
Appeal Decision

Site visit made on 9 December 2025

by **S Harrington MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 December 2025

Appeal Ref: APP/D0840/W/25/3371314

Land between Polcoverack Lane & The Bay Hotel, Coverack, Cornwall TR12 6TE

- 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 Andy Martin against the decision of Cornwall Council.
 - The application Ref is PA25/02829.
 - The development proposed is construction of up to 2no. dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development in the banner heading above from the application form. However as 'Permission in Principle for' is not an act of development, I have removed this element. I have also utilised the site address details provided on the application form. However, I have included the county and post code as outlined in the decision notice for clarity.
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.

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. Policy 3 of the Cornwall Local Plan Strategic Policies 2010- 2030 (LP) sets out a hierarchical strategy for the delivery of new housing based on the role and function of places. This Policy provides that outside larger named settlements, housing growth is to be delivered through, amongst other means, infill schemes that fill a small gap in an otherwise continuous built frontage and do not physically extend the settlement into the open countryside. The Policy continues that proposals

should consider the significance or importance that large gaps can make to the setting of settlements and ensure that this would not be diminished.

7. Moreover, LP Policy 3 also states that within the Cornwall National Landscape (CNL) such as the appeal site, development will be supported where it is in accordance with the other policies of the LP and can demonstrate that it conserves and enhances the landscape character and natural beauty of the CNL.
8. The National Planning Policy Framework (Framework) also directs that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes, which have the highest status of protection in relation to these issues. Furthermore, the Levelling Up and Regeneration Act 2023 requires decision makers to actively seek to further the purpose of conserving and enhancing natural beauty within National Landscapes.
9. The Chief Planning Officer's Advice Note – Infill/Rounding Off (December 2017) (CPOAN) does not form part of the statutory development plan and is to be regarded as informal guidance. However, it does provide some clarity on the locally adopted approach in relation to matters such as infill.
10. The CPOAN highlights that infill schemes would fill a gap in an otherwise continuous frontage which will normally be a road frontage and that the layout and density of the development should be in character with and similar to others in the continuous frontage.
11. In this case, the appeal site is an area of undeveloped land located between The Bay Hotel and buildings which are predominantly dwellings along Polcoverack Lane and fronts the B3294 highway. The proposal would provide a continuous roadside frontage, and subject to TDC, could provide dwellings of an appearance similar to others in the area. Notwithstanding, other factors must also be considered including whether the appeal site constitutes a large gap that contributes to the setting of the settlement, the gaps significance and importance, and whether the proposal would visually extend development into the open countryside.
12. LP paragraph 1.67 notes that large gaps often exist between the urban edge of a settlement and other isolated dwellings beyond the edge of the settlement; they are not appropriate locations for infill development, and the development of these gaps would not therefore be considered as infill under the policies of the LP. Nevertheless, whilst referring specifically to large gaps that appear at the urban edge of a settlement, this does not preclude other gaps within a settlement being considered as 'large gaps'.
13. I observed that Coverack extends from the harbour area and around the cove with its distinctive and pleasant character formed by the natural beauty of the coast, historic pattern of development and integral relationship with the surrounding rural landscape. This relationship is strengthened by an area of open land extending from the surrounding open countryside landscape downwards towards the sea which visually splits the village into two parts. The appeal site forms an important part of this gap and positively contributes to the relationship of Coverack with the surrounding countryside landscape and its wider scenic beauty.
14. Therefore, whilst the gap between built form to two sides may not be physically wide, the area of undeveloped land which the appeal site is part of is seen as an

expansive large open gap that runs up the hillside and creates an impression of open countryside reaching down towards the coast, which is appreciable from various areas within and around Coverack, including from the harbour.

