

Appeal Decisions

Site visit made on 17 August 2021

by Mrs H Nicholls FdA MSc MRTPI

An Inspector appointed by the Secretary of State

Decision date: 22 September 2021

Appeal A Ref: APP/D0840/W/21/3272903

Barn 1, Land adjoining Minster Farm, B3266 Between Mount Pleasant And Camelford Road, Boscastle PL35 0EJ

- 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 AR Hooper & Sons against the decision of Cornwall Council.
 - The application Ref PA20/04212, dated 16 May 2020, was refused by notice dated 23 November 2020.
 - The development proposed is change of use of agricultural building to dwellinghouse, together with associated works.
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Appeal B Ref: APP/D0840/W/21/3272904

Barn 2, Land adjoining Minster Farm, B3266 Between Mount Pleasant And Camelford Road, Boscastle

- 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 AR Hooper & Sons against the decision of Cornwall Council.
 - The application Ref PA20/04213, dated 16 May 2020, was refused by notice dated 23 November 2020.
 - The development proposed is change of use of agricultural building to dwellinghouse, together with associated works.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. The appeals relate to two separate barns within the same agricultural field. I have used the references to Barn 1 and Barn 2 from the plans and the Council's decision notice to identify the barns individually.

Application for costs

4. Applications for costs were made by AR Hooper & Sons against Cornwall Council. These applications are the subject of separate Decisions.

Main Issues

5. The main issues, common to both appeals, are the suitability of the buildings for conversion and the effect of the works on the character and appearance of the area.

Reasons

6. Both Barns A and B are small, rectangular concrete blockwork buildings with partial corrugated sheet roofs. They both sit abutting a hedgerow on opposite sides of a large, sloping arable field. The field has an elevated position above the coastal landscape of Boscastle; the barns are on the mid and lower levels of the field, presumably to benefit from more sheltered positions. The entire surrounding landscape is within the Cornwall Area of Outstanding Natural Beauty (Pentire Point to Widemouth).
7. The field adjoins a rural B-road, and there is an access to the field therefrom. An access track formed from crushed hardcore extends from the access, through a separate field before splitting into two at the boundary of the host field and extending in different directions towards the respective buildings. From the evidence it appears that this access was installed under permitted development rights to enable improved access to the buildings for agricultural machinery. From the condition of the buildings it seems unlikely that they have received any recent use for agricultural purposes or otherwise.
8. Barn A is the smaller of the two barns and is adjoined by a Public Right of Way (PROW) (Ref 512/18/3). The PROW is reported to have gold status due to its proximity to a settlement but I consider that it is likely to receive some use by walkers exploring the area around this scenic landscape. So whilst Barn A has a more discreet position in the wider landscape in that it cannot be seen from the rural road or from more distant positions, it is very visible from the PROW.
9. Barn B is the larger barn with a largely storm-damaged roof. Due to its position higher up the slope, it appears to be more prominent as a feature of the landscape than Barn A and is also particularly visible from the PROW. Similarly to Barn A, aside the track, the Barn does not have any defined area that separates it from the field, in the form of a hardstanding or otherwise. Both appear to be very much a part of the agricultural setting, though the addition of the track has visibly and harmfully increased their presence; jarring with the otherwise more flowing, natural quality of the land which is currently being used to grow a barley crop.
10. The proposal is to convert each barn to a dwelling; Barn 1 with one bed and Barn 2 with two beds. Both would have open plan kitchen and living areas. Both would have a new parking and turning area and modest enclosed garden with post-and-rail fence to separate them from the field. Stone cladding would be added to the external walls of the barns, with timber cladding in the upper gable sections. Both would also have new slate roofs.
11. Policy 7 of the Cornwall Local Plan (2016) (CLP) indicates that homes in the open countryside will only be permitted where there are special circumstances, such as where it involves the reuse of suitably constructed redundant, disused or historic buildings that are considered appropriate to retain and would lead to an enhancement to the immediate setting. The building to be converted should have an existing lawful residential or non-residential use and be ten years old or greater.
12. The appellant's final comments indicate that the buildings have a limited utility in modern agriculture but that they are not redundant. The buildings are not historic but do appear disused. In principle, the buildings could qualify to be converted under Policy 7 if they are '*considered appropriate to retain*'.

