
Appeal Decision

Site visit made on 10 February 2026

by **David Wyborn BSc(Hons) MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 March 2026

Appeal Ref: APP/D0840/W/25/3371654

Land east of Westward Ho, Main Road, Ashton, Helston, Cornwall TR13 9SD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Chris Lock against the decision of Cornwall Council.
 - The application Ref is PA25/02280.
 - The development proposed is the erection of 4 dwellings with a new access off the A394 and incorporating a new access to the dwelling approved under PA24/04270.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the processing of the application the Highway Development Management Officer (the Highway Engineer) raised concerns with the ability of pedestrians to safely access the village from the proposed housing. This did not form a subsequent reason for refusal. However, following my site visit and given the concerns raised by the Highway Engineer, I intend to consider this as a main issue in this appeal. I have given the main parties the opportunity to respond on this matter and I have taken the submissions into account as part of my considerations.

Main Issues

3. The main issues are:
 - whether or not the development plan would support the proposal in this location,
 - the effect of the proposal on the character and appearance of the area, and
 - whether or not the scheme would provide future occupants with a safe and suitable pedestrian route to the village.

Reasons

Location

4. The development plan includes the Breage Parish Neighbourhood Development Plan 2017-2030 (the Breage NP) and the Cornwall Local Plan Strategic Policies 2010-2030 (the Cornwall LP). The Breage NP was brought into force in August 2022 and the Cornwall LP was adopted in November 2016.

5. Policy S1 of the Breage NP establishes the development boundary for the settlement of Ashton. The appeal site is located outside and separated from the settlement boundary on an area of field to the east of the boundary and which adjoins the A394.
6. Policy S3 of the Breage NP explains that development in the open countryside outside of the development boundaries of the main villages will not normally be supported unless it falls within one of the limited identified opportunities for development, such as very small scale infill development of not more than one dwelling in the case of residential development.
7. The scheme for four new build dwellings in a location outside the settlement, and where it would not meet any of the exceptions for development in the open countryside as referenced in Policy S3, would not comply with the approach to the location of new development as set out in the Breage NP.
8. In terms of the Cornwall LP, Policy 3 establishes the strategic approach for the location of development across the plan area, based on the role and function of places. Housing development is to be focused at the main towns. Outside these areas, such as Ashton, in summary, housing is to be delivered through rounding off of settlements and development of previously developed land within or immediately adjoining that settlement, infill schemes that fill a small gap in an otherwise continuous built frontage and do not physically extend the settlement into the open countryside, rural exception sites, and the identification of sites through neighbourhood plans.
9. The Chief Planning Officer's Advice Note: Infill/Rounding Off (December 2017) (the Advice Note) provides additional advice on the interpretation of Policy 3 of the Local Plan and I attribute it substantial weight. The Advice Note explains the characteristics when the rounding off of a settlement by a development would be appropriate. This includes the scheme providing a symmetry or completion of a settlement boundary and that rounding off is not intended to facilitate continued incremental growth. Furthermore, rounding off should not visually extend development into open countryside and should be predominantly enclosed by edging features.
10. The scheme for four houses on this field would not use previously developed land nor would it fill a small gap in an otherwise continuous built frontage. Furthermore, it would not be a rural exception site and the land has not been identified for development in the Breage NP. The appellant argues that the scheme would constitute rounding off compliant with Policy 3 of the Cornwall LP.
11. On the ground, at this edge of village location, there are a number of dwellings and also open fields in the vicinity, of which the appeal site is one. Westward Ho is a chalet bungalow facing the A394. On land to the north east of Westward Ho, in August 2020, permission was granted for a new dwelling (now built and named Loe View). This was judged to comply with Policy 3 of the Cornwall LP although outside the settlement area identified in the Breage NP. This dwelling is located adjoining Lizard View, both properties have vehicular accesses parallel with each other, and which join the A394 further to the east.
12. Planning permission was also granted in August 2024 for a further dwelling between Loe View and Westward Ho on the basis that it was also rounding off. The

