
Appeal Decision

Site visit made on 6 January 2026

by **Nick Davies BSc(Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 February 2026

Appeal Ref: APP/D0840/W/25/3370440

Redundant Barns & Block Building, Trevithal Farmhouse, Trevithal, Paul, Penzance, Cornwall TR19 6UQ

- 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 & Mrs G Rodda against the decision of Cornwall Council.
 - The application Ref is PA25/02334.
 - The development proposed is demolition of approved barn conversion to form dwelling PA23/02105 & prior approval conversion to C1 guest house PA24/04946, and construction of two self build dwellings & associated works.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of approved barn conversion to form dwelling PA23/02105 & prior approval conversion to C1 guest house PA24/04946, and construction of two self build dwellings & associated works at Redundant Barns & Block Building, Trevithal Farmhouse, Trevithal, Paul, Penzance, Cornwall TR19 6UQ in accordance with the terms of the application, Ref PA25/02334, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. Revised drawings numbered 001_A Rev PL2; 006_A Rev PL2; 007_A Rev PL2; and 009 Rev PL2 were submitted with the appeal. These show a reduction in the footprint of the proposed dwellings, an adjustment to the siting of the dwelling on Plot 2, and elevational changes to both buildings. The evidence indicates that the drawings were submitted to the Council prior to determination of the application, but were not formally accepted and advertised. The Council has therefore had the opportunity to consider them at that stage, and also as part of the appeal process. Although they were not the subject of consultation at application stage, they are not fundamentally different to the original scheme. The changes reduce the scale of the buildings and incorporate detailed design amendments in response to objections raised. They do not, therefore, introduce fresh issues and I see no prejudice to any party in my taking them into account.

Main Issues

3. The main issues are:
 - a) Whether the appeal site is an appropriate location for housing having regard to the settlement strategy of the development plan; and,

- b) The effect of the development on the character and appearance of the area, including whether it would conserve and enhance the landscape and scenic beauty of the National Landscape.

Reasons

Settlement strategy of the development plan

4. The Council's settlement strategy is set out in Policies 2 and 3 of the Cornwall Local Plan Strategic Policies 2010-2030 (the Local Plan). The strategy seeks to maintain the dispersed development pattern of Cornwall, and to provide housing based on the role and function of each place. Policy 3 says that, outside specific main towns, housing growth is to be delivered through rounding off of settlements; development of previously developed land (PDL) within or immediately adjoining settlements; infill schemes; the identification of sites through Neighbourhood Plans; and rural exception sites. In addition, Policy 21 of the Local Plan encourages proposals that increase building density where appropriate, taking into account the character of the surrounding area and access to services and facilities, to ensure an efficient use of land.
5. There is no Neighbourhood Plan covering the area, the proposal is not promoted as an exception site, and the site is not PDL. However, it is not disputed that Trevithal is a settlement. In the light of a recent appeal decision¹, the Council also acknowledges that the part of the site comprising Plot 1 falls within the confines of the settlement. This being the case, the rest of the site, which includes Plot 2, immediately adjoins the settlement. Consequently, the overall proposal would be supported by Policy 3 of the Local Plan if it constituted infill or rounding off. The proposal could not be described as the filling of a small gap in an otherwise continuously built-up frontage, so does not meet the definition of infill set out at Paragraph 1.65 of the Local Plan.
6. Rounding off is defined at paragraph 1.68 of the Local Plan as development on land that is substantially enclosed, but outside of the urban form of a settlement, and where its edge is clearly defined by a physical feature that also acts as a barrier to further growth. Furthermore, it should not visually extend building into the open countryside.
7. Trevithal comprises a very close-knit group of buildings with clearly defined boundaries to the surrounding countryside. Whilst the building on the part of the site incorporating Plot 2 is agricultural, it is, nevertheless, part of the tight collection of buildings. It is closely associated with, and occupies the same hard-surfaced yard, as the agricultural building on Plot 1, which the Council acknowledges to be within the settlement. Consequently, it is not detached from the settlement, but appears to be a constituent part of it. As a result, the proposed development would not visually extend development into the countryside. The western boundary of the site is defined by an established hedgerow, and there are residential and commercial buildings to the immediate north and east. Consequently, the site is substantially enclosed from the surrounding countryside. In view of these factors, the proposal would fall within the definition of rounding off, so is supported by Policy 3 of the Local Plan.

