
Appeal Decision

Hearing held on 25 and 26 November 2025

Site visit made on 26 November 2025

by **U P Han BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 January 2026

Appeal Ref: APP/D0840/W/25/3368536

Penhale Camp, Camp Road, Holywell Bay, Cornwall TR8 5PF

- 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 Clerkenwell Estates (Holywell Bay) Ltd against the decision of Cornwall Council.
 - The application Ref is PA22/02896.
 - The development proposed is partial demolition of existing buildings and development of a holiday park comprising short stay holiday accommodation units and associated leisure facilities through redevelopment and refurbishment along with landscaping, boundary treatment, access, parking, drainage, services and plant.
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Decision

1. The appeal is allowed and planning permission is granted for partial demolition of existing buildings and development of a holiday park comprising short stay holiday accommodation units and associated leisure facilities through redevelopment and refurbishment along with landscaping, boundary treatment, access, parking, drainage, services and plant at Penhale Camp, Camp Road, Holywell Bay, Cornwall TR8 5PF in accordance with the terms of the application, Ref PA22/02896, subject to the conditions in the attached schedule.

Preliminary Matters

2. An agreed Statement of Common Ground (SoCG) was submitted prior to the opening of the Hearing. This identifies the plans comprising the application subject to this appeal as those set out in the Council's Decision Notice. For the avoidance of doubt, I have determined the appeal on this basis. The SoCG also identifies the planning conditions agreed between the Council and the appellant as those set out in the Council's Committee Report (dated 19 December 2024). An updated schedule of planning conditions (dated 4 December 2025) was subsequently agreed between the Council and the appellant and submitted as part of the appeal.
3. A completed and executed Section 106 agreement made pursuant Section 106 of the Town and Country Planning Act 1990 dated 15 January 2026 was submitted to the appeal on 19 January 2026. I have taken all of these documents into account in the consideration of this appeal.
4. The planning application was accompanied by an Environmental Statement (ES). Following review of the ES by the Planning Inspectorate, a request was made to the appellant for the submission of further information pursuant to Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations (as amended) 2017 (the EIA Regulations). The appellant submitted the further

information on 19 November 2025. That information was subject to public consultation for 30 days, expiring on 3 January 2026. In determining the appeal, I have taken into account the further information submitted to supplement the ES, the responses submitted to the consultation on the further ES information and the main parties' comments to the responses.

5. It should also be noted that I have had due regard to my relevant statutory duties under the Environment Act 2021, the Natural Environment and Rural Communities Act 2006 and Countryside and Rights of Way Act 2000.
6. On the 16 December 2025, the Government launched a consultation on proposed changes to the National Planning Policy Framework (the Framework). As the proposals could be subject to change, they carry little weight. Accordingly, my decision was made with reference to the December 2024 version of the Framework.

Main Issues

7. The main issues in this appeal are:
 - whether the proposed development is of an appropriate scale to its location, having particular regard to its effect on the surrounding area including an Area of Great Landscape Value (the AGLV); and
 - whether the proposed development constitutes sustainable development, having particular regard to its accessibility by a range of transport modes.

Reasons

Effect on the surrounding area including the AGLV

8. The appeal site includes a number of vacant buildings, an internal road network and areas of hardstanding associated with its previous military use by the Ministry of Defence (MoD), which ceased in 2010. The site also contains areas of amenity grassland, along with natural habitats near its boundaries. Vehicular access to the site is provided from Holywell Road.
9. There are approximately 97 buildings dispersed across the site in varying states of deterioration. Most of the buildings are single storey structures with pitched roofs and a light coloured finish. Their rectilinear forms and utilitarian design are characteristic of military architecture. In addition, a number of Nissen huts occupy the site, distinguished by their distinctive arched roofs.
10. External lighting is present, consisting of sodium bulkhead luminaries on buildings, fluorescent bulkheads at building entrances and conventional streetlights along the access road. The entire site was previously enclosed by high razor/ barbed wire topped chain-link fencing supported by concrete posts. This has been replaced with timber posts and a mesh-and-wire system.
11. The site is within a coastal location and is surrounded by coastal grassland and scrub, and the wider sand dune environment. To the west, the site is framed by dramatic cliffs, adjacent to which the South West Coast Path (SWCP), connecting Perranporth to Holywell Bay, runs near to the site boundary.
12. The topography of the site is broadly concave, rising gently to the west to form an elevated rim along the west boundary. To the north, the site transitions into

adjoining dune landscape, while the eastern entrance occupies the lowest point, adjacent to the shallow valley extending from Holywell into the site.

13. Amongst other considerations, Policy 5(3) of the Cornwall Local Plan Strategic Policies 2010-2030 (adopted November 2016) (the CLP) requires development of new tourism facilities to be of an appropriate scale to its location.
14. In addition to other matters, Policy 23 of the CLP requires development to be of an appropriate scale, mass and design that recognises and respects landscape character. It also requires development to take into account the sensitivity of the landscape asset, using guidance from the Cornwall Landscape and Character Assessment and descriptions of Areas of Great Landscape Value.
15. The guidance in the Cornwall Landscape and Character Assessment and descriptions of Areas of Great Landscape Value seek to ensure that holiday parks minimise their landscape and visual impact. Amongst other things, it encourages the conservation and expansion of semi-natural habitat, the restoration of Cornish hedgerows and the use of traditional materials.
16. While not cited in the reason for refusal, the Council has referred to Policies NE2, NE3 and NE7 of the Perranzabuloe Neighbourhood Development Plan (PNDP) in its Statement of Case. Policies NE2 and NE3 of the PNDP echo Policy 23 of the CLP while Policy NE7 of the PNDP identifies important vistas and views to be protected, including view 11 - Penhale Camp from Holywell and view 12 - Penhale Point looking south.
17. According to the Cornwall Landscape Character Assessment (updated April 2023), the site lies within Cornwall Character Area 17 named Newquay and Perranporth Coast (CCA17) and the Perranporth to Holywell AGLV (the AGLV). Based on evidence before me, the appeal site does not lie within a National Landscape (previously known as Area of Outstanding Natural Beauty).
18. CCA17 is described in the Cornwall Character Area Description as a coastal landscape comprising an area from Perranporth to Mawgan Porth and extends inland to include several short coastal river systems. Its valued attributes include gently undulating north-west facing coastal plateau, high cliffs, sandy beaches, open and exposed landscape, extensive areas of maritime cliff and slope, rough grassland and dune system, large areas of open access land and dramatic and scenic open coastal landscape with far reaching views along Cornwall's north coast.
19. The AGLV covers the area of Perran Bay, Holywell Bay, the mouth of the Gannel River and Penhale Sands. Its special landscape qualities, as identified in the 2023 Cornwall AGLV Review, include its distinctive open and exposed coastal landscape, extensive sand dunes, prominent headlands and dramatic cliffs. Its coastal habitats are internationally and nationally designated for their nature conservation importance. Heritage and cultural assets of the AGLV include Iron Age cliff castles, Bronze Age funerary barrows and associations with the historic mining industry in the area. Furthermore, the AGLV contains expansive areas of open access land and includes part of the SWCP, offering views across the area and out to sea.
20. In addition, the site lies within the Penhale Camp and Headland Landscape of Local Significance as identified in the PNDP. A Local Landscape Character

Assessment (LLCA) accompanying the PNDP depicts the landscape character of the area similarly to the descriptions outlined above. While the LLCA notes that Penhale Camp is 'remarkably set into the landscape', it also identifies that it is a prominent and defining feature of the area's landscape and visual character, particularly in views from Holywell.

21. Within this context, the appeal site forms part of the existing built development within the landscape. The Council clarified during the Hearing that although the site lies within open countryside, it does not exhibit an open character due to its developed nature.
22. The proposal is for a holiday park comprising 67 units of accommodation in a range of 1, 2, 3 and 4 bedroom units. Additional facilities would be provided including a swimming pool, spa, shop, restaurant, amenity space and an art and nature centre. The design of the site takes cues from the existing layout and built form, identifying three character areas for the proposed holiday park.
23. The appellant has submitted a Landscape and Visual Impact Assessment (LVIA) which forms part of the ES. The appellant's LVIA Statement¹ and further information submitted under Regulation 25 of the EIA Regulations confirm that the LVIA remains relevant, and it states that the proposal would not result in any significant landscape and visual effects.
24. The LVIA assessed the existing landscape character of the site and its surrounding context, assessing both the site's sensitivity to change and the magnitude of change likely to result from the proposed development. Nineteen representative viewpoints were agreed with the Council and assessed as part of the LVIA, including the important views and vistas identified in Policy NE7 of the PNDP relevant to the appeal site (views 11 and 12). The sensitivity of each viewpoint to change, the magnitude of change and the effect on each viewpoint has been assessed and reported in the LVIA.
25. Following a review of the evidence and my own site observations, I concur with the overall conclusions of the LVIA, which indicate that the proposed development is unlikely to result in any significant landscape or visual impacts. This takes into account the primary/ embedded mitigation measures incorporated in the proposal to avoid, prevent, reduce and mitigate any likely adverse landscape and visual impacts. The detailed reasoning for my assessment is set out below.
26. Character Area 1 occupies an elevated position in the northern part of the site and currently contains a range of single storey buildings dispersed across the area. Within this area, the majority of the existing buildings are proposed for retention and refurbishment.
27. The proposed materials to the refurbished buildings include timber, slate and Cornish stone to reflect the local vernacular. There are also five Nissen huts which will be replaced with new structures, designed to reflect the form and footprint of the original huts. Consequently, a sense of continuity with the historic layout and form would be maintained. Furthermore, the choice of external materials and colour palette would help the refurbished buildings to blend more effectively into the landscape.

¹ Nicholas Pearson Associates, June 2025.

