



Appeal Decision

Site visit made on 6 June 2023

by **S Harrington MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 June 2023

Appeal Ref: APP/D0840/W/22/3310809

Helnoweth Farm, Access to Helnoweth Farm, Cornwall TR20 8YP

- 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 D Pellow against the decision of Cornwall Council.
 - The application Ref PA22/02223, dated 2 March 2022, was refused by notice dated 11 August 2022.
 - The development proposed is conversion of redundant stables.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs has been made by Ms D Pellow against Cornwall Council. This application is the subject of a separate decision.

Main Issue

3. The main issue is whether the appeal site is a suitable location for the proposed development having regard to development plan policy and the character and appearance of the area.

Reasons

4. The appeal site is located outside of the village of Gulval. Therefore, for the purposes of the Cornwall Local Plan Strategic Policies 2010-2030 (LP), it is within the open countryside. There is agreement between the main parties that the appeal site is in an accessible walking distance to services and facilities within the village and from my observations I see no reason to take a differing view.
5. In such a location, LP Policy 7 only permits new homes where there are special circumstances. One of the specified circumstances is 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*". It is not disputed by the Council that the building meets the qualifying requirements of the Policy relating to its lawfulness and age.
6. The appellant has cited other appeal decisions which the appellant suggests supports the view that LP Policy 7 is 'out of date'. The full details of the other cases are not before me and this limits the equivalence of the other cases to the current proposal. However, I note the Inspectors within the other appeals do not go so far as to state that any development plan policies are out of date, and moreover I find that LP Policy 7 is broadly consistent with the provisions of

the National Planning Policy Framework (Framework), which has similar overall aims.

7. The building is not a historic building nor is it of architectural merit but is a modest structure of simple utilitarian appearance. Such buildings are typical of equestrian type facilities seen in the countryside.
8. At the time of my site visit, which I accept is only a snapshot in time, the building was empty, with no evidence of a recent use. While I note the Council and third parties' comments regarding a recent agricultural use, based on the substantive evidence before me I am satisfied that the building is disused.
9. Paragraph 2.33 of the Local Plan explains 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 substantial demolition or substantial rebuilding operations*". The application was accompanied by a Structural Appraisal (SA) which concludes that following a visual inspection the structure appears fit for the purpose for which it was constructed.
10. The SA therefore falls short of demonstrating that the building has the structural soundness and ability for a residential conversion without substantial demolition or rebuilding operations. However, a further Structural Report (SR) has been provided within the appeal documentation which has been prepared by a suitably qualified professional.
11. The SR concludes that the building is in good condition, has been well constructed to a good standard and should be suitable for conversion without any significant structural upgrading or building required. Although I note the Council's concerns in relation to the SA and SR, there is no substantive evidence put forward to cast doubt on these conclusions.
12. The submitted drawings show a building that, notwithstanding areas of additional floorspace accommodated under the existing roof canopy, would not be fundamentally altered. The evidence therefore leads me to conclude that the building is appropriate for retention and conversion, and this could be achieved without significant rebuilding.
13. Despite the proximity to Gulval, the appeal site is within a rural setting that contributes to the pastoral character of the surrounding area, and while not within the Cornwall Area of Natural Beauty (AONB), provides an important part of the landscape setting of the AONB. Both LP Policy 7 and the Framework require that, where a building is to be reused as a dwelling, the development should lead to an enhancement to the immediate setting.
14. The appeal site, which includes an access drive, area of hardstanding and stable building is already demarcated from the adjacent field by fencing and an earth bund. Therefore, the proposal would not result in a subdivision of an open field as cited by the Council.
15. Furthermore, I accept that the site benefits from screening due to surrounding hedges, mature planting and highway levels, and so the building and the land around it cannot be said to be prominent from any public viewpoints. However, I observed that glimpse views are available of the site from surrounding public viewpoints, particularly when viewed from a northerly direction and the benefits of screening, notably around the highway access, would likely

decrease in the winter months due to leaf fall. Notwithstanding, the appeal site currently does not attract attention and is appropriate to its rural setting. The lack of prominent views would go some way to minimising any visual impacts from the proposal but does not in itself, lead to an enhancement to the setting of the building.

16. While retaining the utilitarian form of a stable building, the proposal, due to introduction of glazing and roof lights, would result in a more domestic appearance which would be noticeable when viewed within the rural landscape setting. Furthermore, the residential use of the appeal site would result in a significant domestication of the site due to the introduction of domestic paraphernalia within the associated garden area. Such domestication would harmfully erode the rural setting of the appeal site. No proposals have been put forward which would amount to an enhancement to the immediate setting that could be balanced against this harm.
17. LP Policy 21 encourages the best use of land and in particular 'sustainably located' proposals that use previously developed land and buildings provided that they are not of high environmental or historic value. The term 'sustainably located' is not directly defined by the supporting text, but it does clarify that the suitability of the site in terms of both accessibility and location should be considered. It also highlights that the importance of the countryside includes, amongst other things, its landscape value. This can be considered in terms of location of the site. Therefore, notwithstanding the accessibility to services and facilities I have previously highlighted, due to the identified harm to the landscape the proposal would not be 'sustainably located' under the terms of LP Policy 21.
18. For these reasons, I therefore conclude that the appeal site is not a suitable location for the proposed development. The development would result in harm to the rural character of the area, and it would not lead to an enhancement to the immediate setting. The development would therefore conflict with LP Policies 1, 2, 3, 7, 12 and 23 which seek, amongst other things, that development respects the surrounding area and enhances the quality of place and conserves and enhances the landscape character. The proposal would also be contrary with the provisions of the Framework in relation to conserving and enhancing the natural environment.

Other Matters & Planning Balance

19. The appellant has referred to a similar development having been granted permission by the Council. Whilst plans and the decision notice have been provided to me, I have limited details as to the circumstances or considerations of that application including any copies of delegated or Committee reports. I am therefore unable to draw accurate comparisons and moreover, I have considered this appeal proposal on its own merits, and concluded that it would cause harm for the reasons set out above.
20. I acknowledge the findings of Securing Homes for All: A Plan to respond to Cornwall's Housing Crisis, the aims of the Housing Strategy 2030 for Cornwall and guidance provided within the Chief Planning Officer Guidance Note – 'Providing Homes'. In this context, the proposed development would clearly provide benefits in terms of the contribution of a single dwelling towards housing supply. The proposed development would also provide some employment opportunities during the conversion phase and future occupiers

would provide further economic and social benefits in terms of future spend within local businesses and use of local services and facilities.

21. Notwithstanding, and acknowledging the housing need in the area, the benefits of the proposed scheme would be limited given the scope and scale of the development. Such matters therefore neither individually nor in combination outweigh the identified harm and the associated development plan conflict described above.

Conclusion

22. For the reasons given above, I find that the proposal would conflict with the development plan, read as a whole. No material considerations, individually or cumulatively, indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal is dismissed.

S Harrington

INSPECTOR