



Appeal Decision

Site visit made on 12 November 2024

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 November 2024

Appeal Ref: APP/D0840/W/24/3340224

The Lookout, Barn on land adjacent to Nineveh Farm, Levant Road, Trewellard, Pendeen, Penzance TR19 7SU

- 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 Mrs Katie Lewis-Pierpoint against the decision of Cornwall Council.
 - The application Ref is PA23/07485.
 - The development proposed is conversion of an existing agricultural barn building to one residential dwelling with associated access and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for conversion of an existing agricultural barn building to one residential dwelling with associated access and landscaping at The Lookout, Barn on land adjacent to Nineveh Farm, Levant Road, Trewellard, Pendeen, Penzance TR19 7SU in accordance with the terms of the application, Ref PA23/07485, and the plans submitted with it, subject to the conditions in the attached schedule.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The building is a timber-clad portal-framed agricultural building with a corrugated fibre cement sheet roof. It lies on the eastern side of a cluster of stone buildings that have been converted to residential use. The group is surrounded by open agricultural land, and the nearest public facilities lie approximately 700 metres away in Trewellard. It is not disputed that the site lies in the countryside.
4. In such a location, Policy 7 of the Cornwall Local Plan Strategic Policies 2010–2030 (the Local Plan) dictates that new homes will only be permitted where there are special circumstances. One of the specified circumstances is 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"*. It is not disputed that the building meets the other qualifying requirements of the Policy relating to its lawfulness and age.
5. The building is not of historic interest, but the Policy does not require it to be, as it refers to redundant, disused or historic (my emphasis). The adjacent stone barns have all been converted to dwellings, and it is not disputed that

the building is now redundant. Paragraph 2.33 of the Local Plan explains 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"*. Whilst the scheme would involve significant alterations to the appearance of the building, it would use the existing structural elements, and would be confined within its existing envelope. It is not argued that substantial demolition or rebuilding would be required.

6. I am mindful that Paragraph 2.33 also says that the conversion of large portal framed buildings will rarely be appropriate. However, the Policy does not entirely prohibit their conversion. In this case, the building is comparatively modest in scale, and it lies alongside a tight cluster of buildings that are residential in character. Therefore, in the particular circumstances of this case, the conversion of the portal-framed building would not be inappropriate.
7. Nevertheless, to comply with Policy 7, the development should also lead to an enhancement to the immediate setting. The Council argues that the barn sits away from the other buildings, and has a closer visual relationship with the wider countryside. However, I saw that it lies in very close proximity to Nineveh Barn, and shares the same access lane as the rest of the group. It is not physically or visually detached from the collection of buildings, which form a tight enclave surrounded by open countryside. Consequently, for the purposes of Policy 7, I consider the immediate setting to be the appeal site and the adjacent cluster of buildings. I will consider the impact on the wider landscape later in my decision.
8. The existing building has an unassuming, functional character and has little in common with the adjacent converted stone barns. The proposed alterations would be extensive, but would use high-quality natural materials for the walls, and standing seam metal roofing in place of the corrugated fibre sheeting on the roof. The resultant appearance would be contemporary, but the stone walling would provide a visual connection with its neighbours, whilst the timber cladding fins would prevent it appearing overtly urban in its rural surroundings. Overall, it would be a high-quality sustainable design that would represent an enhancement on the current utilitarian appearance of the building.
9. The proposal would involve the loss of a small section of stone wall and bank to provide access to the proposed parking area. However, a much more extensive length of Cornish hedge would be provided along the western boundary, which would more than compensate for this loss. Furthermore, the car-parking area would be effectively screened from the wider countryside by a granite stone wall. Overall, the proposals would result in a well-designed dwelling, which would sit more comfortably alongside the other residential buildings in the group than the existing mundane, disused barn. Furthermore, it is likely that its residential use would ensure the future maintenance of the building and surrounding land. The development would, therefore, enhance the immediate setting, in compliance with Policy 7.
10. The site and its surroundings are situated within the Cornwall National Landscape (previously known as the Cornwall AONB). The landscape around the site comprises a rugged coastal plateau of small fields divided by low hedges with few trees. It is an open landscape, with wide countryside views,

punctuated by groups of buildings and overlain by evidence of mining activity. It is, therefore, highly representative of Cornwall Character Area CCA 02: West Penwith North and West Coastal Strip¹. The legislation² requires me to have regard to the purpose of conserving and enhancing the natural beauty of the National Landscape in determining this appeal. Paragraph 182 of the National Planning Policy Framework (the Framework) advises that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes, which have the highest status of protection in relation to these issues.