28. Four new single story two-bedroom cabins are proposed within Character Area 1. However, these would be positioned within the bowl-shaped landform of the site, thereby reducing their visual impact.
29. There would be some loss of mown grass in Character Area 1 to allow for the creation of the four additional cabins. However, given the low value landscape nature of the loss (mown amenity grassland) and the limited scale of the loss, it would not have a significant effect on the prevailing landscape character of the AGLV and the wider area.
30. During the Hearing, the Council expressed concern that the proposal for the northern part of the site would adversely affect the landscape and visual qualities of the area due to its elevated position. Reference was made to the planning permission² granted for 132 homes on the site in 2018 which did not include development in the northern section of the site. However, as the proposal seeks to retain and re-use the existing buildings here, their scale and form would remain largely the same. Therefore, the proposed development would not significantly intensify its visual impact. Furthermore, the refurbishment of the existing dilapidated structures, along with the choice of natural materials and colour palette, would enhance their visual integration within the landscape.
31. Character Area 2 forms the core of the site and is situated within its bowl-shaped landform. Currently, it contains a close knit cluster of existing buildings with associated areas of hard surfacing, giving it a more built-up character. The proposal for Character Area 2 includes a reception, offices, storage, restaurant, swimming pool, spa and shop, within a mix of existing, replacement and new buildings, along with a parking area.
32. This character area contains one of the site's largest existing buildings, which is proposed for demolition and will be replaced by a covered amenity space occupying a broadly similar footprint. Open on all sides and constructed largely in timber to blend in with the landscape, the replacement structure would be less visually prominent than the building it would replace.
33. The proposed restaurant would occupy a replacement building that would be similar in position, form and height to the existing building. The proposed open air swimming pool would occupy the site of the former tennis courts with a spa immediately next to it, replacing existing dilapidated military buildings.
34. Overall, the design, scale, colour palette and siting of the facilities in Character Area 2 responds sensitively to the landscape and makes effective use of the site's topography to minimise visual impact. As such, the proposed scheme is unlikely to result in a significant impact on the landscape character of the AGLV and the wider area.
35. Character Area 3, in the western part of the site, currently includes Nissen huts, concrete walling approximately one metre in height situated close to the site boundary, a collection of deteriorated buildings and a mown grassed area. The land slopes in a west to east direction towards the centre of the site.
36. The proposal for this area comprises largely of new build accommodation, the majority of which would be single storey two-bedroom cabins. The existing Nissen

² Ref. PA15/07114.

huts would be replaced by structures of a similar form and footprint as the existing huts to reflect the character of the site and to perpetuate the spirit of the former military camp.

37. Situated in the southernmost part of the site would be three two-storey beach houses, replacing two large existing severely deteriorated buildings. The beach houses would be lower in height than the existing buildings and combined with their reduced massing and dispersed arrangement to allow for planting around them, would have a reduced visual impact compared to the current structures.
38. There would also be three single storey semi-detached cabins in place of the former mess halls. These new cabins would be of a similar scale to the existing structures and located on lower ground to the western ridge, thereby minimising their visual effect.
39. While the two bedroom cabins would be located where no buildings currently exist, they would sit at lower ground level than the western ridge, thereby helping to reduce their visual impact from the SWCP. There would be loss of mown amenity grassland in this area as a result of the proposal. However, mown amenity grassland is not a special landscape quality of the AGLV. As such, given the nature of the loss, the impact on the prevailing landscape character of the AGLV and wider area would not be significant.
40. There would also be several new single storey cabins situated close to the western boundary of the site and SWCP. These would be clearly visible in both close-range and distant views from the SWCP, resulting in a moderate adverse visual effect. However, this impact would be tempered by the removal of the concrete wall and the conspicuous, dilapidated buildings near the western boundary of the site, which currently detract from the experiential qualities of the area, including from the SWCP. Overall, from various public vantage points to the west of the site, the proposal, would result in a more harmonious relationship with its natural surroundings owing to the sensitive regeneration of the site and the restrained scale of development.
41. Ground mounted solar panels are proposed on a grassed area close to the Nissen huts, which would introduce a slight adverse landscape and visual impact. However, this impact is expected to be limited due to their low profile and integration within the existing built context. Furthermore, a condition could be imposed requiring full details of the solar panels to ensure their visual impact is minimised.
42. The total floor space (gross internal area) proposed is 9,454 sq. m., which represents a 7.3% reduction compared to the existing floorspace of 10,202 sq. m. As such, and due to the height, scale, massing and design of the proposed buildings, the proposal is unlikely to result in any significant adverse landscape and visual effect on the AGLV and the wider area.
43. The proposal demonstrates a high quality cohesive design, incorporating a natural materials palette that complements the surrounding landscape and reinforces the site's sense of place. Restoring the extensive area of poor amenity grassland to maritime grassland, alongside the implementation of landscape and ecological measures, will likely generate beneficial landscape and visual effects.

44. The proposed replacement of deteriorated structures with better quality buildings and the choice of materials would make the new structures less prominent and better integrated into the surroundings. The replacement buildings would broadly replicate the scale and form of those they replace, while the new buildings have been sensitively designed with regard to their scale, form and materials. As stated above, a condition could be imposed to ensure the visual impact of the solar panels is reduced. Consequently, views 11 and 12 identified in Policy NE7 of the PNDP would not be unduly harmed.
45. Local residents at the Hearing described the former military camp as an historical and accepted feature of the landscape. While I acknowledge the long-standing presence of the former military camp, it remains visually discordant with its surroundings, particularly given its deteriorating condition and appearance which are likely to worsen over time.
46. The light colour palette of the existing buildings creates a stark and conspicuous contrast against the natural rugged hues of the headland, thereby exacerbating their visual prominence in the landscape. Furthermore, the external materials used for the buildings, combined with their utilitarian design and lack of architectural detailing reinforces the incongruous and intrusive character of these structures within the landscape. Moreover, many of the buildings are in poor physical condition, exhibiting signs of neglect such as weathering, structural degradation, and outdated materials. This state of disrepair further diminishes their visual quality and creates a sense of dereliction rather than contributing positively to the landscape.
47. While there are clear signs of natural succession and the vacant buildings have become habitats for various species, the buildings, other structures and hard surfacing remain distinctly visible. As such, the existing site detracts from the natural character of the area and represents a visually obtrusive element within the landscape, which is clearly discernible from surrounding public vantage points.
48. Concerns were raised by interested parties regarding the proposal's potential impact on dark skies. The appellant has submitted a Lighting Strategy and Ecological Design Statement³, which the Council considers acceptable. I am satisfied that, with the imposition of a condition to ensure appropriate lighting which accords with that strategy, lighting would be appropriate and sensitive to its context. These measures will prevent any significant adverse landscape or visual effects and avoid risk to species.
49. At the Hearing, the Council pointed to the potential for the proliferation of domestic paraphernalia across the site. However, given the nature of the proposed use and relatively short, transient stays envisaged, any such items would be minimal, temporary, and likely subject to management controls, as explained by the appellant. Consequently, I do not consider this presents a material risk to the character and appearance of the landscape.
50. Interested parties highlighted that the site is proportionately large in relation to the size of Holywell village. However, I have not been directed to any specific policy that requires holiday accommodation schemes to be proportionate to the size of an adjacent settlement.

³ Appendix 5 to the Biodiversity Mitigation and Management Strategy, April 2024.

51. For the reasons given, I conclude that the proposed development is of an appropriate scale to its location and would not have a harmful effect on the surrounding area including the AGLV. Accordingly, it complies with Policy 5(3) and Policy 23 of the CLP.
52. While not stated in the reason for refusal, the proposal would also comply with Policy NE2, NE3 and NE7 of the PNDP.

Accessibility of the site

53. The site lies to the south west of the settlement of Holywell, which offers only very limited services and facilities. The Hearing discussion confirmed that there are two public houses and a bus stop within the village. The small convenience store located in Park Dean Holiday Park is only open seasonally and not easily accessible by foot.
54. The bus stop is approximately 650 metres from the entrance gate at the top of the access road. According to the current bus timetable, the Nos 85 and 86, which services the stop, run approximately every hour Mondays to Saturdays with no service on Sundays or Bank holidays. Both the No 85 and 86 routes serve Holywell resulting in a combined frequency, at certain times of the day, of less than one hour between services.
55. The Council contend that the bus services are not sufficiently comprehensive due to the absence of early morning and late night buses, while local residents highlight their infrequency and lack of reliability. Although early morning and late night services are unavailable, I consider an hourly service on two bus routes in a rural area, which provide direct connection to large urban areas, to be reasonably adequate. While the observations regarding the unreliability of the bus services are noted, no substantive or verifiable evidence was presented to me.
56. Discussion at the Hearing clarified that an hourly bus service (No 56) is available from Newquay Airport to Newquay, stopping at the Great Western Hotel, where the No 85 connects, offering a direct service to Holywell. Therefore, visitors could travel by bus from the airport to Holywell.
57. At the Hearing a local resident brought to my attention the announced withdrawal of First Bus (the bus operator of the current bus services) from Cornwall. However, the appellant confirmed that Go Cornwall will be stepping in to run the bus service following First Bus' withdrawal. I am therefore satisfied, based on the evidence before me, that bus services will continue to be available.
58. In terms of rail connectivity, Newquay Train Station is approximately 7 miles from the appeal site. At the Hearing, the appellant confirmed that Newquay Train Station is located approximately 760 metres from Newquay Bus Station - about a 12 minute walk. Newquay Train Station is connected to range of destinations across Cornwall and the UK. Therefore, visitors could travel by rail and bus to Holywell.
59. In light of the above, the appeal site is reasonably accessible by public transport, providing access to a range of services and facilities. I also note the proposed inclusion of a shop and restaurant within the site, which represents a benefit in helping to reduce the need for visitors and employees to travel off-site.

