



Appeal Decision

Site visit made on 23 September 2025

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2025

Appeal Ref: APP/D0840/W/25/3366677

Hartley House, Three Burrows, Blackwater, Truro TR4 8HT

- 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 A Mortley against the decision of Cornwall Council.
 - The application Ref is PA25/00028.
 - The development proposed is construction of one dwelling and associated works.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle. The Planning Practice Guidance (the 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 permitted¹. 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. An applicant can apply for permission in principle for a range of dwellings by expressing a minimum and maximum number of dwellings as part of the application. In this instance, permission has been sought for a single dwelling. A plan has been submitted showing how a dwelling could be accommodated on the site, but I have considered this to be solely for illustrative purposes, because the application only relates to the principle of the proposed development.

Main Issue

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

Reasons

6. The Council's settlement strategy is set out in Policies 2 and 3 of the Cornwall Local Plan Strategic Policies 2010 – 2030 (adopted 2016) (the Local Plan). The

¹ The PPG Paragraph: 012 Reference ID: 58-012-20180615

strategy seeks to maintain the dispersed development pattern of Cornwall, and provide housing based on the role and function of each place. Policy 3 says that, outside specific main towns, housing growth is to be delivered through rounding off of settlements; development of previously developed land (PDL) within or immediately adjoining settlements; infill schemes; the identification of sites through Neighbourhood Plans; and rural exception sites.

7. Paragraph 1.68 of the Local Plan explains that Neighbourhood Plans can provide detailed definition on which settlements are appropriate for infill, and boundaries within which the policy will operate. The Truro and Kenwyn Neighbourhood Development Plan (the Neighbourhood Plan) establishes an Urban Extent Boundary for Truro, together with development boundaries for Threemilestone and Shortlanesend, within which Policy H1 supports proposals that meet local housing need. The appeal site is not within these boundaries, and is not otherwise identified for development within the Neighbourhood Plan. Furthermore, the proposal has not been submitted as a rural exception site.
8. Proposals for rounding off, infill, or development of PDL are only supported by Policy 3 of the Local Plan within or immediately adjoining a settlement. There is no definition of a settlement in Policy 3, but advice is provided in the Chief Planning Officer's Advice Note: Infill/Rounding off (the CPOAN), which both parties have referred to. The CPOAN advises that a settlement is a place where people collectively live in permanent buildings, and which has a form and shape and clearly definable boundaries. There is such a well-defined group of buildings to the west of the A30 at Three Burrows, centred around a small roundabout. However, the appeal site lies a substantial distance to the east, and is separated by a dual carriageway and a wide tract of largely undeveloped land. It does not, therefore immediately adjoin this settlement.
9. Whilst there are other buildings in the vicinity of the appeal site, they are part of a loose scatter of development in a predominantly rural setting. There is no distinct group, and no discernible boundaries to differentiate any nucleus of built development from the surrounding countryside. This disparate spread of buildings does not, therefore, constitute a settlement in its own right. As the site is not within or immediately adjoining a settlement, the proposal does not constitute infill, rounding off, or development of PDL as described in Policy 3(3). Therefore, the proposal does not comprise any of the types of new housing that is supported by Policy 3 of the Local Plan.
10. Paragraph 2.33 of the Local Plan defines open countryside as the area outside of the physical boundaries of existing settlements. The appeal site lies in such a location. Policy 7 of the Local Plan says that development of new homes in the countryside will only be permitted where there are specified special circumstances. None of these apply to the proposal, so it would be contrary to Policy 7.
11. Policy 21(c) of the Local Plan encourages sustainably located proposals that increase building density where appropriate, taking into account access to services and facilities. The site lies within walking distance of the limited range of facilities at Three Burrows. A much wider range of services is available at Threemilestone, approximately 3km along the A390 to the southeast, and there are bus stops close to the site on either side of the road. Furthermore, the recently completed Saints Trail provides a mainly off-road cycleway between St Agnes and Threemilestone, which passes the site on the opposite side of the A390. It would, therefore, be

possible for occupants of the proposed dwelling to access services by means other than the private car.

