



Appeal Decision

Site visit made on 29 April 2025 by R Dickson BSc (Hons) MSc MRTPI

Decision by Mr A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 10 September 2025

Appeal Ref: APP/D0840/W/25/3359812

Viscar Farm Holiday Cottages, Road from Medlyn Moor to Garlinda, Porkellis, Cornwall TR13 0LF

- 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 R Bailey of Farm Management Ltd against the decision of Cornwall Council.
 - The application Ref is PA24/03069.
 - The development proposed is an extension to agricultural building.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are:
 - The effect of the proposed development on the character and appearance of the surrounding area; and,
 - The effect of the proposed development on the living conditions of the neighbouring occupants of the holiday accommodation at Viscar Farm Holiday Cottages, with specific regard to noise and odour.

Reasons for the Recommendation

Character and Appearance

4. The appeal site is part of a collection of stone and rendered agricultural buildings. Beyond the collection of agricultural buildings, the wider appeal site is set within the open countryside, with views across to dwellings and other agricultural buildings. During my site visit I was able to see other, more recent but distant, additions to the landscape in the form of agricultural barns, some of which were still under construction. The Cornwall Landscape Character Assessment (2007) identifies the area as being within CCA10, and describes it as being open and exposed and goes on to identify the settlement pattern as dispersed farmsteads and small clusters of modest cottages, single or in terraces, in former industrial areas. This defines the character and appearance of the area.

5. The site slopes with a track running through it. Some of the buildings on the eastern side of the track are used as holiday cottages. Others directly adjacent to the track are set up to accommodate animals, although during my site visit, the buildings were vacant. A small open-sided barn with a yard in front sits adjacent to the track at a lower level. An area with shrubs and small trees which is used for some storage is beside the barn which would accommodate the proposed extension. As well as the barn and track, the area is bound by a block wall which extends from the side elevation of the existing barn, in line with its rear elevation. Lower fields bound the area beyond the wall.
6. The existing barn is lower than the buildings and the ridge heights follow the natural topography of the site down the slope. The footprint of the barn is similar to the other buildings and is therefore in keeping with the immediate surroundings. As such, the scale of the existing small barn is proportionate to that of the adjacent buildings, which together form a cohesive appearance of a farmstead in a clustered and organic site layout. The proposed extension would have a taller ridge height than the existing and would be both wider and longer than the existing.
7. The introduction of a large extension onto the barn would have an overbearing and dominating effect on the farmstead. Although agricultural buildings are a feature of the area, the proposed extension would be a disproportionate addition to the farmstead. Its size would detract from the existing pattern of organically sited development, which results in harm to the character and appearance of the countryside.
8. Although I was able to observe other examples of large agricultural barns in the distance, I do not have any evidence before me setting out the individual circumstances relating to them, in terms of their individual setting and context or permission, if any, that they have been granted with. The other examples are relevant in so far as they contribute to the character and appearance of the countryside. However, circumstances vary from one site to another, and I have considered this appeal on its merits, therefore the other examples which I saw within the surrounding area are of limited weight in my recommendation.
9. Accordingly, the proposed development would be contrary to policies 1, 2, 12 and 23 of the Cornwall Local Plan 2010-2030 (2016) (Local Plan) and policy C1 of the Climate Emergency Development Plan Document (2023) which collectively seek to ensure that developments conserve and enhance Cornwall's natural environment while ensuring that developments provide continuity with the existing built form, creating places with their own identity and promoting local distinctiveness. The proposal would also fail to accord with the aims set out in paragraphs 8, 135 and 187 of the National Planning Policy Framework (2024) (the Framework).
10. The Council's report and submissions also identified that the proposal would be contrary to policy 5 of the Local Plan which relates to business and tourism. Policy 5 was not mentioned within the decision notice, however the appellant was given the opportunity to address the comments within their statements and submissions. The Council's Land Agent concluded that it has not been demonstrated that a building of this size would be required for the proposed use. In the absence of evidence to the contrary, I therefore conclude that the proposal is also contrary to policy 5 of the Local Plan which seeks to ensure that development within the countryside should be of a scale appropriate to its location, or it should demonstrate an overriding locational and business need to be in that location.

Living Conditions

11. The proposal would be an extension to the existing barn, which is currently used for storage. As well as additional storage space, the extension would provide space for livestock. The Agricultural Need Appraisal presented to me by the Council identifies that 30 cattle would be on the holding at any one time, however the appellant's evidence does not specify the amount of livestock.
12. The introduction of livestock into the building would generate odour. Although it is likely that a low level of odour pollution is experienced by the occupants of the holiday cottages periodically owing to the agricultural setting of the site, odour generating activities are not currently undertaken at the appeal site. Whilst it is unlikely that the effects of odour on the neighbouring occupiers would be felt all year round, the source of odour generation would be located closer to the holiday cottages and, in my view, would therefore have a, albeit limited, harmful effect on the living conditions of the neighbouring occupiers.
13. The intensification of the use would also change the type and duration of noise generated within the building. It is reasonable to expect there would be noise from and associated with any livestock within the building which may start early in the morning until late into the evening and could potentially be generated all night. Even in periods where livestock is not kept in the barn, given the intensification of the use, it is likely that the movement of machinery would generate noise during unsociable hours. As such, an increase in noise as a result of the intensification of the use of the barn by virtue of its increase in size would have a harmful effect on the living conditions of neighbouring occupiers.
14. At present, the holiday cottages are positioned at one end of the track, while the existing barn is at the other end. However, the proposal would decrease the distance between the holiday cottages and the activities within the barn. Given my findings on noise and odour pollution, the proximity of the source of the pollution to the holiday cottages would compound the harmful effects on the living conditions of the neighbouring occupiers.
15. I have had regard to the transient nature of the occupants of the holiday cottages, in so far as any visitors would be staying for a relatively short period of time. I also have regard to the fact that visitors are likely to book the holiday cottages knowing that it is within a rural and agricultural area. While I have considered these factors, they do not sufficiently limit or offset the harm I have found to the living conditions of neighbouring occupiers, particularly with regards to noise.
16. I have not been provided with any conditions or measures which would mitigate the adverse effect of noise or limit harmful effect of odour on the living conditions of the neighbouring occupiers. As such, the proposal would be contrary to policies 12, 13 and 16 of the Local Plan, which collectively seek to ensure that development proposals should protect individuals and property from unreasonable noise and odour, and mitigate any adverse impacts during operation. The proposal also fails to accord with the aims of paragraph 198 of the Framework.

Conclusion and Recommendation

17. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

R Dickson

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Mr A Spencer-Peet

INSPECTOR