¹ Appeal Ref: APP/D0840/W/23/3326083

8. Notwithstanding my conclusions on rounding off, the site lies within or immediately adjacent to a settlement, in reasonable proximity to larger villages with a range of services and facilities, thereby providing opportunities to minimise the number of car trips. In such circumstances, Policy 21c) of the Local Plan encourages the principle of increased building densities, as proposed.
9. As I have found that the proposal constitutes rounding off of a settlement, it does not involve the provision of housing in the open countryside, so Policy 7 of the Local Plan is not applicable. Furthermore, the potential fallback position, based on the exercise of permitted development rights to convert the building to a guest house, has not been a factor in my conclusions on this issue. Consequently, I have not considered the proposal against the Chief Planning Officer's Advice Note: Barn Conversions/Replacement dwellings in the countryside (the Advice Note).
10. To conclude on this issue, the appeal site is an appropriate location for housing, having regard to the settlement strategy of the development plan. The proposal therefore accords, in this regard, with Policies 1, 2, 3 and 21 of the Local Plan which, amongst other things, seek to direct new housing to settlements and sustainable locations.

Character and appearance of the area/National Landscape

11. The appeal site and land to the southeast lie within the Cornwall National Landscape (the CNL), whilst the St Buryan Area of Great Landscape Value (the AGLV) abuts the site to the northwest. The site is within landscape character area CCA 01 West Penwith South (Lands End to Newlyn)². Amongst the most valued attributes within this landscape are an undulating inland plateau of mixed farmland; an ancient field pattern of small fields enclosed by winding Cornish hedges; isolated farms, clustered hamlets and villages, with a distinctive local granite vernacular; and internationally important dark night skies. Trevithal is characteristic of this landscape type, being a tight cluster of traditional stone buildings surrounded by an irregular patchwork of small fields divided by windswept natural hedgerows.
12. The site itself is a hard surfaced yard accommodating three agricultural buildings in various states of repair. Barn A is a single storey block-built structure with a fibre cement sheet roof, and it has a somewhat industrial character. Barns B and C are larger, more functional portal framed buildings, but the latter is derelict and overgrown. Whilst agricultural structures are an expected feature in the CNL, these are not traditional vernacular buildings, and are of a considerable cumulative scale. Furthermore, the entire site has a disused and unkempt appearance. Consequently, it does not make a positive contribution to the character and appearance of the CNL or AGLV.
13. The legislation³ requires that, in determining this appeal, I must seek to further the purposes for which the CNL was designated. Paragraph 189 of the National Planning Policy Framework says great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes, which have the highest status of protection in relation to these issues.

² Cornwall Landscape Character Assessment - 2007

³ Section 85 of the Countryside and Rights of Way Act 2000 (as amended by section 245 of the Levelling Up and Regeneration Act 2023)