- present scheme would provide an alternative access to this approved dwelling, which would also serve the proposed four dwellings.
13. There is also a planning approval for a dwelling on the western part of the front curtilage area of Westward Ho, permitted in March 2024.
 14. Taken together these permitted and constructed dwellings form a strip of development stretching back at an angle from the A394. These dwellings are, and when the other units are built will be, visible from the road but they are reasonably contained within their plots and do not especially intrude visually or physically into the field the subject of this appeal proposal. Lizard View and Loe View have accesses along the eastern edge of the field, and the additional dwelling to the rear of Westwood Ho would be accessed off a spur to Loe View as originally permitted. These accesses are/would not be especially prominent or harmful in views from the road.
 15. The appeal field is visually prominent as land immediately to the north of the A394. As drivers enter the village from the east the field marks a demarcation on this side of the road from more rural character to the built development of the village. When leaving the village in an easterly direction, the field is one of the first defining breaks along this northern side of the road that signals the start of open and rural land beyond the edge of Ashton.
 16. This open and green aspect to the site and its rural character is complemented and experienced in conjunction with the undeveloped field on the opposite side of the road. This other field has a low boundary section that allows views to the broadly south across open countryside. Overall, the appeal site merges more with the open countryside than with the village with its built form. Having regard to the Advice Note, I consider that the site does not have the appearance of it being within the physical boundaries of the settlement and its development would facilitate continued incremental growth of Ashton beyond the rounding off of the recently permitted dwellings.
 17. I appreciate that the accesses to Loe View and Lizard View and the road would provide clear and well-defined boundary features that could limit further growth and that the existing and permitted housing provides built development on those sides. Nevertheless, I consider that the balance falls such that the site has a greater affinity with the surrounding countryside than the built form of the village and therefore the proposal for four dwellings on this site would not meet with the requirements for rounding off under Policy 3 of the Cornwall LP.
 18. It follows from the above analysis, that I conclude that the development plan would not support the proposal in this location. In particular, there would be conflict with Policies 1, 2, 3 and 7 of the Cornwall LP and Policies S1 and S3 of the Breage NP which collectively establish the approach to the location of new development across the plan area.

Character and appearance

19. As explained, this triangular shaped field falls beyond the built form of the village and visually has most affinity with the surrounding countryside. It is a prominent site alongside the road and its open and green form makes a positive contribution to the character of the area at this entranceway into the village.

20. The proposed dwellings are suitably designed and would be set back behind a belt of landscaping along the frontage. However, the introduction of built development on this site would substantially erode its verdant and open contribution to the entrance to the village and undermine the relationship with the open farmland to the south. This encroachment of built development, with the associated vehicle parking, domestic activity and paraphernalia, would cause harm to the character and appearance of the area.
21. There would also be conflict with the National Planning Policy Framework (the Framework) requirement that development is sympathetic to local character and history, including the surrounding built environment and landscape setting.
22. Consequently, I conclude that there would be harm to the character and appearance of the area contrary to Policies 12 and 23 of the Cornwall LP and Policy E2 of the Breage NP which, amongst other things, require that development proposals sustain local distinctiveness and character.