60. Concerns were raised by the Council and local residents at the Hearing that the pedestrian access along Holywell Road to the upper gate within the site is steep and not conducive to walking. However, the appellant confirmed that the gradient of the access road is 1 in 23 which is considered gentle and suitable for pedestrian use. I walked up the access road during my site visit and do not consider this level of incline would present a significant barrier to accessibility.
61. The proposal seeks to introduce a dedicated footway in the access road between the lower gate and the footpath leading to the beach. Road humps are proposed at 70 metre intervals to calm traffic along the straight section of the private access road. As such, the proposal would improve pedestrian accessibility of the site.
62. Local residents expressed concerns regarding the suitability of existing pedestrian routes between Holywell and Cubert for walking and the surrounding roads for cycling. While these observations are noted, a continuous footway exists along Holywell Road between Cubert and Holywell, providing a direct pedestrian route. The road surface appears to be in good condition, which supports cycling opportunities. These factors demonstrate that the site is not isolated in terms of active travel options, allowing holiday makers to explore the surrounding area on foot or bicycle, particularly given the leisure nature of their stay.
63. The appellant's submitted Travel Plan⁴ contains measures to promote walking and cycling, including the provision of cycle parking spaces and a cycle hire service on site. The Travel Plan also includes measures to encourage the use of public transport and car sharing.
64. Paragraph 110 of the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.
65. The proposal ensures safe and suitable access for all users and incorporates measures to encourage sustainable travel, including improved pedestrian links, secure cycle storage and provision for electric vehicle charging. These steps align with the Framework's requirement to take opportunities to promote sustainable transport appropriate to the location.
66. For the reasons given, I conclude that the proposed development would be accessible by a range of transport modes, thereby supporting the principles of sustainable development. As such, it complies with Policy 5(3) of the CLP which requires the scale of tourism development to be appropriate to its accessibility by a range of transport modes. The proposal also complies with Policy 21(C) of the CLP which supports sustainably located proposals which takes account of access to services and facilities.

Environmental Impact Assessment

67. The planning application was accompanied by an ES. Representations at the planning application stage included objections to the ES findings, the examination of alternatives, the proposed mitigation measures, and the lack of consultation with independent experts. In addition, representations were made concerning the relevance of the ecology surveys, having regard to their age.

⁴ Callidus Transport and Engineering, March 2022.

68. Following review of the ES by the Planning Inspectorate, a request was made to the appellant for the submission of further information pursuant to Regulation 25 of the EIA Regulations. The request was for either an update to the baseline data underpinning certain chapters within the ES or justification that the data remains representative of the current state of the environment, an updated assessment of likely significant effects of the proposed development on noise, air quality and vulnerability of the proposed development to major accidents and disasters, and an updated non-technical summary.
69. The appellant submitted the further information requested on 19 November 2025 addressing all the points raised above. The Planning Inspectorate reviewed the further information submitted and considered the ES satisfactory in terms of the requirements of Schedule 4 of the EIA Regulations.
70. The further information submitted includes an Ecological Baseline Update⁵ and a summary of the ecological surveys undertaken, the methods used and the results. The updated survey work shows that there has been no significant change in the ecological baseline for the appeal site.
71. The ES discusses reasonable alternatives and identifies specific mitigation measures to offset impacts. The ES has been undertaken in parallel with the Habitats Regulation Assessment, with both assessments informing the other. The Council has raised no concerns regarding the adequacy of the ES.
72. The further information submitted under Regulation 25 of the EIA Regulations was subject to public consultation for 30 days, expiring on 3 January 2026. I have taken into account the comments received in response to the public consultation exercise in the determination of this appeal. However, I am satisfied that the ES, as supplemented by the further information, meets the requirements of Schedule 4 of the EIA Regulations.
73. In determining the appeal, I have taken into full account the submitted ES, the further information submitted under Regulation 25 of the EIA Regulations, all other environmental information and all representations made about the ES and the likely environmental effects of the proposed development. Having considered the entirety of the environmental information, I am satisfied that the proposed development will not result in any significant adverse effects.

Appropriate Assessment

74. The appeal site falls within the 12.5 km of zone of influence of four Special Areas of Conservation (SAC): Penhale Dunes SAC; Newlyn Downs SAC; Godrevy Head to St Agnes SAC and Bristol Channel Approaches SAC (Marine). The appellant submitted a Shadow Habitats Regulation Assessment (sHRA), which was updated during the application process following consultation with Natural England. The final version is dated 30 April 2024. A screening assessment for likely significant effects was undertaken as part of the sHRA and found that due to the distance and presence of better recreational options in the immediate vicinity of the appeal site, the proposal would not result in likely significant effects on Newlyn Downs SAC; Godrevy Head to St Agnes SAC and Bristol Channel Approaches SAC.

⁵ GE Consulting, November 2025, Appendix 1 to Triium, Regulation 25 Request for Further Information letter dated 19 November 2025

75. The appeal site is immediately surrounded by the Penhale Dunes Special Area of Conservation (the SAC) and Penhale Dunes Site of Special Scientific Interest (the SSSI). Access to the site passes through the SAC and the SSSI and small areas of the appeal site itself fall within the SAC and SSSI. The SAC is designated for its fixed dunes with herbaceous vegetation, humid dune slacks, shifting dunes along the shoreline with *Ammophila arenaria*, dunes with *Salix repens*, Petalwort, Shore dock and Early gentian.
76. The appeal proposal, together with other developments in the area, have the potential to increase visitor numbers and recreational pressures on the SAC with associated harmful impacts on its qualifying features which would undermine its conservation objectives. Having regard to the site's location and the nature of the proposed development, the proposal would result in likely significant effects on the qualifying features of the SAC, either alone or in combination with other plans and projects.
77. Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations) requires me to make an Appropriate Assessment of the implications of the proposal for the conservation objectives of the SAC. I have sought to apply that requirement reasonably and proportionately, relative to the nature and context of the development proposed.
78. The Council's strategy for achieving mitigation of increased recreational pressure on the SAC is set out in its European Sites for Mitigation Supplementary Planning Document (the SPD). Appendix 3 of the SPD contains the Strategic Access Mitigation and Monitoring (SAMM) Plan which was prepared in conjunction with Cornwall Wildlife Trust. The Plan includes measures such as dog warden visits, education and awareness programmes. In consultation with Natural England, the Council has agreed a bespoke package of mitigation measures with the appellant to enable the likely significant effects on the SAC to be avoided. The mitigation includes a bespoke payment to contribute towards the SAMM measures.
79. The appellant also submitted a Biodiversity Mitigation and Management Strategy⁶ (the BMMS) which details the avoidance and mitigation measures that will be implemented during or prior to the demolition, refurbishment and construction phase of the development, and the protection measures during the operational phase, to ensure impacts on all ecological receptors are minimised and result in no significant adverse effect.
80. During the course of the appeal, the appellant submitted a completed and executed planning obligation, secured through a Section 106 agreement made pursuant Section 106 of the Town and Country Planning Act 1990. This secures a bespoke SAMM payment and the delivery of specific Ecological Mitigation Measures set out in the Section 106 agreement to mitigate for the effect of the proposed development on the SAC. This includes covenants preventing direct access to and from the appeal site to the SWCP, a dog policy, a cat covenant and restrictions and monitoring regarding water abstraction, amongst other measures.
81. I have consulted with Natural England, which has confirmed that it agrees with the conclusion reached by the appellant in the sHRA and the Council in its Officer Report, and is content that the proposed mitigation measures, including the

⁶ GE Consulting, April 2024.

financial contribution, is sufficient to ensure that adverse impacts on the integrity of the SAC as a result of the proposed development can be avoided.

82. I am therefore satisfied that, with the secured mitigation measures, and the imposition of appropriate conditions set out in this decision, the proposal would not harm the integrity of the SAC and thus secures compliance with the relevant policies in the CLP and the requirements of the Habitats Regulation.
83. The planning obligation within the Section 106 are necessary to make the proposal acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. As such, they meet the requirements of Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010, as amended.

Other Matters

Ecology and biodiversity

Overview

84. The appeal site is surrounded by and includes part of the SAC, SSSI and three Habitats of Principal Importance (maritime cliff and slope; maritime grassland; coastal sand dunes; and lowland heathland). Additionally, rare/ notable plant species have been identified, and other protected and notable species.
85. In the absence of mitigation, there would be likely significant effects on the above receptors. However, with the comprehensive package of proposed avoidance, mitigation and compensation measures, including the bespoke SAMM payment, likely significant residual adverse effects would be avoided, with beneficial effects at the local level in the long term.
86. The SoCG confirms that the Council considers the proposal is acceptable with respect to impact on protected species, the SSSI and biodiversity net gain.

Supporting information

87. Extensive supporting information has been provided to assess the ecological impacts on the designated sites identified above, as well as on individual species present within the site. This includes Chapter 6 of the ES entitled Ecology and Biodiversity, an Ecological Baseline Report, Ecological Addendum, Ecological Construction Management Plan, Ecological Technical Note, the BMMS, a sHRA and further information submitted under Regulation 25 of the EIA Regulations to update the ES.
88. Representations from interested parties questioned whether the ecological surveys were up to date. A review of the baseline ecological and biodiversity data has been undertaken as part of the Regulation 25 further information request. The appellant's Ecological Baseline Update⁷ presents a summary of the surveys that have been conducted, including several updated species-specific and habitat surveys, since the preparation of the 2022 ES.
89. The updated survey work shows that there has been no significant change in the ecological baseline. However, slight changes have occurred due to natural

⁷ GE Consulting, November 2025, Appendix 1 to Triium, Regulation 25 Request for Further Information letter dated 19 November 2025

succession and deterioration of the existing buildings in the site, resulting in minor implications relating to biodiversity net gain and the use of the buildings by bats and barn owls. However, this does not change the conclusion of the 2022 ES which identified no significant adverse effects on the ecological receptors, with beneficial effects expected at the local level in the long term. The further information submitted confirmed that the conclusion of the 2022 ES remains valid. As such, I am satisfied that the ecological baseline data is up to date and the suite of information provided is sufficient to inform my decision.

