



Appeal Decision

Site visit made on 4 November 2025

by Samuel Watson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 November 2025

Appeal Ref: APP/D0840/W/25/3371662

Land North Of 75 Treverbyn Road, St Austell, Cornwall PL25 4EW

- 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 Cornwall Executive Homes Limited against the decision of Cornwall Council.
 - The application Ref is PA25/00419.
 - The development proposed is the construction of up to 9 dwellinghouses.
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Decision

1. The appeal is dismissed.

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 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. I have determined the appeal accordingly.

Main Issue

4. 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

5. The appeal site comprises part of a larger field accessed off Treverbyn Road at the edge of St Austell. The field is separated from the road by mature planting and the grounds of an adjoining property, as a result it reads as a continuation of the agricultural fields forming the wider countryside outside of St. Austell. Although development extends along this side of the road towards the appeal site, beyond it, away from St. Austell, this peters out significantly. The proposal is for between five and nine open-market dwellings at the appeal site.
6. Policy 3 of the Cornwall Local Plan Strategic Policies 2010-2030 (the CLP) identifies the hierarchy for development. The top of the hierarchy is for development to be directed, by site allocations and neighbourhood plans, to

named towns, including St. Austell. Given the location of the appeal site, it therefore sits within the countryside outside of a main town, St Austell, as identified by Point 1 of the policy. Consequently, the site is instead covered by Point 3 which allows for the meeting of housing needs through, amongst other things, rounding off settlements, infill schemes and, the use of previously developed land.

7. The appeal site covers a relatively sprawling area that, as noted above, extends behind development fronting on to Treverbyn Road. By way of the appeal site's positioning and shape it extends away from the main body of development forming St Austell and into the surrounding countryside. It does not, therefore, round off the edge of the settlement but, instead, encroaches into the countryside. This encroachment would also create a new pocket for which a rounding off argument could be made at a later date.
8. Although there are buildings to the north and south of the site there is a considerable gap between these two groups. The proposal would also sit behind Highlands, as annotated on the appellant's submissions, and would leave a sizeable area to the south-west of the site. The proposal cannot therefore be described as infilling development.
9. The submissions before me have not suitably demonstrated that the appeal site forms previously developed land. Therefore, with the points identified above, the proposal would not comply with the hierarchy of development as outlined under CLP Policy 3.
10. At the time of my visit the appeal site was an open field that, as noted above, was visually and physically connected to the open countryside. The siting of dwellings, roads, gardens and the presence of residential paraphernalia within this field and behind the development fronting on to Treverbyn Road would significantly affect the character and appearance of the site eroding its contribution to the wider rural landscape. The adverse impact of this encroachment would be exacerbated by its prominent siting on a slope and near a public footpath that would allow both longer and closer views. I have not considered the proposed layout of the site as this would be a matter for consideration at the technical details consent stage.
11. CLP Policy 8 requires that residential developments of more than ten dwellings contribute towards the need for affordable housing. The proposal before me is for between five and nine dwellings and, as such, would not immediately be required to provide this contribution. However, the Policy goes on to set out that where a plot has been split into two adjoining sites the Council will consider the capacity of the developable plot as a whole for the purposes of calculating affordable housing thresholds. The Policy states that this also includes where the density of development is lower than expected.
12. As noted above, the appeal site forms only part of a larger field that has been split for the purposes of this proposal. I note on this adjoining area that there is a planning application for the expansion of an existing light industrial use, and that permission was separately granted for storage in connection with this use. As the planning application has not been decided, and as it has not been demonstrated that land is imminently necessary for the light industrial use, the area covered by the planning application would still be developable land. I do not, however, find that the access road permitted for the light industrial use should be considered as it is necessary to provide access to the permitted use. Therefore, in line with CLP

Policy 8, for the purposes of density, I have considered the appeal site and the above noted application site, as being developable land.

13. The parties have also both provided densities for development with examples of 23 dwellings per hectare up to 31 dwellings per hectare. Although the parties appear to have discussed these in relation to the appeal site only, CLP Policy 8 is clear that the whole developable area should be considered when assessing density. Consequently, the dwellings per hectare proposed here would be considerably below the examples put forward by both parties.
14. Providing only five dwellings at the appeal site would further reduce the density of development, as I have already found the maximum density to be unacceptable, it is unnecessary for me to consider this potentiality further.
15. Across this developable space there is, therefore, sufficient land to provide additional dwellings. The proposed subdivision of the plot to provide the appeal site would reduce the number of potential dwellings at the site and, therefore, not make the best use of the land. This subdivision of the site has also meant that the proposal does not cross the ten-house threshold for affordable housing and therefore compromises the provision of affordable housing within the plan area.
16. In all, the proposal would not be suitably located for new residential development as it would conflict with the hierarchy of development in the Council's local plan and due to the landscape harm it would cause. The amount proposed would also not make best use of the land and would not suitably contribute towards the Council's affordable housing needs. The proposal therefore conflicts with CLP Policies 3, 8, 21 and 23. These collectively, and amongst other matters, set out the hierarchy of development, the need to make best use of land, provide affordable housing and protect the character and appearance of sites and their surrounding landscapes. The proposal would also conflict with Chapter 11 and Paragraphs 8, 11, 64 and 187 of the National Planning Policy Framework. These variously support sustainable development that makes effective use of land and contribute to the natural environment by recognising the countryside's character and beauty.

Other Matters

17. As the appeal relates to an application for permission in principle the type and size of the proposed housing is not a matter for consideration at this stage. Instead it would be a matter that could be considered at the technical detail consent stage.
18. Several examples of planning permissions and appeal decisions relating to residential development have been set out by the appellant and Council and I note the comparisons made. While other planning and appeal decisions are capable of being material considerations, all decisions turn on their own particular circumstances based on the facts and evidence before those decision-makers or Inspectors at the time. The most relevant examples before me are the two permissions to the north of the appeal site. However, I find that both of these decisions are significantly different to that before. In particular PA25/00151 is in a different locational context and PA21/12757 provides solely affordable housing. Therefore, I cannot make any meaningful comparisons to the appeal scheme before me, which I must consider on its own merits.

Planning Balance and Conclusion

19. There is no dispute that the Council is unable to demonstrate a five year housing land supply and therefore the presumption in favour of sustainable development set out under Paragraph 11(d) applies. The policies of the Framework do not provide any clear reason for refusing the development proposed and I have therefore considered Paragraph 11(d)(ii) below.
20. The Government's objective is to significantly boost the supply of housing, and the proposal would provide up to nine new dwellings, with access to local amenities, and contribute towards the Council's housing land supply. It would also lead to a small and time limited economic benefit during the construction phase, as well as some modest social and economic benefits resulting from future occupiers. Given the small scale of the proposal, these matters at most attract moderate weight.
21. The proposal would also conflict with the Council's hierarchy for development but given the small scale of the development and the Council's lack of a five-year housing land supply, I attribute this more moderate weight. It would also not make best use of the land and nor would it provide any affordable housing. The location of the proposal would also harm the character and appearance of the surrounding landscape, contrary to both local and national planning policy to which I give considerable weight.
22. Taking everything into account, I consider that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits. As a result, the application of Paragraph 11d of the Framework does not indicate that permission should be granted, and the proposal would not represent sustainable development. In the circumstances of this appeal, the material considerations do not justify making a decision other than in accordance with the development plan.
23. Therefore, for the reasons outlined above, I conclude that the appeal should be dismissed.

Samuel Watson

INSPECTOR