
Appeal Decision

Site visit made on 9 March 2021

by Paul Griffiths BSc(Hons) BArch IHBC

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

Decision date: 11th May 2021

Appeal Ref: APP/D0840/W/20/3264306

The Barn, Braggs Hill, Boyton PL15 9RG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr T Parish against the decision of Cornwall Council.
 - The application Ref.PA20/01572, dated 6 February 2020, was refused by notice dated 2 July 2020.
 - The development proposed is change of use: demolish existing barn/storage sheds and construct two residential dwellings.
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Decision

1. The appeal is dismissed.

Main Issue

2. This is whether the appeal site is an appropriate location for new housing in the light of the approach of the development plan and if not, whether there are any material considerations of sufficient weight to nevertheless justify the proposal.

Reasons

3. The development plan for the area includes the Cornwall Local Plan (LP), adopted in November 2016.
4. The site is remote from Boyton and notwithstanding other buildings in the immediate vicinity, it lies very clearly in the countryside. LP Policy 7 allows for housing in the countryside where the new dwelling would replace an existing dwelling; be formed from the subdivision of an existing dwelling; comprise the re-use of a suitably constructed redundant, disused, or historic building considered appropriate to retain; or provide temporary or permanent accommodation for rural workers. The proposal does not fall into any of those categories and as such the proposal fails to accord with LP Policy 7. It follows that, in the context of the development plan, the appeal site is not an appropriate location for new housing.
5. Arguments are put forward that the proposal would 'tidy up' the appeal site. I would say first of all that should the Council be concerned about the appearance of the site, then it has enforcement powers that can be used to address the issue.
6. Notwithstanding that, the site and the buildings upon it did not look particularly incongruous to me; a scene is presented that one comes across often in the countryside in Cornwall.

7. If one were to accept this 'tidying up' argument as justification, applied consistently, it would offer a perverse incentive to owners of rural buildings and lead to the spread of sporadic housing in rural areas. This is something LP Policy 7 sets out to prevent in order to protect the character and appearance of the countryside.
8. With all that in mind, I do not consider that there any material considerations of sufficient weight to justify setting aside the development plan in this case.
9. I therefore conclude that the appeal should be dismissed.

Paul Griffiths

INSPECTOR