



Appeal Decision

Site visit made on 14 October 2025

by **G Roberts BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 October 2025

Appeal Ref: APP/D0840/W/25/3370139

Meyn Pern Farm, Tresahor, Constantine, Falmouth, Cornwall, TR11 5PW

- 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 L Mann against the decision of Cornwall Council.
 - The application Ref is PA24/07641.
 - The development proposed is provision of an agricultural building to provide modern livestock housing.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's second reason for refusal states that the appeal proposal fails to demonstrate that it would achieve a minimum 10% net gain in biodiversity (BNG). No BNG Report was submitted with the application and on the application form it was suggested that the development was exempt as it was less than 25 square metres (the development in fact comprises 75 square metres). The Appellants Statement of Case (ASOC) accepted that the BNG requirement applied and a Report was submitted to this effect. In response, the Council's Statement of Case (CSOC) confirmed that this matter could be dealt with by way of conditions that also addressed concerns in relation to the impact of poaching on BNG mitigation.
3. I am satisfied, therefore, that if I were minded to allow the appeal, the second reason for refusal and BNG requirement, could be addressed by conditions. For this reason, I have not considered the issue further.
4. The CSOC has drawn attention to the history of Meyn Pern Farm (MPF), where the appeal site is located, including Prior Approvals from August 2014 and July 2024 for agricultural buildings, enforcement action in relation to one of those buildings and an Enforcement Notice served in March 2023. The latter related to a breach of planning involving the change of use of the land to include the stationing of various residential caravans and a residential dwelling on parts of MPF. No appeal was lodged against this Notice which took effect on 21 April 2023. It required the removal of the caravans, dwelling and associated development within 12 months. No further update is provided in the CSOC and it's unclear to me as to the whether the Notice has been complied with or not. Even so, I have had regard to all of this history in determining the appeal.

Main Issues

5. The first and remaining reason for refusal raises two issues namely, (a) whether the location of the appeal site would be suitable for the development, and (b) the effect of the development on the character and appearance of the area.

Reasons

Suitability of location

6. The Council refer to policies 1, 2 and 12 of the Cornwall Local Plan Strategic Policies 2010-2030 (CLP). These require, amongst other matters, that new development provides a sustainable approach to accommodating growth, taking account of, in particular, location, layout and design that maintains the dispersed development pattern of Cornwall. Policy 2, in particular, seeks to manage the scale and location of all new development and to direct it to appropriate locations whilst at the same time supporting the expansion of existing businesses and the indigenous business of agriculture.
7. Policies C1 and AG1 of the Climate Emergency Development Plan Document (DPD) have also been referred to, which, amongst other matters, require new development to be sustainable and actively support walking and cycling, rather than the use of the private car, and support the diversification and improvement of agricultural holdings where they help reduce carbon or other emissions, provide public benefits and assist in maintaining a viable and active countryside within farms.
8. There is no specific CLP policy in relation to new agricultural buildings. Even so, part 1 of policy 5 (also referred to by the Council) relates to new business and employment uses, including those uses proposed in the open countryside. These should be of a scale appropriate to their location or demonstrate an overriding locational and business need to be in that location. The supporting text at paragraph 2.7 states that supporting the continued growth of the agricultural industry will be critical to Cornwall's future long term prosperity.
9. The above policies are consistent with those in the NPPF, including paragraph 88 which states that planning decisions should enable the sustainable growth and expansion of all types of businesses in rural areas and the development and diversification of agricultural and other land-based rural businesses.
10. The appeal site comprises an open field with some rough scrub located some 200 metres to the south west of the main MPF complex. I understand that MPF extends to some 125 acres and supports a herd of beef cattle (livestock). To the west, south and east of the appeal site are further open fields. Some of the fields to the south and north (including rough scrub land) are in a different ownership and possibly form part of adjacent farms.
11. The appeal proposal involves the construction of a detached agricultural building to provide modern livestock housing. The new building would be 15 metres long and 4 metres wide, with a pitched roof extending to a ridge height of 6 metres. The east elevation would be open. I understand that an area of hardstanding is proposed albeit this is not shown on the submitted plans. Whilst no details of the external materials were also not included the ASOC states that these would comprise concrete panel walls to 2 metres, ventilated cladding above and fibre cement

roofing. A new access track appears to be included running in a broadly easterly direction to meet up with the lane to MPF. No details of the surfacing of this access track is provided.