13. The buildings are both small scale, utilitarian in form and are constructed from generally modern materials. They contribute very little to the landscape or visual qualities of the area and do not immediately appear as buildings that should remain in situ; their condition, useability and limited aesthetic appeal contributing to such a view. Whilst I do not seek to unpick the findings of the Structural Surveys that indicate that the blockwork walls would withstand the addition of new roofs, floors, insulation and cladding, it would seem that the degree of works required to convert the buildings to something 'reasonably sympathetic' would be extensive, relative to the amount of the buildings that exist to be converted. Whilst none of these specific individual factors is alone decisive on the matter of whether the buildings are appropriate to retain for conversion purposes, the combination of their scale, form, construction and resulting effects of the works indicates that they are not.
14. The effects of the proposal on the character and appearance of the area, having already to an extent created an unsympathetic scar on the landscape with the provision of the access track, would be to introduce incongruous elements within the agricultural landscape. Whilst the buildings already exist, they do so with limited overspill onto the surrounding area. Whilst I note the existence of a bungalow nearby, this is enclosed in a set-down, verdant area and does not result in the landscape appearing overly settled or domesticated.
15. The new dwellings would create additional domestic enclosures, additional hardstandings and the comings and goings of people, cars and light spill into a distinctly rural setting. The dwellings that would appear incongruous in their setting and these effects would not be mitigated through landscaping or other such measures. I note that the use of stone and natural slate would be more sympathetic to the appearance of the area than the drab, grey concrete finish that the buildings currently present, but the positive effects of this would be diminished by the other aforementioned necessary domestic features. The close views from the PROW would mean that this harm would be seen publicly and even in the absence of longer range views, there would still be harm that would undermine the quality of the area's character and appearance. For these reasons, the proposals would not result in an enhancement to their immediate settings, contrary to the CLP and National Planning Policy Framework.
16. It has been put to me that the Council has accepted other concrete blockwork buildings as being suitable to retain. It is not the materials alone that make the appeal buildings unsuitable for retention for conversion purposes. Whilst there may be a preference to retain vernacular stone or cob barns, in some cases too little of such buildings may exist to allow for them to be considered suitable candidates for retention. Some other buildings, of blockwork construction, may be too big, too small or too impractically sited to be considered appropriate to retain. Of course the Policy is also based on the principle that the buildings will be sited in rural landscapes, but some will appear more rural, more sensitively positioned and less capable of accepting such a degree of change than others. This is particularly so in AONB landscapes which receive the highest status of protection in landscape character and scenic terms. The decisions and appeal decisions¹ that have been put to me do not alter my view that each case must be considered on its own merits and that the buildings are not suited for retention for conversion as proposed given the harm that would result.

¹ Including appeal refs: APP/D0840/W/18/3197351 and APP/D0840/W/19/3237330

17. Whilst I note the suggestion that there is a baseline level of use and parking on the access tracks, and light spill from the buildings if put to an alternative use, I consider the intensity of use from the residential use of the buildings would be materially more harmful than that suggested. Furthermore, whilst I have considered the removal of permitted development rights to limit further impact, I do not consider that this would adequately mitigate the harm identified.
18. Taking the above factors into consideration, the buildings are not considered suitable to retain and their conversions to dwellings would have a harmful effect on the character and appearance of the area, including the AONB landscape which is afforded the highest status of protection in landscape and scenic terms. Consequently, the proposals conflict with, in particular, Policies 2, 7, 12 and 23 of the CLP. For similar reasons, the proposals would also fail to adhere to guidance in the Cornwall AONB Management Plan (2016-2021) in terms of their inability to protect the distinctive character of their location.

Other Matters

19. Whether or not a building or buildings are considered appropriate to retain for the purposes of a conversion to residential purposes will not dictate the owner's decision to retain or remove them. It is suggested that the buildings would have a renewed use for agricultural purposes if the appeal should fail; I shall not dwell on this matter, but such a use would seem more sympathetic to the context of the site and receiving agricultural landscape. It is not strictly a matter for this appeal, particularly in the absence of conclusive evidence of such, whether the buildings could be converted to an alternative use under permitted development rights, as alleged.

Planning balance and conclusion

20. The conversion of the buildings to residential uses would add two dwellings to the local housing stock and result in social benefits through increased access to housing. The construction phase would result in economic benefits to the local area on a temporary basis and longer-term economic benefits would accrue from the reliance on local services by future residents. Whilst I afford the totality of these benefits moderate weight, they are not sufficient to outweigh the identified harms and associated conflict with the development plan and Framework. There are no considerations of sufficient materiality, including positive or neutral responses from relevant consultees, that indicate that the decisions should be taken other than in accordance with the development plan.
21. For the above reasons, both appeals are dismissed.

Hollie Nicholls

INSPECTOR