



Appeal Decision

Site visit made on 5 December 2023

by K Reeves BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 February 2024

Appeal Ref: APP/D0840/W/23/3321904

Barn at Carsize Lane, Leedstown, Hayle TR27 6EN

- 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 E Harris against the decision of Cornwall Council.
 - The application Ref PA22/02772, dated 18 March 2022, was refused by notice dated 14 April 2023.
 - The development proposed is conversion of existing barn to dwelling & associated works.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. A revised National Planning Policy Framework (the Framework) was published on 19 December and updated on 20 December 2023. An opportunity was provided to the main parties to make further written comment over these changes. This decision is based on the current Framework and has taken account of the further representations made on this.

Main Issues

3. The main issues are:
 - whether the appeal site is a suitable location for new residential development having regard to the development plan and access to local services and facilities; and
 - the effect of the proposed development on the character and appearance of the area.

Reasons

Location

4. Paragraph 2.33 of the Cornwall Local Plan Strategic Policies 2010 – 2030 (LP) defines the open countryside as the area outside of the physical boundaries of existing settlements (where they have a clear form and shape). Figure 1 of the Crowan Parish Neighbourhood Development Plan 2018 – 2030 (NP) demonstrates that the appeal site is outside the development boundary of Leedstown.
5. Policy 7(3) of the LP permits 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. Additionally, the building to be converted should have an existing lawful residential or non-residential use and be ten years old or greater.
6. Policy HT3 of the NP also deals with the conversion of non-residential buildings in the countryside to dwellings or live/work units. It seeks to minimise the need for new buildings in the countryside and to enable the reuse of redundant buildings that contribute to the character of the parish.
 7. My attention has been drawn to the Council's Chief Planning Officer's Advice Note on Barn Conversions/Replacement Dwellings in the Countryside (2023). The document is clear that it only provides guidance to help reach a decision. The note does not substitute the policies of the adopted development plan and can only be afforded limited weight. Nevertheless, I have had regard to the guidance when determining the appeal as it demonstrates what the Council typically considers to be acceptable in terms of the conversion of barns in the countryside.
 8. The appeal building is a 20th Century building that is simple in its agricultural appearance and materials. It sits unobtrusively in its rural position within the countryside. I note that the appellants have not demonstrated that the building contributes to the character of the parish, as intended by Policy HT3 of the NP.
 9. In terms of its setting, the immediate context of the building is undeveloped agricultural land that is visually and physically separate from a group of buildings. It does not have an existing domestic character. Moreover, the site runs naturally into the rest of the agricultural field due to the limited demarcation around it. It is therefore part of a significantly larger area of greenfield land that makes a positive contribution to the scenic beauty of the local area.
 10. The proposed conversion would result in a significant urbanising of the site's distinctly rustic setting. The change of use of the undeveloped surroundings of the building to a garden and parking area, together with the potential for domestic paraphernalia that may not be controllable through a planning condition, would further urbanise the site.
 11. The continued disuse of the building may lead to it falling into disrepair and physically deteriorating. However, the site would still retain its rural character and appearance, and this does not represent a suitable reason for facilitating the conversion of the building to a dwelling.
 12. Whilst the building is largely well screened, the proposal would not result in an enhancement of the immediate setting of the building. Whilst the parties agree that the building is disused and has been in situ for more than ten years, the conversion of the building to a dwelling and the formation of a garden would fail to meet all of the criteria of Policy 7(3) of the LP.
 13. Noting the Framework's objective for development to contribute to and enhance the natural and local environment and having regard to the urbanising and detrimental change to the setting of the appeal building, significant harm to the character and appearance of the landscape would also occur. There would therefore be a conflict with Policy HT3 of the NP.
 14. The appellants submit that Policy HT3 of the NP takes precedence over Policy 7 of the LP as it was made more recently than the adoption of the LP. While they

also consider Policy HT3 to be less prescriptive and restrictive than Policy 7, I have found that the proposal conflicts with both policies and there is therefore no reason to consider this particular matter further.

