
Appeal Decision

Site visit made on 7 November 2016

by H Porter BA(Hons) PGDip IHBC

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

Decision date: 08 February 2017

Appeal Ref: APP/D0840/W/16/3156874

The Plaisance, Carclew Road, Mylor, Falmouth, Cornwall TR11 5SU

- 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 & Mrs Andy McKnight against the decision of Cornwall Council.
 - The application Ref PA16/03189, dated 4 April 2016, was refused by notice dated 1 June 2016.
 - The development proposed is demolition of redundant stables and outbuildings and erection of a pair of holiday letting cottages.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr & Mrs Andy McKnight against Cornwall Council. This application is the subject of a separate Decision.

Procedural Matter

3. During the course of the appeal, Cornwall Local Plan Strategic Policies 2010 – 2030 was adopted on 22 November 2016. As such, the saved policies from the Carrick District Local Plan referred to in the Council's decision notice have been replaced. Both the main parties had referred in their appeal submissions to the policies of the emerging plan, but were given a further opportunity to comment on the final adopted plan. I have therefore determined this appeal under the latest policy context.

Main Issues

4. The main issues in this appeal are whether the location would be suitable to enhance or maintain the vitality of the rural community and the effect of the proposed development on the character and appearance of the area, with particular regard to the AONB.

Reasons

5. The proposed development would introduce an attached pair of holiday cottages within the wider landholding associated with The Plaisance, just off Carclew Road. Situated outside of Mylor Bridge, the appeal site lies beyond the established settlement boundary and consequently within the category of open countryside. I have considered the proposed use of the development for holiday cottages. In planning terms, a dwellinghouse is defined by its ability to afford those who use it the facilities required for day-to-day private domestic
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existence; it would not lose that characteristic if it was occupied for only part of the year, at infrequent intervals, or by a series of different persons. Consequently, the proposed development constitutes housing even if occupation for the purposes of holiday letting is restricted by condition¹. Paragraph 55 Framework therefore applies in this case, which seeks to avoid new isolated homes in the countryside unless there are special circumstances.

The location

6. Travelling from the centre of Mylor Bridge in a north-easterly direction towards Carclew Road, the continuation of ribbon development out of the village gradually fragments and the spacing between dwellings increases. As the frequency of dwellings becomes more sporadic, the route is more readily defined by a sense of remoteness. Consequently, notwithstanding its relative proximity to the village and scattered development along Carclew Road, there is a strong connection between the appeal site and the surrounding countryside.
7. As a large village, Mylor Bridge could evidently provide some of the essential facilities, services and public transport options that occupiers of the proposed units would require. However, access to these would be via a relatively narrow, semi-rural route, unlit and with no public footway. While public footpaths provide alternative routes into the village, these are steep, isolated and unlit and do not offer a shorter or more accessible journey compared with the main highway. Given the restricted service that runs from the bus stop that is closer to the appeal, or upon request from the top of the drive, it would clearly not offer viable or reliable public transport. Irrespective of the relative proximity to Mylor Bridge and its facilities, and the fact that the appellant's son walks regularly into the village, I consider that access to them from the appeal site would not feel safe to walkers or cyclists unaccustomed to the area. Thus options for residents of the proposed units to travel without using a car would be limited.
8. Given the proposed use for holiday-lettings, I recognise that the needs and requirements, such as daily commutes and reliance on services such as schools and medical centres, would differ from a permanent resident. I also note that tourists might want to visit other attractions in the region, perhaps by car. These factors notwithstanding, as concluded by a previous Inspector², there is no reason why new holiday units would not be more appropriately located in or within accessible walking distance to settlements, thus reducing the need to travel by private car. There is also the potential for later applications to be made to remove any holiday-let restrictions.
9. Even if the proposal should be treated more as a rural business that would support tourism, in accordance with paragraph 28 of the Framework, there is still a requirement to show local demand. The report submitted provides a generalised assessment indicating there is a thriving self-catering industry and trend of growing demand for holiday cottages within the region as a whole. Although the appellant has provided statistics that the Falmouth area is the third most desirable in the county for holiday cottages, the report fails to focus on the specific location of the appeal site and Mylor Bridge and provides no demonstrable evidence of any specific local need for the type of accommodation proposed. The existence of established holiday and camping

¹ *Gravesham BC v SSE and O'Brien*, [1983] JPL 307

² APP/D0840/W/16/3143389

sites locally does not, in my judgement, imply that there is an unmet local need for self-catering units, even if they were aimed at the upper end of the market, in this specific rural location.

