



Appeal Decision

Site Visit made on 23 November 2021

by T Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 December 2021

Appeal Ref: APP/D0840/W/21/3277742

Former water storage building, Kerley Downs, Chacewater, Truro, Cornwall TR4 8LQ

- 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 Ms Elizabeth Hobbs-Brannan against the decision of Cornwall Council.
 - The application Ref PA21/01453, dated 10 February 2021, was refused by notice dated 6 May 2021.
 - The development proposed is Conversion of existing former water storage building to a residential dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised version of the National Planning Policy Framework (the Framework) was published in July 2021. However, the main parties submitted appeal documents after this and therefore had the opportunity to comment on its relevance to the appeal proposal. Consequently, no parties will have been prejudiced by my having regard to the latest version in reaching my decision.

Main Issues

3. The main issue is the effect of the proposed development on the character and appearance of the surrounding area and the Cornwall and West Devon Mining Landscape World Heritage Site (WHS).

Reasons

4. Located in the open countryside which is characterised by fields and limited scattered development, the appeal site contains a disused water storage building situated in the corner of a field next to a line of trees. Despite the trees providing a natural backdrop and screening it from the north, the water store is a relatively large structure and appears from some vantage points as a reasonably prominent, isolated feature. It is visible in public views, including from the adjoining road, from parts of the other road to the east that runs past Peartree Cottage and in some longer distance views such as from the bridleway to the south-east. The Design and Access Statement identifies that the water store has no architectural merit or historic validity. However, although it could not be described as a positive feature in the locality, its utilitarian form and muted, weathered concrete appearance means that the water store has a rather unassuming nature and has a neutral rather than negative effect on the rural character and verdant appearance of the surrounding area.

5. The proposed conversion of the water store to a dwelling would involve, amongst other aspects, the erection of a small entrance feature in the form of a glass porch, an external staircase, a domed glass skylight projecting above the top of the existing roof, the creation of numerous openings in the walls to provide doors and windows, and timber cladding on the top half of the walls. While the proposed site plan shows the existing planting on the periphery would be retained, the site would also be laid out to provide a parking area, patio and possible clothes drying area.
6. Although lesser in scale and more subservient than the previous proposal, and despite the screening presence of the belt of trees, the proposed additions and alterations to the building and site would, taken together, draw the eye to what would read as a conspicuous, solitary domestic property out of character with its rural surroundings. Although the alterations would clearly add some visual interest and the timber cladding would provide a natural finish to part of it, the altered building would appear as an incongruous feature that would neither relate to built form in the locality nor local vernacular buildings with similar traditional materials. In addition, the extensive areas of glazing for the proposed windows and domed skylight would attract further attention to the development from the escape of light at night.
7. Irrespective of whether the suitably constructed, structurally sound water tank would be appropriate to retain, Policy 7 of the Cornwall Local Plan Strategic Policies 2010 - 2030 (CLP) requires the development of new homes in the countryside from the reuse of redundant buildings to lead to an enhancement to the immediate setting. This is consistent with Framework paragraph 80. Policy LGOS5 of the Chacewater Parish Neighbourhood Development Plan 2018-2030 (CPNDP) also sets out that proposals for re-use of redundant buildings will only be supported if, amongst other things, the conversion would not result in its setting being adversely affected. However, given my findings above, the appeal proposal cannot reasonably be described as enhancing its immediate setting and would instead adversely affect its rural locale. In coming to this view, I have taken into account that the main parties agree that the existing water store does not positively contribute to its surroundings.
8. The appeal site is located within the Gwennap mining district of the WHS and the evidence before me indicates that a historic quarry/mine – identified on historic mapping as ‘old quarries’ and determined by the submitted Heritage Assessment to be an openwork, probably for tin – lies immediately to the north of the site. Although it has now become wooded, such features are nevertheless important elements of the designated heritage asset, with the WHS Management Plan 2020-2025 listing mine sites and ancillary industries – which it seems reasonable to me would include historic quarries associated with the development of industrialised mining in Cornwall – as attributes of the WHS which express its Outstanding Universal Value. The Management Plan sets out that the protection of the attributes of the WHS should be a key consideration in the management of the site. With the Cornwall and Isles of Scilly Landscape Character Study also referring to such elements in the Redruth, Camborne and Gwennap area having developed into fragmented semi-natural habitats including woodland, it is clear to me that the historic feature adjacent to the site is a key characteristic of the landscape.
9. As identified in the Planning Statement, the site does not comprise a listed building or a non-designated heritage asset. The quarry/mine would not be

directly affected by the appeal proposal and there are no other designated or non-designated heritage assets in the vicinity. The Heritage Assessment also concludes the level of impact would be negligible, and I note that the appellant disputes the Council's assertion that the proposed development would detract from existing historic features. Nevertheless, the main parties agree that the development would lead to less than substantial harm to the WHS.