15. I have been referred to Policy 21 of the LP, which encourages sustainably located proposals that use previously developed land and buildings provided that they are not of high environmental or historic value. However, the Framework's definition of *previously developed land* does not include land that is or was last occupied by agricultural or forestry buildings. As such, the proposal does not benefit from support from Policy 21.
16. The appeal site is understood to be between 0.5km and 0.6km from Leedstown. I note the guidance in Manual for Streets (2007) regarding *walkable neighbourhoods*, but the combination of the distance of the site from Leedstown and the lane being unlit and having a rutted surface presents an unattractive option for walking or cycling to that settlement. This aside, Leedstown has limited services and facilities and employment opportunities. There is a bus stop in the village, but I have been provided with minimal details on the frequency of that service to larger settlements. It is likely that residents would need to travel to a broader range of facilities in settlements further away from the site, such as Hayle, Camborne or Helston. As such, it is unlikely the location of the proposal would promote the use of sustainable modes of travel as advocated in the Framework. Instead, it is highly probable that occupants and visitors associated with the proposed development would be reliant upon private motorised transport to get to and from the appeal site.
17. My attention has been drawn to two allowed planning appeals¹ for the conversion of modern agricultural buildings into single dwellings. Those appeal proposals involved buildings that were located on existing farmsteads, not located in a field, and therefore involved different locational contexts. As such, I cannot make a direct comparison between those appeal decisions and the current appeal. Moreover, I am determining this appeal on its own individual merits based on the evidence before me.
18. For these reasons, I conclude that the appeal site is not a suitable location for residential development when having regard to the development plan and the poor access to local services and facilities. Consequently, the development would conflict with Policies 1 and 2 of the LP, which collectively seek, in part, to achieve a sustainable approach to development. It would also conflict with Policies 7 and 21 of the LP and Policy HT3 of the NP for the reasons stated above. Additionally, the development would conflict with the Framework, which promotes sustainable development in rural areas and seeks the identification and pursuing of opportunities to promote walking, cycling and public transport use.
19. I also find conflict with Policies C1 and T1 of the Climate Emergency Development Plan Document (2023), which collectively seek, in part, to facilitate sustainable development, minimise travel and support a hierarchy of travel that prioritises walking, cycling and public transport over private motor vehicles.

¹ Appeal references APP/D0840/W/20/3265193 & APP/D0840/W/19/3237330

Character and appearance

20. The site has a distinctly rural character due to its undeveloped nature and the simple agricultural form and materials of the appeal building. It is physically and visibly detached from the residential properties to the south west. Its position in the corner of a field on the opposite side of the lane from those properties means that it is read more as part of the surrounding countryside than an already domesticated site.
21. The proposal would result in a change to the appearance of the building. The open front would be enclosed and a number of window openings would be created, some of which would be large expanses of glazing. Further, the covered feed passage would also be enclosed. As such, it would not have the appearance of an agricultural building anymore.
22. The building is relatively well screened from public vantage points. However, there is a clear view of the front of the building from the nearby restricted byway. This is a public viewpoint where the domestication of the site will be particularly noticeable. Given that the site has a distinctly rural character and appearance that would be substantially altered by the proposal, the quality of the footpath would be undermined, and the existing undeveloped agricultural aesthetics of the site and its surroundings would be harmed.
23. There are long distance views of the building where the large windows, and potentially the domestic paraphernalia around the building, could be picked up and stand out amongst the bucolic setting of the site. As such, the change of use of the building and physical alterations would also undermine the intrinsic rural and agricultural characteristics of the wider landscape.
24. The site is within the Cornwall and West Devon Mining Landscape World Heritage Site (WHS), which is a heritage asset of highest significance internationally recognised to be of Outstanding Universal Value. The harm identified above is relatively localised in nature and due to its scale, the development of this particular site when viewed in the wider landscape would not undermine the significance of the WHS as a whole. However, this does not alter my above finding that the development would cause harm to the character and appearance of the area.
25. For these reasons, I conclude that the proposed development would cause significant harm to the character and appearance of the area. Consequently, the proposal would also conflict with Policies 2, 12 and 23 of the LP and Policies HT3 and HT4 of the NP, which collectively seek, in part, to sustain local distinctiveness and character and protect and, where possible, enhance Cornwall's natural environment. In respect of the impact on the landscape, the proposal would also conflict with the Framework, insofar as it seeks to recognise the intrinsic character and beauty of the countryside in order for development to contribute to and enhance the natural and local environment.

Other Matters

26. Whilst the proposed development would make a contribution of a single dwelling to the existing housing stock through the reuse of an existing building, and there would be associated social and economic benefits, the limited contribution to housing supply, the repurposing of a building and the associated benefits identified do not outweigh the harm identified in this case.

Conclusion

27. For the reasons given above, the proposed development would conflict with the development plan, when taken as a whole. It also conflicts with the Framework and other material considerations do not indicate that I should take a decision otherwise than in accordance with the development plan. Accordingly, I conclude that the appeal should be dismissed.

K Reeves

INSPECTOR