



Appeal Decision

Site visit made on 1 September 2020

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th September 2020

Appeal Ref: APP/D0840/W/20/3254194

Agricultural Fields, Keiro Lane, St Minver, Wadebridge PL27 6NS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Thomas Trudgian against Cornwall Council.
 - The application Ref PA20/00942, is dated 31 January 2020.
 - The development proposed is described as "Construction of flat roofed shed (3m x 4m x 2m) of 12 sq metres in natural slate stone to replace dilapidated slate stone shed of 25 sq metres".
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Decision

1. Planning permission is refused and the appeal is dismissed.

Procedural Matters

2. The appeal is made against the non-determination of the application by the Council. The Council has indicated in its statement that were it to have determined the application it would have been refused because of, in summary, the proposal would adversely impact on the character and appearance of the area.
3. The appellant indicates that, if I am not persuaded by the proposal as submitted, I should consider a scheme for a smaller building and has set out details in the appeal submissions. However, the advice in the Procedural Guide – Planning Appeals England is that if an appeal is made the appeal process should not be used to evolve a scheme and it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought. In these circumstances, and having regard to the Wheatcroft principles¹, I will consider the proposal as originally submitted to the Council.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal site lies in open countryside which has a gently rolling pattern of generally medium sized fields laid to both pasture and arable. There are distinctive and well maintained hedged field boundaries and copses of trees.

¹ Bernard Wheatcroft Ltd v SSE [JPL, 1982, P37].

This section of countryside has a largely unspoilt and pleasant character. In the wider area there is the occasional individual building and groups of buildings. However, the fields in the vicinity and broadly to the north of the road near the site are generally without any buildings.

6. The proposed building would be located against a hedge near a field entrance and set back some way from the road. This wider field is one of a number in this section of countryside which have the distinctive hedge boundaries and open field character that makes a positive contribution to the landscape. The building would be modest in size and clad in stone with a monopitch roof. While it is unlikely to be visible from the road because of the hedge, it would be seen from some of the more elevated land and fields broadly to the north.
7. When seen within the open field and within the generally undeveloped surroundings, the construction of the building in this location would appear as an isolated development in the countryside. The presence of the building in such circumstances would erode the character, albeit in a small way, of this fairly unspoilt section of countryside. As the building would not relate well to any other structures it would comprise an encroachment of development into the undeveloped field. It would form sporadic development within this section of rolling landscape and be contrary to the National Planning Policy Framework (the Framework) policy to recognise the intrinsic character and beauty of the countryside.
8. I have carefully considered all the proposed uses and justifications for the building. The proposed uses includes the storage of spades, hedge trimming and other small agricultural equipment² and that the electricity supply would be used to help to power ground and hedge equipment, electric fencing batteries and fertiliser spreading equipment.
9. Some of the background information indicates that the fields are farmed by a tenant who also owns extensive arable land immediately adjacent to this small holding all without a building or electricity and he would use the proposed building. Other information in the report attached to appendix 1 of the Council's submissions indicates that the proposal progressed while it was being considered by the Council. The report explains that the intention was that the building would predominantly serve this holding itself for the appellant and the intended farming activities including for "vertical farming". I have had regard to this information and background, as well as all the other submissions in support which seek to justify the proposal including references to the quality of the farming land.
10. This holding comprises a number of agricultural fields, presently laid to grass. It seems to me that the extent and range of equipment that could be stored in the building to assist the holding, and would be accessed via a domestic like door, would be unlikely to be extensive. Accordingly, based on the detail of the evidence before me regarding the existing and proposed farming activities and the need for the storage space to assist to maintain and improve the well-being of the land, I attach limited weight to the benefits that would accrue from the storage section of the building.
11. I noted at my site visit the electricity supply and box in the vicinity of the proposed building. Part of the building would house this supply box and related

² Question 20 on the application form.

equipment. There is evidence from Western Power Distribution (WPD) regarding the requirements to safely accommodate the supply on the site. Examples of reasonably sizeable meter boxes have been submitted by the appellant which it is said would be alternatives to the present proposal. However, I have not been provided with detailed information as to why WPD could not use their permitted development rights to house the meter equipment in a permanent enclosure. While this may be more functional in appearance, the Council make the point in their submissions that given the modest size of the meter box on the site it is presumed it could be accommodated in a small cabinet type structure which may be barely noticeable from distant views. I do not have detailed and precise evidence, in particular from WPD, that convinces me that this could not be the case. In all these circumstances, I am not satisfied that the evidence clearly demonstrates to me that the size of the section of the building proposed to house the meter box and related electricity infrastructure and associated uses has been justified.

12. Drawing all these matters together, this field and the adjoining fields appear to be maintained in good condition without the assistance provided by an on-site building. I am not satisfied that the evidence clearly demonstrates a justification for the size of the building sought and the benefits which would accrue from the building would not outweigh the harm I have identified to the character and appearance of the area.
13. In the light of the above analysis, I conclude that the proposal would harm the character and appearance of the area. It would therefore fail to comply with Policies 2, 5, 12 and 23 of the Cornwall Local Plan Strategic Policies 2010-2030, Policies 1.2, 2.6 and 4.6 of the St Minver Parishes Neighbourhood Development Plan 2017-2030 and the Framework which seek, amongst other things, to maintain Cornwall's enduring distinctiveness and also to maintain and enhance its natural character.

Other Matters

14. The description of the development and the submissions indicate that the proposal would be a replacement building. The submitted plans include an OS plan which identifies a previous stone shed. It is explained that the foundations can be seen in wetter conditions, however, this part of the field is now grassed over with no built form evident above ground level. I am not aware of any rights to re-construct this building and as limited information has been submitted regarding what may be possible under permitted development rights I attribute this information limited weight in the overall considerations.

Conclusion

15. For the reasons given above, I conclude that planning permission should be refused and the appeal dismissed.

David Wyborn

INSPECTOR