Pedestrian route to the village

23. The A394 runs through the centre of Ashton and connects Helston and Penzance. My observations at the site visit, while only a snap shot in time, was that the road was reasonably busy. I have no detailed information to indicate that my site visit observations were untypical of the use of the road on other occasions.
24. For the vast majority of the road through the village there are footways, although sometimes only on one side of the road. These footways assist local residents with the ability to safely access other housing, the bus stops and the public house without the need to walk in the carriageway. Side roads off the main A394 do not usually have footways but these appear to be likely trafficked and are more minor roads.
25. The four dwellings would have a vehicular and pedestrian access that joined the A394 at a location further to the east than the extent of footways within the village. This section of road has a 30mph speed limit.
26. At the planning application stage, the Highway Engineer raised concerns about the pedestrian access from the proposed four dwellings to the facilities and bus stops within the village. It was explained that the proximity of the village to the site and lack of footway could leave pedestrians vulnerable to collision if they decided to walk in the live carriageway to use the bus stops and public house. Based on the existing plans, the Highway Engineer did not consider the application demonstrated safe and suitable access for all users. When consulted later in the process the Highway Engineer again raised concerns regarding pedestrian access to the village.
27. I appreciate that the Planning Officer did not share these concerns and commented in the report that the absence of direct pedestrian connectivity to the village is not deemed a significant enough concern to warrant a reason to refuse the application in itself. This Planning Officer judgment took into consideration the small-scale nature of the scheme, the site's location close to this large village and multiple nearby properties that do not have the benefit of direct pedestrian access to any settlement. The Planning Officer's view is such an arrangement is not uncommon in rural areas and edge of village locations such as this.

28. The appellant has responded directly on this issue and concurs with the Planning Officers analysis. The case is made that users of the site can gain access facing oncoming traffic along the grass verges toward Ashton and then on the pavements and there is also the option to utilise public rights of way, including a bridleway leading northwards just to the west of Westward Ho that connects to the upper end of the village. It is explained that if the car is relied upon, the trips will be short and that Transport for Cornwall confirm that a 'hail and ride' approach is taken to this bus route and the option to be picked up at the appeal site entrance is available.
29. Furthermore, support for this proposal is sought from an appeal decision¹ allowing a development of two self-build dwellings in a location also alongside another part of the A394, where in that case the speed limit is 60mph. That Inspector found that due to the lack of footpaths along the A394, and the speed of vehicles on it, it would be dangerous for pedestrian use. However, the site was considered to be a low density straggle of dwellings rather than even a small settlement and therefore I assume not adjoining a settlement which is the situation in the present case where walking to local services and facilities would be a short distance. Also, it is clear that this Inspector placed weight on the fact that there was, directly opposite, a bus stop which provided regular connections to Penzance and Helston. These are physical and locational differences that mean that the assessment before that Inspector was different than in the present case. I do not consider that this other appeal decision represents the same relationship and distance to a centre, such that the same issues around safe walking routes arise. I attach this other decision limited weight to support the particular highway issue that I am considering in the present circumstances.
30. In this case, to access the site by foot, it would be possible to walk on footways from the more central parts of Ashton, past the new development at Trevonnen Close, to a section of the A394 where there is a grass verge. While the verge could be muddy or provide a wet surface at times, it would nevertheless, allow pedestrians to either walk along it or be able to step back from approaching traffic and use it as a refuge. This verge continues up to the bridleway that passes south to the open countryside.
31. Beyond that point, and towards the appeal site, there is no useable verge to step back out of the carriageway because of banks on either side. There is the occasional access point but these are spaced apart and do not greatly assist pedestrians walking along this part of the road. It would be necessary to walk up this section of the A394 to gain access to the entrance to the site. While the new splay may help to a limited extent, with the road side banks and lack of suitable refuges it would be necessary for occupants of the new housing to walk in the carriageway which is reasonably narrow in width at this point. Even if on-coming traffic was seen to be approaching there would be little ability to step off the road surface, and it would be an especially dangerous situation for walkers if two vehicles were approaching from different directions at the same time.
32. This is not a situation where the proposed dwellings would be some way from a village, such that walking was not a realistic alternative and driving was much more likely. This is a location where the development site adjoins other built development and the dwellings would be within easy walking distance of the centre of Ashton. I consider that because of the short distances involved it would

¹ Appeal Ref: APP/D0840/W/25/3368079 - Land South of 2 Greenbury, Greenbury Lane, Rosudgeon, Penzance, Cornwall

be tempting for occupants to seek to walk to and from the centre of the village, perhaps to see friends and family, to visit the public house, or access the designated bus stops. For instance, this could involve senior school children going to and from the bus stops in the centre of Ashton on school days and others coming to and from the public house, perhaps in the evening, when the carriageway would be dark because there is no street lighting along this section of the A394.