14. All three agricultural buildings would be demolished to make way for the two proposed dwellings. As a result, there would be a significant reduction in the amount of the site that would be covered by buildings and hard surfacing. Although the dwellings would be higher than the existing buildings, they would be much less extensive, so there would also be a substantial reduction in the mass of built development on the site, allowing for greater views through the site to the protected landscapes beyond.
15. Plot 1 would be two-storey, so would be considerably larger than the existing building on this part of the site, or the dwelling approved under the previous appeal. However, it is closely associated with Trevithal Farmhouse, The Barn, and Trevithal An Mor, all of which are two-storey dwellings of a similar scale. Furthermore, its traditional design and proportions, and the use of an appropriate Cornish stone and natural slate would reflect the character of the other dwellings in the settlement. Consequently, despite its increased presence, it would be a more sympathetic addition to the group than the existing building, or the approved dwelling.
16. Plot 2 would be of a similar scale and, whilst I saw that there are smaller cottages elsewhere in the settlement, it would be seen in association with Plot 1 and the nearest dwellings, which are of a comparable size. Again, the traditional design and materials would be sympathetic with the context of the surrounding buildings, especially with the omission of the larger windows, recessed gable, and timber boarding. It would, therefore, maintain the distinctive character of the settlement.
17. Both parties refer to an existing Prior Approval⁴ for the change of use of the existing agricultural building on this part of the site to a C1 use (guest house). The Council contends that the impact of this fallback position is unknown, as the Prior Approval relates only to the change of use, and no further proposals for physical alterations have been submitted. Furthermore, it is argued that the proposal for Plot 2 would not be broadly comparable with that of the fallback position, so it would not accord with the Advice Note. However, I have concluded that the overall proposal constitutes rounding off of a settlement in accordance with the spatial strategy of the development plan. Consequently, the presence, or otherwise, of a fallback position has not been a critical issue in my consideration of the proposal, and I have not had to consider the requirements of the Advice Note regarding replacement dwellings in the countryside.
18. Whilst the proposal would introduce two new dwellings into the NL, they would be on a site that is already hard surfaced and contains a range of unattractive buildings that are falling into dereliction. Furthermore, the site is closely associated with other existing residential buildings in the settlement, and would not involve any encroachment into the surrounding undeveloped countryside. The traditional design and materials proposed demonstrate a contextual understanding and response to the vernacular form of the settlement. Overall, the net reduction in the volume of buildings and the extent of hard surfacing, through the provision of two suitably designed dwellings constructed from appropriate materials, would result in an enhancement of the appearance of the site.
19. I acknowledge that the residential use would likely lead to a degree of domestic paraphernalia. However, this would largely be hidden by the proposed Cornish

⁴ Local Planning Authority Ref: PA24/04946

hedging around the site boundaries. I have also imposed a condition restricting permitted development rights, including for buildings within the curtilage, which would limit any potential impact in this regard. There is already lighting within the existing buildings, and externally on the site, so light spill from within the proposed dwellings, through the traditionally sized windows, would not represent a significant increase. I have imposed a condition preventing the installation of external lighting to ensure this is the case.

20. Overall, the proposal would maintain the traditional vernacular of the settlement, and would not have any direct impact on the wider landscape outside its existing built extent. Consequently, I conclude that the development would not be harmful to the character and appearance of the area, and would conserve and enhance the landscape and scenic beauty of the CNL. It would, therefore, accord with Policies 12 and 23 of the Local Plan and Policy C1 of the Climate Emergency Development Plan Document (February 2023). Furthermore, I see no conflict with the policies of the Cornwall Area of Outstanding Natural Beauty Management Plan (2022-2027) that are included on the decision notice. Taken together these policies seek, amongst other things, to achieve high quality design, to conserve and enhance the landscape character and natural beauty of the CNL, and to maintain the landscape qualities of the AGLV.

Other Matters

21. Vehicular access to the site is via a long, narrow lane. However, it serves a limited number of properties, and the two additional dwellings proposed would not result in a significant increase in traffic. Consequently, the proposal would not give rise to any harm to highway safety, or lead to a significant increase in traffic noise.

Conditions

22. In accordance with the legislation, I have imposed a condition limiting the period within which the development must commence. I have also included a condition specifying the relevant plans, as this provides certainty. The Council has submitted a schedule of suggested conditions to cover other matters. I have considered these against the advice in the Planning Practice Guidance, and have altered them to better reflect the guidance.
23. I have already explained the need for conditions limiting permitted development rights and external lighting. Although materials are detailed on the submitted drawings, they do not precisely specify the type of Cornish stone or natural slate to be used. As these details will be critical in successfully assimilating the development into its surroundings, a condition requiring further details of external materials to be submitted for approval is necessary and reasonable.

Conclusion

24. For the reasons given above, I conclude that the appeal should be allowed.

Nick Davies

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos 001_A Rev PL2 (Location Plans); 006_A Rev PL2 (Plot 1 – Proposed Plans, Sections & Elevations); 007_A Rev PL2 (Plot 2 – Proposed Plans, Sections & Elevations); 009 Rev PL2 (Demolition Plan).
- 3) No development above ground level shall take place until details / samples of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details / samples.
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development permitted by virtue of Classes A, B, C, D and E of Part 1 of Schedule 2 to the Order shall be undertaken.
- 5) No external lighting shall be installed on the site unless details, including height, design, location, and intensity have first been submitted to, and approved in writing by, the local planning authority. The lighting installation shall then be carried out only in accordance with the approved details.

END OF SCHEDULE