
Appeal Decision

Site visit made on 2 May 2016

by Rory Cridland LLB (Hons)

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 June 2016

Appeal Ref: APP/D0840/W/16/3143038

Rockhead Farm, Rockhead Street, Delabole, Cornwall PL33 9BU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Richard Hannis against the decision of Cornwall Council.
 - The application Ref PA15/09782, dated 14 October 2015, was refused by notice dated 9 December 2015.
 - The development proposed is conversion and extension of existing stone barn to form dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the surrounding area, having particular regard to the location of the site within open countryside and adjacent to the Pentire Point to Widemouth Area of Outstanding Natural Beauty ("the AONB").

Reasons

3. The appeal site is situated outside the settlement boundary of Delabole in what is essentially open countryside and opposite the Pentire Point to Widemouth AONB. It currently comprises a small, single storey dilapidated stone barn which is positioned alongside the main road into the village. It has an internal footprint of around 4m x 6.2m with external walls constructed from slate stone. At present it has no roof, a compacted earth floor and although its doorway is still visible, the existing building is clearly in a poor state of repair.
4. Saved Policy ENV1 of the North Cornwall Local Plan¹ restricts development within, or near to, AONB's where they adversely affect the character and amenity of these areas, other than in the proven national interest.
5. Policy ECN8 allows for the conversion of buildings in the countryside to residential use only where, amongst other things, the building is structurally sound and capable of conversion without the need for major extension, alteration or rebuilding. Furthermore, Policy HSG 4 permits new dwellings in the countryside only where they are required for a person working in agriculture.

¹ North Cornwall District Local Plan (1999) Saved Policies, September 2007

6. Although these policies were adopted some time ago, they are generally in accordance with the aims of paragraph 55 of the NPPF which advises that new homes in the countryside should be avoided unless there are special circumstances which justify them. These would include, amongst other things, where the development would re-use redundant or disused buildings and lead to the enhancement of the immediate setting.
7. The appellant's structural survey concludes that the barn is in sound structural condition and is considered suitable for the proposed conversion. Nevertheless in view of the likely lack of foundations, the required underpinning, wall ties, new roof, lintels, and ring beam, it is clear that the proposed conversion would require a considerable amount of work. Although its original footprint would remain the same, the structural nature of some of that work indicates that the existing building is not strong enough to take the loading which would come with the external works proposed. As the Council has pointed out, the clear implication is that the existing walls are not sufficiently robust to enable conversion to a dwelling. This, coupled with the lack of information on suitable foundations, suggests that considerable work may be required involving major alterations to the building. As such, I find it in contrary to Policy ECN8 of the North Cornwall Local Plan.
8. The Council is also concerned regarding the impact the proposal would have on the character and appearance of the surrounding area and in particular its impact on the nearby AONB, the boundary of which sits directly opposite the appeal site. I noted during my site visit that the barn is located in what is essentially open countryside, with few dwellings in close proximity and would appear as a single, stand-alone dwelling. Its increased height and domestic nature would be clearly evident from the surrounding area and in wider views from the AONB. While I acknowledge that in view of the local topography, it would not be fully visible from the adjacent road, it would nevertheless be harmful to the open character of the area and would have a detrimental impact on the setting of the nearby AONB. Accordingly, I find it contrary to Policy ENV1 of the North Cornwall Local Plan.
9. While I acknowledge that the proposal would bring back into use a redundant or disused building, I do not consider it would lead to an enhancement of the immediate setting and accordingly find that there are no special circumstances which would justify granting planning permission. Furthermore, although I note the appellant's contention that this proposal may fall within the permitted development rights, that is a separate regime which, in any event, would require the existing building to be strong enough to take the loading which comes with the external works.
10. Consequently, for the reasons set out above, I find the proposal would be contrary to policies ENV1 and ECN8 of the North Cornwall Local Plan. I also find that it would be contrary to Paragraph 55 of the NPPF.

Conclusion.

11. The National Planning Policy Framework states that if a five year supply of deliverable housing sites cannot be demonstrated, relevant policies for the supply of housing should not be considered up to date. The Council accepts that it cannot currently demonstrate a five year supply of deliverable housing sites.

12. Nonetheless, I regard the adverse impact on the character and appearance of the surrounding countryside to significantly and demonstrably outweigh the benefit that an additional unit of residential accommodation would provide.

13. Accordingly, I conclude that the appeal should be dismissed.

Rory Cridland

INSPECTOR