



Appeal Decision

Site visit made on 5 December 2023

by K Jones BA (Hons) DipLA CMLI

an Inspector appointed by the Secretary of State

Decision date: 26 January 2024

Appeal Ref: APP/D0840/W/23/3323906

**Treravel Farm, Access to Treravel Farm, St Ervan, Wadebridge, Cornwall
PL27 7RS**

- 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 Peter and Margaret Biddick against the decision of Cornwall Council.
 - The application Ref PA22/08352, dated 12 September 2022, was refused by notice dated 12 December 2022.
 - The development proposed is the Conversion of Agricultural Building from C1 use (Aparthotel: 6 apartments) to C3 (Residential: 2 dwellings).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Prior approval was granted¹ in October 2020 for change of use of the agricultural building to an aparthotel (C1 use). Planning permission was subsequently granted² in May 2021 for the associated operational works required to convert the building. The works have not yet taken place.
3. A new National Planning Policy Framework (the Framework) was published on 19 December 2023, with a further update on 20 December 2023. I have consulted the main parties on this, and am satisfied that the changes made to the Framework are not relevant to the present appeal.

Main Issue

4. The main issues are:
 - Whether the site would be suitable for housing, having regard to the policies of the development plan; and
 - whether material considerations exist that are sufficient to outweigh any conflict with development plan policy in respect of the above issue.

Reasons

5. The appeal relates to a former agricultural building and its immediate surroundings. It lies on the north-western edge of a cluster of former agricultural buildings at Treravel Farm, which have largely been converted to

¹ Appeal reference: APP/D0840/W/20/3254577

² Planning application reference: PA21/03075

- residential use. The complex lies within a shallow valley landform, with surrounding open farmland rising gently to the north-west and south-east.
6. Policies 1 and 2 of the Cornwall Local Plan (the Local Plan) set out Cornwall's spatial strategy, which seeks to provide sustainable development, maintaining the dispersed development pattern and providing housing based on the role and function of each place. Policy 3 of the Local Plan conveys the spatial strategy into a hierarchy for the distribution of growth. The site is not located within or close to any settlements, and does not fall within the hierarchy described by Policy 3. It is therefore in the open countryside for planning policy purposes. Policy 7 of the Local Plan states that the development of new homes in the open countryside will only be permitted where there are given special circumstances. Of these, and of relevance to this appeal, is criterion (3) of the policy which relates to the reuse of buildings.
 7. My attention has been drawn to the Council's Chief Planning Officer's Advice Note: Barn Conversions/Replacement dwellings in the countryside (the advice note), which provides guidance for considering this type of development in the context of Policy 7. The document is clear that it only provides guidance, and does not substitute the policies of the adopted development plan. Nevertheless, I have had regard to it when determining the appeal as it demonstrates the Council's approach to considering the reuse of buildings.
 8. Part of the test of Policy 7(3) is consideration of whether the building to be converted would be suitably constructed and appropriate to retain. In this context, both the advice note and the accompanying text to Policy 7 set out that large portal framed buildings will rarely be appropriate for reuse. However, the advice note highlights that Policy 7 does not prohibit their conversion; instead advising assessment of each case having regard to, amongst other matters, the building's presence, character, and construction.
 9. In relation to the appeal building's construction, I am mindful that at the time of the Class R prior approval, the building was accepted to be in reasonable condition and structurally sound. I see no reason to reach a different conclusion now. Nevertheless, the accompanying text to Policy 7 sets out that the appropriateness of buildings for conversion will depend on the ability to convert them without the necessity of substantial rebuilding operations. The proposed works to facilitate the conversion of the appeal building would be extensive, including new external walls to all four sides and a new roof material.
 10. Although close to a group of residential conversions, the appeal building is prominently sited on the elevated outer edge of the group. Due to its scale and elevation, it has an imposing presence in the complex of buildings, and dominates the end of the access track when viewed from the adjacent lane. Consequently, it does not contribute positively to the character of the complex, which is clustered lower in the valley landscape. Taken together, these matters indicate that the building does not meet the test of being suitably constructed or appropriate to retain for the purposes of conversion.
 11. Policy 7(3) also seeks an enhancement to the immediate setting of buildings to be reused. The appellant advances a number of enhancements associated with the immediate setting of the building, focussed on landscape and biodiversity enhancements. Whilst these are undoubtedly positive actions, the conversion of the building itself would not enhance its immediate setting. The adjacent complex retains an agricultural character with modest conversions of varied

building forms nestled in the landscape. The imposing domestication of the conversion from functional agricultural form to contemporary residential development would be a prominent and incongruous change in this setting.

