
Appeal Decision

Site visit made on 28 January 2021

by Paul Griffiths BSc(Hons) BArch IHBC

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

Decision date: 7th May 2021

Appeal Ref: APP/D0840/W/20/3263466

Land SE of Midway House, Idless Lane, Idless, Truro TR4 9QS

- 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 Mrs T Curtis against the decision of Cornwall Council.
 - The application Ref.PA20/03149, dated 7 April 2020, was refused by notice dated 19 May 2020.
 - The development proposed is the conversion of a redundant stable building to a single dwelling house.
-

Decision

1. The appeal is dismissed.

Main Issues

2. These are whether the proposal would (1) comply with the approach of the development plan to the conversion of rural buildings; and (2) provide reasonable living conditions for prospective occupiers given the nature of adjoining agricultural uses.

Reasons

3. The development plan for the area includes the Cornwall Local Plan (LP), adopted in November 2016. LP Policy 7 allows for housing in the countryside where the new dwelling would comprise the re-use of a suitably constructed redundant, disused, or historic buildings, considered appropriate to retain.
4. LP paragraph 2.33 says 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 demolition or substantial rebuilding operations.
5. I would say first of all, that the building is of relatively recent origin. In terms of its age, or indeed its form, it cannot reasonably be described as an 'historic' building or for that matter a traditional vernacular building as referred to in LP paragraph 2.34. On top of that, at the time of my site visit, the building was in use for stabling horses. It cannot readily be described as redundant or disused, therefore.
6. In terms of whether the building is appropriate to retain, a Visual Structural Appraisal was submitted with the original application. The Council raised no issues with this document, and I saw nothing during my site visit to lead me to question its conclusions.

7. However, as LP paragraph 2.33 explains, a demonstration of structural soundness is but one way in which a building might be considered appropriate to retain for the purposes of LP Policy 7. It is also necessary to show that demolition or substantial rebuilding operations would not be necessary.
8. It is evident from the Visual Structural Appraisal, and the submitted plans, that the external walls would require an insulated inner skin, and the existing floor slab a similar treatment. The external walls would need to be timber-clad and most fundamentally, the roof would be completely replaced. All that demonstrates to me that substantial rebuilding operations would be necessary to convert the building to a dwelling.
9. On that overall basis, the proposal fails to accord with LP Policy 7.
10. Issues have also been raised about the proximity of a farm building, in separate ownership, which is around 10m to the north-east of the building proposed for conversion. It is clear from the submissions on behalf of the adjoining farmers that this building is used intensively as part of their sheep farming activities.
11. Bearing in mind that the wind does not always blow from the south-west, the limited separation distance involved means that residents of the proposed conversion would often suffer from the effects of noise and smells, in particular, resulting from the everyday use of the agricultural building. As a result, their living conditions would be unsatisfactory, to say the least. That brings the proposal into conflict with, amongst others, LP Policy 13 which sets out standards for new development.
12. In this context, the concerns raised on behalf of the adjoining farmers that complaints from residents of the proposed conversion might limit their operations in and around the farm building have some resonance too.
13. Bringing all those points together, the proposal fails to accord with the development plan, read as a whole and there are no material considerations, including the National Planning Policy Framework, that would justify a decision contrary to the provisions of the development plan. Therefore, the appeal fails.

Paul Griffiths

INSPECTOR