



Appeal Decision

Site visit made on 16 December 2019

by Colin Cresswell BSc(Hons) MA MBA MRTPI

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

Decision date: 27 December 2019

Appeal Ref: APP/D0840/W/19/3237330

Nanfan Farm, Churchtown, Cury, Cornwall TR12 7BW

- 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 J Slade against the decision of Cornwall Council.
 - The application Ref PA19/03775, dated 2 May 2019, was refused by notice dated 9 July 2019.
 - The development proposed is conversion of barn to form single dwelling with annex.
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Decision

1. The appeal is allowed and planning permission is granted for 'conversion of barn to form single dwelling with annex' at Nanfan Farm, Churchtown, Cury, Cornwall TR12 7BW in accordance with the terms of the application, Reference PA19/03775, dated 2 May 2019, subject to the conditions set out in the Schedule at the end of this Decision.

Main Issues

2. The main issues in this case are:
 - whether the site provides a suitable location for the proposed development, having particular regard to development plan policies.
 - the effect of the proposed development on the character and appearance of the Cornwall Area of Outstanding Natural Beauty.

Reasons

3. The appeal concerns a portal framed agricultural building situated near a small group of stone built residential properties. I am informed that these buildings were previously used for agricultural purposes before they gained planning permission for residential use. Although the site is accessed by a narrow track which runs to the south of Cury, it is surrounded by agricultural land and is clearly within the open countryside.
4. The Local Plan¹ attempts to focus most development in locations well served by shops, services and public transport. Development in the open countryside is strictly controlled. However, Policy 7 of the Local Plan does allow limited development to take place in the open countryside where there are special circumstances. This includes 'the reuse of suitably constructed redundant, disused or historic buildings that are considered appropriate to retain and would lead to an enhancement to the immediate setting'.

¹ Cornwall Local Plan Strategic Policies 2010-2030.

5. There is little dispute between the parties that the building is of a suitable construction for the proposed conversion to residential use. There is also little dispute that the building is effectively redundant as it is no longer needed for agricultural purposes (even though it is currently being used for storage). The Council acknowledge that this may be a consequence of planning permission being granted for the adjacent residential conversions and the subsequent disposal of the site from the main farm holding.
6. However, for the proposed development to comply with Policy 7 there must also be 'an enhancement of the immediate setting'. For the purposes of this particular appeal, I take the immediate setting to be the group of converted properties adjacent to the appeal building. This distinct cluster of development shares the same vehicular access and is clearly demarcated from the surrounding fields by fencing and boundary planting. I deal with the wider issue of character and appearance (including the effect on the public footpath and protected landscape) in the second main issue.
7. The appeal building is in close proximity to these residential conversions and is orientated to face them. It is also at a similar level to these properties, whereas the larger farm buildings to the north are on slightly more elevated land beyond a boundary hedge. Because of this arrangement, the building appears more visually associated with the nearby residential properties than any of the agricultural buildings in the vicinity.
8. For this reason, the proposed conversion to residential use would appear more in keeping with the immediate setting than a redundant agricultural building would be. Furthermore, the conversion of the building into a permanent residence is likely to ensure its future maintenance and reduce the opportunity for it fall into disrepair. Hence, it seems to me that the proposed development would lead to an overall enhancement of the immediate setting. The proposal would therefore comply with the terms of Policy 7.
9. I appreciate that paragraph 2.33 of the Local Plan supporting text says that the conversion of large portal framed buildings will rarely be appropriate. However, in this case the building is not excessively large and would result in a dwelling of a comparable size to some of the others nearby. Due to the very specific circumstances of this particular site, the conversion of this portal framed building would not be harmful.
10. I conclude on this issue that the site would provide a suitable location for the proposed development. As well as complying with Policy 7, the proposal would also comply with Policy 2 of the Local Plan, which establishes the overall spatial strategy for Cornwall. There would also be compliance with paragraph 79 of the National Planning Policy Framework (the NPPF) which has broadly similar wording to Policy 7 of the Local Plan.

Character and appearance

11. The site and surroundings are situated within the Cornwall Area of Outstanding Natural Beauty (the AONB). The landscape around the site mainly comprises open agricultural fields, hedgerows and trees. Although there are isolated buildings and clusters of development in the vicinity, the landscape is primarily open and rural in character. The small village of Cury to the north is the only urbanised area visible from the site.

12. The proposed conversion would clearly alter the appearance of the building. Amongst other things, a number of large windows would be introduced and there would be a small extension to the roof. Outdoor decking would further add to the domestic character of the converted property. It would no longer resemble an agricultural building.
13. However, as the building is set into the ground behind a bank, it is not widely exposed within the landscape when seen from the north. Similarly, it is mainly well screened by other properties or landscape features when viewed from the east and south. The building is most exposed when seen from the west, as it faces open fields. I note that the proposed south-west elevation would feature extensive glazing on both the ground floor and first floors which would face this open landscape. Yet although a footpath runs past the site, most other public views of the building would be from some distance away. From more distant vantage points, the alterations to the building would be far less discernible. The building would also be viewed in the context of a small cluster of existing residential development. Therefore, seen at distance, the proposal would not undermine the rural characteristics of the protected landscape.
14. The proposed alterations would be more clearly seen from the public footpath which runs very close to the south west elevation of the site. From here, the large windows and domestic character of the converted property would be highly noticeable. Nonetheless, when passing through this part of the footpath, the site and immediate surroundings already assume a domestic character. There is car parking to the north of the building and the existing residential conversions are clearly visible from the path. This site no longer has an agricultural appearance and the conversion of the appeal property to a residential use would not substantially alter the character of the area. As such, the qualities of the footpath would not be undermined.
15. I conclude on this issue that the proposed development would have an acceptable effect on the character and appearance of the AONB. There would be no conflict with Policies 12 and 23 of the Local Plan which seek appropriate standards of design and protection of AONB landscapes. There would also be no conflict with the policies of the NPPF in these respects.

Other matters

16. Interested parties have raised concerns about additional traffic generated as a result of the proposal. The site is accessed by a single lane which links with the public highway at another narrow point in the road. I am informed that there are instances of vehicles conflicting with each other, both on the lane itself and where it links with the highway. As there is no pavement in this area, pedestrians are also in conflict with vehicles. However, while I appreciate these concerns, the addition of only one additional household in this location would be unlikely to significantly worsen any existing problems. The proposal would not conflict with Policy 27 of the Local Plan in this regard.

Conclusion

17. For the reasons given above, the appeal is allowed. In the interests of clarity, standard conditions requiring the development to be carried out in accordance with the plans and within a time limit have been imposed. To protect the character and appearance of the area there is a condition requiring further

details of materials. To help protect nearby residents, a condition has also been imposed requiring a construction method statement.

Colin Cresswell

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 03.2019/01, 03.2019/02, 03.2019/03, 03.2019/04.
3. No development shall commence until details of the materials to be used in the construction of the external surfaces of the development 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 retained as such thereafter.
4. No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The Statement shall provide for: (i) the parking of vehicles of site operatives and visitors; (ii) loading and unloading of plant and materials; (iii) storage of plant and materials used in constructing the development; (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; (v) wheel washing facilities; (vi) measures to control the emission of dust and dirt during construction; (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works; (viii) hours of working.