



Appeal Decision

Site visit made on 20 May 2025

by **B Astley-Serougi BA(Hons) LLM MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 August 2025

Appeal Ref: APP/D0840/W/24/3355159

River Villa, Callestick, Truro, Cornwall TR4 9LN

- 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 N Winfield of Toldish Group Ltd against the decision of Cornwall Council.
 - The application Ref is PA24/02098.
 - The development proposed is described as proposed replacement dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have used the address contained within the appeal form and decision notice for clarity in the banner heading above.
3. The description of development changed during the determination of the application. I have therefore used the description of development that was agreed between the parties in the above banner heading.

Main Issue

4. The appellant provided further information and plans regarding protected species with their appeal. The Council has had the chance to consider the information and has confirmed that it no longer wishes to defend the second reason for refusal regarding the conservation and enhancement of biodiversity and mitigation of any impacts to protected species. Consequently, I am satisfied that this matter has been resolved.
5. Given the above, the main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

6. Policy 7 of the Cornwall Local Plan 2010-2030 (the CLP) restricts housing in the countryside subject to proposals meeting the established special circumstances. Policy 7(1) outlines that replacement dwellings should be broadly comparable to the size, scale and bulk of the dwelling being replaced and of an appropriate scale and character to their location.
7. The appeal site is adjacent to a public bridleway and is within the Cornwall Character Area Description CCA17 Newquay and Perranporth Coast (CCA17) as well as being adjacent to the boundary of CCA09 Silverwell to Camborne (CCA09). Given the proximity of the appeal site to CCA09, it is in my judgement,

that the appeal site displays characteristics from both Cornwall Character Areas and I refer to these later in my decision where relevant.

8. The Council's Chief Officer's Advice Note on Barn Conversions/ Replacement dwellings in the countryside (February 2023) (COAN) outlines, amongst other things, guidance on replacement dwellings in the open countryside for purposes of Policy 7 of the CLP. Whilst I acknowledge that the existing dwelling (River Villa) on the site meets part of the guidance on whether the replacement dwelling is justified, the guidance also encourages consideration of whether the replacement dwelling offers a betterment in terms of design or in terms of being more appropriate in scale and character within its context.
9. Additionally, the COAN outlines what 'broadly comparable' and 'of appropriate scale and character to its location' mean in this Policy context. Notably, it encourages the consideration of the legibility of the proposed development when viewed with other residential dwellings or whether it would be an unobtrusive building of agricultural character which would not be harmful or an incongruous feature in the countryside.
10. CCA09 establishes that amongst other things, the architectural details and craftsmanship in some of the 19th Century and earlier buildings and houses is impressive and consequently, there is significant beauty in the area's built heritage such as the existing River Villa, in my judgement. Moreover, it highlights that poor design of modern development which does not reflect the historic vernacular amongst other things, is a current/future pressure.
11. CCA17 is partly characterised by open and exposed landscape with tree cover confined to sheltered valleys. The appeal site is, in my judgement, within a confined sheltered valley. The guidance to manage this landscape character includes amongst other things the management of new development in regard to scale, massing and height.
12. Due to its location the appeal scheme would not be viewed in relation to other residential dwellings. It would incorporate a relatively large double fronted two storey dwelling and the proposed fenestration and glazing on the front elevation clearly demarcate a modern design and draw the eye of users of the bridleway.
13. Moreover, in my judgement, the significant glazing and fenestration on the other elevations, and particularly the rear elevation (which would still be viewed from the public bridleway albeit limited) in conjunction with the proposed scale and massing would further result in the appeal scheme being an obtrusive building and not adequately reflect the surrounding agricultural character. Consequently, despite the proposed set back and orientation, it would be an incongruous feature in the countryside and appear more prominent than River Villa which has a typically rural design with limited large expanses of fenestration. It therefore, in my judgement, would not generally accord with the guidance in the COAN and thus Policy 7 of the CLP.
14. Furthermore, the appellant proposes a scheme of landscaping to provide natural screening of the appeal scheme. I note that the proposed dwelling would be set back within the site and consequently further from the access lane. Whereas the existing dwelling does not benefit from any screening and is sited on the boundary of the lane. However, given the existing dwelling's traditional design, materials and, in my judgement, its appropriate scale, it does not result in a dominant built

form. Whereas, for the reasons given above, the appeal scheme would result in a dominant built form. Consequently, although the landscaping would help to screen the proposed development, I consider that the views of the proposed development would still draw the eye of users of the bridleway due to the proposed design and massing. Therefore, the proposed development would not reflect an agricultural character.

