge height of the proposed dwellings would not exceed that of the adjacent Perran Round Lodge. Given the topography and landscape features of the inward facing enclosure, even during the winter months, any views from St Piran's would be largely constrained to the top of the bank and the ditch which surrounds it. Whilst some glimpses of the roofscapes of the proposed dwelling may be perceptible from these locations, they would be experienced within the same context as other built form along the byway, including Perran Round Lodge.
13. Although the proposal would introduce two storey domestic accommodation closer to St Piran's than currently exists, the position of the South House would be marginally nearer than the built form of the extant permission on the site comprising a dwelling and annexe³. Despite being indicated as 1.5 storeys, the ridgeline of the dwelling within the extant permission is no lower than that of Perran Round Lodge and therefore the proposed dwellings.
14. The gable end positioning of the proposed dwellings minimises the amount of roofscape visible from the byway and the distance along this route, which is enclosed by built form, despite a shallow roof pitch, higher eaves heights and additional volume than the extant permission. Notwithstanding their contemporary appearance, the types of materials used within the proposed dwellings reference those used within the surrounding area. Additionally, details of the colour, texture and overall appearance of the materials can be required via a planning condition.
15. My attention has been drawn to the Local Landscape Character Assessment (LLCA), prepared in support of the Perranzabuloe Neighbourhood Development Plan (PNDP) which identifies the site within the *undulating land* landscape character type. Whilst located on higher ground, the appeal site is not exposed given its position between existing built form and St Piran's, nor does the proposal

² Ref: SH Ref PERR0724, prepared by Statement Heritage, dated 17 July 2024

³ Council Planning Permission ref: PA21/08166, dated 14 December 2021 and corresponding Lawful Development Certificate ref: PA24/09063, dated 22 January 2025 (the extant permission)

extend the settlement of Rose along a road corridor; circumstances which the LLCA seeks to avoid.

16. I conclude that the proposal would not harm the character and appearance of the area and would conserve the significance and setting of the St Piran's Round Scheduled Monument, in accordance with policies 1, 2, 12, 23 and 24 of the Cornwall Local Plan Strategic Policies 2010-2030 (the Local Plan). In combination these policies require development proposals to be of a high design quality which respects and sustains the local distinctiveness and character of the area, including protecting and conserving designated heritage assets, amongst other provisions. These requirements are amplified within Policies SD2 and HE1 of the PNDP. The proposal also complies with the Framework's objectives of securing high quality design and respecting local distinctiveness.

Highway safety

17. The lack of a roadside verge to the B3285 and the close siting of boundary hedgerows either side of the byway's junction with it restricts a driver's visibility to the right. However, the existing width of the byway at the junction is such that, when turning left onto the B3285, it is possible to position a vehicle close to the nearside to maximise sightlines to the right, as I observed during my site visit. Should driver's wish to turn right out of this junction, a similar vehicle position could be adopted, albeit not as close to the left-hand side hedge. Drivers would also have the option to travel from the site along the byway in the other direction and join the B3285 via the main route through Rose.
18. Whilst representations have been made by interested parties regarding the safety of this junction, no evidence that its standard has resulted in any accidents is before me. In addition, whilst described as not lightly trafficked by the Council, no traffic count data has been provided to verify this point and, whilst a snapshot in time, during my site visit I observed only the occasional vehicle moving along the B3285.
19. Nonetheless, the use of the site for residential development has already been established through the extant permission. Whilst a further dwelling on the site may lead to an increase in the number of times the junction with the B3285 is used by vehicles going to or from the site, this would be largely dependent upon the lifestyles of future residents of the proposed dwellings. Nevertheless, any such increase would not be significant.
20. I conclude that the proposal would not lead to a significant adverse effect on highway safety, with specific regard to the byway's junction onto the B3285. It, therefore, accords with Policy 27 of the Local Plan and the requirement that developments should not lead to a significantly adverse impact on the local or strategy road network. The proposal also complies with the Framework in this respect.

Integrity of the SACs

21. The conservation interest of the Penhale Dunes SAC encompasses the significant presence of shifting dunes, supported by stabilising vegetation which provides important habitats for various coastal ecosystems within this terrestrial site. As a marine and estuarine site, the conservation interest of the Fal and Helford SAC relates to the quality of its sandbanks, sandflats and mudflats, estuaries and

associated inlets and bays. It is considered to be one of the best areas of this type of site in the United Kingdom.

22. The key conservation objective for both SACs is to maintain or restore, at favourable conservation status, their natural habitats and species of wild fauna and flora of community interest. One of the main issues preventing this objective from being met relates to the pressure from people accessing the area for recreational purposes. This leads to the disturbance and trampling of the habitats within the SACs and the species they support. An increase in the number of people living within the ZOI's, which represents the likely distance people would travel for recreation, would, therefore, increase this pressure. As such, it is likely that the proposal, taken both in isolation and cumulatively, would have a significant adverse effect upon the integrity of the SACs.
23. The approach to avoiding or mitigating these significant effects, as set out in the Council's SPD⁴, is through securing contributions towards the measures identified therein that can be implemented within both SACs to mitigate the increase in recreation pressure. These contributions are calculated on a per dwelling and/or per bedroom basis and paid either prior to the grant of planning permission as an upfront payment or prior to the commencement of the development if secured by an appropriate legal agreement. The SPD, therefore, provides sufficient information for me to conclude that the obligations sought are necessary, related directly to the development and fairly related in scale and kind to it. As such, it accords with the provisions of Regulation 122 of the CIL Regulations and the Framework's tests for planning obligations.
24. In this case, the appellant has submitted a Section 111 agreement and has paid the appropriate payment to the Council. Therefore, I am satisfied that the necessary contributions have been secured to enable the delivery of mitigation sufficient to address the level of harm likely to be caused by the proposal.
25. Consequently, I conclude that the proposal would not be likely to have a significant adverse effect on the integrity of the SACs, meeting the requirements of the Habitat Regulations and in accordance with Policy 22 of the Local Plan. It also supports the Framework's objective of promoting the conservation, restoration and enhancement of priority habitats, and the protection and recovery of priority species.