Protected and notable species

90. The collective ecological information provided identifies a number of protected and notable species including rare/ notable plants. An assessment of the effect of the proposal considers both the demolition, refurbishment and construction works, as well as the completed/ operational development.
91. A series of mitigation and enhancement measures set out in Chapter 6 of the ES (as updated by the further information) have been proposed to mitigate the predicted effects. This would result in no significant adverse effects in both construction and operation phases to Babington Leek, Amphibians, Bats, breeding birds, Barn Owl, Chough, Peregrine, Dormice, Hedgehog, Invertebrates and Reptiles with minor beneficial long term effects for a number of species.
92. Therefore, with the mitigation measures in place, the proposal would not cause harm to protected and notable species or their habitats. The Council found similarly in this regard. Furthermore, the main parties agree that the derogation tests to be undertaken in accordance with Article 12 of the EU Habitats Directive are satisfied.
93. The signed Section 106 agreement provides for a dog policy which allows only 25% of the holiday units to permit dogs. The proposal also includes the provision of a dedicated dog exercise area within the site and dog bins. The agreement secures arrangement for their ongoing management and maintenance. In addition, the signed Section 106 agreement covenants any part of the land and use of the holiday units to preclude cat ownership and measures for a management company to manage and maintain prohibition of cat ownership, including enforcement proposals. Therefore, I am satisfied that the measures secured relating to cats and dogs would reduce risks to protected and important species and habitats.

Penhale Dunes SSSI

94. The SSSI covers broadly the same area as the SAC, although partially extends into the appeal site along the southern edge and on the north west boundary. The SSSI is designated for its dune habitats and associated species. In particular, it is of exceptional importance to moths and butterflies.
95. The proposal would result in some loss of mown grassland, but this is not a notified feature of the SSSI. There is potential for damage and degradation of existing habitats during the demolition and construction period. In addition to potential off-site impacts on the wider SSSI, the SSSI within the appeal site would be subject to increased recreational impacts due to additional tourist activity.
96. In the absence of mitigation, the proposed development is likely to result in temporary, but moderate adverse effect on the SSSI. During operation, this is

likely to be a permanent moderate adverse effect. However, I am satisfied that impacts on the Penhale Dunes SSSI will be avoided through the bespoke package of mitigation measures identified in the BMMS, which include a financial contribution towards the SAMM measures, and a series of Ecological Mitigation Measures secured through the signed Section 106 agreement. With this mitigation, along with the planning conditions set out in this decision, the special interest of the SSSI would not be adversely affected.

Biodiversity Net Gain (BNG)

97. An updated BNG assessment was undertaken based on the updated ecological data submitted as part of the further information requested under Regulation 25 of the EIA Regulations. This confirms that the proposal will deliver a net gain of 10.66% in habitat units, therefore meeting Policy G2 of the Climate Emergency Development Plan Document (adopted February 2023). The proposal would also deliver a 100% net gain in hedgerow units as the site contains no existing hedgerow, thereby offering a clear benefit.
98. The proposal includes the re-wilding of maritime grassland, the return of small areas of hardstanding to dune grassland, use of Sustainable Urban Drainage features, managed grassland for reptiles and delivery of ecological habitat, including bat and bird boxes.

Coastal Environment

99. The Coast Protection Authority (CPA) were consulted on the application and raised no objection to the proposal. The CPA indicates the site lies just outside of the coastal vulnerability zone, precluding the need for a Coastal Vulnerability Assessment. Caution is advised by the CPA in relation to the use of heavy construction machinery near the south west boundary of the site. Subject to the construction management plan conditions set out in this decision, I have no basis to disagree that the proposal would not pose a risk to coastal erosion.

SWCP

100. Part of the SWCP (Public Right of Way 314047) lies close to the western boundary of the site. Interested parties have raised concerns regarding the limited space available for 'rollback' of the path to accommodate any potential coastal erosion. During the application process, the appellant submitted a plan showing a coastal protection zone. This demarcates a 10 metre area within the appeal site, within which future re-alignment of the coast path could occur in the event of impacts from coastal erosion. As such, I am satisfied that the proposal adequately plans for potential rollback of the coast path, should cliffs erode.
101. The signed Section 106 agreement covenants the use of the holiday units to prevent direct access to and from the appeal site to the coast path, which will be monitored by the site management company. The main parties agree that there would be demonstrable impact to the public right of way itself. Given the above factors, I have no reason to disagree with this position.

Historic environment

Designated heritage assets

102. The appeal site itself does not contain any known designated heritage assets. However, it is proximate to listed buildings, so I have had special regard to the statutory duties set out under Sections 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
103. The appellant has submitted an Archaeological and Heritage Assessment⁸ (the AHA) which has considered the potential effect of the proposal on the setting of the Grade II listed building known as The Count House, the Grade II listed building known as Treguth Inn, the Grade I listed building of The Church of St Cubert, as well as scheduled monuments of a cliff castle on Penhale Point, the linear bowl barrow group on Ligger Point and cliff castles on Kelsey Head and west of Porth Joke and two round barrows.
104. The 13th Century Church of St Cubert features a distinctive broached stone spire, one of only a few in Cornwall. Owing to this prominent feature, the spire is visible across a wide expanse of the surrounding area, including the northern parts of the site where distant views of the church can be obtained. However, the AHA confirms that the appeal site does not contain any heritage assets that have any associations with the church and is not in a location from which a designed or particularly distinctive views of the church are afforded. Due to these factors and the considerable distance between them, the development would have no effect on the church's setting and thereby significance. I note the Council had no concerns in this regard either.
105. The significance of the Treguth Inn lies in its architectural and historic interest as an early 17th Century farmhouse later converted into an inn with subsequent alterations and additions. The listed building is approximately 230 metres from the nearest point of the appeal site with the buildings of the camp located around 500 metres away. Given this distance and the presence of intervening buildings, the appeal site is a neutral aspect of the listed building's setting. As such, the proposal would not result in any harm to the significance of Treguth Inn. The Council similarly identified no issues in this regard.
106. The Count House is located approximately 190 metres from the south west boundary of the site and dates from the early 19th Century. Its significance stems from its use as an administrative hub for Penhale Mine, where leases for underground mining were auctioned from the oriel windows. The house is situated in an open grassland landscape, close to the edge of the cliffs on Ligger Point and enjoys wide ranging views across the peninsula. Its open setting enables an appreciation of the building in its historic context and as a prominent architectural feature along the coastline. The AHA considers that the appeal site, with its degraded military structures represents a negative element within the setting of The Count House, detracting from its significance to a minor degree. Having reviewed the evidence and conducted my site observations, I concur with this assessment.
107. The proposed development would remain a visible element within the setting of The Count House; however, unlike the existing structures, the proposed buildings would be of a higher design quality, less bulky and incorporate natural materials and tones intended to harmonise with the coastal landscape. Consequently, the proposed buildings would be less prominent than those currently in the site.

⁸ EDP, March 2022.

108. As the main aspects of The Count House's setting, including its open coastal outlook would remain unaffected, and the quality of the built form within the appeal site would be enhanced, I agree with the AHA that the proposal would improve the setting of the listed building and, as a result, have no adverse impact on its significance.
109. The Council's Officer report acknowledged that the proposal would have positive effects on the setting of The Count House, however, concluded without clear reasoning, that it would cause less than substantial harm to the significance of the listed building, albeit at a minimal level. The Council undertook a weighing exercise and determined that the public benefits of the proposal would outweigh the harm. For the reasons given above, I do not consider the proposal would cause any harm to the significance of The Count House, and so a weighing of the harm against the public benefits of the proposal is not necessary in this case. Even if the proposal would cause less than substantial harm to the significance of The Count House, the public benefits of the proposal as set out in paragraphs 118-120 of this decision, would outweigh the harm.

Scheduled monuments

110. The scheduled monument of Kelsey Head and west of Porth Joke is approximately 2.1 km from the appeal site. Due to this distance and the intervening headland at Penhale Point, the site is not appreciable from Kelsey Head and has no historical or functional associations with the monument. Consequently, the proposal would not result in any change to the setting of the scheduled monument. I also note that the Council raised no concerns on this matter.
111. The scheduled monument of a cliff castle at Penhale Point comprises buried deposits and earthwork remains of a significant Iron Age promontory located approximately 450 metres from the north west of the appeal site boundary. The appeal site is located within a 'bowl' in the landscape to the south east of the monument. The land between the site and the monument rises to a peak at the crest of the headland. Consequently, the landform effectively screens views of the appeal site from the monument. Views are screened furthermore by a military building situated adjacent to the SWCP. As such, the monument cannot be experienced from within the site or vice versa, and they are not known to have any association with each other. I therefore agree with the conclusions of the AHA that the site does not form part of the setting of the monument, and the proposed development would not have any effect on its significance. The Council similarly had no reservations in this respect.
112. The scheduled monument of a linear group of three Bronze Age bowl barrows is located on Ligger Point, approximately 280 metres south west of the appeal site. The barrows were partially excavated in the 1950s, revealing several urns, though today they survive only as subtle earthworks with limited visual prominence in the landscape. Their significance lies primarily in the archaeological value of the earthworks and buried deposits, which offer insight into prehistoric practices. The proposed development would result in the removal of military buildings from the wider setting of the barrows. These buildings are neutral to the setting of the barrows. The nearest built elements within the proposed development would comprise single storey cabins and two storey beach houses. These would be lower in height and less bulky than the existing military buildings. As such, the new buildings would have less presence in the wider setting of the monument.

Furthermore, given the distance between the appeal site and the barrows, the proposal would preserve the openness of their setting, and as such have a neutral impact on its significance. I note that the Council, likewise, raised no concerns.