12. The appeal site is within the open countryside and the proposal is not an extension of an existing building (criteria a), b) and d) to part 1 of policy 5 of the CLP). As to its scale (criteria c), the proposal is for a large agricultural building that is not, in my view, of an appropriate scale to the site or to its open countryside setting. As I confirmed, the site comprises an open field with scrub land within which there are no other permanent agricultural buildings or structures. As such, I agree with the Council that the new building would be in an isolated location well away from the main farm complex and similar agricultural buildings that form MPF. I also agree that the shape of the building appears somewhat irregular for housing livestock with its narrow width and upward appearance (resulting from its 6 metre high ridge).
13. In relation to demonstrating a locational and business need for the new building on this part of MPF, the ASOC states that it would utilise a poor area of pasture land, allow for effective livestock rotation, reduce overgrazing around the main farm complex and secure a modern structure for housing livestock that has associated welfare and operational benefits. The CSOC contends that cattle can be moved from field to field as part of ongoing grazing management and that there is no need for a building, as proposed, to be provided in each field to facilitate that. The Appellant has not challenged that statement. I understand the need to 'isolate' any livestock, is 'if required' and therefore not essential.
14. Even so, the main complex to MPF appears to include four existing agricultural buildings, including, as I observed on site, the building currently used for holding livestock. The Appellant contends that these buildings are substandard, dilapidated and have gone past their economic life. There is no substantive evidence before me to support those statements and as on my site visit one of the buildings was being used to hold livestock. Even so, there is no evidence to suggest whether the Appellant has considered the option of demolishing any of the dilapidated buildings and replacing them with the proposal. Also, as to why the siting of the new building adjoining the farm complex would not be acceptable, suitable or viable.
15. Moreover, there is no evidence to suggest that the Appellant has considered the option of utilising the Prior Approval sites or buildings as an alternative to the appeal site.
16. The Appellant contends that the proposed location is required to keep the livestock housing away from residential uses but do not go onto explain why this is case or is necessary, which residential uses this relates too and what problems, if any, arise from the use of the existing livestock building(s) within the main farm complex. I also concur with the Council that you would normally expect to find this type of livestock building within sight and sound of the main farmhouse and there is no evidence to indicate why such a location would not be appropriate or suitable compared to siting the new building on an isolated and open part of the farm.
17. The Appellant suggests that locating the new building within the farm complex would prejudice proposals to redevelop it for new housing or similar uses. As I understand it no planning permission has been obtained for any redevelopment and there is no outstanding application. As the Council also state there is no guarantee that planning permission would be granted for any redevelopment given

the farms location within the open countryside and its poor accessibility to local services and public transport.

18. Overall, there is no substantive evidence before me to support the Appellants statements or to justify locating the proposed building on the appeal site. It has also not been clearly demonstrated that the appeal site represents the best and only suitable, viable and available alternative to accommodating the Appellants requirements. I am not satisfied, therefore, that there is sufficient justification for a new agricultural building in this isolated and prominent open countryside location.
19. Whilst I accept that there are welfare and operational benefits and the proposal would secure BNG, the latter is a legal requirement most new development must provide for and the former benefits are not sufficient on their own to mitigate for the harm I have identified.
20. Accordingly, I find that the appeal proposal fails to comply with policies 1, 2, 5 and 12 of the CLP, policy C1 and AG1 of the DPD and the corresponding policies of the NPPF.

Character and appearance

21. Policies 1, 2, 5 and 12 of the CLP require new development to be of a high quality, to ensure that Cornwall's enduring distinctiveness is maintained and enhanced, that its distinctive natural character and landscapes are conserved and that proposals are of an appropriate scale. Policy 23 of the CLP also requires new development to protect and where possible enhance Cornwall's natural environment and assets according to their international, national and local significance, including Areas of Great Landscape Value (AGLV), specifically where it would cause significant harm to the character and amenity of such areas (the appeal site is within the Gweek to Constantine AGLV). The same approach is set out in policy C1 of the DPD. All of these policies reflect a key objective that underpins the CLP of protecting the quality and natural beauty of the open countryside from inappropriate development.
22. The appeal site forms part of an open field located within undulating historic farm land with the farmhouse and agricultural buildings to MPF sited some distance to the north east. The appeal site is surrounded by similar open fields and rough scrub land. The proposed building would be sited well into the field with a new track leading to it from the farm lane to the east. An area of hardstanding is proposed but not shown and the surfacing of the new track is unclear. The latter elements would exacerbate the visual impact of the appeal proposal and the new building which is in itself large in terms of its scale, height and footprint. I also noted on my visit that the land slopes and it's unclear whether it would need to be cut and filled to accommodate the new building and hardstanding area.
23. The proposed building would be sited in an elevated and highly prominent position, commanding extensive views over the surrounding landscape and vice versa. In this location, the appeal proposal would detract from the rural and undeveloped character of the site and its surrounds, which forms an integral part of a valued designated landscape. It would be highly prominent within the landscape and in public views from various Public Rights of Way. As I also observed on site, it would be visible in long range views and result in a building that would have no physical or visual links to the existing farmstead or other similar buildings.

24. The key characteristics of the local landscape for the AGLV mirror those set out in the Cornwall Character Area description for CCA 10 Carmenellis (CCA 10). These include: a landscape of undulating medieval farmland used for pasture; medium scale and regular field patterns; fields enclosed by Cornish Hedging with limited woodland; heath and rough scrub land; valley systems; a dispersed settlement pattern outside the villages with sheltered and scattered farmsteads; dark skies and a tranquil landscape.
25. The appeal site forms an integral part of CCA 10 as it displays the characteristics of a medieval pastoral landscape with a small field pattern bounded by Cornish Hedging, fragmented rough scrub land and scattered farmsteads of small buildings. The proposal would, therefore, result in harm to a number of the key characteristics of CCA 10 and the AGLV.
26. In relation policies 1, 2, 5, 12 and 23 of the CLP and policy C1 of the DPD, insofar as these require development to secure Cornwall's enduring distinctiveness, to maintain and enhance its natural character and where possible enhance its natural environment and assets according to their international, national and local significance, the appeal proposal would, for the reasons given, conflict with the aims and objectives of these policies. The latter are consistent with paragraphs 135 and 187 of the NPPF emphasising the importance of planning decisions contributing to and enhancing the natural and local environment, and recognising the intrinsic character and beauty of the open countryside.
27. Accordingly, I find that the appeal proposal would result in harm to the character and appearance of the area contrary to policies 1, 2, 5, 12 and 23 of the CLP, policy C1 of the DPD and the corresponding policies of the NPPF.

Conclusions

28. For the reasons given above and having taken all other matters raised into account, I conclude that the appeal should be dismissed.

G Roberts

INSPECTOR