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## Appeal Decision

Site visit made on 5 December 2016

**by C J Ball** DArch DCons RIBA IHBC

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 03 January 2017**

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**Appeal Ref: APP/D0840/W/16/3155834**

**Land to the north of Chywoone Rural Workshops, Road from New Road to Grumbla, St Just TR19 7RY**

- 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 T Olds against the decision of Cornwall Council.
  - The application Ref PA15/10311, dated 6 October 2014 (sic) (received by the Council on 4 November 2015) was refused by notice dated 12 February 2016.
  - The development proposed is the erection of a building to be jointly used for storage for commercial garage and agricultural businesses in single ownership.
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### Decision

1. The appeal is dismissed.

### Preliminary matters

2. The Cornwall Local Plan (CLP) was adopted on 22 November, superseding the saved policies of the Penwith Local Plan referred to in the reasons for refusal. I am required to assess the proposal against the up-to-date development plan so I asked both parties to comment on how this might affect their respective cases. Their comments have been taken into account.

### Application for costs

3. An application for costs was made by Mr T Olds against Cornwall Council. This application is the subject of a separate Decision.

### Main Issue

4. The main issue in this case is the effect of the proposed development on the character and appearance of the countryside.

### Reasons

5. The appellant runs a garage business in St Just which he wishes to expand. The existing site is constrained so there is a need to relocate to purpose built facilities. Vehicle recovery is a substantial part of the business. At present, following complaints about unsocial disturbance, heavy recovery vehicles are parked out of town at the appeal site. Parked in the open, they are not secure against theft and vandalism so secure garaging is sought. The appellant also owns Bosorne Farm, operating a sheep farming business on land there and at other holdings nearby. He intends to provide covered lambing facilities at Bosorne Farm, but also needs to provide storage space for the additional feed and associated machinery.
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6. The appellant proposes a single large building, approximately 30 m long, 18 m wide and 7 m high, to provide the additional accommodation for both businesses. It would be divided equally between a garage workshop and storage area and an agricultural machinery and feed store.
7. The application site is a triangular area of land at the junction of the A3071 Penzance-St Just road and the minor road leading to Sancreed. The site is mostly scrubby open land, but has an area of hardstanding off the A3071 used for the parking of the appellant's recovery vehicles. Across the Sancreed road is a development of small workshops, the Chywoone Rural Workshops, while to the south-east is a modern agricultural building.
8. The building would be sited on the eastern boundary of the site, gable-on to the A3071, with access from a full-width forecourt to the Sancreed Road. It would be clad primarily in timber boarding and would have a sheeted asymmetric roof. The existing hardstanding off the A3071 would remain.
9. The site lies in a shallow valley in the open countryside, approximately 1km east of St Just, within what is described in the Cornwall and Isles of Scilly Landscape Character Study (LCS) as an ancient landscape of prehistoric origins with irregular small to medium fields blending into unenclosed moorland. It is a wild, unique landscape of contrasts relatively unspoilt from ancient times and with a strong sense of place. This is a sensitive rural location, being subject to a range of protective landscape designations: Area of Outstanding Natural Beauty (AONB); Penwith Moors and Coast Area of Great Historic Value (AGHV); Heritage Coast; and St Just Mining District World Heritage Site (WHS).
10. The existing buildings near the site – the Chywoone Rural Workshops and the barn to the south-east – are small in scale and of limited height, such that they blend fairly well into the rugged landscape. By contrast, the proposed building would be a relatively large structure, sited close to the road, with its full length visible when seen from both east and west. The building would be extremely prominent in long views across the valley from the A3071, when approaching from either direction. In closer views at the bottom of the valley the large building would predominate, obscuring views of the countryside. The intensification of built development in this area would result in a prominent and conspicuous incursion into the open landscape. Associated activities on the forecourt, and the roadside parking area, would also add to the sense of commercial encroachment into the open landscape.
11. Paragraph 115 of the National Planning Policy Framework makes it clear that great weight should be given to conserving landscape and scenic beauty in AONBs, which have the highest status of protection in relation to landscape and scenic beauty. In my view, such a large building would not be compatible with the distinctive character of the locality. Siting it here would compromise the special qualities and characteristics of the AONB, in conflict with policy MD9 of the recently adopted Cornwall AONB Management Plan 2016-2021, and would not be consistent with policies P3 and C2 of the WMS Management Plan.
12. The thrust of both national and local planning policies in supporting business development is to ensure, in the interests of sustainable development, that employment sites are well integrated with settlements. As CLP policy 5 makes clear, any business venture in the countryside must be of a scale appropriate to its location or demonstrate an overriding locational and business need to be in that location, such as farm diversification. There is no explanation as to why

the two separate uses have to be in one large new building at this site, and I have already found that the scale of this proposal would be inappropriate in this sensitive location. While the site may be in a convenient location, there is no overriding need for either the garage business or the farm store to be here. This is not a farm diversification project where a new use is found for an existing building in a rural location.

13. The appellant argues that, since he cannot expand at his garage premises in St Just, he has no alternative but to develop this site. While it is clear that the town centre site is constrained, I have no evidence of a search for a suitable site or premises elsewhere within or adjacent to the town or indeed other settlements in the locality. The Council gives a high priority to the creation of employment growth but there seems to have been no discussion of the opportunities available locally.
14. So far as the farming activity is concerned, clearly any covered lambing facility should be close to the house so that 24 hour supervision is available. The appellant argues that, with that in place at Bosorne Farm, there is insufficient land available there to provide additional storage for feed and machinery. I have no evidence of why this might be so but the Bosorne Farm site is some 12 acres and the appellant has two other local holdings of 29 acres and 110 acres. I am not convinced that what would be a relatively small building, with a justified agricultural use, could not be provided at one of these sites. I note in any event that storing agricultural machinery on the appeal site would not resolve the access problem for farm machinery at Bosorne Farm.
15. I note reference to other large agricultural buildings in the local landscape but these are all associated with farm groupings, with a functional reason for their location. They provide no precedent for this proposal.
16. It is not necessary for this development to be in the AONB and there is no justification for its location at the appeal site. I consider that the proposal would not have appropriate regard to the heavily protected landscape and would fail to maintain or respect the special character of Cornwall. The proposal takes little account of the distinctive landscape qualities and the contribution they make to the particular value of the Heritage Coast and the WHS.
17. The proposal may provide economic and social benefits in creating new and sustaining existing employment. However, in this particularly valued landscape, the environmental harm would clearly outweigh the benefits, such that the proposal would not amount to sustainable development. I find that, in conflict with CLP policies 2, 5 and 23, and the objectives of the AONB and WHS Management Plans, the proposed development would have an unnecessarily harmful effect on the character and appearance of the countryside. Accordingly, for the reasons given above, I conclude that the appeal should be dismissed.

*Colin Ball*

Inspector