Non-designated heritage assets

113. The appeal site contains the buildings and structures of the former Penale Ministry of Defence Camp which include older buildings related to the area's former farming history. According to the AHA, the Historic Environment Record (HER) identifies two features of post-medieval landscape and three features related to the site's military history. The camp was established in 1939 as a military training facility with most of the buildings constructed from concrete blocks and corrugated iron roofs. In 1943, the accommodation was expanded with new barrack blocks comprising curved asbestos huts and associated ablution facilities. The camp's buildings were updated and upgraded as it remained in use until 2010. Collectively, the buildings and structures have a low degree of heritage significance.
114. The proposal includes the retention and refurbishment of a significant proportion of the existing buildings, while the Nissen huts will be replaced with structures that echo their original form and footprint. The current road layout will remain largely unchanged, and the replacement buildings will reflect the shape and scale of those replaced. Consequently, a sense of continuity with the historic layout, form and character would be maintained.
115. The site includes a memorial dedicated to 22 soldiers of the 58th Light Anti-Aircraft Regiment who were killed by bombing on 7 July 1940. I have imposed a planning condition to ensure the memorial is retained and maintained in perpetuity.
116. Notwithstanding the above, it is acknowledged that the proposal would result in a moderate degree of loss to the significance of the non-designated heritage asset due to the new build elements and alterations to the existing buildings. Paragraph 216 of the Framework suggests a weighing exercise in relation to proposals affecting non-designated heritage assets that has regard to the scale of any harm or loss and the significance of the heritage asset.
117. Penhale Farmhouse falls outside of the application site and is identified in the HER as possibly originally a medieval manor, with fragmentary remains of field boundaries surrounding it. The farmhouse, as a non-designated heritage asset, is of low significance. However, due to its proximity to the site, it is acknowledged that the proposal would result in a minor degree of harm to the significance of the farmhouse by virtue of development within its setting. Once again, a balancing exercise is required in line with paragraph 216 of the Framework.
118. At the Hearing, the appellant clarified that the proposal would generate 85 full-time equivalent jobs including 53 opportunities for local residents, in addition to construction employment and wider multiplier effects. The proposal is expected to contribute £1.4 million to the Cornish economy through visitor and staff spending.
119. The proposal would promote healthier lifestyles through the provision of a swimming pool, opportunities for exercise and wellbeing, and measures that encourage walking and cycling. Furthermore, a financial contribution towards alternative sports space provision has been secured through the Section 106 agreement, which will enhance local recreational facilities.

120. The scheme would enhance the site's visual appearance and fabric, deliver ecological benefits and support landscape restoration. As such, the considerable public benefits of the proposal outweigh the minor and moderate level of harm to the non-designated heritage assets. I note the Council came to a similar conclusion.

Archaeological remains

121. The AHA assessed the appeal site's potential for unrecorded buried archaeological remains and identified low potential for archaeological remains to exist. Neither I, nor the Council's Archaeology Team, raise any concerns regarding archaeology. A condition requiring a Written Scheme of Investigation, together with historic building recording, would ensure historic features are properly recorded and archaeological findings are appropriately addressed.

Highway and pedestrian safety

122. The main access to the appeal site is via Holywell Road which passes an existing National Trust car park, before continuing along a private access road which leads into the former military camp. The existing access would be retained from Holywell Road and act as the main access route to the site.
123. Numerous interested parties have expressed concerns in relation to traffic generation and the implications for highway and pedestrian safety. During the holiday season, queues of traffic commonly form on Holywell Road as vehicles seek to access the National Trust car park. This was evident in the video shown at the Hearing, and residents raised concerns that the proposed development would exacerbate these conditions.
124. The appellant submitted a Transport Statement⁹ (the TS) with the proposal. Overall, the TS concludes that the proposal will have minimal adverse impact on the local highway network with trip generation forecast showing significantly fewer trips than the planning permission previously granted at the appeal site for 132 dwellings¹⁰. It is also noted that the Council does not consider the level of vehicular traffic will pose safety risks or result in severe pressure on the highway network.
125. The traffic survey informing the TS was undertaken between 31 May 2021 and 13 June 2021. The UK was not in full national lockdown during that time, but COVID-19 restrictions were still in place. Given that travel within the UK was permitted during this time and the survey was undertaken in peak holiday season, I do not consider the TS is fundamentally flawed.
126. Figure 4.2 in the TS shows the hourly traffic flows on Holywell Road during a busy day in the holiday season. The peak period for vehicles coming into Holywell was 10.00-11.00 while the peak period for vehicles leaving was 17.00-18.00. This reflects the attraction of Holywell Bay in the daytime, with return journeys in the afternoon. Table 5.2 of the TS shows the trip generation for the proposed development. The peak period for vehicles leaving the site is 10.00-11.00 while the peak period for vehicles coming in is 17.00-18.00. This demonstrates that the peak traffic movements associated with the proposed development would occur in the opposite direction to the peak flows on Holywell Road. As a result, the

⁹ Callidus Transport and Engineering, March 2022

¹⁰ Ref. PA15/07114.

development's peak trip generation would not coincide with, nor significantly add to, the existing peak periods for vehicles travelling into or out of Holywell. Consequently, the proposal's effect on traffic congestion during the busiest times of the day in the peak season would be limited. As such, a condition requiring the provision of an electronic sign, on approach into the village to warn when the car park is full, would not meet the tests in the Framework and PPG of necessity and reasonableness.

127. Notwithstanding this, the development will inevitably increase trip rates overall comparative to the existing baseline. On this basis, the main parties have agreed a proportionate financial contribution, secured through the signed Section 106 agreement, towards improvements to the highway network approaching the site. This figure has been reached based on the expected, additional, peak time trip rates as per the submitted TS. Based on the evidence before me, the obligation is necessary to make the development acceptable, being directly related to the development and fairly and reasonably related in scale and kind to the development. This would be compliant with the tests in the Framework and the CIL Regulations.
128. An interested party has questioned whether the TS considered the cumulative impact of recently approved expansions to other tourism facilities in the village. However, no details regarding such permissions have been provided or when or whether they have been completed. The scope of the TS was established in consultation with the Council and prepared using Planning Practice Guidance, so I am satisfied that it has adequately assessed the proposal. This includes the analysis of accident data for the TS search area, including the Cubert crossroad.
129. The proposal seeks to introduce a dedicated footway in the access road between the lower entrance gate and the footpath leading to the beach. Road humps are proposed at 70 metre intervals to calm traffic along the straight section of the private access road. As such, the proposal would provide safe and suitable access for future users of the site.
130. A local resident expressed concern that the access road may be too narrow to accommodate a new footway. However, the Council considers that there is adequate space in the existing road to provide such a feature, and I have no basis to disagree. Given the scale and nature of the proposed development, along with the 20 mph speed limit of the road and locational context, I do not consider that footways on both sides of the access route or that extension of the proposed footway is necessary. The shared surface is considered appropriate as it supports a low-speed environment and encourages driver caution. As such, the proposal would provide safe and suitable access for all users.
131. Due to the proximity of the existing bus stop at Treguth Inn to the appeal site, I do not consider it necessary for a bus stop to be provided within the site. A new pedestrian crossing at the exit of the National Trust car park and the widening of the access road is not necessary to make the proposal acceptable in planning terms.
132. The proposal makes provision for cycle parking within the site and promotes cycling through the Travel Plan¹¹.

¹¹ Callidus Transport and Engineering, March 2022

133. At the Hearing a local resident contended that the Council's transport officer had not visited the appeal site to undertake an assessment of the proposal. While no evidence was provided to substantiate this, the absence of a physical visit does not, in itself, indicate an inadequate evaluation.

Flood risk and surface water drainage

134. The site falls within Flood Zone 1, an area at low risk of flooding, with the exception of part of the site access which is classified as Flood Zone 3. Small areas of the site are exposed to surface water flooding, but they are not within Flood Zones 2 or 3 or a critical drainage area. A Flood Risk Assessment (FRA) and Flood Risk Management Plan (FRMP) was submitted with the planning application.
135. An alternative emergency access route is proposed in the event that the main access is flooded by Holywell Stream. On the evidence presented, I am satisfied that the proposed alternative emergency access route would be safe and suitable.
136. The FRA confirms that an adequate surface water drainage system can be implemented. The Environment Agency and Lead Local Flood Authority have raised no objection to the proposal. I am satisfied that the site will not be at significant risk of flooding, nor will it increase the risk of flooding elsewhere, subject to appropriate conditions clarifying the drainage details.

Foul drainage

137. A new foul sewerage network will be constructed as part of the proposed development, discharging into the existing adopted sewer in the main access road. While concerns relating to foul sewerage capacity are noted, there is no substantive evidence before me to indicate that an appropriate foul drainage scheme cannot be provided. Subject to a condition clarifying the details, including future management and maintenance, adequate foul water discharge would be addressed.

South West Inshore and South West Offshore Marine Plan (June 2021) (the MP)¹²

138. Section 58 of the Marine and Coastal Access Act 2009 requires public authorities to have regard to the appropriate marine policy documents in taking any decisions which relates to the exercise of any function capable of affecting the whole or any part of the UK marine area. Furthermore, paragraph 183 of the Framework requires planning decisions to take account of UK Marine Policy Statement and marine plans. Representations from interested parties assert the proposal conflicts various policies in the MP.
139. The MP provides a framework to inform decisions over how the areas' waters are developed. The south west inshore and south west offshore marine plan areas includes: the area from mean high water spring tide to 12nm; any area submerged at mean high water spring tide; the waters of any estuary, river or channel so far as the tide flows at mean; high water spring tide; waters in any area that is closed (permanently or intermittently) by a lock or other artificial means against the regular action of the tide, but into and from which seawater is caused or permitted to flow (continuously or occasionally). The appeal site is located close to the coast,

¹² https://assets.publishing.service.gov.uk/media/60f6f71ce90e0764cfc22a78/FINAL_South_West_Marine_Plan_1_.pdf

but it does not fall within any of the MP areas identified above. As such, having considered the MP, I conclude that it is not material to the appeal.