15. Furthermore, although the Council's appeal statement refers to the appeal site being within Cornwall Character Area 13: South Lizard Peninsula, the evidence before me indicates it to be within Cornwall Character Area 12: North East Lizard Peninsula) (CCA) as referred to within the Council's Officer Report and CNL Office consultation response. I am told that the CCA recognises 'the strong sense of time-depth experienced in the landscape' as part of its valued landscape attributes and key sensitivities.
16. Whilst, unsurprisingly for a fishing port, the historic core of Coverack centres around the harbour, historic mapping does show some development to the opposing side of the appeal site. Nevertheless, particularly when seen from more distant views such as the harbour, due to the patterns of development, density and spatial relationships, the areas of the settlement on the opposing side of the appeal site notably differ to the post medieval linear historic development at the harbour and core of the village.
17. Details such as appearance, layout and landscaping would be considered at the TDC stage. Nonetheless, residential built form at this location, the presence of which would be prominent given the position of the site in relation to the coast, highway and harbour, would unavoidably result in a visual extension of residential development into the currently open area. It would erode the sensitive countryside landscape setting to the village that the appeal site is part of, lessening the time-depth experienced in the landscape, harmfully diminishing the strong rural character and appearance of the area and conflict with the purposes of the National Landscape.
18. Moreover, even if the mid and upper parts of the hillside which are outside the appeal site remained undeveloped, the loss of the continuation of the openness to the highway and coast beyond would significantly reduce the contribution of the gap to the character and appearance of Coverack and the scenic beauty of the wider landscape.
19. Consequently, the proposal would diminish an important gap resulting in harm to landscape and scenic beauty of the area and would not constitute an appropriate infill scheme. Therefore, 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 1, 2, 3, 7, 12, 21, 23, Policy C1 of the Climate Emergency Development Plan Document 2023 and Policy 1 of the Cornwall Site Allocations Development Plan Document 2019. These policies seek, amongst other matters, to sustainably secure development that improves the economic, social and environmental conditions in the area, respect and enhance the quality of place, and conserve the landscape and scenic beauty of the CNL.
20. The proposal would also conflict with policies PD-P1, PD-P2 and PD-P11 of the Cornwall National Landscape Management Plan 2022-2027 which seek, amongst other things, to ensure development maintains local distinctiveness and does not compromise the special qualities and characteristics of the CNL.

Other Matters

21. The appeal site is within the Coverack Conservation Area (CA), although the Council's heritage team have not raised any objections in terms of the historic environment. From my observations, in so far as they relate to this scheme, the significance of the CA arises from the age of buildings and historic architecture within the settlement, which illustrates the growth of Coverack from a fishing port.
22. Whilst the proposal would result in built form occupying a previous undeveloped site, matters such as design, layout and materials would be considered at the TDC stage. Providing an appropriate scheme comes forward at TDC, given the detail available at the PIP stage, it is considered that the proposal, at this stage, would have a neutral impact on the significance of the CA.
23. The Council are unable to demonstrate a five-year housing land supply of deliverable housing sites, with the appellant stating the supply being circa 3.9 years. For the purposes of paragraph 11 of the Framework, the CNL is an asset of particular importance as denoted by footnote 7.
24. The proposal would cause harm to the landscape and scenic beauty of the CNL, conflicting with the purpose of conserving and enhancing natural beauty within National Landscapes. As I have found harm to the CNL, there is conflict with the policies of the Framework that protect areas or assets of particular importance and provide a strong reason for refusing the development proposed. Therefore, the proposal does not benefit from the presumption in favour of sustainable development outlined at paragraph 11 of the Framework.
25. The proposal's benefits include the provision of up to 2 new dwellings to the area's housing land supply in a location which provides a range of services and facilities. 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 small scale and scope of the development, I find the benefits would be modest.
26. Another appeal decision¹ that is cited by the appellant differs from the current proposal in several ways. Whilst that appeal was also within the CNL, contrary to my findings above, the Inspector in that case found that there would be no conflict with the aim of furthering the purposes of the National Landscape. This limits the equivalence of the other case to the current proposal. Moreover, the current appeal proposal has its own circumstances, and I shall determine it on its own merits.
27. The appeal site is within the zone of influence of the Fal and Helford Special Area of Conservation (SAC). Designated features of the SAC include saltmarsh, intertidal mudflats, subtidal sandbanks, large shallow inlets and bays, estuaries and reefs. Within the vicinity of the SAC, 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 SAC either on its own or cumulatively with other similar development, without avoidance measures.
28. Notwithstanding, Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 indicates the requirement for an Appropriate Assessment is only

¹ APP/D0840/W/24/3353953

necessary where the competent authority is minded to give consent for the proposal.

29. 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 SAC. Moreover, even if I were to find that suitable mitigation had been appropriately secured, a lack of harm would be a neutral factor.

Conclusion

30. 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