
Appeal Decision

Site visit made on 12 October 2016

by Mike Fox BA (Hons) DipTP MRTPI

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

Decision date: 02 November 2016

Appeal Ref: APP/D0840/W/16/3155666

Tory Farm, Tory, Ponsanooth, Truro, Cornwall, TR3 7HN

- 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 David Worlledge against the decision of Cornwall Council.
 - The application Ref PA15/09049, dated 5 September 2015, was refused by notice dated 21 December 2015.
 - The development proposed is erection of stables and sand school.
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Mr David Worlledge against Cornwall Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the countryside.

Reasons

4. The appeal site comprises two fields about 1.5 kilometres to the south-east of the village of Stithians. It is located on an undulating granite plateau which has a strong feeling of remoteness, which I consider to be the principal characteristic of the area. The proposal for a stable block and sand school in the south-east part of the site next to the road would be seen from a wide range of viewpoints.
5. Timber ranch fencing is proposed to enclose the stable block and sand school, which together with the proposed planted bund screening and cutting into the slope, are intended to mitigate the impact of the proposal on the landscape. The design and external materials also aim to minimise its visual impact, and the Appellant has made a concerted effort to reduce its height and scale in relation to a previous, unsuccessful application. It is my view, however, that any development of this nature would impact significantly on what is a sensitive open landscape, and in this regard, the carefully considered design and landscaping would not overcome the harmful impact that the proposed development would have on this remote landscape.
6. I have considered the arguments put forward both by the Appellant and the Council's Principal Land Agent in support of the appeal. I recognise that the

proposal would bring some socio-economic benefits to the local community, in accordance with paragraph 28 of *the Framework*¹. However, paragraph 7 of *the Framework* states that it is necessary to achieve a sustainable balance among the three dimensions of sustainable development (economic, social and environmental). I regard the need to protect the intrinsic character and beauty of the countryside in and around the appeal site, which I have briefly described above and which is set out in more detail in the Council's Landscape Character Study², to be the principal consideration in achieving the appropriate sustainable balance for the appeal site.

7. I note the arguments that the keeping of horses is a countryside pursuit, to be expected in a rural location, and that planning permission was recently granted for a nearby equine-related development at Penmarth, Carmenellis, Redruth³. Whilst I agree with the Appellant that such activities are a countryside pursuit, it does not follow that such developments are acceptable everywhere in the countryside. The recent permission at Penmarth is a case in point; it is located close to both existing farm buildings and to the settlement itself, and it is not therefore comparable to the open, pristine character of the appeal site. I am also satisfied that there is no inconsistency in the Council's decision making between this site and the appeal site.
8. There is no adopted local plan for the area to provide the starting point for this decision, and nothing in the recently issued emerging local plan Inspector's Report⁴ leads me to a different conclusion in relation to the appeal site.
9. Taking all of the above matters into consideration, I conclude that the adverse impact of the proposed development on the open character of the appeal site and the surrounding landscape of the plateau would be contrary to national planning policy and this is therefore a reason to dismiss the appeal.

Other matters

10. Concerns have been expressed by third parties, including Stithians Parish Council, that substantial traffic would be generated by the proposed development, especially as the owner resides at some distance from the site. I note the Council's response, with regard to national policy, that the site is considered suitable in terms of access visibility, and although concern is expressed over sustainability and the need to reduce vehicular traffic, there are no other highway safety concerns. From my own observations, and also from considering the written evidence, I have come to the same conclusion as the Council, and I therefore do not consider that highway safety or impact on the local roads is an additional reason to dismiss the appeal.

Conclusion

11. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should fail.

Mike Fox

INSPECTOR

¹ DCLG: National Planning Policy Framework (*the Framework*); March 2012.

² Cornwall and Isles of Scilly Landscape Character Study-Carmenellis Landscape Character Area; June 2008.

³ Planning permission Reference PA/15/09389 for all weather sand school, including stable building, for private use; permission dated February 2016.

⁴ Cornwall Local Plan Strategic Policies, Inspector's Report; September 2016.