



Appeal Decision

Site visit made on 4 December 2025

by T Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 December 2025

Appeal Ref: APP/D0840/W/25/3364853

Workshop at Mennor Valley, Mennor, Lelant, Cornwall TR26 3HZ

- 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 A Young against the decision of Cornwall Council.
- The application Ref is PA25/01321.
- The development proposed is described as conversion of existing workshop to form dwelling.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

- the safety of future occupiers of the proposed development during flooding, with particular regard to access and egress;
- whether the proposed development would be acceptably located with regard to accessing services and facilities by a range of transport options; and
- the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

Flooding

3. The appeal site and Mennor Cottage are accessed via a track that crosses Nance Stream. Whilst the workshop is not identified as being at risk of fluvial flooding and is only at very low risk of pluvial flooding, a section of the track within the site is in flood zones 2 and 3a.
4. Planning Practice Guidance (the PPG) identifies that access considerations should include the voluntary and free movement of people during a design flood. The National Planning Policy Framework (the Framework) also sets out that development should only be allowed in areas at risk of flooding where it can be demonstrated that, amongst other aspects, safe access and escape routes are included where appropriate.
5. The stream falls relatively steeply past the site but is culverted at the point where the track crosses it. Should the culvert's capacity be exceeded, the submitted Flood Risk Assessment (FRA) identifies that flood water would naturally follow the lowest elevated course and flow over the access road before re-entering Nance Stream on the opposite side of the track rather than being directed towards the

proposed dwelling. The FRA therefore sets out that fluvial flooding on the site would likely be more similar to the high and medium extents shown within the Environment Agency's (EA) risk of flooding from surface water dataset rather than the flood zone extents.

6. Nevertheless, part of the track serving the proposed development is at medium to high risk of flooding; and if the culvert became blocked or stream water were to exceed its capacity, the FRA identifies that the flood depths could reach up to 300mm. Whilst this is not particularly deep, the PPG sets out that the acceptable flood depth for safe access will vary depending on velocities and the risk of debris within the water; and that even low levels of flooding can pose a risk to people in situ (because of, for example, the presence of unseen hazards and contaminants in floodwater, or the risk that people remaining may require medical attention).
7. With little evidence as to the other likely characteristics of a possible flood event at the site, including velocity, duration and speed of onset, the potential for fast flowing water flooding part of the track for an undetermined time cannot be discounted. In coming to this view, I have taken account that the site lies close to the origin of the river catchment.
8. Whilst it is suggested that there is an alternative access, the FRA shows the access/egress route as going through the area at risk of flooding and limited details of alternative route options have been provided. Future occupiers may therefore be unable to safely leave or access the proposed dwelling during a flood. This poses a significant risk because, for example, an unexpected health issue may require urgent medical attention, whilst those who may be vulnerable, disabled or have poor health in general may need safe access at all times. The proposed dwelling being able to provide a safe refuge during any such flooding, the FRA's recommendation to regularly inspect and clear the culvert and the lack of historical reports of flooding on the site do not lead me to a different conclusion.
9. Future occupiers could sign up to the EA's targeted flood alert service and a flood warning and evacuation plan could be developed. As part of an agreed emergency plan, this would potentially allow for evacuation before a more extreme flood. Be that as it may, if future occupiers do not leave the site prior to the track being flooded, either because they choose not to or for example a flood alert is not seen in time, the submitted evidence does not demonstrate that safe access and egress would be available during flooding. In such instances, there would be a significant risk to the health and safety of future occupiers and thus potentially also emergency service personnel. The lack of objections from the Lead Local Flood Authority and EA do not lead me to a different conclusion.
10. For the above reasons, I cannot conclude that future occupiers of the proposed development would be safe during flooding, with particular regard to access and egress. I therefore find that it conflicts with Policies 2 and 26 of the Cornwall Local Plan Strategic Policies 2010 - 2030 (CLP). Amongst other aspects, these expect development to be resilient to climate change and sited to avoid areas of flood risk.

Accessibility

11. The site is not a significant distance from the services and facilities available at Lelant and the St Ives Holiday Village. However, walking or cycling there or to the nearest bus stop (at the holiday village) would require negotiating a reasonably long section of highway with no separation from vehicular traffic or lighting.

Walking and cycling would therefore neither be particularly appealing nor safe. The submitted evidence indicates the bus services are also infrequent and seasonal.

12. I accept that this is likely to be the case for many rural areas in general. Amongst other aspects, the Framework also recognises that opportunities to maximise sustainable transport solutions will vary from urban to rural areas; and sets out that sites to meet local needs in rural areas may have to be found beyond settlements and in locations not well served by public transport. However, the lack of suitable alternative transport options indicates that future occupiers would likely be wholly reliant on the private vehicle to serve their daily needs.
13. The proposal cannot therefore reasonably be considered as, in the words of CLP Policy 2, providing a sustainable approach to accommodating growth. Location is also one of the attributes listed in CLP Policy 1 in relation to considering whether a proposal is sustainable. Although this would be relatively limited given the scale of the development, such reliance on the private vehicle also indicates that the proposal would have an adverse environmental impact.
14. For the above reasons, I conclude that the proposed development would not be acceptably located with regard to accessing services and facilities by a range of transport options. I therefore find that it conflicts with Policies C1 and T1 of the Climate Emergency Development Plan Document and CLP Policies 2 and 27. Amongst other aspects, these require safe and suitable access for all; trips by public transport, sustainable and active modes to be maximised; and development to be located to minimise the need to travel and support a modal hierarchy.