12. However, the walking route to Three Burrows would involve crossing the A390 to reach the Saints Trail. The A390 is a busy, unlit road and there is no formal crossing point. This, combined with the length of the route and the limited range of available services, means that it is unlikely that occupants would regularly access day-to-day services on foot. Whilst the eastbound bus stop is close to the site access, there is no footpath on this side of the road. Consequently, occupants of the dwelling would either have to walk on an unmade grass verge to reach it, or cross the A390 twice. In the absence of any streetlighting or crossing points, neither of these options would be convenient or safe. The Saints Trail provides a convenient cycleway, but the need to cross the A390 to access it, the lack of lighting, and the distance to the full range of services at Threemilestone and Truro would be likely to discourage most from using this option.
13. Consequently, notwithstanding that there are bus stops and a cycleway close to the site, the lack of streetlighting, footways and crossing points, combined with the distance to services, means that there would be strong disincentives to the use of sustainable transport options by occupants of the development. The location of the site would not, therefore, significantly reduce car dependence. As a result, the proposal does not derive support from Policy 21(c) of the Local Plan.
14. In coming to this conclusion, I have had regard to the appellant's evidence that four holiday pods have been permitted nearby. However, I have not been provided with details of that proposal in order to draw any comparisons. I am also mindful of the appeal decision² that has been drawn to my attention by the appellant, where an Inspector found a site at Penstraze to be a reasonably sustainable location. However, I find the location of the proposal to be more comparable with the appeal decision³ that the Council has referred to at Greenbottom, where the Inspector concluded that the site was not sustainably located or highly accessible by safe pedestrian and cycle links to larger settlements.
15. For the above reasons, I conclude that the site is not suitable for a dwelling, having regard to its location, the proposed land use, and the amount of development. The proposal would be contrary to Policies 2, 3 and 7 of the Local Plan, which seek to provide a sustainable approach to accommodating growth by directing development to larger settlements and accessible locations, and restricting new homes in the countryside.

Planning Balance

16. The proposal would conflict with the spatial strategy of the development plan and there are no policies that positively support residential development of the appeal site. The proposal would therefore conflict with the development plan as a whole. However, it is not disputed that the Council cannot currently demonstrate a five-year supply of deliverable housing sites. The most recent evidence indicates that the supply is 3.8 years, so the shortfall is considerable. In these circumstances, the approach to decision-making set out at Paragraph 11d) of the National Planning Policy Framework (the Framework) applies.

² Appeal Decision APP/D0840/W/24/3345642

³ Appeal Decision APP/D0840/W/24/3349247

17. Paragraph 232 of the Framework says that due weight should be given to existing development plan policies according to their degree of consistency with the Framework. The spatial strategy set out in Policies 2, 3 and 7 of the Local Plan is consistent with the Framework's aims to direct development to locations where there is a genuine choice of transport modes, and to maintain the vitality of rural communities. However, it is not delivering a sufficient supply of homes in accordance with another aim of the Framework. Consequently, I can only afford moderate weight to the conflict with the development plan policies that govern the spatial location of housing.
18. Set against the conflict that I have identified, there would be benefits associated with the development. It would support the Framework's objective of significantly boosting the supply of homes as set out at paragraph 61. Paragraph 73 identifies that small sites can make an important contribution to meeting the housing requirement of an area, and are often built out quickly. However, as I have found that the site does not lie within a settlement, this benefit does not carry the great weight ascribed in subparagraph d). Nevertheless, in view of the current shortfall in housing land supply, this benefit does weigh in favour of the proposal. In view of its small scale, I give it moderate weight.
19. There would also be economic benefits associated with the development, through the creation of jobs during the construction phase. Thereafter, residents would contribute to the local economy through ongoing spending and support for local services. The small scale of the development means that these benefits carry modest weight.
20. It is common ground that the proposal would not harm the character and appearance of the area. However, a lack of harm in this regard does not represent a benefit, so does not affect the planning balance.
21. I have concluded that occupants of the development would be largely reliant on private vehicles to access day-to-day services and facilities. This would conflict with the Framework's aim to promote sustainable transport. Paragraph 11d) requires particular regard to be given to key policies in the Framework, including directing development to sustainable locations. I therefore give significant weight to this conflict.
22. In the overall balance, when assessed against the policies in the Framework taken as a whole, the adverse impacts of the proposal significantly and demonstrably outweigh the benefits. Therefore, the proposal does not benefit from the presumption in favour of sustainable development set out in paragraph 11d).

Conclusion

23. The proposal would be contrary to the development plan when read as a whole. This conflict is not outweighed by any other considerations, including the Framework. I therefore conclude that the appeal should be dismissed.

Nick Davies

INSPECTOR