Living conditions of nearby residents

140. Given the significant separation distance between the appeal site and the closest residential dwellings, the proposal would not cause undue harm to the living conditions of nearby residents by reason of noise and light pollution. I am content that, subject to conditions requiring the submission and implementation of an appropriate construction traffic management plan and a dust management plan, along with a condition requiring appropriate lighting, the scheme would protect the living conditions of nearby residents during construction and operation of the proposed development .
141. Concern has been raised that the appeal proposal would exacerbate traffic congestion on Holywell Road, thereby affecting air quality, particularly during peak tourism season. While the development would lead to an increase in car trips comparative to the existing baseline, I do not consider the level of additional vehicular traffic will result in unacceptable levels of air pollution.
142. Comments referring to a rise in anti-social behaviour in the area have not been supported by substantive evidence, and it is unclear how they relate to the appeal proposal.

Loss of playing field

143. The appeal site includes a playing field, which is understood to have been previously used by local football teams. The playing field has not been used for some time. In order to overcome concerns regarding the loss of the playing field, a financial contribution towards off-site alternative outdoor sports space within Cubert Parish or Perranzabuloe Parish has been secured through the signed Section 106 agreement. I consider that the mitigatory contribution towards alternative provision is sufficient to overcome the loss of the playing field. The financial contribution towards the improvement of local sports space will support improving the health and well-being of the local community.

Ground conditions

144. As part of the further information submitted by the appellant under Regulation 25 of the EIA Regulations, an updated Groundsure GeoInsights Report¹³ was provided. This confirmed that all effects reported in the 2022 ES remain valid as not significant. With the imposition of appropriate conditions addressing the risks posed by any land contamination and instability, it can be ensured that the site is suitable for the proposed use.

Water abstraction

145. An existing borehole is present in the eastern part of the site that is intended to be recommissioned for re-use. The appellant submitted an Abstraction Borehole Assessment of Impact to Designated Sites¹⁴. This assessed the potential impacts of abstracting 20 m³ of water a day from the borehole on the Penale Dunes SAC and SSSI. Due to the small volume of water that would be abstracted, the small

¹³ Dated 11 November 2025

¹⁴ Prepared by GWP Consultants LLP, October 2022

distance of influence and the rapid recovery observed following the pumping test, the assessment concludes that the abstraction poses a low risk to the designated sites. I have seen no substantive evidence that would lead me to a different conclusion.

146. A completed and executed S106 agreement has been provided, which includes an Ecological Mitigation Measures obligation. This obligation includes that a requirement that no water abstraction shall be abstracted from the bore hole during both construction and operation, except for provision of 5 metres cubed for CWT livestock, with associated flow-meter monitoring to ensure adherence. Consequently, I am satisfied that any over-abstraction would be prevented, thereby reducing risks of adverse effects on groundwater levels and the SAC and SSSI.

County Geology Site

147. Penhale Point, including Hoblyn's Cove, is a designated County Geology Site. The appeal site itself, however, is not within the geology site. Cornwall Geoconservation Group's concerns regarding the need to ensure sufficient space for the potential rollback of the coast path is addressed in paragraphs 100-101 above. Conditions relating to appropriate construction traffic management and ecological construction management plans would ensure that building materials are securely managed on site and prevented spilling onto the coastal path.

Previously developed land

148. The existing buildings within the appeal site are relatively dispersed, though there are distinct clusters in the northern, central and southern areas. The site also contains an internal road that loops through it, along with areas of hardstanding use for parking, servicing and turning. However, there are also large areas of amenity grassland in the central and southern part of the site, and semi-natural areas along its boundaries. Based on the evidence in front of me, and confirmed by my site observations, the site comprises a mix of previously developed land, as defined in Annex 2 of the Framework, alongside areas that have not been previously developed. This does not alter my decision to allow the appeal.

Need for new tourism facilities

149. Representations from interested parties assert that there is no over-riding locational need for the proposed development, referencing Policy 5 (1) (c) of the CLP. However, this part of the policy, as confirmed by the Council at the Hearing, specifically applies to proposals for business space and employment land, which the appeal scheme does not constitute. Therefore, there is no requirement to demonstrate an over-riding locational need for the proposal. Furthermore, no policy has been presented to me which requires proposals for holiday accommodation to demonstrate a need for such development. Consequently, I cannot give weight to this concern.

Pressure on other infrastructure

150. The proposed development comprises holiday accommodation rather than permanent housing, meaning it is unlikely to generate a sustained demand for local infrastructure such as schools or hospitals. While healthcare facilities may occasionally be used, the scale of the proposal and the temporary occupancy of

the accommodation is unlikely to result in a material increase in pressure on such services. In addition, there is no substantive evidence before me with regard to the effect of the proposed development on electricity capacity, water supply or water pressure in the locality. Moreover, no objections or concerns have been raised by relevant utility providers to the proposal.

Benefits of the proposed development

151. Policy 5(3) of the CLP also requires tourism proposals to provide a well balanced mix of economic, social and environmental benefits. At the Hearing, the Council confirmed that it does not dispute that the proposal would provide economic and social benefits. This includes the generation of 85 full-time equivalent jobs, in addition to construction employment and wider multiplier effects. Although it was suggested by local residents that there are insufficient people to fill the jobs, no robust evidence was provided to support this claim.
152. The holiday park is likely to generate a variety of job opportunities, including high skilled positions in park management, catering and technical maintenance, as well as providing training opportunities and entry level roles. I understand the facility will be open all-year around, contributing to promoting Cornwall as a year round destination for tourism and recreation, as set out in Objective 2 of the CLP.
153. The economic benefits of the proposal would translate into social benefits by supporting local employment, sustaining community services and enhancing the area's vitality. In addition, the scheme would directly promote healthier lifestyles through the provision of a swimming pool, opportunities for exercise and wellbeing, and measures that encourage walking and cycling. Furthermore, a financial contribution towards alternative sports space provision has been secured through the Section 106 agreement, which will enhance local recreational facilities.
154. The proposal would also provide environmental benefits, including net gains for biodiversity, comprehensive site regeneration, high quality design, and the implementation of landscape restoration and ecological measures. Accordingly, the proposal would provide a well balanced mix of economic, social and environmental benefits in accordance with Policy 5(3) of the CLP. Together, these benefits would make a positive contribution the local community.

Other points

155. Representations from interested parties refer to conflict with various policies in the CLP including, but not limited, to Policies 3, 5, 16, 21, 22, 23, 25, 27 of the CLP and Policy NE1 of the PNDP. However, the Council has confirmed, through the SoCG, that other than the policies identified in the Council's reason for refusal, the appeal scheme is otherwise compliant with the development plan, and there are no other policy conflicts. Nothing presented leads me to a contrary view.
156. A significant number of interested parties consider the site should not be developed and instead conserved for nature. Some have suggested it should be included in the SAC and SSSI. However, these matters fall outside the scope of my determination.
157. Speculation regarding future expansion of the proposed development is not material unless there is clear evidence relating to future development. Any

subsequent development would require separate planning permission and be assessed on its own merits.

158. Whether the previous use of the appeal site has been abandoned or that a previous planning permission¹⁵ has not been implemented, are not material to my decision, which is concerned solely with the planning acceptability of the proposed development. This point also applies to the criticisms raised regarding public engagement on the proposal.

159. While I have considered the site's planning history, including the previous planning permission¹⁶ and the Council's decision to refuse the appeal proposal, I have determined the appeal on its own planning merits.

160. No substantive evidence has been provided that the land was acquired by the MoD on the understanding that it would be returned to nature. Even if that were the case, it is not determinative of this appeal. Based on the evidence submitted, the MoD were consulted on the planning application and confirmed that it has no safeguarding objections to the proposal.

Planning Obligation

161. The completed and executed Section 106 agreement secures the following:

- Ecological Mitigation Measures as detailed in Annex 1 of the agreement and the submission of an Ecological Management Plan to implement the specified ecological measures;
- The provision of fencing as per the Fencing Specification in Annex 2 of the agreement;
- A highway contribution of £48,400 towards improvements to the highway network approaching the appeal site;
- An off-site public open space contribution of £153,471 towards the provision of alternative type 3 (outdoor sports) space within Cubert Parish or Perranzabuloe Parish;
- A SAC contribution of £23,450 towards SAMM measures; and
- A planning administration fee.

162. Based on the evidence before me, all the obligations would be necessary to make the development acceptable, being directly related to the development and fairly and reasonably related in scale and kind to the development. This would be compliant with the tests in the Framework and the CIL Regulations.

Conditions

163. The Council has provided a list of suggested planning conditions, which I have considered against Framework and advice contained in Planning Practice Guidance. Where appropriate, I have amended the wording for precision and enforceability.

164. Along with the standard time condition [1], the approved plans should be specified to provide clarity and certainty [2].

165. A Construction Traffic Management and Logistics Plan is necessary to maintain highway and pedestrian safety and to safeguard the living conditions of nearby

¹⁵ Ref. PA15/07114.

¹⁶ Ref. PA15/07114.

residents [3]. A Dust Management Plan is necessary to safeguard the living conditions of nearby residents and minimise ecological impacts during demolition and construction [4]. An Ecological Construction Management Plan relating solely to the subject development is necessary to minimise ecological impacts during construction [5]. To minimise impact on the character and appearance of the area, ensure proper drainage and reduce flood risk, details of the finished floor levels are necessary [6]. The submitted BMMS covers the appeal site and an adjacent site, granted planning permission¹⁷ for 9 new dwellings and the conversion of the existing cottages to form 3 dwellings. A condition is necessary to ensure the BMMS relates solely to the appeal site and takes account of the updated mitigation and enhancement measures outlined within the updated Chapter 6: Ecology and Biodiversity of the ES [7]. These are all pre-commencement conditions and must necessarily apply before the development is commenced. The appellant has agreed to these conditions through the SoCG.