12. I accept that the building meets other criteria for Policy 7(3). However, this is not a situation in which the conversion of a large portal framed building would be appropriate, and overall the proposal would not meet the special circumstances of Policy 7 which allow for new dwellings in the countryside.
13. Policy 21 of the Local Plan states, amongst other things, that encouragement will be given to sustainably located proposals that use previously developed land and buildings. The accompanying text sets out that such use must consider the suitability of the site in terms of accessibility and location. Whether or not the site falls within the definition of previously developed land, given the isolation of the former agricultural complex some distance from the nearest settlement, I do not find that the proposal would benefit from the encouragement offered by Policy 21.
14. The site would therefore be an unsuitable location for housing having regard to the policies of the development plan, conflicting with the spatial strategy insofar as it is conveyed by Policies 1, 2, 7 and 21 of the Local Plan. It would also conflict with the provisions of the Framework where it seeks to locate housing where it will enhance or maintain the vitality of rural communities, and seeks to avoid isolated homes in the countryside.

Other material considerations

15. Of principal importance in the material considerations put forward by the appellant is the grant of prior approval for C1 use of the building, and the subsequent approval of planning permission for the associated operational works required to convert the building into six apartments. The principle established by these extant consents represents a genuine 'fallback' position. Given the cessation of agricultural operations at the site, I find that there is a greater than theoretical possibility that the building would be converted should this appeal fail, and it is therefore necessary to consider whether this fallback position would outweigh the conflict with the development plan.
16. The appellant has highlighted the improvements to the design of the appeal scheme against that of the fallback. Although there are slightly fewer window openings within the residential units, these remain substantial, including large areas of full-height windows on the south-east elevation. The appeal proposal also introduces large voids on the upper storey of each gable end which extend into the eaves. Although these are not glazed and serve open 'internal courtyards' on the upper floor, the new openings would introduce large areas of domestication and activity into the first-floor elevations, which would not be present on the fallback scheme. I therefore find that the appeal proposal would not represent an improved or more sensitive design than the fallback scheme, nor am I convinced that the changes to the openings would result in a noticeable reduction in light spill.
17. The proposed boundary treatment of a Cornish stone-faced hedgerow in the appeal proposal is noted as a positive feature in both landscape and biodiversity terms. However, in the fallback scheme, the site would need to be made safe and relatively attractive to new occupants in any case. This may include some landscaping, and would certainly result in a positive change from

the current ground conditions to facilitate safe and accessible parking and convenient access to the building entrance. Both schemes would also secure appropriate biodiversity mitigation and enhancement by condition. Therefore, while there would be some benefit to the external treatment of the site from the appeal proposal, this would be limited in extent.

18. In relation to vehicle movements and the sustainability of the development, I accept that the quantum of units would reduce from six to two. However, the number of bedrooms proposed and potential number of people occupying the building would not decrease as dramatically. The floorplans indicate that the number of bedrooms would reduce from eight to seven, and including the use of the illustrative sofa beds in the aparthotel, the number of people accommodated within the building would reduce from 20 to 14.
19. With this in mind, I am conscious that the three- and four-bedroomed dwellings proposed would indicate family accommodation, from which there would be a need to make regular daily journeys for work and school. No such requirement would be present for the fallback C1 use. There is also no certainty that the aparthotel would be fully occupied throughout the year, and it is likely that occupancy would be substantially reduced outside of peak holiday periods.
20. Overall therefore, I find that despite the reduction in units, the permanent residential use of the site would likely have a greater number and regularity of vehicle movements against the fallback position. While it is theoretically possible that the dwellings could be used as holiday accommodation, supporting the rural economy and bringing a reduction in travel demand, that is not the use applied for. I must determine the appeal based on the submitted evidence, and I therefore attribute this possibility limited weight.

Planning Balance and Conclusion

21. The proposal would be contrary to the spatial strategy of the Local Plan. Although the proposal may accord with other policies of the Local Plan, this conflict is sufficient to bring the proposal into conflict with the development plan when read as a whole. While there is a genuine fallback position which has a reasonable prospect of being implemented, any benefits associated with the appeal proposal against the fallback position would be very limited in scope and effect. Accordingly, the fallback position carries limited weight, and is not sufficient to outweigh the conflict with the development plan.
22. For the reasons set out above, I therefore conclude that the proposed development would conflict with the development plan when read as a whole. There are no material considerations, including any fallback position, that have been shown to outweigh that conflict, or indicate that a decision be made otherwise than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

K Jones

INSPECTOR