15. The existing dwelling on the appeal site, due to its age (approximately 150 years old) is small in scale and massing including its ceiling heights. Nevertheless, whilst I acknowledge that Building Regulations and to an extent modern living standards require greater spaces including ceiling heights when compared with the existing dwelling, it has not been adequately demonstrated that the design of the appeal scheme is the only viable way of achieving this.
16. Additionally, Policy SEC1 of the Climate Emergency Development Plan Document (the DPD) states that the energy performance of a building is affected by its design amongst other things. Again, whilst I acknowledge that the existing dwelling due to its age and design could not necessarily accommodate the addition of insulation, energy and water efficiency measures, it has not been adequately demonstrated that the scale and bulk of the appeal scheme is necessary to implement these factors. Thus, to my mind, it does not accord with the guidance outlined in the COAN which states that energy efficiency can be achieved through carefully considered conversions.
17. Whilst the appeal scheme would be physically contained within the existing residential plot for River Villa, I have identified above that the scale and bulk of the appeal scheme and its prominent position next to the public bridleway would, in my judgement, result in harm to the character of the surrounding area due to its visual encroachment rather than physical encroachment into the countryside.
18. The Council are in the process of reviewing the extent of the Areas of Great Landscape Value and the appeal site could be located within an area to be known as the St Agnes Coastal Area of Great Landscape Value. However, there is limited information before me regarding its status and therefore it is not a determinative factor in this case.
19. Given all of the above, in my judgement, the appeal scheme does not result in a better design than the existing dwelling to an extent that would justify the appeal scheme and would conflict with Policy 7 of the CLP.
20. The appellant refers to a mix of properties within Callestick itself, including Callestick Farmhouse and the more modern design of Kellestek House. They also refer to other developments at Mylor Downs, Germoe and Camborne. I do not have the full circumstances of the applications and therefore cannot be sure they are wholly comparable. Each application is determined on its own merits. These decisions are very much case specific and having regard to the specific design details of the appeal scheme, its relationship with the public bridleway and in light of my reasoning above, they do not lead me to a different conclusion.
21. The appellant states that the existing dwelling at the appeal site has a footprint of approximately 182m², the existing workshop is approximately 25m² and the existing garage approximately 15m². Consequently, that the overall mass that would be removed would be approximately 207m² on a site that is approximately 1200m². Whilst it is unclear whether the measurement pertains to the footprint of

both the ground floor and first floor, I have identified above that irrespective of what the measurements pertain to, the appeal scheme in my judgement, would introduce a built form that would be incongruous and not broadly comparable to the existing dwelling at the appeal site.

22. Therefore, given all of the above, the appeal scheme would conflict with Policies 2, 7, 12 and 23 of the CLP insofar as they seek to ensure developments are of a high design quality that assimilate with their surrounding areas

Other Matters

23. I have had due regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share and do not share a protected characteristic. The appeal scheme would provide wheelchair access to ground floor spaces including a washroom and consequently would be accessible for persons with a disability. The negative effect of dismissing the appeal is that living accommodation for a person with a protected characteristic may not be provided.
24. Having regard to my duty, I have concluded that the decision to dismiss the appeal is proportionate in view of the reasons discussed in the main issues and having taken into account the benefits of providing accommodation suitable for a person with a protected characteristic. Therefore, the PSED considerations do not outweigh the harm identified in the main issues.
25. I am aware that the site is proximate to the Grade II Listed buildings known as: Callestick Farmhouse¹, Elmsleigh Jasmin Cottage², K6 Telephone Kiosk Outside Former Post Office³, The Homestead⁴, The Old Post Office⁵, Bridge at SW775503⁶ and Callestick Farm Cottage⁷. Mindful of the statutory duty set out in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have had special regard to the desirability of preserving their setting. These buildings are significant due to their architectural interest. Nevertheless, given the appeal site's location and the extent of the proposed development, I consider that it would preserve the setting of these listed buildings. A lack of harm in this respect, however, does not alter my overall conclusions.
26. The appeal scheme would be in accordance with the overall aims of Policy SEC1 of the DPD insofar as it seeks to reduce carbon footprints. However, this attracts limited weight given that the appeal scheme would be for one dwelling.
27. Compliance with Policy 21 of the CLP regarding the effective use of land is a neutral factor in this case given the Council has not indicated concern regarding the principle of the development.

¹ Listing Number: 1136827

² Listing Number: 1136856

³ Listing Number: 1328711

⁴ Listing Number: 1328679

⁵ Listing Number: 1312604

⁶ Listing Number: 1328678

⁷ Listing Number: 1141549

Planning Balance

28. As set out above the appeal scheme would result in harm to the character and appearance of the surrounding area. The Council has stated that they are unable to demonstrate a five-year housing land supply. Based on the appellant's evidence the supply is in the region of 3.8 years and there is limited substantive evidence before me to come to a different view.
29. Paragraph 232 of the National Planning Policy Framework (the Framework) makes it clear that due weight should be given to existing policies according to their degree of consistency with the Framework. The Framework advises that decisions should take account of the desirability of maintaining an area's prevailing character and the importance of achieving well-designed places. Consequently, given that the relevant policies generally accord with the Framework, this conflict attracts significant weight in this case.
30. The appeal scheme would replace an existing residential dwelling and thus reuse previously developed land. However, given it will replace a dwelling and likely have more bedrooms, it would still not result in an additional contribution to the Council's level of housing supply.
31. Nevertheless, it would provide a high level of sustainable energy efficiency and includes solar panels as well as the opportunity to enhance biodiversity and wildlife on site. Additionally, the design would also include accessible spaces on ground floor and therefore could be used by persons with a disability. However, given the appeal scheme is for one dwelling, the modest weight I afford these benefits is not sufficient to outweigh the harm I have found regarding the main issue.
32. The proposal would also provide a limited economic benefit to the local economy through the provision of construction jobs as well as to the wider local supply chain regarding the provision of materials. Furthermore, future occupants would also use and sustain nearby services through local spending. However, the weight I afford these benefits is not sufficient to outweigh the harm I have identified.
33. Accordingly, the adverse impacts I have identified as a consequence of the appeal scheme would significantly and demonstrably outweigh the benefits of the proposal when assessed against the Framework policies as a whole.
34. There are no material considerations of such weight or significance to justify a decision other than in accordance with the development plan.
35. The appeal site is in the Zone of Influence of the Fal and Helford Special Area of Conservation (SAC) and the Penhale Dunes SAC. I have a duty under the Conservation of Habitats and Species Regulations 2017 to assess any impact the proposed development would have upon the SAC's. Had I been minded to allow the appeal this would have been a matter requiring further exploration. However, as I am dismissing the appeal for other reasons no further consideration is required.

Conclusion

36. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

B Astley-Serougi

INSPECTOR