166. A Landscape and Ecological Management Plan is necessary to ensure the long-term protection, management, and enhancement of landscaping and ecological features [8]. The submission of detailed scheme for the delivery of biodiversity net gain is necessary to ensure net gains to biodiversity are delivered in accordance with Policy 23 of the CLP. However, I have amended the condition to reflect the GE Consulting 2025 Ecological Baseline Update and updated BNG metric [9].
167. Conditions requiring an assessment of contamination risks, remediation of any identified contamination and measures to address any unforeseen contamination discovered during construction are necessary to ensure the site is suitable for its proposed use [10] [11] [12][13]. For the same reason, a condition requiring a site investigation of potential instability is required [14].
168. A programme of historic building recording work and a Written Scheme of Investigation is necessary in the interests of understanding and conserving the historic environment [15].
169. A condition requiring the submission of a surface water scheme is necessary to prevent increased risk of flooding and water pollution [16]. A condition requiring a system for the disposal of sewage is necessary in the interests of water quality and to ensure the provision of adequate facilities [17].
170. A condition regarding hard landscape works is necessary to safeguard the character and appearance of the area [18]. An external lighting condition is required in the interest of visual amenity and to minimise impacts on nocturnal species [19]. A flood warning and evacuation plan is necessary to minimise risk to users of the development during times of flooding [20].
171. The BMMS includes details of the proposed number, type and location of the bat and bird boxes, as well as bee posts and insect towers to be installed across the site. This also exceeds the rate specified in the Council's suggested condition 20, therefore it is unnecessary.
172. A condition regarding details of the proposed pedestrian footway is necessary in the interests of providing a pedestrian connection and improving accessibility [21]. A condition regarding details of the traffic calming measures along the access road is required to ensure safe and suitable access [22]. A condition requiring the

¹⁷ Ref. PA22/02794.

parking and turning areas are provided before the development is brought into use is necessary to ensure satisfactory parking provision [23]. Accordance of the development with details outlined in the submitted Travel Plan is necessary in the interests of promoting sustainable travel [24].

173. A condition ensuring the retention and maintenance of the existing war memorial is required to preserve the historic character and understanding of the site [25]. To minimise impact on the character and appearance of the area, details of the solar panels are necessary [26].

174. Ensuring that the staff accommodation is used solely by employees associated with the development is necessary to prevent unrestricted residential use [27]. For the same reason, a condition is required to ensure the holiday units are not occupied as a person's sole or main residence [28].

Conclusion

175. The proposal accords with the development plan when taken as a whole, and there are no material considerations, including the Framework, that indicate the appeal should be decided other than in accordance with the development plan. Accordingly, for the reasons given above, the appeal should be allowed.

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INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Submitted Plan CPZ-001 REV
 - Submitted Plan 100-008 D
 - Submitted Plan 100-100 C
 - Submitted Plan 0498/22/B/2A
 - Site/location Plan OS-002 REV B
 - Existing 100-004 REV A
 - Existing 200-002 REV A
 - Existing EX09-001 REV A
 - Existing EX24-001 REV A
 - Existing EX38-001 REV A
 - Existing EX39-001 REV A
 - Existing EX41-001 REV A
 - Existing EX42-001 REV A
 - Existing EX43-001 REV A
 - Existing EX44-001 REV A
 - Existing EX45-001 REV A
 - Existing EX46-001 REV A
 - Existing EX47-001 REV A
 - Existing EX48-001 REV A
 - Existing EX49-001 REV A
 - Existing EX49-002 REV A
 - Existing EX50-001 REV A
 - Existing EX50-002 REV A
 - Existing EX51-001 REV A
 - Existing EX52-001 REV A
 - Existing EX53-001 REV A
 - Existing EX54-001 REV A
 - Existing EX55-001 REV A
 - Existing EX57-001 REV A
 - Existing EX58-001 REV A
 - Existing EX59-001 REV A
 - Existing EX60-001 REV A
 - Existing EX60-002 REV A
 - Existing EX62-001 REV A
 - Existing EX63-001 REV A
 - Existing EX63-002 REV A
 - Existing EX64-001 REV A
 - Existing EX65-001 REV A
 - Existing EX66-001 REV A
 - Existing EX66-002 REV A
 - Existing EX67-001 REV A
 - Existing EX69-001 REV A
 - Existing EX70-001 REV A
 - Existing EX77-001 REV A

Existing EX77-002 REV A
Existing EX78-001 REV A
Existing EX79-001 REV A
Existing EX81-001 REV A
Existing EX82-001 REV A
Existing EX83-001 REV A
Existing EX84-001 REV A
Existing EX85-001 REV A
Existing EX91-001 REV A
Existing EX91-002 REV A
Existing EX92-001 REV A
Existing EX96-001 REV A
Existing EX97-001 REV A
Proposed 100-003 REV A
Proposed 100-005 REV A
Proposed 100-007 REV A
Proposed 100-009 REV A
Proposed 100-010 REV A
Proposed 200-001 REV B
Proposed 300 004 REV A
Proposed 300 005 REV A
Proposed 300 006 REV A
Proposed 300-001 REV A
Proposed 300-001 REV A
Proposed 300-002 REV A
Proposed 300-003 REV A
Proposed 100-001 REV B
Proposed AG01-002 REV A
Proposed AS01-002 REV A
Proposed BH01-002 REV A
Proposed BH01-004 REV A
Proposed BH01-006 REV A
Proposed BR-002 REV A
Proposed BR-002 REV A
Proposed CC01-002 REV A
Proposed CH11-002 REV A
Proposed CR-002 REV A
Proposed D04(R)-002 REV A
Proposed D04(R)-004 REV A
Proposed D04(R)-006 REV A
Proposed D04(R)-008 REV A
Proposed D04-002 REV A
Proposed D04-004 REV A
Proposed D04-006 REV A
Proposed D04-008 REV A
Proposed D04-010 REV A
Proposed D04-012 REV A
Proposed D05-002 REV A
Proposed D05-004 REV A
Proposed D05-006 REV A
Proposed D05-008 REV A

Proposed D05-010 REV A
Proposed D07(R)-002 REV A
Proposed D07(R)-004 REV A
Proposed D08-002 REV A
Proposed HK01-002 REV A
Proposed HK02-002 REV A
Proposed HK03-002 REV A
Proposed HK04-002 REV A
Proposed LH01-002 REV A
Proposed LH02-002 REV A
Proposed NH01-002 REV A
Proposed NH01-004 REV A
Proposed SD01-002 REV A
Proposed SD02-002 REV A
Proposed SD03-002 REV A
Proposed SF01-002 REV A
Proposed SH-002 REV A
Proposed SP01-002 REV A
Proposed ST01-002 REV A
Proposed T01-002 REV A
Proposed T01-004 REV A
Proposed T01-006 REV A
Proposed TR-002 REV A
Proposed AG01-001 REV A
Proposed AS01-001 REV A
Proposed BH01-001 REV A
Proposed BH01-003 REV A
Proposed BH01-005 REV A
Proposed BR01-001 REV A
Proposed BR01-003 REV A
Proposed CC01-001 REV A
Proposed CC01-003 REV A
Proposed CH01-001 REV A
Proposed CR01-001 REV A
Proposed D04(R)-001 REV A
Proposed D04(R)-003 REV A
Proposed D04(R)-005 REV A
Proposed D04(R)-007 REV A
Proposed D04-001 REV A
Proposed D04-003 REV A
Proposed D04-005 REV A
Proposed D04-007 REV A
Proposed D04-009 REV A
Proposed D04-011 REV A
Proposed D05-001 REV A
Proposed D05-003 REV A
Proposed D05-005 REV A
Proposed D05-007 REV A
Proposed D05-009 REV A
Proposed D07(R)-001 REV A
Proposed D07(R)-003 REV A

Proposed D07-001 REV A
Proposed D08-001 REV A
Proposed HK01-001 REV A
Proposed HK02-001 REV A
Proposed HK03-001 REV A
Proposed HK04-001 REV A
Proposed LH01-001 REV A
Proposed LH02-001 REV A
Proposed NH01-001 REV A
Proposed NH01-003 REV A
Proposed SD01-001 REV A
Proposed SD01-001 REV A
Proposed SD03-001 REV A
Proposed SF01-001 REV A
Proposed SH01-001 REV A
Proposed SP-001 REV A
Proposed ST01-001 REV A
Proposed ST02-001 REV A
Proposed SW01-001 REV A
Proposed T01-001 REV A
Proposed T01-003 REV A
Proposed T01-005 REV A
Proposed TR01-001 REV A

- 3) No development shall take place until a Construction Traffic Management Plan and programme of works, related firstly to the demolition phase and secondly the main construction phase, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:
- i. construction vehicle details (number, size and type);
 - ii. vehicular routes and delivery hours;
 - iii. the parking of vehicles of site operatives and visitors;
 - iv. loading and unloading of plant and materials;
 - v. storage of plant and materials used in constructing of the development;
 - vi. wheel washing facilities; and
 - vii. measures to control the emission of dust and dirt during construction.
- 4) No development shall take place until a Dust Management Plan, related firstly to the demolition phase and secondly the main construction phase, has been submitted to and approved in writing by the Local Planning Authority. The Plan shall take account of details within the Biodiversity Mitigation and Management Strategy and shall include, but not be limited to:
- i. details of roles and responsibilities;
 - ii. details of all dust reduction measures;
 - iii. monitoring and reporting;
 - iv. emergency responses;
 - v. community and stakeholder relations and training; and
 - vi. additional measures during windy or dry periods.

The development shall proceed thereafter in accordance with the approved details.

