



Appeal Decision

Site visit made on 8 January 2025

by **N Perrins MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5th March 2025

Appeal Ref: APP/D0840/W/24/3351263

Trannack Mill Farm, Access to Trannack Mill, Sancreed, Cornwall TR20 8QW

- 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 William James, T W & W T James, against the decision of Cornwall Council.
 - The application Ref is PA24/00432.
 - The proposed development is the erection of livestock building.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised National Planning Policy Framework (the Framework) was published in December 2024. The updated Framework does not raise any new matters that are determinative to the outcome of this appeal.

Main Issues

3. The main issues are (i) whether there is an agricultural need for the proposed development, and (ii) the effect of the development on the landscape character of the area.

Reasons

Agricultural need

4. The appeal site is part of Trannack Mill Farm, which is an agricultural land holding breeding cattle and sheep located near to the village of Sancreed. The appeal proposal comprises the erection of a building to house cattle. The building would be sited in an open field around 300 metres to the north of the main cluster of farm buildings adjacent to a minor country road.
5. Policy 2 (3) of the Cornwall Strategic Policies Local Plan (CLP) states that proposals will be welcome that improve conditions for business and investment in Cornwall. Policy 2 (3) (c) adds that this includes supporting the expansion of existing agriculture businesses amongst other sectors. Policy 5 (1) (c) of the CLP states that proposals for new employment land and uses should be, in the countryside, of a scale appropriate to its location or demonstrate an overriding locational and business need to be in that location such as farm diversification.

6. These policy provisions are consistent with Paragraph 88 of the Framework, which states that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings.
7. The appellant advises that the building is needed to support the sustainable growth of the business with evidence provided seeking to demonstrate this. This includes advice from the Council's Animal Health Inspector (AHI) and appellant's vet both of which set out that existing buildings at the farm are not suitable for housing cattle. I give weight to these submissions in that they help confirm there is a need for a suitable building at the farm to house cattle.
8. However, the evidence provided only assesses the existing farm buildings as they are today. Given the site's location in open countryside where development is normally restricted, it is not unreasonable to expect the appellant to also evidence why none of the existing buildings at the farm could not be adapted, enlarged or renovated to provide a suitable livestock building. I note the appellant has sought to address this in their statement providing a rationale against the three possible existing building options.
9. Starting with the building that was erected following the grant of planning permission Ref: PA21/09130, I note that the appellant contends it is not suitable as it was not designed for housing cattle. Whilst I acknowledge that it was originally proposed for other agricultural uses, no compelling evidence is provided to demonstrate why it could not be adapted to make it suitable for housing livestock. Accordingly, I am not satisfied that sufficient evidence has been presented that objectively discounts this building as being option to house cattle either as it is, or with amendments.
10. I also give no weight to the building being occupied as an unauthorised dwelling and that the Council consider that PA21/09130 has not been implemented as a result. On face value, there is a building in situ that was originally proposed to be used for agricultural purposes. No substantive evidence has been provided to set out why it cannot now be considered for housing livestock following the refusal of the planning application that sought to regularise the unauthorised residential use¹.
11. Regarding the two livestock buildings within the main farm building complex, I am aware that the reasons for not using either are the environmental impact of runoff to the nearby watercourse, the difficulties with vehicular access and their poor design and condition.
12. Starting with runoff, the appellant mentions that there are extreme difficulties in preventing runoff but without any explanation of what these are and why they cannot be overcome. Furthermore, no evidence is provided that confirms the purported position of the Environment Agency or Red Tractor in terms of them advising that cattle should be moved away from the watercourse. In view of the limited information provided, I am not persuaded that potential impacts from runoff provide sufficient justification for the proposal.
13. In terms of access, I note the support provided by the appellant's haulage contractor and others in this regard. I agree that the proposed location would be more conveniently located. However, the existing access remains, as far as I

¹ Application Reference: PA24/01551.

understand, operational for the ongoing farm use of the land. No evidence has been provided to explain how frequently vehicles need to access a livestock building at the farm, the type of vehicles that are used or why the existing access including bridge could not be improved to overcome the issues. As such, I am not satisfied that the evidence before me conclusively demonstrates that the existing access either as it is, or with improvements, can no longer adequately service either of the existing buildings within the main farm area for housing livestock.

