



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: 26 September 2023

Appeal Ref: APP/D0840/W/23/3317859

Former Uncommissioned Radio Station, Pednavounder, Coverack, Cornwall, TR12 6SE

- 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 & Mrs P Andrew against the decision of Cornwall Council.
 - The application Ref PA22/08490, dated 16 September 2022, was refused by notice dated 22 November 2022.
 - The development proposed is Conversion of agricultural building to form holiday let.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the appeal site is within an area of outstanding natural beauty (AONB), I have had regard to the purpose of conserving and enhancing the natural beauty of the area as set out in section 85 of the Countryside and Rights of Way Act 2000 (as amended). The development plan and the National Planning Policy Framework (Framework) also seek to protect such designated landscapes, recognise the intrinsic character and beauty of the countryside, and attach great weight to conserving and enhancing the landscape character and scenic beauty of AONBs, which have the highest status of protection in relation to these issues.
3. After the decision notice was issued but before the appeal was submitted, the Council adopted its Climate Emergency Development Plan Document (DPD). For the purposes of decision making, the DPD therefore now forms part the development plan. The Council's appeal statement alleges additional conflict with specific DPD policies and the appellant had the opportunity to respond to this at final comments stage. I have determined the appeal on this basis.
4. Amongst other policies, the Council alleges a conflict with Policy 1 of the Cornwall Local Plan Strategic Policies 2010 - 2030 (CLP). However, as my attention has not been drawn to any words in it that are relevant to the below main issues, it has not been determinative in my decision.

Main Issues

5. The main issues are:
 - the effect of the proposed development on the character and appearance of the surrounding area, including the Cornwall AONB; and
 - whether the proposed development would be in an appropriate location with regards to accessibility.

Reasons

Character and appearance

6. The appeal site includes part of an open field and contains a building which was originally built as a military radio/radar station. Although it is said to now be redundant and disused, I observed on my site visit that it is in agricultural use. With limited screening from the highway, the site and building are very visible in the locality, with for example unobstructed views of the building's western and southern elevations available along the highway. Although unusual and evidently a military rather than an original agricultural structure, the building's simple, functional appearance means it is a relatively unobtrusive feature in the locality. While it therefore reads as a neutral element in the pastoral landscape, the site, forming as it does part of a larger field, positively contributes to the agricultural context with its relatively open, undeveloped character and rural appearance. Reflecting its countryside situation, built form in the surrounding area is generally scattered and sporadic. Existing development in the locality, including the various nearby properties, converted brewery building and caravan park, is also generally well screened by trees and hedges.
7. Rather than being a transition area between Coverack and outlying tourism/residential uses, as has been put to me, the area therefore reads as open countryside with low-density scattered development dominated by fields and trees in a rural, agricultural landscape. This reflects the site's situation in the Lizard sub area of the AONB's South Coast Western section, which amongst other aspects includes pastoral farmland within an open undulating plateau landscape. The references in the 2008 Landscape Character Assessment to the various non-agricultural features in the surrounding area do not change this.
8. The appeal proposal would introduce a residential use in an agricultural setting and, given its separation from settlements, result in the development of an isolated home (albeit for holiday lets) in the countryside. Although existing openings would be used, additional openings would be created, including (albeit recessed) on the building's front elevation. While the external amenity area would be positioned to the rear and thus out of sight in public views, I observed on my site visit that the southern edge of the proposed terrace would also likely be visible from the highway. The same goes for several other elements, including the altered front entrance, parking area and driveway.
9. The proposed change to residential use would therefore be conspicuous and, with its open position – on its own, roughly in the middle of the field – and lack of screening from the highway, would draw the eye in public views both during the day and at night. Consequently, the appeal proposal would read as an incongruous encroachment of residential development into the rural landscape and have a suburbanising effect on the character and appearance of the building and locality. As such, it would fail to preserve the landscape and scenic beauty of the AONB.
10. In coming to this view, I have taken into account that the low-impact low-intervention design approach seeks to reflect the building's historic purpose and would maintain its functional form; the building could be painted in a transparent finish and its elevations to the rear and one side are not visible in public views; the site's access would remain as existing; and that a suitable enclosure (including for example a simple wire fence) and external lighting could be secured by conditions. That most residential paraphernalia would

likely be situated at the rear (with the redline boundary providing limited space to the front) and the main use concentrated in the busy peak summer months (when the area is flush with tourism activity) do also not lead me to a different conclusion. Neither does the presence of other residential and non-agricultural uses in the surrounding area.