33. The bus service may allow a 'hail and ride' approach. However, if this was able to be utilised this would seem, for buses travelling to the west, to entail passengers waiting for the bus on the carriageway itself and when alighting the bus to step directly onto the carriageway and then having to wait in the road while a gap in the traffic was available before crossing to the appeal site. I am not satisfied that these would be safe options.
34. There is a public right of way that is located to the west of Westward Ho. However, to access this route would still involve walking along the section of road that I have the most substantive concerns about. This would not be a reasonable, convenient or safe alternative to access the centre of Ashton.
35. I also appreciate that there are other dwellings in this area, including two which have been recently permitted, with Loe View constructed. These properties have accesses onto the A394 and, compared with the present scheme, occupants would be required to walk further along the main road to access Ashton. There is also the benefit of the scheme that the new access would shorten the distance along the road for occupants of the unbuilt dwelling. However, the appeal proposal is for four additional dwellings and would, in my view, lead to the likelihood of more occupants walking on some occasions along this section of the A394.
36. In any case, I need to consider this proposal on its merits. The concerns of the Highway Engineer form part of the appeal papers and having visited the site, I consider that the provision of the access in the position proposed, so close to Ashton and its facilities such that it would tempt occupants on some occasions to walk, would result in an unsafe situation. The condition of the road, in the absence of a footway or the ability to step back onto a suitable refuge would pose an unreasonable and unacceptable safety hazard for walkers. This analysis is supported by the comments of the Highway Engineer to which I attach substantial weight. Following my site visit, I have read and seen nothing of sufficient substance to satisfy me that the situation should be considered acceptable.
37. In the light of the above analysis, I conclude that the scheme would not provide future occupants with a safe and suitable pedestrian route to the village. In this respect the proposal would fail Policy 27 of the Cornwall LP and the Framework which requires that development provide a safe and suitable access to the site for all people. I also find that because of this harm, the scheme would not be sustainably located and therefore the scheme would not receive support from Policy 21 of the Cornwall LP.

Other Matters

38. I appreciate that no adverse comments have been received from any local residents. However, Breage Parish Council has set out a range of objections, which I have taken into account, including that the site constitutes an open green

field that reads as part of the open countryside rather than the built up area of Ashton, and as such is an unsustainable location for new residential development.

39. The site falls within the Cornish and West Devon Mining Landscape World Heritage Site. From the information available the site does not have any features or evidence that would be undermined or adversely impact on the Outstanding Universal Value of the World Heritage Site. The Cornish Mining World Heritage Site Office raises no objection to the scheme and I have found no reason to disagree.
40. The site lies within the zone of influence of the Fal and Helford Special Area of Conservation (SAC) and the European Sites Mitigation SPD requires a payment per additional unit of accommodation to address recreational impacts. An appropriate sum has been paid via a s111 agreement under the Local Government Act 1972 to secure the required mitigation. In these circumstances, I am satisfied that the scheme, either alone or in combination with other schemes, would not have a likely significant and adverse effect on the integrity of the SAC. Consequently, I conclude that the proposal would meet with the legislative requirements of the Conservation of Habitats and Species Regulations 2017 and comply with Policy 22 of the Cornwall LP.
41. Attention has also been drawn to the appeal decision for a single dwelling at Quaker House, Penstraze². That Inspector was satisfied in the particular circumstances of that case that the scheme was acceptable, and in a reasonably sustainable location. The weight to be attached to any benefits is a matter for each Inspector in the circumstances of each case, and I make my assessment on the merits of this proposal in this location. This appeal at Quaker House did not have the combination of harms that I have found in this case, and therefore I attach this other decision limited weight in support of the present proposal.
42. The same can be said for the appeal decision at Gilbert's Combe³ where the circumstances and relationship to the settlement and related access are all specific to that site. In the present case, the scheme is close to the village of Ashton and this closeness in conjunction with the lack of a safe pedestrian route is of a significant concern. These decisions all turn on their individual circumstances and I attach limited weight to the appeal at Gilbert's Combe in justification of the present appeal.

