
Appeal Decision

Site visit made on 22 November 2016

by Claire Searson MSc PGDip BSc (Hons) MRTPI IHBC

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

Decision date: 09 December 2016

Appeal Ref: APP/D0515/W/16/3156319

Horseway Farm, Horseway, Chatteris, Cambridgeshire PE16 6XQ

- 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 Perce Baxter against the decision of Fenland District Council.
 - The application Ref F/YR16/0091/F, dated 3 February 2016, was refused by notice dated 27 May 2016.
 - The development proposed is change of use of garage to holiday accommodation.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken the site address from the submitted appeal form as this is more precise than the address given in the application form.

Main Issue

3. The main issue is whether the site is a suitable location for holiday accommodation, having regard to national and local policy.

Reasons

4. The appeal building is a recently erected garage block, which is of brick and tile construction. It currently serves Horseway Farm, a detached dwelling which is on the site of a former farmhouse. There is a large agricultural building adjacent to the site, and its surrounding environs comprise of open fields and paddocks. In supporting proposals which promote the use of the waterways network for navigation, cycling, walking and other recreational activities, Policy LP6 of the Fenland Local Plan 2014 (LP) states that new tourist and visitor attractions will be supported in appropriate locations, in line with the development strategy for the District. LP Policy LP3 sets out the settlement strategy for the District whereby development within the open countryside is permitted where it is essential for the effective operations of agriculture, horticulture, forestry, outdoor recreation, transport or utility services.
 5. Paragraph 17 of the National Planning Policy Framework (the Framework) sets out a number of core planning principles which underpin decision-taking. These include supporting thriving rural communities within the countryside and actively managing patterns of growth to make the fullest possible use of public transport, walking and cycling. Paragraph 28 of the Framework is supportive of sustainable rural tourism and leisure developments that benefit businesses in
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- rural areas, communities and visitors. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.
6. Therefore, to achieve sustainable development, an appropriate balance needs to be struck between the various objectives, including the provision of tourist accommodation against access to facilities and sustainable transport.
 7. Given the rural nature of the District, it is accepted that many visitors are likely to use private vehicles as their primary mode of transport, regardless of where they are staying. However, the length and frequency of journeys made may be partly reduced if accommodation is accessible to rural service centres where at least some basic needs of visitors could be met. This would include, for example, convenience shops, restaurants or cash machines.
 8. The appeal site is located within the open countryside, and around 3km away from the market town of Chattris. There is no public transport serving the appeal site and I saw that access would be via a relatively busy main road with no footpath along its length. I therefore consider that the site is beyond convenient walking distance for potential occupiers of the proposed holiday accommodation. While it may be possible to cycle the route, in practice I consider that the majority of occupiers would be likely to access local services by private car. As such, the proposal would cause harm in this respect.
 9. I have no doubt that visitors would be attracted to the area by the existing tourist offer, including for angling, bird watching and at specific attractions such as the Airfield Complex, the Skylark complex, the Mepal Outdoor Centre and other historic attractions. I acknowledge that these attractions in themselves are located rurally and would necessitate the use of the car however, the relatively inaccessible location of the appeal site would further encourage the use of unsustainable forms of transport and would not, therefore, justify the appeal proposal.
 10. The main demand would be within the summer months and there would be periods of vacancy which would limit the harm. However, the reliance on unsustainable forms of transport due to the relatively isolated location of the site would outweigh any mitigating impacts that periods of occupation would bring.
 11. The letters of support also provide evidence in respect of a demand for holiday lets in the local area. However, it has not been adequately demonstrated why the identified needs and economic benefits cannot be met by existing facilities located in rural service centres, as required by paragraph 28 of the Framework.
 12. Furthermore, although I note that the Council have approved other tourist accommodation in the north of the District, no details of such schemes have been provided and I am not aware of the circumstances which led to the approval of any such proposals. In any case I have determined the appeal on its own merits based on the information before me.
 13. Overall, I conclude that the proposed change of use would not be in a suitable location for holiday accommodation. The inappropriate location of the appeal site would therefore be in clear conflict with LP Policies LP3 and LP6 as well as the social and environmental objectives at paragraphs 17 and 28 of the Framework in respect of sustainable rural tourism.

Other Matters

14. While I understand the debate regarding rural tourism and the restrictive nature of the adopted LP policies, planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. I have found conflict with both the development plan and the Framework, which is a material consideration.
15. Matters in respect of comments made by Members at Planning Committee and in respect of the accuracy of the minutes are between parties and have had no bearing on my assessment of the appeal based upon its planning merits.

Conclusion

16. For the reasons above, taking into account all other matters raised, I dismiss the appeal.

C Searson
INSPECTOR