



Appeal Decision

Site Visit made on 18 January 2021

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 February 2021

Appeal Ref: APP/D0840/W/20/3259998

Land at Lower Penquite, St. Ive, Liskeard PL14 3NE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Mr C Dabbs against the decision of Cornwall Council.
 - The application Ref PA20/05809, dated 13 July 2020, was refused by notice dated 20 August 2020.
 - The development proposed is the conversion of a rural building to a dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle. The Planning Practice Guidance (the PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle, and the second (technical details consent) stage is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted¹. All other matters are considered as part of a subsequent technical details consent application if permission in principle is granted. I have determined the appeal accordingly.

Main Issue

4. The main issue is whether the site is suitable for the development, having regard to its location, the proposed land use and the amount of development.

Reasons

5. The appeal site lies in a rural location approximately 1 kilometre north of the settlement of St Ive. It comprises a building within the extensive grounds of Lower Penquite. Other than the host dwelling, which is about 80 metres to the northeast, the site is surrounded by undeveloped agricultural fields. It is, therefore, located in the open countryside.
6. Policy 7 of the Cornwall Local Plan Strategic Policies 2010 - 2030 (adopted November 2016) (the Local Plan) only permits new homes in the open countryside where there are special circumstances. Of the specified circumstances, the only one that is relevant to the appeal proposal is the reuse

¹ PPG Paragraph: 012 Reference ID: 58-012-20180615

of suitably constructed redundant, disused or historic buildings that are appropriate for retention, and would lead to an enhancement to the immediate setting. The supporting text clarifies that the appropriateness of buildings for conversion will depend on their scale and method of construction, structural soundness and the ability to convert the building without the necessity of substantial demolition or substantial rebuilding operations.

7. The appellant contends that, if the building is not capable of conversion, due to its construction, the Council could refuse the subsequent application for technical details consent. However, a new dwelling in this location would only be acceptable, in principle, if it constituted the conversion of a rural building in accordance with Policy 7. Consequently, the ability to convert the building without substantial rebuilding operations is a matter that must be considered at the permission in principle stage.
8. The building is timber-framed, with walls comprising of vertical wooden slats, and it has a corrugated sheet roof. By the appellant's own admission, the building is in a poor state of repair. Whilst it is sufficiently weathertight for domestic storage purposes, there are gaps between the slats, and there is no insulation under the roof. It is likely that new walls and an internal roof lining would be necessary to provide a watertight and insulated shell. A large proportion of the front gable is enclosed only by flaps of plastic sheeting, with hinged doors below, so much of this elevation would have to be newly built. Consequently, substantial works would be necessary to make it habitable, and significant alterations would be necessary to install doors and windows to provide a suitable living environment.
9. No structural report has been provided to demonstrate that the existing timber frame is suitably constructed to bear the additional weight of an insulated roof and walls, or that any of the other existing elements of the building could be incorporated in a scheme of conversion. Whilst such a report is not a pre-requisite of an application for permission in principle, the PPG does identify that additional information may be volunteered to support decision-making². In the absence of any structural evidence, I am unable to safely conclude that the building is suitable for conversion without substantial rebuilding.
10. The appellant states that, if at any stage the building is not suitable for conversion, plans will be made for replacement with modern construction methods. This would, however, result in the construction of a new dwelling in the countryside, rather than a conversion. Consequently, such a proposal would not comply with Policy 7, so would not be acceptable in principle.
11. The existing building occupies a prominent location at the top of a slope, overlooking the house below. It is, therefore, visible from a wide area to the north and east. However, it has an agricultural appearance, and its exterior wood has weathered. It is set against a hedgerow to the southwest, and scrubby vegetation has grown up to both sides of the building. As a result, it has largely been assimilated into the landscape, as a functional building associated with the surrounding grounds.
12. The conversion of the building to a dwelling would involve the insertion of doors, windows, rooflights and other features that would result in it assuming a residential appearance. The parcel of land around the building would take on a

² PPG Paragraph: 043 Reference ID: 58-043-20170728

different character, as a separate residential curtilage with the likely associated domestic paraphernalia, such as means of enclosure, hard-surfacing, parked cars, washing lines, play equipment, etc. As a result, the building would become a more obvious and incongruous feature in the rural landscape. The proposal would not, therefore, result in an enhancement of its immediate setting, as required by Policy 7 of the Local Plan and paragraph 79 of the National Planning Policy Framework (the Framework).

13. It has not been demonstrated that the building could be converted to a dwelling without substantial rebuilding and alteration. Rather than enhancing its immediate setting, conversion to a dwelling would be harmful to its countryside location. The proposal would, therefore, be contrary to Policy 7 of the Local Plan, which seeks to limit residential uses in countryside locations. The development would also conflict with the Framework's aims of avoiding new isolated homes in the countryside.

Other Matters

14. The development would assist in the delivery of housing, by providing an additional dwelling, which would support the Framework's objective of significantly boosting the supply of homes. There would also be economic benefits through the creation of jobs during the construction phase, and through the future spend of occupants. However, the benefit of a single dwelling would not be substantial, and its separation from any settlement means it would not be located where it would readily enhance or maintain the vitality of a rural community.
15. It is stated that the dwelling would be occupied by the appellant, who is the son of the landowner, and who would be able to assist with the maintenance of the land. At the same time, it would allow a young family the opportunity to get onto the housing ladder. These would largely be personal benefits, and, as the dwelling could be sold on the open market, there is no guarantee that they would be long-lasting. Consequently, they do not carry significant weight in my decision.
16. I am mindful, also, that the intention would be to use eco-friendly construction methods and sustainable sources of energy and water supply. These considerations would not, however, outweigh the in-principle harm that I have identified to the proposal.
17. Several other planning approvals have been drawn to my attention, where reportedly similar buildings have been deemed suitable for conversion, or where matters of detail have been deferred to technical details stage. However, I have been provided with little evidence of the planning circumstances relating to these cases, so have not been able to draw any comparisons. I have, therefore, dealt with the appeal proposal on its own merits.

Conclusion

18. For the reasons given above I conclude that the appeal should be dismissed.

Nick Davies

INSPECTOR