10. I note the previous Inspector's decision³, however, the circumstances of this case are materially different. In that decision, there was already holiday accommodation on the site and the scheme was based on an existing building. These were significant factors in the Inspector concluding that holiday accommodation in that instance would be sustainable development.
11. I therefore find that the proposed development would not be in a suitable location and as such would fail to enhance or maintain the vitality of the rural community. Even though Policy 5 of the CLP supports tourism, it requires it to be in sustainable, accessible locations, which the appeal scheme is not. The development is therefore contrary to Policy 2 and 7 of the Local Plan and to paragraph 55 of the Framework, insofar as they seek to actively manage patterns of growth and promote sustainable development in rural areas, unless exceptions apply.

Character and appearance

12. The appeal site is situated in a wider valley landscape that forms part of the AONB, which is afforded the highest status of protection in relation to landscape and scenic beauty. Carclew Road has a country-lane character, bounded on either side by hedges and overhanging trees with open fields beyond. In the vicinity of the appeal site, residential development is infrequent and tends to be set back from the road by thick vegetation and generous front gardens. Although there is a scattering of development along this part of Carclew Road, the surroundings are essentially rural and the scarcity of development fronting the road contributes to the area's verdant character and appearance.
13. The Plaisance is an early-to-mid 20th century detached dwelling, standing in spacious grounds that overlook the surrounding valley landscape. The appeal site comprises part of the front of the garden plot where a cluster of dilapidated single-storey structures currently stand. While close to Carclew Road, the overgrown appeal site is largely screened from view by a strip of dense vegetation between the site and the highway.
14. While broadly on a similar location to the existing structures, the overall scale and footprint would increase significantly. The development would also involve removal of vegetation from within the site itself. The increase in scale and reduction of vegetal screening would, in my judgement, cause the development to be visible. Overall, the proposed development would undermine the greenery that fringes the road, diminishing its wooded appearance and having a harmful effect on the landscape character and scenic beauty of the area as a result.
15. Notwithstanding the changes to the design made in the latest iteration, given the domestic nature of the landholding and the 1930s architectural style of the Plaisance, in this context the barn-like appearance of the proposal would look out of place. Even if the proposed material palette is intended to echo the original stable buildings, the roof form, balcony dormers and overall scale clearly differentiate it. Overall the design would not successfully complement the local vernacular and fail to integrate effectively with the surroundings,

³ APP/D0840/15/3006349

appearing incongruous and out of place as a result. Consequently, even if the proposed cottages would not be particularly prominent in views from the nearby footpath, the design would fail to ensure the character and appearance of the area, or its landscape and scenic beauty, is preserved. Overall, the proposed design would fall well short of the exceptional quality sought by paragraph 55; therefore none of the special circumstances under which new isolated homes in the countryside area permitted would be fulfilled by the development.

16. For these reasons, I conclude that the proposed development would result in material harm to the character and appearance of the area. Given the site's location inside the AONB, I afford great weight to conserving its landscape and scenic beauty. The proposal would therefore conflict with Policy 2, 3, 7, 13 and 23 of the Local Plan, which require development to be quality design that considers the existing context, sustains local distinctiveness and conserves and enhances the landscape character and natural beauty of the AONB. The scheme also fails to conform to the provisions within the Framework, notably the core principles which seek to secure high quality design which takes account of the character of different areas, as well as paragraph 115 that affords great weight to conserving landscape and scenic beauty of AONBs.

Planning balance

17. The appeal scheme would result in the delivery of two holiday cottages, which would make a very small, albeit still beneficial, contribution to the supply of housing, to which I have given moderate weight. Investment in construction and relative employment for its duration, as well as potential employment associated with the proposed use would also represent a modest benefit. There would also be benefits to the economy brought through tourism. A lack of harm in terms of energy consumption, living conditions, trees, or highway safety, or to designated heritage assets is a neutral factor. While not counting against the proposed development, these aspects do not weigh in its favour, nor does the lack of objections from neighbours or the Parish Council. I recognise the appellant's long connection with the site and that the scheme would make use of their landholding. However, these personal circumstances carry little weight and redevelopment of the dilapidated buildings is not the only means by which the enhancement of the land could be achieved.
18. On the other hand, I have found there is likely to be major reliance on the private car to access services and facilities, and alternative means of travel, for examples by bus or bicycle, are not practicable or safe options. I also find harm in relation to the character and appearance of the area, inside the AONB. The combination of these factors, and the significant weight attributed to the protected landscape, indicates that the environmental dimension of sustainable development would not be achieved. The issues in this decision are relatively finely balanced, however, in weighing up these matters, I find that the adverse impacts overall would outweigh the totality of the benefits and the proposal would not represent sustainable development as defined in Policy 1 of the CLP and in the Framework.

Conclusion

19. For these reasons and in consideration of all matters raised, I conclude that the appeal should be dismissed.

H Porter

INSPECTOR