



Appeal Decision

Site visit made on 22 August 2023

by T Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 September 2023

Appeal Ref: APP/D0840/W/23/3315196

Halbolize Farm, Wheal Vor, Breage, Cornwall TR13 9NW

- 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 Mrs D Carey against the decision of Cornwall Council.
 - The application Ref PA22/04414, dated 5 May 2022, was refused by notice dated 2 August 2022.
 - The development proposed is conversion and extension of existing redundant barn to single storey dwelling and associated works.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would be in an appropriate location, having particular regard to the character and appearance of the surrounding area and development plan policies relating to housing in the countryside.

Reasons

3. The appeal site forms part of a field set within the open countryside and contains a concrete slab and a small rundown building next to a well-vegetated hedge. Given their size and appearance, the slab and former barn building are not particularly noticeable – even from the adjacent lane – and reflect their agricultural setting. With properties in the locality generally being loosely scattered and separated by fields, the surrounding area has an open character and rural appearance. Despite the site's current unkept appearance and the building's dilapidation, the site positively contributes to this and provides open space between surrounding properties.
4. The available evidence indicates that the concrete slab previously hosted a structure of some sort, and it has been put to me that the development would reinstate it on the same footprint, along with re-using the existing redundant building. Be that as it may, the former structure is no longer in situ with only the slab remaining. As such, and without substantive evidence to indicate that the former structure could for example be rebuilt irrespective of the outcome of the appeal, the development proposed must be considered in this context. My assessment of the scheme is therefore based on this and the description of development which includes, appropriately, reference to extension of the barn.
5. With rebuilding operations clearly required in the case of the former structure, the appeal proposal would comprise works – involving a significant extension to the existing building – which would be well beyond what could reasonably be

described as conversion and re-use of the existing building. As such, the appeal proposal does not meet the exception in part three of Policy 7 of the Cornwall Local Plan Strategic Policies 2010 - 2030 (CLP). Whether the existing building is suitably constructed and appropriate to retain are therefore not matters that require further consideration. In any event, my findings below regarding the effect on the character and appearance of the area also indicate that the appeal proposal would not enhance its immediate setting.

6. Although a relatively small single-storey dwelling would be created on the same footprint as the existing building and concrete slab, the appeal proposal would result in a significantly larger and more notable building than currently exists. Its residential appearance, along with the associated domestic garden, parking and turning areas would also be visible in the locality, including for example through the site access and from the lane which, I observed on my site visit, runs along two sides of the site. Consequently, the proposed development, creating an isolated dwelling in the countryside, would read as a suburbanising feature and erode the area's sense of openness and rural nature. The tidying up of the site that would occur, the use of suitable materials and simple fenestration, and the historical presence of any previous structures and retention of the remaining building's form, scale and footprint do not lead me to a different conclusion.
7. For the above reasons, I conclude that the proposed development would not be in an appropriate location, having particular regard to the character and appearance of the surrounding area and development plan policies relating to housing in the countryside. I therefore find that it conflicts with CLP Policies 7, 12 and 23. Amongst other aspects, these set out the Council's approach to housing in the countryside and require development to maintain Cornwall's character and sustain local distinctiveness. The proposal would also be inconsistent with the provisions in the National Planning Policy Framework (Framework) in relation to rural housing and achieving well-designed places.
8. The Council also alleges a conflict with CLP Policy 1 with regards to this matter. However, my attention has not been drawn to any words in it that are relevant to this issue. The policy has therefore not been determinative in my decision.

Other matters

9. The appeal site is within the zone of influence of the Fal and Helford Special Area Conservation (SAC). In combination with other plans and projects, the addition of residential units within this area would be likely to have a significant effect on the internationally important interest features of the SAC due to increased recreational disturbance. Appropriate mitigation needs to be secured for such development in accordance with CLP Policy 22. However, as I am dismissing the appeal for other reasons, I am not pursuing this matter further because it would not lead me to a different decision.
10. Although not directly covered in the reason for refusal, the Council's appeal statement suggests that future occupiers of the proposed development would rely on the private vehicle. It is thus alleged that there would also be some limited conflict with policies in the Climate Emergency Development Plan Document with respect to reducing the need to travel. On the basis of the available evidence, including the appeal site's distance from settlements with services and facilities that provide day-to-day necessities, it seems to me that the proposal would not be readily accessible by a range of transport modes.

However, I have not considered the alleged additional policy conflicts any further because doing so would not lead me to a different overall decision.

Planning Balance

11. I have found that the proposed development would not be in an appropriate location, having particular regard to the character and appearance of the surrounding area and development plan policies relating to housing in the countryside. On the basis of the evidence before me and the conflict I have identified with various CLP policies, this leads me to conclude that the proposed development conflicts with the development plan as a whole.
12. The appeal proposal would provide an additional windfall dwelling with sufficient parking and garden provision and which would have a neutral effect on the World Heritage Site. New housing is needed but is currently in limited availability in the district. The proposal would therefore support the objectives of the Council's plan (Securing Homes for All) to address Cornwall's Housing Crisis. Construction of the proposed dwelling would also generate some construction-related employment whilst future occupiers' use of local services and facilities would support the local economy. The installation of a bat box and provision of a wildlife beneficial landscaping scheme, as recommended by the appellant's Ecological Impact Assessment, would provide some environmental enhancement. However, given the scale of the development, the benefits would be relatively limited. The limited options to access the site except by private vehicle also weigh against the proposal. Consequently, I find that the above matters outweigh neither the harm I have identified nor the conflict with the development plan. That conflict also means that the appeal proposal cannot reasonably be described as sustainable development.

Conclusion

13. The appeal proposal conflicts with the development plan read as a whole and there are no material considerations which carry sufficient weight to warrant a decision otherwise than in accordance with it. The appeal is therefore dismissed.

T Gethin

INSPECTOR