11. It has been put to me that the existing building would deteriorate and collapse without intervention. However, although clearly built some time ago, I have little substantive evidence before me that indicates the building has any major structural problems or is at risk of collapse. While it would benefit from some repair and renovation work, I also did not observe any obvious structural problems on my site visit. Accordingly, and given my findings above, while the building is historic and would be appropriate to retain (particularly given it is a non-designated heritage asset), its reuse cannot be reasonably described as enhancing its immediate setting.
12. For the above reasons, I conclude that the proposed development would harm the character and appearance of the surrounding area, including the Cornwall AONB. I therefore find that it conflicts with Policies 2, 7, 12 and 23 of the Cornwall Local Plan Strategic Policies 2010 - 2030 (CLP). Amongst other aspects, these require development to respect and enhance quality of place, maintain natural character, and conserve and enhance the landscape character and natural beauty of the AONB. The proposal would also be inconsistent with the provisions in the Framework in relation to rural housing, supporting a prosperous rural economy, achieving well-designed places and conserving and enhancing the natural environment. In addition, it would not accord with policies PD-P1, PD-P8, PD-P11 and PD-P18 of the Cornwall AONB Management Plan 2022 - 2027. Amongst other things, these require development to conserve and enhance the AONB's natural beauty and maintain local distinctiveness, and support tourism development that conserves and enhances local landscape characteristics and the conversion of (historic) buildings that do not introduce uncharacteristic domestication of the setting.

Accessibility

13. The nearest settlement to the site which includes various services and facilities is Coverack. However, walking or cycling there or to the nearest bus stop would involve negotiating some narrow sections of highway with neither lighting nor separation from vehicular traffic for much of the way. While the route to Coverack could be shortened by using the public right of way that runs from Trewillis Farm, this would involve an unmade footpath and still require traversing stretches of unlit highway. I also observed on my visit that the highway between the site and Trewillis Farm includes several corners with limited visibility and some ditches next to narrow verges. Furthermore, although the site is not that far from Coverack (via either route) and the route is level for much of the way, a return trip would involve a relatively steep ascent upon leaving Coverack and a reasonably lengthy journey.
14. As such, walking and cycling would not be particularly viable or easy, especially during darkness and, given the distance, when carrying shopping. With the nearest bus stop also being just over 1 km from the site, future occupiers would thus likely be highly reliant on the private vehicle, with the potential exception of some recreational walking/cycling should local highway conditions not put off future occupiers before they reach the area's more scenic footpaths.

15. I accept that this may be the case for rural areas in general. Amongst other aspects, the Framework also recognises that opportunities to maximise sustainable transport solutions will vary from urban to rural areas and sets out that sites to meet local needs in rural areas may have to be found in locations that are not well served by public transport. It is also not a prerequisite that tourism proposals be located adjacent to settlements, services and facilities. However, in this instance, the limited alternative transport options available and the distance to settlements with services and facilities mean that future occupiers of the development would be likely to be highly reliant on one mode of transport – the private vehicle – to serve their daily needs.
16. On this basis, the appeal proposal would not be accessible by a range of transport modes. Accordingly, despite its limited scale not being inappropriate in relation to its location, it can neither be reasonably described as being of an appropriate scale to its accessibility by a range of transport modes nor, in the words of CLP Policy 21, sustainably located. The appeal decision for four OmniPods at Balwest does not lead me to a different conclusion given, amongst other aspects, the different context.
17. For the above reasons, I conclude that the proposed development would not be in an appropriate location with regards to accessibility. I therefore find that does not accord with CLP Policies 5 and 21 and DPD Policies C1 and T1. Amongst other aspects, these set out that encouragement will be given to sustainably located proposals and that development of tourism facilities will be supported where they would be of an appropriate scale to their accessibility by a range of transport modes; and require development to be designed and located in order to minimise the need to travel and support a modal hierarchy, and to maximise the ability to make trips by public transport, sustainable and active modes of transport. The proposal would also be inconsistent with the provisions in the Framework in relation to supporting a prosperous rural economy and promoting sustainable development.

Other matters

18. The appeal site is within the zone of influence of the Fal and Helford Special Area of 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 SAC's internationally important interest features due to increased recreational disturbance. Appropriate mitigation needs to be secured for such development in accordance with CLP Policy 22 and the appellant has produced a section 111 undertaking and made the relevant mitigation payment. 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.

Planning Balance

19. I have found that the proposed development would harm the character and appearance of the surrounding area, including the Cornwall AONB, and would not be in an appropriate location with regards to accessibility. On the basis of the evidence before me and that I have found that the proposal would not accord with various CLP and DPD policies, this leads me to conclude that the proposed development conflicts with the development plan as a whole.
20. The main parties agree that the building on the site, a Mark 1 Type 80 Master Radar Station associated with RAF Treleaver, is a non-designated heritage

asset. The Council has not alleged that the proposal would harm the asset's significance, which stems from, amongst other aspects, its use during the Second World War and Cold War and its architecturally functional appearance representative of 20th century military buildings. Based on the evidence before me and my site visit observations, I have no reason to disagree with this. However, it has been put to me that without a viable adaptive re-use, the asset – which has been predominantly retained in its original form but has experienced a slow decay since its military use ceased – will ultimately be lost.

