
Appeal Decision

Site visit made on 27 August 2025

by **R Kent BA (Hons) MTP DipM MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 September 2025

Appeal Ref: APP/D0840/W/25/3360624

Land NW of Trungle Byre, Paul, Penzance TR19 6UG

- 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 A Macaulay against the decision of Cornwall Council.
 - The application Ref is PA24/08258.
 - The development proposed is described as “Retention and completion of two access drives on the site, retention of field, minor extensions to garden areas.”
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the proposed development refers to the “retention” of two access drives and a field. However, retention is not an act of development under section 55 of the Act¹. The submitted evidence, nevertheless, confirmed that the construction of the access drives had commenced and I was able to see this during my site visit. Notwithstanding this, I have made my decision on the basis of Proposed Site Plan number 2879 001 and Proposed Enlarged Site Plan number 2879 002.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the site and its surroundings with reference to its effect on the landscape.

Reasons

4. The site is located beyond the edge of the village adjacent to a narrow, hedge lined country road. Fields enclosed by hedgerows lie beyond the site to the north and north east with further fields to the west. The land beyond the site rises gently towards the north east where a public footpath provides views down towards the site and the village beyond. A further public footpath runs northwards immediately behind the building which the accesses are proposed to serve. Whilst the surrounding landscape has no formal designation, it nevertheless has a pleasant, rural character and appearance which contributes to the countryside setting of the village and the approach to it which is experienced from the public footpaths and the road.

¹ Town and Country Planning Act 1990 (as amended)

5. Prior approval was not required by the Council in 2022² for the conversion of the agricultural building on the site to two dwelling houses. The Council accepts that the proposed dwellings were to be served by a pre-existing track leading to the road on the western side of the development.
6. The second access drive would be to the north and north east of the two dwellings and curve across the field from the junction of the site access and the road. The works which have been carried out result in the route of the drive being cut into the sloping topography. As a consequence, although the principle of residential use of the former barn has been accepted, the creation of a second domestic driveway has the effect of extending the residential development and vehicular use associated with the barn conversion further into the countryside than was the case with the application for prior approval.
7. Coupled with the proposed parking and turning area on the north eastern side of the building and the proposed extensions of the domestic gardens adjacent to the dwellings, the north eastern access drive would give the site a more domesticated character and appearance compared to its previous agricultural use, even taking into account the agreed conversion. This would significantly erode the rural character of this part of the countryside and harm the distinctive character of the local landscape on the edge of the village.
8. The new drive separates a section of the field on the north western side of the dwellings from the rest of the existing field. Although the field pattern varies in the vicinity, the enclosure of a relatively small section of field by the dwellings and domestic access drives would be at odds with the prevailing character of the agricultural landscape of larger fields in which the site is located.
9. The hedgerows along the site boundary with the road and the public footpath on the south western side of the development filter views into the development. As a consequence, the north eastern drive would not be visually prominent in views of the landscape. Nevertheless, the access drives would be visible from the road through the site entrance and as a result, the harm caused to the rural character of the site would be evident from passing vehicles and to walkers along the road, a number of whom I saw on my site visit.
10. Although a previous field boundary existed in the past, the evidence does not demonstrate what that boundary was comprised of. Even though a hedge is proposed along the north eastern side of the new access drive and further landscaping would help screen it, including from the public footpath on the higher land to the north east, this would not overcome the harm to the character of the landscape caused by the erosion of its rural character identified above.
11. Whilst another track may have previously skirted around the north western and north eastern side of the building in the past, I am not aware of the details of that track or its use. Notwithstanding this, it did not extend as far into the field or bisect the field in the same manner as the new north eastern access drive does and does not justify the harm caused by the development as now proposed.
12. The drive on the western side of the development runs parallel to the road behind the existing hedge along the site boundary. As it is located in the position of a pre-existing track and adjacent to the road, its use in conjunction with the approved

² LPA ref PA21/12646

residential use of the site would not cause harm to the character of the site or the surrounding landscape.

13. However, for the reasons given, the development would cause harm to the character and appearance of the site and its surrounding landscape in conflict with policies 1, 2, 12 and 23 of the Cornwall Local Plan Strategic Policies 2010-2030 in so far as they seek to protect the local environment and require that development proposals respect landscape character.
14. For the same reasons it would also conflict with the National Planning Policy Framework which requires that planning decisions should contribute to and enhance the natural local environment by, amongst other things, recognising the intrinsic character and beauty of the countryside and ensuring developments are sympathetic to local character.

Other Considerations

15. I am aware of the other access ways and hard standings being created to serve a local football club and a community farm. However, I am not aware of the full details of those works or their planning context. Moreover, they do not justify the harm to the landscape caused by the appeal scheme which I have considered on its individual merits.
16. Although the separate access drives may be beneficial to future occupiers of the two dwellings and the proposed hedgerow may have biodiversity benefits, these benefits are limited and attract limited weight in favour of the development. They do not outweigh the harm caused by the conflict with the development plan policies identified above and which carries substantial weight against the development.
17. Whilst interested parties have made representations regarding the principle of the conversion of the agricultural building to residential use and the application for prior approval, those are not matters before me in this appeal.

Conclusion

18. The proposal conflicts with the development plan as a whole 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.

R Kent

INSPECTOR