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# Appeal Decision

Site visit made on 5 August 2024

**by Paul Martinson BA (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 23 August 2024**

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**Appeal Ref: APP/D0840/W/24/3340725**

**Tremen Barn, Tregony, Truro, Cornwall TR2 5SJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr and Mrs Gary and Michelle Baldry against the decision of Cornwall Council.
  - The application Ref is PA22/11425.
  - The development proposed is described as: 'Conversion of Barn to Dwellinghouse'.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is whether the appeal site would represent a suitable location for the proposed development having regard to development plan policies.

## Reasons

3. The appeal site comprises of a redundant stone barn, located within open countryside. The building is accessed via a short access track from the road. It lies at the end of a small group of residential properties comprising a former farmhouse and its, now converted, outbuildings.
4. Policy 7 of the Cornwall Local Plan (2016) (the CLP) sets out that, in order to protect the open countryside from inappropriate development, the development of new homes in the open countryside will only be permitted where there are special circumstances. These include, amongst other things, 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*'.
5. The justification to the policy explains that whether buildings are appropriate for conversion is dependent upon '*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*'.
6. The existing building is an L-shaped single storey detached structure comprising of three separate sections: a southern wing; an eastern wing; and the smallest section to the north west between these two sections. These comprise of predominantly stone walls with some cob panels. The building has no roof and has been exposed to the elements for some time which has resulted in deterioration of the wall plate and the loss of sections of the

building, notably to the gable ends. There are no windows or doors and all lintels are in poor condition.

7. The appellant has provided a Structural Report<sup>1</sup> (the Report) carried out by a Structural Engineer. This concludes that the natural stone walling is in fair condition with limited reconstruction or meaningful rebuilding required other than completion of the southern gable above the existing window aperture. This is in addition to the residual and absent cob panels being removed and replaced with stone.
8. However, the Report is an assessment of the existing structure. There are no references to the proposed plans and it does not consider the effect on the structure of the widening of the existing opening to the exterior, or the internal openings proposed between the three buildings, including steps to account for changes in levels. There is also no clear indication that the walls or foundations are capable of carrying the load of the proposed slate roof with its associated insulation and ceilings. I note there are no calculations or similar assessments in that respect. On the above basis, I therefore cannot be certain of the structural implications of the proposed development. Similarly, for these reasons I cannot conclude that the building is structurally capable of being converted in accordance with the proposed scheme.
9. The Report assesses that there would be a rebuild percentage of less than 11% of the total wall area. These areas are shaded on the Structural Mark Up drawing (SMUD). Whilst I do not doubt the conclusions of the Structural Engineer, the SMUD shows the 11% rebuild as being limited to the existing structure. The SMUD does not show the new gables constructed to the north east and south west elevations, or the raising of the wall heights to much of the structure. The extension occupying the full extent of the south elevation of the eastern wing is also not shown. Together, this would amount to a considerable volume of new fabric, that would be in addition to, and significantly in excess of that identified by the Structural Engineer.
10. In addition to the raising of the eaves and creation of gables, the proposal would also require the construction of a roof structure and materials. As no evidence has been provided to confirm the appearance of the building when it was last roofed, I cannot be certain that the roof would have taken the form of that proposed.
11. Whilst individual elements of the works in isolation may not amount to substantial rebuilding, for the reasons set out above, the total sum of the works proposed to the existing fabric as part of the scheme before me would amount to substantial rebuilding of that structure. For the above reasons, I also cannot be certain that the extent of the works proposed would not have implications for the structural soundness of the building. I therefore cannot conclude that the building would be appropriate for conversion in accordance with Policy 7 of the CLP.
12. The appellant sets out that the extension proposed is not a necessity for the conversion, however, I would note that without it, there would be no route between the eastern wing and southern wing. Moreover, it forms part of the proposal before me and therefore forms part of my assessment.

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<sup>1</sup> Structural Report, by Martin Perry Associates, dated November 2022.

