



Appeal Decision

Site visit made on 28 April 2026

by K Reeves BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 June 2026

Appeal Ref: APP/D0840/W/25/3358847

The Barn Near Deverill Farm, Fraddam, Leedstown, Hayle TR27 5EP

- 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 Z Such against the decision of Cornwall Council.
- The application Ref is PA24/02632.
- The development proposed is replacement of existing lawful dwelling with new single storey dwelling.

Decision

1. The appeal is allowed and planning permission is granted for replacement of existing lawful dwelling with new single storey dwelling at The Barn Near Deverill Farm, Fraddam, Leedstown, Hayle, TR27 5EP in accordance with the terms of the application, Ref PA24/02632, subject to the conditions in the attached schedule.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The Council assessed the proposal against the former agricultural building. However, following the refusal of planning permission, the appellant implemented the Class Q prior approval (PA22/07723). At my site visit, the building had been converted and was in residential use, with the works substantially completed. The site therefore now contains an existing dwelling. In line with the Chief Planning Officer's Advice Note on replacement dwellings, the correct baseline for assessment is the existing dwelling as built under Class Q.
4. The appeal site lies within a gently undulating rural landscape of small to medium-scale fields, irregular hedged boundaries and dispersed farmsteads, characteristic of the Cornwall Landscape Character Area CCA06. The site occupies a small parcel of land adjacent to a narrow rural lane. The lane accommodates a public right of way and is enclosed in places by Cornish hedges and intermittent vegetation, creating a sequence of filtered and open views. The wider area is sparsely settled, with buildings typically arranged in loose clusters associated with agricultural holdings.
5. The existing dwelling occupies the footprint and envelope of the former agricultural building. Although the original structure was utilitarian, the Class Q conversion has introduced rendered elevations, domestic fenestration and associated residential activity. As a result, the building now reads as a modern bungalow rather than an agricultural structure. Its position close to the lane, combined with the simplicity of

its form and the coloured render, gives it a somewhat abrupt presence in views from the adjacent public right of way.

6. The proposed replacement dwelling would increase the footprint and height relative to the existing dwelling. However, Policy 7 of the Cornwall Local Plan Strategic Policies 2010 – 2030 (LP) requires replacement dwellings to be broadly comparable in size, scale and bulk and to be of an appropriate scale and character for their location. It does not require replication of the existing form, nor does it require the new dwelling to represent an improvement over what it replaces. The proposal remains single-storey, and although its form is more articulated, the arrangement would not materially increase the building's overall presence in the landscape.
7. The proposed materials, natural stone, vertical timber cladding and metal roof, are typical of rural buildings in Cornwall and would weather to recessive tones. The proportions and openings are consistent with local vernacular characteristics. While these differ from the existing rendered dwelling, the resulting appearance would not be out of keeping with the rural context. The design is therefore appropriate for its setting and accords with the Cornwall Design Guide (2021).
8. The proposed siting would move the dwelling slightly further from the lane, enabling boundary planting that would soften views from the adjacent public right of way. The repositioning and landscaping would ensure that the proposal does not result in any materially greater visual impact than the existing dwelling. The concerns raised regarding domestication and the PV array do not alter this conclusion, as the site already accommodates a residential use and the PV array is modest in scale and would be largely filtered by planting.
9. Taking these factors together, the overall effect of the proposal on the character and appearance of the area would be broadly comparable to that of the existing dwelling. The differences in footprint, articulation and materials would not result in any materially greater visual prominence or landscape impact.
10. The Council has referred to two nearby schemes where replacement dwellings were approved following Class Q consents. However, neither example is directly comparable to the present case. In both instances the Class Q approvals had not been implemented, whereas here the Class Q conversion has been carried out and the site now contains an existing dwelling. Moreover, each proposal must be assessed on its own merits and in its own landscape context. Accordingly, the cited examples do not alter my judgement on this appeal.
11. For these reasons, the proposal would not materially harm the character and appearance of the area. It therefore accords with Policies 7, 12, 13 and 23 of the LP, which collectively require that replacement dwellings be broadly comparable to what they replace and be of an appropriate scale, character and design for their location. The proposal also accords with the Climate Emergency Development Plan Document (2023) and the Cornwall Design Guide, insofar as the guidance supports development that responds appropriately to local character and landscape qualities.
12. The Council's refusal reason refers to Policy GGP9 of the Gwinear-Gwithian Neighbourhood Development Plan 2016 – 2030, which concerns the demolition and reconstruction of derelict buildings. As the appeal building is now in residential

use, it cannot reasonably be described as derelict. Consequently, Policy GGP9 is not determinative in this case.

Conditions

13. I have considered the conditions suggested by the Council in light of the tests set out in the National Planning Policy Framework. A condition requiring compliance with the approved plans is necessary for certainty.
14. Conditions relating to external materials are required to ensure that the development achieves a high-quality finish appropriate to this rural location. Given the importance of integrating the building into its landscape setting, control over materials is both reasonable and necessary.
15. A landscaping condition is needed to secure the planting and boundary treatments that will soften the appearance of the development and help assimilate it into the surrounding countryside. This also responds directly to the Parish Council's request for boundary planting and natural enclosure.
16. A Construction Method Statement is necessary to manage construction activity and to ensure that the adjacent public right of way remains unobstructed, safe and available for public use throughout the construction period. This reflects the concerns raised by the Ramblers Association and is justified given the proximity of the public right of way.
17. A condition requiring implementation of the energy and water efficiency measures set out in the submitted Energy Statement is necessary to ensure that the development meets the sustainability standards advanced through the Climate Emergency Development Plan Document.
18. Finally, the removal of permitted development rights is justified due to the sensitivity of the rural location and the need to retain control over future alterations. Without such a condition, subsequent extensions or outbuildings could undermine the qualities that make the development acceptable.

Conclusion

19. For the reasons given above, the appeal should be allowed.

K Reeves

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 24-03-01, 24/03/02 and 24/03/05.
- 3) No development shall commence until a landscaping scheme has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall:
 - Identify all existing trees and hedgerows on the site, specify those to be retained, and set out the protection measures to be implemented for the duration of the development;
 - Provide a full specification of proposed tree, shrub and hedge planting, including the quantity, size, species and positions or planting density of all plants, together with details of planting methods, protection measures and the proposed timetable for planting; and
 - Include details of all non-planted boundary treatments, including their position, design and materials.

The approved protection measures shall be installed prior to the commencement of development and shall be retained in situ until construction is complete. The Local Planning Authority shall be notified in writing once the approved protection measures have been fully implemented.

All planting comprised in the approved landscaping scheme shall be carried out in accordance with the approved planting timetable. Any trees or other plants which, within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with specimens of similar size and species.

All boundary treatments shall be installed in accordance with the approved details prior to first occupation of the development and retained as such thereafter.

- 4) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The Statement shall provide for:
 - the parking of vehicles of site operatives and visitors;
 - loading and unloading of plant and materials;
 - storage of plant and materials used in constructing the development;
 - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - wheel washing facilities;
 - measures to control the emission of dust and dirt during construction;
 - a scheme for recycling/disposing of waste resulting from demolition and construction works; and
 - delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 5) No development above ground level shall take place until details and samples of the materials to be used in the construction of the external surfaces of the replacement dwelling 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 and samples, and retained as such thereafter.
- 6) Prior to the first occupation of the replacement dwelling hereby permitted, the energy and water efficiency measures and renewable energy provision shall be fully implemented in accordance with the Energy Statement prepared by EAC SW and dated March 2024. The energy and water efficiency measures and renewable energy provision shall be retained and maintained as such thereafter.
- 7) 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.

End of Schedule