

Appeal Decision

Site visit made on 24 November 2020

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2020

Appeal Ref: APP/D0840/20/W/3247440

Lower Trewedna Farm, Trewedna Lane, Perranwell Station TR3 7PQ

- 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 Morris of Morris Farms Ltd against the decision of Cornwall Council.
 - The application Ref PA19/01110, dated 4 February 2019, was refused by notice dated 28 November 2019.
 - The development proposed is conversion of barn to form dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Following the submission of the appeal, several of the sessile oak trees around the appeal site were made subject to a Tree Preservation Order (TPO) (the Protected Trees). The parties have had the opportunity to comment on this matter during the appeal and I had regard to it in my assessment.
3. The appeal is accompanied by revised drawings which make several alterations to the proposal, which, when considered as a whole, would significantly change its design. As such, pursuant to the Wheatcroft principles¹, I did not have regard to the revised drawings, as to do so would likely prejudice other parties.

Main Issue

4. The main issue is the suitability of the site for the proposal, having regard to local and national policy for the location of housing, with reference to the character and appearance of the area and the Protected Trees.

Reasons

5. The site is a disused agricultural building and its setting, within an isolated open countryside position to the south of the main grouping of buildings at Lower Trewedna Farm, from which it is visually and physically disconnected. Much of the building is indiscernible, being set into a north facing hillslope and subsumed by vegetation. The rough texture of the landcover surrounding it combines with the Protected Trees to create an attractively undeveloped space, with a wild and unpeopled character, with nature the dominant force.
6. Within the open countryside, Policy 7 of the Cornwall Local Plan Strategic Policies 2010-2030 (adopted 2016) (CLP) restricts development unless there are special circumstances. This includes proposals for the reuse of appropriate

¹ Bernard Wheatcroft Ltd v Secretary of State for the Environment and Another (1980)

- buildings that are suitably constructed, redundant or disused, which would lead to an enhancement to the immediate setting. The policy is broadly consistent with Paragraph 79 of the National Planning Policy Framework (the Framework).
7. The supporting text to Policy 7 identifies that the term 'appropriate' relates to a building's scale, construction, structural soundness and its capacity for conversion. The appeal is accompanied by a structural report. Its conclusion, as accepted by the Council's building inspector, also tallies with my observations on site, where despite some defection, the walls of the building maintained an overall robustness. Given such, on the balance of the evidence, I am satisfied that the building is a candidate for conversion under the terms of Policy 7.
 8. That said, the proposal would clear much of the landcover and provide outside amenity spaces which would invariably be maintained as such and would be beset with domestic items. Parked cars would also domesticate the scene. The building is concrete with a modern roof, with little physical link to the historic barns at Lower Trewedna Farm. I therefore question the benefit of introducing a dual pitched roof and traditional materials such as slate and exposed rubble stone. As such, the proposal would take an innocuous building and replace it with something far more overt, with a somewhat confused design. Its use would exert an alien residential influence upon this characterfully scrubby site.
 9. Consequently, the proposal would cause harm, not enhancement, to the immediate setting of the building. Whilst I acknowledge that the site is away from public land, there is nothing in Policy 7, or the Framework for that matter, that predicates the need for enhancement on a site's visibility in public terms.
 10. The arboricultural evidence identifies that a stone finish at the north end of the building may necessitate an extension to the building's foundations, which may damage the root systems of the Protected Trees. Given its modest size and banked siting it is likely that daylight within the dwelling would be unacceptably limited by the surrounding tree canopy. However, these issues could be addressed, via condition, through the respective provision of a lighter finish material to the affected area, such as timber cladding, and rooflights.
 11. The banked position of the building would enable good access to gutters for regular maintenance to clear up leaf fall. Whilst anxiety about future falling branches or worse is understandable, the trees within falling influence of the dwelling are to the north, upwards of the prevailing south westerly wind. Moreover, the arboricultural evidence before me suggests that the significant failing of any of the Protected Trees is unlikely.
 12. Drawing my findings together, whilst I have identified no unacceptable harm to Protected Trees, I do conclude that the site would not be suitable for the proposal, having regard to local and national policy for the location of housing, with reference to the character and appearance of the area. The proposal would conflict with Policies 1, 2, 7, 12 and 23 of the CLP and the Framework in this regard.

Planning Balance

13. The government is seeking to significantly boost the supply of housing. The scheme would contribute a single dwelling to local supply, in a location where residents would have adequate access to local facilities and bus services. Given the scale of the proposal, these are benefits of limited weight.

14. Conversely, the scheme would conflict with development plan policy for the location of housing and would undermine the Council's plan-led approach. In doing so, it would harm the character and appearance of the area. These are significant matters in the balance and outweigh the benefits of the scheme.
15. I therefore conclude that the proposal would conflict with the development plan when read as a whole and that there are no other considerations, including the Framework, that outweigh the conflict.

Conclusion

16. For the reasons outlined above and taking all matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR