



Appeal Decision

Site visit made on 22 August 2023

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 October 2023

Appeal Ref: APP/D0840/W/23/3315734

The Stables, North Hill, Launceston, Cornwall, PL15 7PQ

- 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 and Mrs S Horsley against the decision of Cornwall Council.
 - The application Ref PA22/03147, dated 29 March 2022, was refused by notice dated 8 August 2022.
 - The development proposed is a proposed conversion of redundant stables for use as a one bedroom residential dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. 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

3. The appeal site is located in a very rural area, some distance from the nearest village or hamlet. Therefore, despite the presence of one existing dwelling nearby, it forms part of the open countryside. Policy 7 of the Cornwall Local Plan Strategic Policies 2010 – 2030 (LP) only allows the development of new homes in such locations where special circumstances apply, including 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'* (criterion three).
4. The appellant has stated that the existing stable building is no longer in use and is therefore redundant. While the Council has provided photographic evidence to show that the stables were being used to house sheep at the time of the officer's visit, that was some time ago. While acknowledging that it is only a snapshot in time, I did observe on my site visit that the building appeared to be empty and redundant. I therefore have no substantive evidence before me that leads me to disagree with the appellant's position.
5. The supporting text to LP Policy 7 sets out 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'* (paragraph 2.33), and that *'buildings should have been erected and used for the purpose for which they had a lawful use for at least ten years before they will be considered for conversion'* (paragraph 2.36). The appellant has provided

a Structural Report, dated January 2023. The report concludes that the stable block is in good condition and is suitable for conversion to a domestic dwelling without significant structural work. From what I saw when visiting the site, I have no reason to disagree with that assessment. Furthermore, the Council acknowledges that the latest the stable block could have been constructed is October 2013 which is now ten years ago.

6. However, despite the fact that the existing hedgerows shield views into the site from certain angles, the stable block is still clearly visible from the public highway via the existing access. While the external appearance of the building may not be significantly altered as a result of the proposed development, it is inevitable that the building would be perceived as a residential dwelling rather than an agricultural or equestrian related building. Indeed, domestic paraphernalia would likely be visible around the dwelling, including the site access. Given the very rural nature of the surroundings, a residential dwelling in this location would appear highly incongruous and out of place within its immediate setting. Furthermore, during the hours of darkness, domestic lighting would make the proposed dwelling even more apparent. Therefore, rather than enhancing the setting as required by LP Policy 7, the proposal would clearly lead to harm by eroding the existing rural character. The imposition of conditions could not overcome this harm. The appellant contends that LP Policy 7 should be considered to be 'out of date'. However, paragraph 80 of the National Planning Policy Framework (the Framework) also requires such proposals to enhance their immediate setting. I have set out why that would not be the case in this instance.
7. Policy H3 of the North Hill Neighbourhood Development Plan 2010 – 2030 sets out that, where conversions of existing buildings take place, they should be of a sympathetic design that is in keeping with the surrounding area. That requirement is in general conformity with the LP, and there is no conflict with LP Policy 7 which identifies the circumstances in which such schemes would be appropriate.
8. The appellant has provided details of previous appeal decisions. While I do not have the full details of those schemes before me, it appears that those sites had a much closer relationship with a cluster of existing buildings than is the case with this appeal. Furthermore, it was concluded that those developments would enhance their immediate settings. Those cases are therefore not directly comparable to the appeal proposal. The appellant has also provided an extract from the Council's Chief Planning Officer's Advice Note: Barn Conversions/Replacement Dwellings in the Countryside (February 2023). While this advice note carries limited weight, it adds further guidance to the LP rather than contradicting it. It therefore does not lead me to reach a different decision.
9. As a result, I conclude that the appeal site is not in a suitable location for the proposed development. It therefore conflicts with LP Policies 1, 2, 7 and 23, the relevant aspects of which require new development, including the conversion of existing buildings to residential use, to be located in sustainable locations and to preserve and enhance their immediate setting. It also conflicts with the relevant aspects of the Framework which has similar aims.

Other Matters

10. The proposed development would provide benefits in terms of the contribution of a single dwelling towards housing supply, along with the associated economic benefits that would provide. However, while acknowledging the significant housing need that exists in the area, the benefits of the proposed scheme would be limited given its scale. As such, this issue does not outweigh the harm that I have identified.
11. The fact that existing permitted development rights allow the conversion of agricultural buildings to residential use is not relevant to this appeal and has no bearing on my decision.

Conclusion

12. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict. The appeal is therefore dismissed.

C Butcher

INSPECTOR