11. The proposal would clearly alter the appearance of the building, with the window openings, solar panels and chimney flue giving it a domestic character. However, this would not be at odds with its immediate setting, which comprises a group of residential properties. A relatively small area of land would be converted from rough grass to a parking area, and a small area to the south of the building would become domestic curtilage. These areas would be closely associated with the building, and again, would not be out of character with the immediate surroundings, which include enclosed domestic gardens, parked cars, and other residential paraphernalia.
12. Although the cluster of buildings is some distance from the nearest roads, there is an extensive network of public footpaths running close to the site, as highlighted in Section 2 of the Council's Statement. The building is not readily visible from the path to the west, as it is hidden by the other buildings in the group, and by the boundary fence of Badgers Barn. It can be seen from the path about 100 metres to the north. However, the north-facing elevation of the converted building would be entirely clad in timber fins, so it would not look very much different to the existing building. The car-parking area would not be readily visible from here due to the topography and intervening hedge banks.
13. The alterations would be most clearly evident from the footpath to the south, where the stonework and glazing in the south-facing elevation would be evident, along with the residential curtilage and car-parking. However, they would be seen in close association with the other converted barns, which include domestic features such as fences, solar panels, and garden buildings. The converted building would not appear as an incongruous feature in this setting, and it would not affect the appreciation of the open qualities of the surrounding landscape by users of the footpath. From more distant viewpoints, from the surrounding road network, the alterations to the building and surrounding land would be barely discernible. In all cases they would, in any event, be seen in the context of a tight cluster of residential buildings, and the natural beauty of the National Landscape would be conserved.
14. The use of the building for residential purposes would inevitably involve the internal lighting, which would spill from the windows at night. However, significant mitigating factors have been incorporated in the scheme, including recessing many of the windows behind timber fins, and the specification on the drawings of automated black out blinds on all of the rooflights, and on the windows in two of the elevations. Furthermore, the external lighting would have light shields to prevent upward light spill. This would not prevent all light arising from the property at night, but the building lies in a tight group of

¹ Cornwall Character Areas 2022

² Section 85 of The Countryside and Rights of Way Act 2000

other properties that are all in residential use, with an array of windows and rooflights. I also saw that some of the buildings have external lighting. Consequently, the appeal scheme would not significantly add to the intensity or spread of light that already emanates from this cluster of buildings.

15. For the above reasons I conclude that the proposal would not harm the character and appearance of the area, including the natural beauty of the National Landscape. It would, therefore, be in accordance with Policies 1, 2, 3, 7, 12 and 23 of the Local Plan, Policy C1 of the Climate Emergency Development Plan Document (February 2023), and Policies AD5, AD8 and BD8 of the St Just-in-Penwith Parish Neighbourhood Plan 2021-2030. Taken together, these development plan policies seek, amongst other things, to conserve the landscape character and natural beauty of the National Landscape, secure high-quality design, and minimise light pollution. There would also be no conflict with the guidance provided in Policies PD-P1 and PD-P11 of the Cornwall AONB Management Plan 2022-2027, or the Framework's aim to conserve and enhance the natural environment.

Conditions

16. In accordance with the legislation, I have imposed a condition limiting the period within which the development must commence. I have also included a condition specifying the relevant plans, as this provides certainty. The Council has suggested three conditions to cover other matters, and the appellant has commented on these. I have considered the views of the parties, alongside the advice in the Planning Practice Guidance, in determining what conditions would meet the tests set out in paragraph 56 of the Framework.
17. A condition requiring submission of details of the proposed materials would fail the test of necessity, as all of the external materials are detailed on the submitted drawings. Similarly, a condition requiring the submission of details of lighting for approval is unnecessary, as lighting details were included with the application. I have, however, imposed a condition to ensure that no external lighting is installed, other than in accordance with the submitted details, to minimise light spill from the site. I have also imposed a condition requiring a scheme of landscaping, as it is reasonable and necessary in order to help assimilate the development into its setting, and to protect the character and appearance of the area. I have, however, amended the wording for clarity, and so that it is not a pre-commencement condition.

Conclusion

18. For the reasons given above, I conclude that the appeal should be allowed.

Nick Davies

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.

- 2) The development hereby permitted shall be carried out in accordance with drawing nos: 0382-2-01-PP REV D – Site Plans as Existing & Proposed; 0382-3-01-PP REV B – Structural Roof Plans as Proposed; 0382-10-02-PP REV C – GF Plan & Elevations as Proposed; L1-10-01-SDA – Lighting Details; 1:1250 Scale Site Location Plan.
- 3) Prior to the commencement of any construction works, a scheme of landscaping shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 4) No external lighting shall be installed on the site other than in accordance with the details shown on approved drawing no L1-10-01-SDA, or alternative details that have first been submitted to and approved in writing by the local planning authority.

End of Schedule