Other Matters

26. Various representations have been made by interested parties relating to surface and foul water drainage, particularly given the lack of sewers in the area. However, the proposal includes the use of soakaways and greywater collection for surface water and an onsite treatment plant to handle foul water. The size of Rose and its lack of facilities is not determinative in my decision.
27. Given the scale of the proposal, any resultant increase in traffic noise would be minimal. I have no reason to conclude that the proposal would lead to an increase in drivers speeding in the area. Whilst concerns have also been raised regarding light pollution, the scale of the appeal scheme also limits the light pollution it would generate. The number of parking spaces per dwelling accords with the Council's parking standards for dwellings within this location.

⁴ Cornwall European Sites Mitigation Supplementary Planning Document (SPD)

28. Although a section of Cornish hedge will be removed to provide access to the site, a new hedge comprising native species will be planted along the site boundary with Perran Round Lodge, as set out in the Preliminary Ecological Appraisal (PEA)⁵. A planning condition has been imposed to ensure this mitigation is implemented, alongside other ecological and biodiversity measures specified in the PEA.
29. Given the orientation, height and roof pitch of the proposed dwellings, together with the distance to their immediate neighbours, sufficient space for sunlight and daylight to reach the garden areas and internal spaces of the adjacent properties is provided. On this basis, I see no reason to conclude that the proposal would harm the living conditions of neighbouring occupiers.

Conditions

30. Aside from the standard time limit and plans conditions, I have imposed a condition requiring an archaeological investigation of the site to be agreed by the Council and implemented as approved to ensure any archaeological evidence is appropriately managed. I have rationalised and made edits to the Council's version of this condition for conciseness. A condition requiring a survey of the byway to be undertaken before development commences has been imposed to ensure its character is maintained or returned to a similar state once the development has been completed.
31. To protect the living conditions of existing occupiers of neighbouring properties and those experienced by future occupiers of the proposal, I have imposed conditions requiring obscured glazing to be installed within certain openings and have restricted the proposal's permitted development rights.
32. A condition requiring details of the external materials to be submitted to and approved by the Council has been imposed to protect the character and appearance of the area, including St Piran's. It is not necessary for this to be a pre-commencement condition as such details can be considered at a later date. Conditions have also been imposed to ensure the measures set out in the PEA and Energy Statement are implemented in accordance with the Council's Climate Emergency Development Plan Document.

Conclusion

33. For the reasons given above the appeal should be allowed.

Juliet Rogers

INSPECTOR

⁵ Ref. BE548, prepared by Bright Environment and dated 5th May 2020

Schedule of Conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Dwg. No. B/001 rev A	Location Plan
Dwg. No. B/002	Proposed Site Plan
Dwg. No. N/001	Proposed Floor Plans - North House
Dwg. No. N/002	Proposed Floor Plans - South House
Dwg. No. B/004	Comparative Elevation Heights
Dwg. No. N/002 rev A	Proposed Elevations - North House
Dwg. No. S/002 rev A	Proposed Elevations - South House
Dwg. No. S/005	Proposed North and South Elevations (<i>east and west elevations shown</i>)
Dwg. No. S/006	Proposed North and South Elevations
- 3) No development shall take place until a project design Written Scheme of Investigation (WSI) for archaeological monitoring and recording has been submitted to and approved in writing by the local planning authority. The WSI shall include:
 - i. The programme and methodology of site investigation, recording and analysis;
 - ii. The programme for post investigation assessment including publication, dissemination and archive deposition of the analysis and records of the site investigation;
 - iii. Nomination of a competent person or persons/organisation to undertake the works set out within the WSI;The development shall be implemented in accordance with the approved WSI and prior to the occupation of the development hereby permitted.
- 4) No development shall take place, including any groundworks, until a condition survey, including a photographic record, of the surface of the Byway Open to All Traffic (Route Code 314/103/1) has been submitted to and approved in writing by the local authority.

Prior to the occupation of the dwellings hereby permitted, notice shall be given in writing that the byway has been returned to the condition as shown in the submitted survey carried out prior to commencement of the development.
- 5) The development shall be carried out and completed in accordance with the mitigation measures set out within the Preliminary Ecological Appraisal (Ref. BE548, prepared by Bright Environment and dated 5th May 2020).
- 6) Prior to the occupation of the dwellings hereby approved, the first-floor windows on the north elevation of the north house, as shown on Dwg. No. N/002 rev A - Proposed Elevations - North House, shall be fitted with obscured glazed to at least level 3 on the Pilkington scale of privacy or equivalent and shall be non-opening up to a minimum height of 1.7m above the internal floor level of the room in which it is installed. This specification shall be retained for the lifetime of

the development. No new windows or other openings shall be made on the said north elevation.

- 7) No development above ground level shall commence until details of the materials to be used in the construction of the external surfaces (doors/windows/lintels/ sills/cladding/roof covering) of the dwellings hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.
- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order with or without modification), no development permitted by virtue of Classes A to E inclusive of Part 1 of Schedule 2 to the said Order shall be undertaken.
- 9) Prior to the first occupation of the dwellings hereby permitted, the energy and water efficiency measures and renewable energy provision set out in the Energy Statement (prepared by Oakland Energy and dated 31st December 2023) shall be implemented in accordance with the details therein and, where shown, the approved plans. The energy and water efficiency measures and renewable energy provision shall be retained and maintained thereafter.

**** End of Schedule ****