21. Although its design and appearance is modest, the building is a notable feature in the locality and forms part of the local built and landscape context. Even if there are more complete examples elsewhere, the building (which is one of only five such structures constructed in England, some of which are listed) is an important historical feature and, as a non-designated heritage asset, is clearly worthy of retention. Relevant to this is CLP Policy 24 which, amongst other aspects, gives great weight to the conservation of Cornwall's heritage assets, seeks to protect non-designated assets and sets out that proposals that help secure a sustainable future for Cornwall's heritage assets will be supported. This broadly reflects the approach in the Framework and guidance in the National Planning Practice Guidance.
22. The proposal is said to offer the only feasible opportunity to conserve and fully record the asset. Whilst the appeal scheme would do this and is thus supported by CLP Policy 24 in general, I have little substantive evidence which indicates that the proposed development is the minimum necessary to achieve the building's retention and that there are no other means by which its conservation (and recording) might be achieved. It also seems to me that the building is neither at risk of collapse any time soon nor that significant works would be required to maintain it and avoid any further deterioration. In addition, whilst the loss of the building, if it were to occur, would result in the loss of a non-designated heritage asset, I am mindful that great weight should be given to conserving and enhancing the landscape character and scenic beauty of AONBs and that only designated heritage assets – which the building is not – are afforded the same level of weight by the Framework. I also have a statutory duty to have regard to the purpose of conserving and enhancing the natural beauty of the AONB.
23. Accordingly, in this instance and having regard to Framework paragraph 208, I find that the scheme's benefits in terms of the long-term preservation and recording of the non-designated heritage asset do not outweigh the disbenefits of allowing a proposal that conflicts with the development plan. Given the harm I have identified in relation to the main issues, including to the AONB, the development also cannot reasonably be described as representing, in the words of Framework paragraph 80, the optimal viable use of the heritage asset or appropriate enabling development. That the Council is said to be due to grant planning permission for residential conversion of the former Skewjack ammunitions hut/armoury does not lead me to a different conclusion, particularly given the available evidence indicates that the Skewjack scheme is not within the AONB.
24. The appeal site forms part of the appellant's agricultural holding, which they have owned for many years, provides for a suckler beef herd, and employs two employees on a full- and part-time basis. It has been put to me that the farm is currently not making money and is sustained by existing holiday

accommodation on the enterprise, with visitors enjoying the farm's activities. The proposal, funded without compromising the holding's viability, would provide further income which it is said would support the vitality and viability of the farming enterprise, sustain existing employees and create further jobs. This would support diversification of the farm and its long-term future.

25. These are clear benefits of the scheme, and the support the proposal would provide to the farm could also be considered as providing for a local need. Furthermore, the CLP, Framework and AONB Management Plan support diversification of agricultural and other land-based rural businesses. Nevertheless, such support is not unqualified. For example, part 1c of CLP Policy 5 supports development that, amongst other aspects, relates to farm diversification. However, although the proposed development may result in some new employment opportunities such as cleaning and maintenance work, it seems to me that the creation of a tourism let does not equate to the provision of new employment land and uses, which is the focus of that part of the policy. Other supportive policies and provisions require such development to respect the character of the surrounding area and enhance local distinctiveness, which I have not found to be the case with the proposal.
26. Tourism is an important part of Cornwall's economy, with the submitted evidence identifying that it accounts for an estimated 25% of all employment and results in a very substantial overall day trip spend. The proposal would contribute towards this by providing additional tourism accommodation and associated employment. With the surrounding coastline clearly in high demand by tourists, the proposal would also help to serve demand. In addition, there is a generally permissive emphasis for tourism development in the CLP and Framework, as well as the AONB Management Plan. However, such support is subject to certain qualifications, and the above benefits would be relatively limited given the scale of the development.
27. Accordingly, even with the scheme securing the non-designated heritage asset's preservation and supporting farm diversification and the local economy, I find that the benefits of the proposal outweigh neither the harm I have identified nor the conflict with the development plan. Despite the scheme's economic and social benefits, its harm to the character and appearance of the area and AONB and the site's poor accessibility means that the proposal would also not provide a well-balanced mix of economic, social and environmental benefits, as required by CLP Policy 5.

Conclusion

28. The 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