



Appeal Decision

Site visit made on 3 February 2026

by **M Bale BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 February 2026

Appeal Ref: APP/D0840/W/24/3353230

Treverbyn Cottage, Carnkief, Goonhavern, Cornwall TR4 9NP

- 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 G Wintle against the decision of Cornwall Council.
 - The application Ref is PA23/09661.
 - The development proposed is an annexe.
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Decision

1. The appeal is allowed and planning permission is granted for an annexe at Treverbyn Cottage, Carnkief, Goonhavern, Cornwall TR4 9NP, in accordance with the terms of the application Ref PA23/09661, subject to the following conditions:
 - 1) The development hereby permitted is that shown on drawing nos 2181/01 Rev A and 2181/02.
 - 2) The building hereby permitted shall not be used other than as part of the dwelling known as Treverbyn Cottage.

Preliminary Matters

2. The proposal is described, on the application form, as 'retention of annexe'. While the structure has been built and appears to accord with the submitted plans, 'retention' cannot describe an act of development. I have, therefore, removed this word from the description in the heading above, and my formal decision.

Main Issues

3. The main issues are whether the site is an appropriate location for the development in respect of the policies of the development plan, and the effect of the development on the character and appearance of the area.

Reasons

Development plan policy

4. For reasons relating to the general distribution of development, protection of the countryside and accessibility, planning policy dictates that the site is not in a location where new, independent dwellings would be permitted. Such would result in conflict with Policies 2, 3, and 7 of the Cornwall Local Plan 2016 ("LP").
5. However, the development proposed is an 'annexe'. With little supplementary description of the use, I cannot be satisfied that the description 'annexe' alone would prevent use as a separate dwellinghouse. However, a planning condition

could be imposed to regulate the use to one that was part and parcel of the main house. Given that this is how the use is described by the appellant, with a functional, caring relationship between the occupiers of the annexe and the main house, such a condition would be reasonable.

6. The annexe provides all the necessary facilities to function as an independent dwellinghouse, with two bedrooms, bathrooms, a kitchen and living space. It is a free standing, detached building. While the annexe is located in a large area of extended garden, permitted a few years ago, the site levels dictate that the access to the building, and from there to the garden, is via an area closest to and directly alongside the main house, Treverbyn Cottage. Thus, although it would be physically possible to subdivide the sites, the general arrangement means that there are not two naturally separate areas.
7. The Council has published guidance on residential annexes. The guidance sets out a number of criteria, including that annexes in the countryside should be provided as extensions to existing dwellings. No convincing explanation is given for the provision of a separate building, except that it was able to be erected to meet the care needs of the occupants in advance of a larger-scale proposal to extend the main house to meet other family needs. There is no analysis of any attempt to adapt that space or why it might be incapable of meeting the needs of the occupiers of the annexe. Nor is there an explanation of the past or present use of the house adjoining Treverbyn Cottage, which the Council believes has previously been occupied by some of the appellant's older relatives.
8. Nevertheless, the status of the guidance document is unclear and, other than discussion about the subdivision of dwellings and energy requirements, it does not appear to relate to or explain any particular development plan policy. While some of the criteria may not be fully met, it has, therefore, not been demonstrated how this would result in a conflict with the development plan.
9. Moreover, whether or not the land on which the annexe is located was originally, or is now, curtilage to the main dwelling, there is a functional link, the site is within the same ownership, it is well related to, has no set boundary or subdivided garden, and is subservient to the main dwelling in size, siting and scale. Two bedrooms are provided, but care is being given to two people.
10. With regard to the above, provided that the annexe remains in use as part of the main dwelling, I find no demonstrable conflict with the development plan as those policies cited in the Council's decision notice seek to prevent the creation of new dwellings in locations such as the appeal site. The site is, therefore, an appropriate location for the development.

Character and appearance

11. The site is within a candidate Area of Great Landscape Value. It is an agricultural landscape of small to medium scale fields enclosed by low Cornish hedges containing trees. The settlement pattern is dispersed, with rural farmsteads and scattered buildings.
12. The appeal building has not been built in a vernacular style and its siting relative to the main dwelling does not suggest a typical smallholding or traditional farmstead layout. Nevertheless, it is not separated from the building group and its facing materials are subdued in colour. While there would be a more intensive domestic

use of the site, the whole area around the building is already residential garden and, so, can attract paraphernalia and activity with or without the annexe.

13. The building itself does loom up to some degree when seen from the adjacent public footpath, part of which forms the access to the site, but these views are filtered by a hedgerow and trees and seen alongside the existing dwelling as one enters a clearly residential environment. This means that it does not alter the character of the surrounding area and has a limited effect on its appearance.
14. I, therefore, find that the annexe does not harm the character and appearance of the area and there would be no conflict with LP policies 12 and 23 that seek to ensure that development is appropriately designed for its context, sustains local distinctiveness and protects the natural environment.

Conclusion

15. Conditions are required to clarify the plans that are permitted in the interests of certainty and to ensure that an independent dwelling is not created. Subject to that, I have found no conflict with the development plan policies detailed above. LP Policy 1 indicates that development that accords with such policies should be permitted so I find no conflict with the plan taken as a whole. No material considerations indicate that a decision should be taken otherwise than in accordance with the development plan.
16. Accordingly, the appeal is allowed.

M Bale

INSPECTOR