Planning Balance and Conclusion

43. The scheme would not comply with the strategy for the location of development, would harm the character and appearance of the area and would not provide a safe and suitable access to the site for all people. These are matters of such harm and related policy conflict that the scheme would conflict with the development plan when considered as a whole.
44. I have had regard to the Cornwall Interim Policy Position Statement (April 2025) and the Cornwall Monitoring Report – 5 Year Housing Land Supply Statement (July 2025). This latter report indicates that the Council can demonstrate only a 3.9⁴ year supply of housing land which is below Framework requirements. In these

² Appeal Ref: APP/D0840/W/24/3345642 - Quaker House, Penstraze, Chacewater, Cornwall TR4 8PE

³ Appeal Ref: APP/D0840/W/25/3366033 - Land to the East of Chapel of Rest, Gilbert's Coombe, Lower North Country, Redruth TR16 4HJ

⁴ Other information indicates 3.8 years of supply.

circumstances, the requirements of paragraph 11d of the Framework are engaged. This means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. In terms of having particular regard to the issues that should be taken into account in paragraph 11d, the scheme would not direct development to a sustainable location because of the pedestrian access issue, nor provide affordable homes. However, it would make effective use of the land and is well-designed in itself.

45. In terms of the other benefits of the scheme, four houses would provide a boost to the housing stock making effective use of a windfall site (although not a suitably located windfall site because of the access issue). The site could be built out reasonably quickly by a small or medium sized builder and would add to the mix of housing in the area. There would be economic and social benefits during construction and in subsequent occupation. The dwellings could incorporate sustainable and renewable design elements to minimise carbon use and would include a biodiversity net gain.
46. All these benefits are meaningful and worthwhile, however, because only four additional units would be provided, even taking into account the level of housing land supply and that Cornwall Council has designated a housing crisis, I consider that they should collectively afford moderate weight in favour of approval.
47. In terms of the weight to be attached to the harms and policy conflicts, the Council is not able to demonstrate a Framework compliant supply of housing land and therefore the housing strategy, as established in Policy 3 of the Cornwall LP, is not being effective. It is likely that some sites beyond the limits of what Policy 3 would allow will be required to ensure that sufficient housing can be provided. This proposal is on a site that is close to a settlement and on land that would add to the existing built form. It would also be close to a route with a regular bus service.
48. There would be conflict with the Breage NP and, in particular, Policy S3. However, the Council has in the past been willing to allow development in this eastern area outside the settlement on the basis of it being rounding off.
49. In these circumstances, including that the locational strategy for the delivery of development needs to deliver a Framework compliant supply of housing land, I attach limited weight to the conflict with the development plan policies that set the approach to the location of development.
50. The policies that relate to protecting the character and appearance of the area are generally consistent with the Framework. The scheme would adversely affect open land that makes a positive contribution to the surroundings to the village. However, it is likely that some sites on the edge of settlements will be needed to meet the necessary supply and this will have an effect on character in those locations because of the change from open land to housing. The harm in this case is fairly localised, and therefore I attach moderate weight to the conflict with the policies in the development plan that concern character and appearance.
51. The other harm that I have identified concerns the adverse highway safety effect on pedestrians. In this respect, Policy 27 of the Cornwall LP is in general conformity with the Framework and the potential highway harm is a serious matter. I attach substantial weight to the conflict with development plan policies in relation to highway safety.

52. To summarise I attach moderate weight to the benefits of the scheme and, cumulatively, substantial weight to the harms and policy conflicts, in particular because of the highway safety harm. It follows that the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The scheme would not be sustainable development within the meaning of the Framework and this weighs heavily against the proposal.
53. Accordingly, I find that the proposal would not comply with the development plan when considered as a whole and material considerations do not indicate a decision should be made otherwise. I conclude that the appeal should be dismissed.

David Wyborn

INSPECTOR