
Appeal Decision

Site visit made on 25 October 2016

by Colin Cresswell BSc (Hons) MA MBA MRTPI

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

Decision date: 11 November 2016

Appeal Ref: APP/D0840/W/16/3155259

Tregenna House Farm, London Apprentice, St Austell, Cornwall PL26 7AW.

- 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 Nigel Mitchell against the decision of Cornwall Council.
 - The application Ref PA15/11059, dated 22 November 2015, was refused by notice dated 5 February 2016.
 - The development proposed is conversion and extension of redundant barn to form dwelling and alterations to car port.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Nigel Mitchell against Cornwall Council. This application is the subject of a separate Decision.

Main Issue

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

Reasons

4. Tregenna House Farm comprises a small group of buildings situated in the countryside. Although most of the site is used for residential purposes, the farm is distinctly rural in character. Buildings are constructed of stone, traditionally proportioned and are in keeping with the appearance of a small farm in terms of their scale and arrangement. The rural characteristics of the site are re-enforced by the wider surroundings. Whilst there is a separate group of converted barns to the north-west of the site, the local landscape is mostly dominated by working farms and agricultural land.
5. The appeal concerns a stone barn which is attached to an existing car port. Both are relatively modest, single storey structures which are visually subservient to the adjoining house. They are clearly compatible with the rural characteristics of the site in terms of their scale and form. I understand that the barn has an extant planning permission¹ for conversion to a dwelling, although there is a condition restricting its use to a residential annexe or

¹ Council Ref: PA11/06570

- holiday let. While the approved plans indicate some enlargement of the existing barn, the resultant dwelling would remain relatively modest in size compared to the existing accommodation elsewhere within the site.
6. The current proposal is also to convert the barn into a dwelling, although the design has changed and occupancy would be unrestricted. The Council draw particular attention to the proposed amenity space. I understand that the appellant is considering changing the access arrangements so that fewer vehicles would need to pass the front garden, although a degree of screening around the perimeter would be likely in any event to maintain a degree of privacy. Even so, the area is already used as a garden and the addition of boundary screening and further domestic paraphernalia would be unlikely to have a considerable visual impact.
 7. However, the appeal proposal would result in a dwelling that would be substantially larger than both the existing barn and the development permitted by the extant permission. It would extend the height of the barn to two stories and add an additional floor to the existing car-port. As a result, the new dwelling would introduce substantial bulk towards the end of the row of buildings facing the highway, adding to the quantum of built development seen from within the public domain. The visual impact of this would be exacerbated by the relatively complex form of the roofing, particularly to the eastern elevation. This would be somewhat at odds with the more traditional proportions of the other buildings within the site.
 8. Although much of Tregenna House Farm is now used for residential purposes, it retains many of the characteristics of a small farm in terms of the scale and arrangement of buildings. The proposed dwelling would not only deviate substantially from the appearance of the existing barn, but would also appear out of keeping with the prevailing scale and design of buildings elsewhere within the farm. As a result, the proposed dwelling would appear conspicuous within its setting rather than blending into the existing group of buildings. In this way, the rural characteristics of the site would be harmed by the proposal. Whilst implementation of the extant permission would also result in changes to the form of the barn, this would have a less harmful impact as the building proposed is smaller and of a simpler design.
 9. The appellant has provided a historic photograph of the farm which indicates that at one time the barn was larger than it is at present. I recognise that certain elements of the appeal proposal reflect the historic appearance of the barn as shown on the photograph, including aspects of the fenestration and proposed first floor. However, from what I can gather, the barn was a more simply proportioned structure, consistent in form with the other parts of the farm at that time. The appeal proposal would result in a building which would have a rather more elaborate appearance. As such, it does not closely replicate the historic appearance of the barn.
 10. Requirements for the change of use of buildings in the countryside are set out in Policy 34 of the Restormel Borough Local Plan 2001 (the Local Plan). Criterion 3(B) of the policy indicates that the form, bulk and general design of the building should be in keeping with its surroundings. I have already determined that the proposal would not comply in this respect. Criterion 3(C) indicates that the building should be capable of conversion without the need for major extension or rebuilding. Whilst these terms are not clearly defined within

the plan, the proposed development would increase the size of the existing building to such an extent that I consider it would constitute major rebuilding for the purposes of this policy. As such, the proposal would also fail to comply with the policy in this regard. Although the appellant has drawn attention to Policy 6 of the Local Plan, this requires development to respect the character and identity of the surroundings, which I have found not to be the case.

11. The law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. With this in mind, I am aware that the Local Plan is now rather dated and that the National Planning Policy Framework (the Framework) has since been published. Paragraph 55 of the Framework states that isolated homes in the countryside should be avoided unless there are special circumstances. One such circumstance listed is where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting. However, I have established that the proposal would not lead to an enhancement of the setting.
12. Although the emerging Cornwall Local Plan has not yet been adopted, it has reached an advanced stage of preparation and I am therefore able to give its policies a degree weight in this appeal. Draft Policy 7 (criterion 3) closely reflects the Framework in indicating that the reuse of redundant buildings should lead to an enhancement to the immediate setting. Consequently, the policy does not help to justify the proposal.
13. Whilst various other policies have been referred to in support of the proposal, development plans and policies should be read as a whole. I recognise that both national guidance and the emerging Cornwall Local Plan are less prescriptive than the adopted Local Plan regarding the extent to which reused buildings may be extended. However, both the emerging plan and the Framework are very clear as to the importance of good design in context. Among the 'core principles' listed in paragraph 17 of the Framework is the need to always seek to secure high quality design, together with the importance of recognising the intrinsic character and beauty of the countryside. It has not been demonstrated that the particular design put forward in this appeal would accord with those objectives.
14. I am aware that the Council previously granted planning permission² for the conversion of 7 barns into dwellings at Treggenna Barns, to the north-west of the appeal site. Whilst I am not aware of the full circumstances which led to this scheme gaining approval, I have considered the photographs supplied by the appellant to illustrate the extent of the works undertaken. However, the layout of that site is somewhat different from Treggenna House Farm and the design considerations would have therefore differed in that case.
15. The Framework indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 7 recognises that there are three dimensions of sustainable development; environmental, social and economic. With this in mind, I appreciate that there would be a small economic benefit during the construction phase and subsequent spending from the new household. The new dwelling would also benefit the social dimension by providing an additional dwelling within the local community. In this regard, the appellant argues that the local authority is

² Council Ref: PA14/04065

unable to demonstrate a 5-year housing supply. This is disputed by the Council, but there is insufficient evidence presented for me to come to a definitive view on the matter either way. But even if there is not such a supply, the contribution of a single dwelling cannot be seen as a significant incursion into any shortfall, even in the context of the Framework's imperative to significantly boost the supply of housing. As such, this matter does not outweigh the harm that I have identified to the character and appearance of the area. The proposal cannot therefore be said to represent sustainable development, for which the Framework states that there should be a presumption in favour.

16. I therefore conclude that the proposed development would harm the character and appearance of the area. For the reasons indicated above, there would be conflict with Policy 34 of the Local Plan and paragraph 55 of the Framework. There would also be conflict with paragraphs 56, 57, and 58 of the Framework, which are also quoted by the Council in their reasons for refusal, insofar as they relate to the promotion of good design.

Conclusion

17. For the above reasons, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

Colin Cresswell

INSPECTOR