Character and appearance

15. The site is within an Area of Great Landscape Value and some of it is also within the Cornish National Landscape (CNL). However, whilst situated on the edge of a woodland in a secluded setting, the workshop's location means that it reads as being part of the domestic grounds of Mennor Cottage and the small cluster of historic properties to the west. It is somewhat rundown and, following the cessation of the engineering business that previously operated from it, the workshop is also now identified as being redundant. Whilst it may be accepted as a common type of building within a rural landscape, the workshop's current form does not positively contribute to its surroundings. In addition, its somewhat ramshackle exterior is at odds with the well-maintained appearance of the nearby cottages.
16. Although the building would change to a residential use, the plans show the roof and front elevation would remain finished in corrugated sheeting. The building's overall form would not therefore appear significantly different from now. However, the proposed render and fenestration would provide an improved appearance. The converted building would therefore better relate to the existing nearby properties whilst also remaining a relatively muted, unobtrusive building that suitably relates to its rural context. With the site already having a domesticated nature and given its position within the current plot of Mennor Cottage and its proximity to the group of properties, the proposed residential use (including the associated domestic paraphernalia and activity on the site) would also not appear out of keeping with its surroundings. Furthermore, the additional native hedging proposed would enhance the site's connection with its verdant context.
17. As the site is located in the open countryside as defined by the CLP, Policy 7 is applicable. This restricts the development of new homes to specific circumstances,

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. Whilst a reasonable amount of building works would clearly be required, such works would not equate to substantial rebuilding operations and the evidence indicates that the workshop is structurally sound and suitably constructed to accommodate the necessary works, much of which would be internal. Despite the workshop's age, functional nature and it having seen better days, there is little to persuade me that it is not appropriate to retain. In-line with my findings above, the development would also better reflect and enhance its immediate setting.

18. For the above reasons, I conclude that the proposed development would neither harm the character and appearance of the surrounding area nor conflict with the duty to further the purpose of conserving and enhancing the natural beauty of the CNL. I therefore find that it accords with the relevant parts of CLP Policies 2, 7, 12, 21 and 23. Amongst other aspects, these seek to make best use of land and development proposals to sustain local distinctiveness, respect character and enhance the immediate setting.

Other matters

19. The available evidence indicates that the Council is only able to demonstrate a housing supply of approximately 3.8 years, which the appellant identifies as equating to an annual shortfall of some 1100 houses. On the basis that the Council cannot demonstrate a sufficient supply of deliverable housing sites, the approach set out in paragraph 11d) of the Framework applies.
20. However, despite the relatively significant supply shortfall, the Framework is clear that in such circumstances, permission should be granted unless the application of its policies that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; and this includes, as per footnote 7, areas at risk of flooding. Given my findings above in relation to flooding, there is a strong reason for refusing the development proposed. The presumption in favour of sustainable development is therefore not applicable in this instance.
21. My attention has been drawn to an appeal decision in Yatton that is said to be relevant to this matter, including that those houses would also neither be at risk of flooding nor increase flood risk on adjoining land. However, the decision supplied and referenced (Ref 3348677) is for a development in Beaconsfield which did not involve flood risk considerations. Being unable to fully identify what similarities the proposed development may share with the Yatton scheme, I have therefore determined the appeal on its own merits, based on the submitted evidence.
22. The main parties describe the appeal proposal as providing a self-build dwelling and the application form sets out that the building would meet the definition of self-build housebuilding in the Self-build and Custom Housebuilding Act 2015. Be that as it may, with nothing (such as a legal agreement) securing it as such, the proposal would essentially result in the provision of an open-market home.

Planning Balance

23. Although the appeal proposal would not harm the character and appearance of the surrounding area, I have been unable to conclude that future occupiers of the proposed development would be safe during flooding, with particular regard to access and egress. I have also found that the proposed development would not be

acceptably located with regard to accessing services and facilities by a range of transport options. Based on the submitted evidence and my findings that the proposal would not accord with various policies, this leads me to conclude that it conflicts with the development plan as a whole.

24. The proposed development would provide an additional house on a windfall basis. This would contribute to the provision of much needed housing in the district and support the objectives of the Council's plan (Securing Homes for All) to address Cornwall's Housing Crisis. Construction would generate some employment work, whilst future occupiers' use of services and facilities would support the local economy. By repurposing the workshop, the development would, as supported by the Framework, use previously developed land and thus make use of existing resources. I have also found that it would improve the workshop's appearance and enhance its immediate setting. In addition, it has been put to me that without its re-use, the workshop may fall into disrepair.
25. However, given the scale of the development, the benefits would be relatively limited. Weighing against the scheme, future occupiers would be reliant on the private vehicle contrary to the objectives of local and national policy to direct development to sustainable locations; and potential flooding of the culvert could pose a significant risk to the health and safety of future occupiers. Consequently, whilst giving significant weight to the need for more housing, I find that the above matters outweigh neither the harm identified nor the conflict with the development plan.

Conclusion

26. The proposal conflicts with the development plan read as a whole and there are no material considerations which carry sufficient weight to warrant a decision otherwise than in accordance with it. The appeal is therefore dismissed.

T Gethin

INSPECTOR