10. On the basis of the harm I have identified to the character and appearance of the surrounding landscape and the prominence of the proposed development as an incongruous element in the locality, the appeal proposal would detract from the rural setting of the historic mine/quarry feature which the existing water tank, with its low key, neutral form does not. Accordingly, I find that it would not maintain the historic character and distinctiveness of the WHS landscape, and this would equate to less than substantial harm to the significance of the designated heritage asset. However, this still constitutes harm, and the former presence of a building and a smaller structure/enclosure on the appeal site, including what the Heritage Assessment identifies may be a dwelling for a miner's smallholding, do not lead me to a different conclusion. In coming to this view, I have also taken into account the existing water store does not contribute to the significance of the WHS.
11. In such circumstances, the Framework indicates that the less than substantial harm should be weighed against the public benefits of the proposal. In this case, the public benefits from the appeal proposal include: the creation of a new dwelling which is deliverable now and would contribute towards local housing supply for which there is an on-going requirement of windfall housing with no ceiling on numbers; bringing a redundant building back into use on a brownfield site; short-term construction employment; and future occupiers supporting local services and facilities. However, based on the proposed development and its use, the extent of the benefits would be relatively limited. The benefits would therefore not outweigh the great weight given to the conservation of the designated heritage assets, of which World Heritage Sites are of the highest significance and international importance, recognised to be of Outstanding Universal Value, and the Framework states should be conserved in a manner appropriate to their significance.
12. My attention has been drawn to the example of a similar permitted conversion of a redundant reservoir at Perranwell Station. It has been put to me that the permitted scheme indicates that the principle of the appeal proposal is acceptable and sets a clear precedent that should be followed. However, although it lies in the same landscape character area as the appeal site and involved the conversion of a similar water storage building, that scheme is situated in a different location with, the submitted evidence indicates, different circumstances to the appeal site. For example, it is further away from the public highway, closer to other built form and outside of the WHS. In addition, given it is located in a different neighbourhood plan area to the appeal site and no neighbourhood plan policies were included in the list of relevant development plan policies in the Council's Officer Report for that scheme, it was also determined under different circumstances. Accordingly, that scheme is neither directly comparable to the appeal proposal nor relevant to its acceptability. It also cannot therefore be considered as setting a precedent which should be followed in this case. I therefore give the example limited weight and have determined the appeal proposal on its individual merits.

13. For the above reasons, I conclude that the proposed development would harm the character and appearance of the surrounding area and the WHS. I therefore find that it conflicts with CLP Policies 1, 2, 7, 12, 23 and 24 and CPNDP Policies BIO1, HE1, HE2, LGOS1, LGOS5 and QD1. Amongst other aspects, these: set out the Council's spatial strategy and approach to decision making, housing in the countryside and use of redundant buildings outside settlement areas; seek to safeguard and enhance the natural and historic environments; support development that reflects the landscape and its position at the heart of a WHS; and require development to have regard to the character of the Parish, sustain and enhance Cornwall's local distinctiveness and its natural and historic character, conserve the significance of designated assets, and comply with the WHS Management Plan. The proposal would also be inconsistent with: the provisions in the Framework in relation to rural housing, achieving well-designed places, and conserving and enhancing the natural and historic environments; the WHS Management Plan; and the considerations in the Chief Planning Officer's Advice Note: Good Design in Cornwall in relation to proposals suiting their context and adding to local distinctiveness.

Other matters

14. The appeal site is within the zone of influence of the Penhale Dunes Special Area of Conservation (SAC) and the Fal and Helford SAC. In combination with other plans and projects, the addition of a residential unit within this area would be likely to have a significant effect on the internationally important interest features of these SACs due to increased recreational disturbance. In accordance with CLP Policy 22, appropriate mitigation needs to be secured for such development, and the submitted evidence indicates that this could be secured by a suitably worded planning condition. However, as I am dismissing the appeal for other reasons, I am not pursuing this matter further because it could not lead me to a different decision.
15. My attention has been drawn to the presumption in favour of sustainable development set out in the Framework. However, the evidence before me does not indicate that the development plan policies which are most important for determining the application are out-of-date. Accordingly, the approach set out in paragraph 11d) of the Framework does not apply in this instance and I have therefore determined the appeal proposal in accordance with the development plan and material considerations.

Planning Balance

16. It has been put to me that the appeal site provides good accessibility and connectivity to the walking, cycling and public transport network, would have a safe and convenient access and provides easy access to local services. Chacewater Parish Council support the development and consider that it complies with the CPNDP by in particular making good use of a brown field site and an unused industrial building. It is said that the proposed development should also be assessed in the context of a number of other provisions in the Framework and various development plan policies not covered above, including CPNDP Policies BIO1 and HE4, and CLP Policies 13, 16, 21, 26 and 27. Be that as it may, and although the Council has not alleged a conflict with these policies, I have found that the proposed development would harm the character and appearance of the surrounding area and the WHS and would conflict with

CLP Policies 1, 2, 7, 12, 23 and 24 and CPNDP Policies HE1, HE2, LGOS1, LGOS5 and QD1. Taking all of this into account, I find that the appeal proposal would be contrary to the development plan as a whole.

17. There would be some benefits associated with the proposed development. This includes the creation of a new dwelling which would be deliverable now. It would therefore contribute towards local housing supply, in-line with paragraph 60 of the Framework, for which there is an on-going requirement for windfall housing in the district with no ceiling on numbers. It would bring the redundant water store, on a brownfield site, back into use. There would be some short-term construction employment associated with the conversion works. Future occupiers would also support local services and facilities. However, given the scale of the development, the benefits would be relatively limited. In addition, the provision of one additional dwelling would only have a limited effect on the supply of housing in the area, and the submitted evidence indicates that, although there is no maximum or ceiling on the supply of housing, the development is not needed to ensure a sufficient supply in the district.
18. Consequently, I find that the above matters neither outweigh the harm I have identified, the great weight given to the conservation of designated heritage assets, nor the conflict with the development plan. In addition, given the development would harm the character and appearance of the surrounding area and the WHS, which in turn conflict with the social and environmental objectives set out in the Framework, the proposal cannot reasonably be described as sustainable development or making effective/best use of land.

Conclusion

19. For the above reasons, the appeal is dismissed.

T Gethin

INSPECTOR