14. Finally, I acknowledge that the existing buildings need improvement. Notwithstanding this, limited information is provided that explains what the costs would be of repairing or adapting the existing buildings, and why this would not be a financially sensible option as is alleged.
15. I note that the proposal is supported by several individuals as well as the National Farmers' Union Advisor for Cornwall. I am also aware that the appellant has an invitation to apply for funding from the Rural Payments Agency's 'Farming Transformation Fund'. However, these do not overcome or address the fundamental issue as to whether there is a need for a new building to be located in open countryside where development is normally restricted. I, therefore, give the identified support and possibility of funding limited weight in this decision.
16. In conclusion, whilst I note the appellant's contention that the Council has relied on the response from the County Land Agent (CLA), I find that the CLA's concerns are valid and have not been satisfactorily addressed. Accordingly, whilst there is a need for a suitable building at the farm to house livestock, it has not been adequately demonstrated that there is an overriding need for a new building to be built in an open countryside location where development is normally restricted. The proposal is, therefore, contrary to Policies 2 and 5 of the CLP.

Landscape character

17. The site is within an Area of Great Landscape Value (AGLV) subject to saved policy CC-5 of the Penwith Local Plan 2004, which opposes development where it would cause significant harm to the landscape. The site is outside but adjacent to the Cornwall National Landscape. Paragraph 189 of the Framework states that great weight should be given to conserving and enhancing the landscape and scenic beauty in National Landscapes and that development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.
18. The landscape character of the site is open and rural. The building would be visible from short range views from the adjacent road as well as from longer range views from the south and east. Whilst the overall external design of the development is of a typical agricultural building it would be an unduly prominently visible and isolated feature in the landscape, detached from the main farm area, due to its size, scale and height. This would result in an adverse impact on the open and rural landscape character of the site and immediate surrounds.
19. I acknowledge that there is some existing screening on the northern boundary. However, it is relatively limited and would not mitigate the visual impact from other directions. I note that a landscaped bund would be erected to provide some additional screening. However, even with this the proposal would, due to its size, scale and height, appear as a dominant and unduly prominent visual intrusion

within the landscape. This would unacceptably change the character and appearance of the landscape, which is designated as an AGLV.

20. I have reviewed the examples of other agricultural buildings approved by the Council on nearby sites. However, full details are not provided as to why they were found to be acceptable by the Council in an area where development is normally restricted, and I can accordingly only give them limited weight in this decision. I am required to consider this appeal on its own merits, and as the need for the building has not been adequately demonstrated, the examples provided do not provide justification for the harm identified.
21. I have also considered the comments from the National Landscapes officer who advised that additional screening would be needed to ensure the building could be properly integrated into the landscape. However, no details are provided on what any further landscaping would comprise in terms of location, species and height and whether it would provide effective screening. As such, I am not satisfied that deferring the need for further detail on screening to condition is appropriate given the weight that I must apply to conserving the setting of NLs. However, as I have found the appeal to be unacceptable for other reasons I do not need to consider this further in this decision.
22. For the reasons stated the proposal would result in unacceptable harm to the character of the landscape contrary to Policies 1, 2 and 23 of the CLP, saved Policy CC5 of the Penwith Local Plan 2004 and Policy C1 of the Climate Emergency DPD. The proposal would also not accord with Paragraph 189 of the Framework.

Planning Balance and Conclusion

23. The Local Plan provides support in principle for the rural economy. Similar support for the rural economy is set out in Paragraph 88 of the National Planning Policy Framework (the Framework). I recognise the benefits that the proposed development would have in this regard by providing a suitable facility for livestock.
24. However, whilst I give weight to the benefits, the evidence presented does not demonstrate that there is a compelling reason to justify a new building in open countryside over and above utilising an existing building at the farm. I have also identified there would be unacceptable harm to the landscape character of the area due to the proposed building's size and overall scale.
25. Accordingly, I do not find that the overarching support for the rural economy as set out in the development plan and the Framework and other benefits identified provide sufficient justification to outweigh the harm identified in a location where development is normally restricted.
26. For the reasons given above, the development is not consistent with the policies of the development plan as a whole and there are no material considerations that would lead me to a different conclusion. I therefore conclude that the appeal should be dismissed.

N Perrins

INSPECTOR