13. I note from the Council's evidence and the responses from local residents that the existing walls were found to be dilapidated and unsuitable for conversion in 1988. There have been several refusals of similar schemes and one dismissal at appeal<sup>2</sup> at the appeal site. I note from the evidence that the Inspector concluded that '*significant and substantial reconstruction of the remaining walls and roof on the site would be tantamount to creating a new dwelling in the open countryside*'. Although I cannot be certain of the precise circumstances present in the case of the previous appeal decision, this nonetheless reinforces my above assessment.
14. The appellant has referenced several grants of planning permission. However, I do not have full details of the circumstances that led to these proposals being accepted and so cannot be sure that they represent a direct parallel to the appeal proposal, including in respect of pre-existing development, history, location, and development plan policy. In any case, I have determined the appeal on its own merits.
15. One such grant of planning permission<sup>3</sup> relates to a building that appears to have much greater surviving fabric than the appeal building. Whilst the appellant has highlighted that the scheme's accompanying structural survey proposed replacing blockwork with stonework, I would note the extent of blockwork shown on the plans appears to be less than the extent of rebuilding proposed as part of the appeal scheme. I am therefore satisfied that this previous approval does not represent a parallel with the appeal scheme.
16. Reference has also been made to another appeal decision however I note that the main issue at that appeal related to living conditions rather than the matters of structural soundness or suitability for conversion that are relevant to the appeal before me. The appellant has also referenced prior approval applications for the conversion of agricultural buildings to residential use and the relevant Planning Practice Guidance with regard to such schemes. However, these proposals and guidance relate to development which is permitted development, not that which requires planning permission and these approvals are therefore not comparable to the scheme before me.
17. For the above reasons, the appeal building would not be an appropriate building for conversion in accordance with Policy 7 of the CLP. It would therefore be tantamount to the creation of a new dwelling in the open countryside, remote from services, and would not meet any of the exceptions under which such development is permitted by the CLP.
18. I therefore conclude that the appeal site would not represent a suitable location for the proposed development having regard to development plan policies. In that regard, the proposal would conflict with Policies 1, 2, 3, 7, 21 and 27 of the CLP, Policies C1 and T1 of the Climate Emergency Development Plan Document (2023) and the provisions of the National Planning Policy Framework which, together, and amongst other things, seek to encourage the reuse of suitable existing buildings and ensure new residential development is directed to accessible locations that reduce the need to travel and help to protect the character of rural settlements and the open countryside.

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<sup>2</sup> Ref APP/D0840/W/14/3001048.

<sup>3</sup> Ref PA20/06406.

## **Planning Balance and Conclusion**

19. Whilst the appellant considers that the proposal would enhance the immediate setting, this is an expectation of Policy 7. Therefore, even if I were to conclude similarly, it would be a neutral finding that would weigh neither for nor against the proposal. There would, nonetheless, be minor benefits arising from the construction and occupation phases of the proposed dwelling.
20. The appellant has provided a copy of the Council's '*Securing Homes for All: A Plan to address Cornwall's Housing Crisis*'. Amongst other things, it sets out issues associated with high rents, homelessness, and lack of affordable housing for local residents in Cornwall. However, the matters put forward to address the housing crisis are primarily aimed at increasing the supply and delivery of affordable, low cost or temporary homes. There is nothing before me to suggest that the appeal property would be affordable housing or low cost. However, being a single dwelling, the proposal would make a slight contribution to increasing the supply of housing more generally, in response to the Cornwall housing crisis. This would represent a benefit of the appeal scheme. I nonetheless note that the Council can demonstrate a 5 year housing supply of deliverable sites.
21. Whilst retaining a building of demonstrable significance could amount to a heritage benefit, I have not been provided with a heritage statement or similar detailed assessment of the significance of the building. As such the significance of the appeal building is unclear and therefore this benefit carries limited weight.
22. Overall, the limited benefits arising from the scheme would not clearly outweigh the conflict with the development plan I have identified above. For the reasons given, I conclude that the appeal should be dismissed.

*Paul Martinson*

INSPECTOR