



Appeal Decisions

Site visit made on 2 September 2026

by Simon Hand MA

an Inspector appointed by the Secretary of State

Decision date: 16 September 2026

Appeal A Ref: APP/D0840/F/25/3363841

Sand Sea and Surf, Wharf Road, St.Ives, TR26 1LF

- The appeal is made under section 39 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended (the Act).
 - The appeal is made by Coffee and Cocktails St Ives Ltd against a listed building enforcement notice issued by Cornwall Council.
 - The enforcement notice was issued on 11 March 2025.
 - The contravention of listed building control alleged in the notice is the unauthorised works to a Grade II listed building, namely the alteration of the frontage of two retail units to form one frontage for a café bar restaurant.
 - The requirements of the notices are (1) Demolish the current unauthorised shop frontage and reinstate on a like for like basis as the frontage which was removed, as shown in the image attached to the notice. (2) Make good any damage caused from complying with Step 1 above and remove any associated debris from the land shown edged red on the attached plan.
 - The period for compliance with the requirements is 6 months.
 - The appeal is made on the grounds set out in section 39(1)(a), (e), (h), (i) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.
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Appeal B Ref: APP/D0840/Y/25/3361940

Sand Sea and Surf, Wharf Road, St.Ives, TR26 1LF

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Coffee and cocktails st Ives Ltd against the decision of Cornwall Council.
 - The application Ref is PA24/04544.
 - The works proposed are to 2no retail units to form 1no café bar restaurant with alterations to the 2no frontages.
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Decisions

Appeal A - 3363841

1. It is directed that the listed building enforcement notice be corrected by: the deletion of the requirements and their substitution with *“the requirements of the notice are (1) to replace the existing shopfront with that shown on plan “Proposed Shopfront – Timber Profiles - 1452/112.2/Rev A4”; and (2) Make good any damage caused from complying with Step 1 above and remove any associated debris from the land shown edged red on the attached plan”*. And by the extension of the period for compliance from 6 to 9 months.
2. Subject to these corrections the appeal is dismissed and the listed building enforcement notice is upheld. Listed building consent is refused for the retention of the works carried out in contravention of section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Appeal B - 3361940

3. The Appeal is allowed and listed building consent is granted for 2no retail units to form 1no café bar restaurant with alterations to the 2no frontages subject to the following condition: (1) The existing shopfront shall be removed and replaced with that shown on plan "Proposed Shopfront – Timber Profiles - 1452/112.2/Rev A4".

The Appeal on Ground (a)

4. It is highly unusual for a ground (a) appeal to succeed, for the building in question to be so degraded that it no longer is worthy of listing. This case is no exception. The listing makes it clear it was listed for its group value and the quayside is indeed lined by attractive historic buildings, but also some modern ones. The purpose of the listing is to ensure any changes that are made to the building are sensitive within that group context. Redesigning the front façade is clearly just such a concern.

The Appeal on Grounds (e), (h) and (i)

5. These grounds can be swiftly dealt with. It is agreed the previous pair of shop fronts were not a good example of traditional design and the only concern is the new shopfront. Specifically, the Council argue the modern materials have resulted in a clumsy frontage with large frames, hinges and obviously modern double-glazing. I agree with this assessment. The Council also advised, during the application process, that revised plans showing timber frames with slimline glazing would make the development acceptable. For some reason the appellant did not realise this until after the application was refused, but a new plan dated February 2025 was drawn up and submitted. This shows the new frontage as requested by the Council.
6. I agree, the modern, heavy looking frames, hinges and glazing are out of place but a timber, slimline glazed frontage would be acceptable. The Council argue they have not had any opportunity to comment on the plan and nor have third parties. However, as it suggests only changes to the details of the frontage, in line with the Council's original request, I do not see there is likely to be any prejudice should I accept this plan.
7. Since the appeal was made a new version of the NPPF has been issued, but the treatment of heritage assets in policies HE5 and 6 does not change my view on this appeal. There has been harm to the significance of the asset that although relatively minor still carries great weight, there are no public benefits to offset that harm and it is easily remedied

Conclusions

8. In order to ensure the works are carried out within the 9-month timescale I shall dismiss the listed building enforcement notice appeal but correct the requirements to introduce the revised plan and also grant consent for the overall works subject to a condition requiring the shopfront to be replaced with the one in the revised plan. No further time limit is needed for the consent as this covered by the enforcement notice.

Simon Hand

INSPECTOR