- 5) No development shall take place until an Ecological Construction Management Plan relating solely to the application site has been submitted to and approved in writing by the Local Planning Authority. The plan shall take account of details within the submitted Ecological Management Plan and Biodiversity Mitigation and Management Strategy. The development shall proceed thereafter in accordance with the approved details.
- 6) No development shall take place until full details of the finished floor levels of all the new buildings and structures, referenced to Ordnance Datum and in relation to existing ground levels, 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.
- 7) No development shall take place until a Biodiversity Mitigation and Management Strategy (BMMS) relating solely to the subject development has been submitted to and approved in writing by the Local Planning Authority. The BMMS shall take account of the currently submitted BMMS dated April 2024, the details, recommendations, mitigation and enhancement measures outlined within the updated Chapter 6: Ecology and Biodiversity of the Environmental Statement. The development shall proceed thereafter only in accordance with the approved details.
- 8) No development shall take place until a detailed Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall be based on the recommendations and measures outlined within the Biodiversity Mitigation and Management Strategy. The landscaping management plan shall provide planting plans with written specifications and the following details:
 - i. details of all existing planting on the land, showing any features to be retained and measures for their protection to be used in the course of development;
 - ii. full schedule of plants;
 - iii. details of the mix, size, distribution and density of all trees/shrubs/hedges;
 - iv. cultivation proposals for the maintenance and management of the soft landscaping; and
 - v. full details of all boundary treatments (means of enclosure).

All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner.

Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species as those originally planted while the site shall be retained in accordance with the approved details.

- 9) No development shall take place until the Local Planning Authority has approved, in writing, a detailed scheme to deliver a minimum 10% net gain in

biodiversity within a 30 year period as a result of the development. The scheme shall take account of the details within the GE Consulting 2025 Ecological Baseline Update and updated biodiversity net gain (BNG) metric dated 18.11.25 and shall include:

- i. proposals for on-site BNG, full details of which will be provided in relation to each phase of development;
- ii. proposals for any off-site biodiversity gains; and
- iii. a management and monitoring plan for any on-site and off-site BNG including 30 year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports in years 1, 2, 3, 5, 10, 15, 20, 25 and 30, demonstrating how the BNG is progressing towards achieving its objectives and any rectifying measures needed.

The development shall be implemented in full accordance with the requirements of the approved scheme or any variation so approved by the Local Planning Authority in writing.

10) No development, other than demolition of any buildings or structures, shall commence until an assessment of the risks posed by any contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Land contamination risk management (LCRM), (or equivalent British Standard and Land contamination risk management if replaced), and shall assess any contamination on the site, whether or not it originates on the site. The assessment shall include:

- i. a survey of the extent, scale and nature of contamination;
- ii. the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - adjoining land;
 - ground waters and surface waters;
 - ecological systems; and
 - archaeological sites and ancient monuments.

11) No development shall take place where (following the risk assessment) land affected by contamination is found which poses risks identified as unacceptable in the risk assessment, until a detailed remediation scheme shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use.

- 12) The approved remediation scheme in condition (11) shall be carried out and upon completion a verification report by a suitably qualified contaminated land practitioner that demonstrates the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority before the development [or relevant phase of development] is occupied.
- 13) Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported in writing immediately to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development [or relevant phase of development] is resumed or continued.
- 14) No development shall take place, other than demolition of any buildings or structures, until a site investigation of the nature and extent of any land instability has been carried out in accordance with a methodology which shall have previously been submitted to and approved in writing by the Local Planning Authority. The results of the site investigation shall be made available to the local planning authority before any development takes place. If any land instability issues are found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development takes place.
- 15) A) No demolition or conversion works shall take place until a programme of historic building recording work including a Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions, and:
- i. the programme and methodology of site investigation and recording;
 - ii. the programme for post investigation assessment;
 - iii. provision to be made for analysis of the site investigation and recording;
 - iv. provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - v. provision to be made for archive deposition of the analysis and records of the site investigation; and
 - vi. nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- B) No demolition or conversion works shall take place other than in accordance with the Written Scheme of Investigation approved under condition 15 A).
- C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 15 A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

D) The historic building recording condition will normally only be discharged when all elements of the WSI including on site works, analysis, report, publication (where applicable) and archive work has been completed.

16) No development, other than demolition of any buildings or structures, shall take place until details of a scheme for the provision of surface water management has been submitted to and approved by the Local Planning Authority. The details shall include:

- i. a description of the foul and surface water drainage systems operation;
- ii. details of the final drainage schemes including ground investigation and infiltration testing results, calculations and layout;
- iii. a Construction Phase Surface Water Management Plan;
- iv. a Construction Quality Control Plan;
- v. a plan indicating the provisions for exceedance pathways, overland flow routes and proposed detention features;
- vi. a timetable of construction; and
- vii. confirmation of who will maintain the drainage systems and a plan for the future management and maintenance, including responsibilities for the drainage systems and overland flow routes. The plan must include a drawing which clearly indicates the management responsibility for each drainage element, and schedule of maintenance.

The Developer must inform the Local Planning Authority of any variation from the details provided and agree these in writing before such variations are undertaken.

The surface water drainage systems shall fully manage surface water flows resulting from the developed site up to the 1 in 100-year peak rainfall event plus a minimum allowance of 50% for the impacts of climate change. Discharge flow rates from the site must be agreed with the Lead Local Flood Authority.

The approved scheme shall be implemented in accordance with the timetable so agreed and the scheme shall be managed and maintained in accordance with the approved details for the lifetime of the development.

17) The development hereby permitted shall not be occupied until the installation of a system to serve the development for the disposal of sewage has been completed in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority. The details shall take account of the submitted Site-Specific Flood Risk Assessment (prepared by Callidus Transport and Engineering) and shall include a programme for maintaining the system. The system shall be retained and maintained thereafter in accordance with the approved details.

18) No development, other than demolition of any buildings or structures, shall commence until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out in accordance with the approved details prior to the occupation of any unit hereby permitted. The hard landscaping details shall include:

- i. proposed finished ground levels;
- ii. means of enclosure (notwithstanding details currently submitted);
- iii. vehicle and pedestrian access and circulation areas;
- iv. hard surfacing materials;

- v. minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); and
- vi. proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc.).

- 19) No external lighting shall be installed in relation to the development hereby permitted, other than that which accords with full details which shall first have been submitted to and approved in writing by the Local Planning Authority. The lighting details supplied shall take account of the guidance and details within the Biodiversity Mitigation and Management Strategy.
- 20) No development approved by this permission shall be brought into use until a flood warning and evacuation plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall take account of and include the recommendations contained within the submitted Flood Risk Management Plan, prepared by Callidus Transport and Engineering. The development shall be occupied thereafter only following implementation of the approved plan.
- 21) No development, other than demolition of any buildings or structures, shall commence until details have been submitted to and approved in writing by the Local Planning Authority of a pedestrian footway extending from the holiday park entrance to the nearest existing pedestrian route on Holywell Road. The approved footway shall then be provided prior to the first use of the development and retained thereafter. Details shall include any associated signage, surfacing, levels and gradients.
- 22) The development hereby permitted shall not be brought into use until all traffic calming measures along the access road to the site have been completed, in accordance with full details which shall first have been submitted to and approved in writing by the Local Planning Authority.
- 23) No property hereby permitted shall be brought into use until the parking and turning areas serving that property have first been provided.
- 24) The development shall proceed in full accordance with the details outlined within the submitted Framework Travel Plan, prepared by Callidus Transport and Engineering and dated 10 March 2022.
- 25) The existing war memorial, as shown in image EDP 23 on the submitted heritage assessment (prepared by EDP dated March 2022) shall be retained and maintained in perpetuity within the site. In the event the war memorial requires re-location, this shall only be undertaken in accordance with full details which shall first have been submitted to and approved in writing by the Local Planning Authority.
- 26) No solar panels shall be installed on the site of the development hereby permitted, other than those which accord with full details which shall first have been submitted to and approved in writing by the Local Planning Authority.

- 27) The proposed staff accommodation (indicated as Plot 1 on the approved Schedule of Accommodation plan) shall be used only by members of staff solely or mainly employed at the development site and shall not be used as a person's sole or main place of residence.
- 28) The holiday units hereby permitted shall be used as holiday accommodation only and shall not be occupied as a person's sole or main place of residence. The owners/operators shall maintain an up-to-date register of the names of all occupiers of each individual unit on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

End of schedule

APPEARANCES

FOR THE APPELLANT

Juliette Callaghan	Partner, Trium Environmental Consulting LP
Tom Cole	Partner in Town Planning, Montagu-Evans
Ben Dakin	Senior Planner, Montagu-Evans
Simon Kale	Director in Landscape and Visual, Nicholas Pearson Associates
Edward Ledwidge	Partner in Town Planning, Montagu-Evans
Andrew Parkinson	Barrister, Landmark Chambers
Robert Spriggs	Director in Transport, Callidus

FOR THE LOCAL PLANNING AUTHORITY

James Holman	Principal Development Officer, Cornwall Council
Jenny Mason	Development Officer, Cornwall Council

INTERESTED PARTIES

Ansonia Bennetts	Local resident
Kevin Bennetts	Local resident
Margaret Charlesworth	Local resident
Marie Gill	Local resident
Adrian Harvey	Local resident and Parish Councillor
Jan Hewson	Local resident
Jenny Jefferies	Local resident
Sally Main	Local resident and Parish Councillor
April Moore	Local resident
Alan Moore	Local resident
Andrew Robinson	Local resident
Matt Slater	Local resident
Jacqui Treasure	Local resident and Parish Councillor
Helen Uzzell	Local resident and Parish Councillor

SUBMISSIONS AT OR AFTER THE HEARING EVENT

FOR THE APPELLANT

APP1: A signed and certified and executed copy of the Section 106 Agreement (dated 15 January 2026).

FOR THE COUNCIL

LPA1: A copy of the proof press notice relating to the further environmental information submitted under Regulation 25 of the EIA Regulations received by the Planning Inspectorate on 28 November 2025.

LPA2: A final schedule of planning conditions (dated 4 December 2025) agreed by the appellant.

FOR THE INTERESTED PARTIES

IP1: Two videos of traffic congestion received by the Planning Inspectorate on 26 November 2025.

IP2: A written copy of a speech delivered by local resident, Andrew Robinson, at the Hearing event on 27 November 2025.