



Appeal Decision

Site visit made on 14 January 2020

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 February 2020

Appeal Ref: APP/D0840/W/19/3234978

Penwood House, St Breward, Bodmin PL30 4NL

- 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 and Mrs R Clark against the decision of Cornwall Council.
 - The application Ref PA19/02667, dated 14 March 2019, was refused by notice dated 22 May 2019.
 - The development proposed is conversion of disused agricultural building to residential accommodation.
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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 area, with particular regard to the Cornwall Area of Outstanding Natural Beauty.

Reasons

3. The appeal site relates to a barn and the immediately surrounding land, which is bound by a rubble wall to the west and open to a small field to the east. The barn sits amongst a group of similar buildings to the rear of the dwelling Penwood House, which occupies an exposed and rural location on Bodmin Moor, within the Cornwall Area of Outstanding Natural Beauty (the AONB).
4. The National Planning Policy Framework (the Framework) identifies that great weight should be given to conserving and enhancing the landscape and scenic beauty of AONBs, which have the highest status of protection in relation to these issues. Policy 23 of the Cornwall Local Plan Strategic Policies 2010-2030 (adopted 2016) (CLP) broadly requires the same.
5. Policy 7 of the CLP restricts development in the open countryside unless there are special circumstances. Of most relevance here, this includes proposals for the reuse of appropriate buildings that are suitably constructed, redundant or disused, and which would lead to an enhancement to the immediate setting. This is consistent in approach to Paragraph 79 of the Framework.
6. The barn is large and conspicuously sited, clearly visible in long distance views from various locations along the highway network to the east and in close views from a Public Right of Way (PROW) and Common Land to the west. However, it reads as a rural building designed for agriculture and is a typical component of this agricultural landscape. Sat amongst other similar buildings, it has an innocuous presence. The prospect of agricultural storage and/or machinery within its immediate setting is similarly unremarkable.

7. The proposal seeks to convert the barn into a four-bedroom unit of residential accommodation and a workshop. Walls would be set back into the footprint of the building on its east and west sides, which would contain windows and doors of varying height. Existing rooflights would be removed. Internally, level access would be provided throughout. The building's surrounding yard would be altered to form domestic amenity spaces, turning and parking.
8. The design has sought to minimise alterations to the barn and intends for new openings to appear agricultural. However, in my view the openings and glass windows would have a perceptible domestic appearance which, together with the more intricately shaped plan of the building, would unavoidably change its character from one of typical rural function to something more residential. Whilst I accept that dwellings are also a legitimate part of Bodmin Moor, the converted building would have an anomalous siting and scale and, despite the creativity in its design, ultimately a harmfully contrived appearance.
9. The immediate setting of the barn would change from agriculture to residential, and there would be inevitable consequences to its character through the introduction of domestic trappings. Whilst existing boundary treatments and outbuildings would largely screen this change, this would not provide enhancement as such.
10. Light pollution would also be problematic here, in an area noted for the quality of its dark skies. Screens are intended to close off the east elevation during hours of darkness to reduce light emissions. However, I am not persuaded that the consequent enclosure within affected rooms would be desirable or reasonable for future occupants, particularly during the winter or in the periods around dusk and dawn, when outlook may be required, but light pollution would still have an effect.
11. The screens would also only relate to the east elevation, and illumination from windows within the west elevation would be visible beyond the site boundary from the PROW and the Common Land. Although I note that there are other farmsteads and buildings in the area, it seems to me that the scheme would diminish the dark skies of the AONB, albeit to a modest extent.
12. The appellants have compared light emissions from the proposal to that from the existing use of the building. However, no substantive details of the current or potential operations and associated light emissions have been provided. I have been directed to a recent planning permission in the area at Irish Farm¹. As that scheme related to the replacement of a domestic conservatory, it appears quite different in scale and effect. The appellants consider that the barn may fall into disrepair if left, but there is nothing before me to suggest that its condition is anything but robust. Dilapidated barns are not necessarily deleterious within the rural landscape in any event.
13. My attention is drawn to the waterworks to the east, which I found to be somewhat low profile, with limited presence. Although a lattice tower is in the offing at the facility, inert utility infrastructure is significantly different in effect to residential barn conversions. Whilst Class Q² alludes to the government's approach to rural conversions, the government has equally directed that this

¹ Ref PA19/00693

² Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (Amendments and Consequential Provisions) (England) Order 2015

permitted development right does not apply in designated landscapes, such as AONBs. Consequently, these matters carry very little weight in my assessment.

14. I therefore conclude that the proposal would have an unacceptable effect on the character and appearance of the area, with particular regard to the Cornwall Area of Outstanding Natural Beauty. It would conflict with the visual amenity aims of Policies 2, 7, 12 and 23 of the CLP, saved Policy ENV1 of the North Cornwall Local Plan (adopted 1999) and the Framework. I have also had regard to the aims of Policy MD9 of the AONB Management Plan 2016-2021.

Other Considerations

15. The government is committed to the provision of housing to meet the needs of disabled people, and this is reflected in the Planning Practice Guidance³ and Paragraph 8 of the Framework. I am aware that Mr Clark has certain mobility problems that render the two-storey layout of Penwood House somewhat unsuited to his needs. He also operates his business from the property, and it may be important that he can continue to do so. However, only limited evidence of Mr Clark's circumstances or his business operations were presented in support of the proposal before me.
16. The potential for Mr Clark's personal and business needs to be met at alternative sites, lesser schemes or through works to Penwood House itself has not been considered. In my view, in order to justify an exception to the requirements of the development plan I would need to be satisfied that all other options had been adequately explored and found to be unsatisfactory. On the evidence before me, this is not the case. Looking at the merits of the proposed accommodation more generally, whilst I note that the house has been designed with wheelchair access in mind, its full potential as accessible and adaptable accommodation has not been explained.
17. As such, whilst the opportunity to provide suitable accommodation for Mr Clark and/or people with disabilities more generally are important considerations, in this case there is insufficient evidence to attribute these matters more than limited weight. They do not outweigh the conflict with the development plan through harm to the character and appearance of this designated landscape, to which I attach significant weight.
18. The Council has suggested a condition to restrict occupancy of the property to disabled and/or older people and the appellant has no objection to such a condition. However, this is not what is applied for within the description of development. Moreover, as there is insufficient information to substantiate the need for the condition, it would not be reasonable for me to apply it in these circumstances.

Conclusion

19. The proposal would therefore conflict with the development plan when read as a whole and there are no other considerations, including the Framework, that outweigh the conflict. For the reasons outlined above, and taking all matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR

³ Paragraphs 001 – 019 ID: 63-003-20190626