



Appeal Decision

Site visit made on 21 November 2017

by K Taylor BSc (Hons) PGDip MRTPI

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

Decision date: 1st December 2017

Appeal Ref: APP/D0840/W/17/3181052

Tresillian, Truro, Cornwall TR2 4AW

- 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 P.A & J.E Moon against the decision of Cornwall Council.
 - The application Ref PA17/01583, dated 17 February 2017, was refused by notice dated 7 April 2017.
 - The development proposed is the change of use & extension of former water pumping station to form a dwelling.
-

Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

Character and appearance

3. The appeal site is located some distance from the settlement of Tresillian. It is accessed via a private drive which is also a public footpath. The site is surrounded by agricultural land with significant pockets of tree planting. The appeal building is a single storey flat roofed structure with a utilitarian appearance. It is of a very modest scale and set into the site a little back from the public footpath and at a lower level. There is a significant amount of undergrowth and other vegetation within and surrounding the site. The site has a very rural setting. Although the building does not particularly contribute to the character of the area it is not prominent in views from the footpath and it does not significantly erode the rural landscape. This rural appearance, with very limited built development, is a positive and defining characteristic of the local landscape.
4. The appeal site is located within the open countryside. Policy 7 of the Cornwall Local Plan Strategic Policies (the LP) only allows the development of new homes in the countryside where there are special circumstances. One of these is where the development would reuse a suitably constructed redundant, disused, or historic building that is considered appropriate to retain and would lead to an enhancement to the immediate setting. Paragraph 55 of the National Planning Policy Framework (the Framework) also advises that new isolated homes in the countryside should be avoided unless there are special circumstances. Of relevance to the appeal, is where the development would reuse a redundant or disused building and lead to an enhancement to the immediate setting.

5. The development would include the addition of an upper storey to the building as well as a shallow pitched roof. These additions would result in the building being approximately doubled in height. By itself this would result in the structure being very significantly more prominent in the landscape. Added to this, the appearance and use of the building would necessarily bring about a domestic character. Even though there would be no increase in the foot print of the building, it would appear strident and out of keeping with the very rural character of the area. The use of materials that are present on buildings in the locality would not mitigate this harm.
6. The development also involves an element of cut (from the land to the south of the building) and fill (to the north west). This raised area would be used to create the parking area and access. The location of this parking area, close to the footpath, and the raised nature of the land would mean that the parked vehicles and residential nature of the access would be prominent. In addition the creation of a residential curtilage around the building would extend the domestication of the land. These factors would exacerbate the harm that would result from the alterations to the building.
7. The alterations to the building and land and the associated change of use would result in significant harm to the character and appearance of the area. This being the case the development would not lead to an enhancement to the immediate setting. There is various debris located within the appeal site and this would be removed as part of the development. However the removal of these items is not intrinsically linked to the appeal development and I consider that the fact that a site has been allowed to fall into this state is not a good reason to grant planning permission for harmful development. In any event the moderate benefit that would result from the loss of these items would not outweigh the harm that would arise and therefore, when considered in the round, there would not be an enhancement to the immediate setting.
8. I note the Council also considers that the building is not appropriate to retain and thus it is the Council's view that the development would also fail this part of Policy 7 of the LP. The Council also notes that the structural survey does not demonstrate that the upward extension can be accommodated. Even if I were to take the opposite view, these conclusions would not override the harm that would arise from the extension to the building and other associated development.
9. I therefore conclude that the development would result in harm to the character and appearance of the area. It would fail to accord with Policies 7 and 23 of the Cornwall Local Plan Strategic Policies which seek to avoid new isolated homes in the countryside where special circumstances do not apply and sustain the distinctive local character of the area. It would also fail to accord with the aims of the Framework including those in paragraphs 55 and 56.

Planning balance

10. Both the LP and the Framework are supportive of the reuse of buildings. I have taken account of the small scale of the building which has been the main driver as to why the upwards extension was proposed. These factors must however be balanced against the other aims of both the LP and the Framework which include the need to ensure that the landscape character and local distinctiveness is reinforced.

11. The development would result in the provision of a dwelling which would have some social and economic benefits. There would also be benefits associated with the reuse of an existing building which could relieve a small amount of pressure for housing development elsewhere on undeveloped land. The occupiers of the dwelling would be likely to use some of the services and facilities in Tresillian and the surrounding area and so contribute to its vitality. In these respects the development would meet some of the aims of the Policies in the LP and the Framework. The small scale of the development is such that these benefits would also be very modest and so I only give this moderate weight. The benefits of the development, even when considered cumulatively, would not outweigh the significant harm that would arise to the character and appearance of the area.

Other matters

12. There does not appear to be biodiversity constraints to the development and adequate space within the building and garden, including storage space, could be provided for the future occupants. These are neutral factors and do not weigh in favour of the development.
13. A number of examples of other developments for the conversion of buildings to dwellings have been submitted with the appellant alleging that the Council has been inconsistent in its decision making. I do not have the full details of all these cases that indicate how all the relevant planning considerations were balanced, however none appear to be directly comparable to the appeal scheme. The development at Wheal Buller Farm was for a conversion of a building as well as replacing two dwellings which suggests that the setting was not as rural as the appeal scheme. The drawings for the scheme at Pengover Farm also suggest that the buildings were set within a cluster of other structures. Although the shape and form of the roof of the building at Five Shoots was proposed to be altered the single storey nature of the building was essentially retained. Where significant extensions were allowed for the developments at Carnkie Farm and Goosemoor it appears to relate to rebuilding of collapsed sections of the buildings rather than a new storey being added.
14. The Environment Agency raised an objection and has reached the view that the development goes beyond a change of use. The Council did not refuse the application on flood risk grounds but this was, at least in part, influenced by the events that took place in respect of an earlier application to develop the appeal building. In view of the conclusions I have reached above it is not necessary that I make a finding on this issue.

Conclusion

15. The development would not accord with the development plan when it is considered as a whole. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

K Taylor

INSPECTOR