



Appeal Decision

Site visit made on 20 April 2022

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 April 2022

Appeal Ref: APP/D0840/W/21/3285814

The Barn, Penpol Farm, Penpol, Crantock TR8 5RL

- 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 Mr G Robinson against the decision of Cornwall Council.
 - The application Ref PA21/01420, dated 11 February 2021, was refused by notice dated 29 April 2021.
 - The development proposed is the demolition of barn and erection of dwelling (replacing barn conversion under Part Q decision PA20/10482).
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of barn and erection of dwelling (replacing barn conversion under Part Q decision PA20/10482) at The Barn, Penpol Farm, Penpol, Crantock TR8 5RL in accordance with the terms of the application, Ref PA21/01420, dated 11 February 2021, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Site Location Plan 1236_ASP_01 Rev 2
 - Proposed Site Plan 1241_ASL_003 Rev 2
 - Proposed Ground Floor Plan APL 100 Rev 1
 - Proposed First Floor Plan APL 101 Rev 1
 - Proposed Roof Plan APL 102 Rev 1
 - Proposed North & South elevations APL 103 Rev 1
 - Proposed East & West elevations APL 104 Rev 1
 - Site Sections 1 & 2 APL 105 Rev 1

Preliminary Matters

2. The appeal site includes a reasonable sized agricultural barn and surrounding land which is located at the edge of a group of buildings, including dwellings. Approval has been granted under permitted development rights for the barn to be converted to a dwelling. This was agreed under reference PA20/10482.
3. Subsequently, an application (PA21/01420) was submitted which sought to demolish the barn and erect a new dwelling. This was refused by the Council on 29 April 2021 and is now the subject of this appeal.
4. A further planning application was submitted under reference PA21/09035. This was an alternative proposal for the demolition of the barn and the erection of a new dwelling. This was granted planning permission on 10 February 2022. The

main difference between this approved scheme and the refused proposal is that the approved scheme does not include a garage attached to the east elevation of the building.

5. The Council has considered its case in this appeal since the approval of the new dwelling permitted in February 2022. It has concluded that given the similarities between the two schemes it now does not wish to defend the appeal.

Main Issue

6. The main issue is, having regard to the background and that the Council do not wish to defend the appeal, whether or not there is any other reason why the scheme would not be acceptable.

Reasons

7. Crantock Parish Council has objected at the application and appeal stage to the proposal because, in summary, it considers that the scale and size of the development would be out of keeping with the surrounding area and it would alter the character of the countryside within this Area of Great Landscape Value, contrary to development plan policies. The appeal comments from the Parish Council were received by the Inspectorate about the same time as the Local Planning Authority granted permission for the new dwelling (PA21/09035).
8. The recent planning permission for the new dwelling, following demolition of the barn, would be a viable fallback option for the site were this appeal to be dismissed. The size, design and external materials of the approved dwelling and its impact on the surrounding area would be reasonably similar to the appeal proposal. Permitted development rights have not been removed from this approved dwelling and therefore once completed and occupied a further addition, potentially similar to the garage area, could be added in some form to the building in any case.
9. I have taken into account the objections of the Parish Council, however, as a new dwelling could be built which would be reasonably similar to the appeal scheme, there would be, by comparison, no materially greater effect on the area from the appeal proposal. I therefore find that no harm would result from the appeal scheme as an alternative proposal to what could already be built.
10. In the light of the above analysis, I conclude that I have found no planning reason as to why the appeal scheme should not be considered acceptable. In particular, the appeal development would not have a materially greater effect on the character and appearance of the area, including to the Area of Great Landscape Value, in comparison to the approved scheme which forms a viable fallback option. In these circumstances, the development would not conflict with Policies 1, 2, 7, 12, 21 and 23 of the Cornwall Local Plan Strategic Policies 2010 - 2030 (November 2016) and Policies H1 and PV1 of the Crantock Neighbourhood Plan which provide, amongst other things, the policy criteria to assess proposals for new homes in the countryside.

Conditions

11. I have had regard to the two conditions suggested by the Council and the advice in the Planning Practice Guidance. The statutory time limit is required

and a condition specifying the approved plans, which include details of the external materials, is necessary in the interests of certainty. I have listed only those plans which form part of the present scheme. I am satisfied that no other conditions are necessary.

Conclusion

12. The scheme would accord with the policies of the development plan when considered as a whole. There are no material considerations that indicate a decision should be made otherwise. I therefore conclude that the appeal should be allowed.

David Wyborn

INSPECTOR