

Appeal Decision

Site visit made on 22 July 2020

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 September 2020

Appeal Ref: APP/D0840/W/20/3250402

**Treravel House, A389 Between Greenlane And Padstow Road, Padstow
PL28 8LB**

- 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 Adrian Treglowan of House Management Group (HMG) against the decision of Cornwall Council.
 - The application Ref PA19/05600, dated 17 June 2019, was refused by notice dated 16 October 2019.
 - The development proposed is described as '*Retrospective application for the siting of 6 static caravans for seasonal workers accommodation.*'
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have used the description of development given on the Council's decision notice as it accurately describes the appeal proposal.
3. I observed at my visit that the 6 static caravans shown on the proposed site plan are in location. I assessed the appeal on this basis.

Main Issues

4. The main issues are:
 - the suitability of the site for the proposal, having regard to local and national policy for the location of housing; and,
 - the effect of the proposal on the character and appearance of the area, with particular regard to the Cornwall Area of Outstanding Natural Beauty (AONB).

Reasons

Suitability of the site

5. The appeal site comprises 6 static caravans, enclosed by walling and hedges, adjoining and accessed through the grounds of Treravel House, within open countryside. The A389 bounds the site to the west, connecting it to Padstow around 1.2km to the north. A little along the A389 to the north is Padstow Holiday Park, near to which is a bus stop with services to Padstow, and access to two Public Rights of Way (the PROWs) which also connect to the town.
6. Policy 7 of the Cornwall Local Plan: Strategic Policies Document 2010–2030 (adopted 2016) (the CLP) restricts new housing in the open countryside to that which fulfils one of given special circumstances. Of potential application to this

proposal are circumstances 4 and 5. They respectively relate to temporary accommodation for workers to support rural businesses where there is an essential need for a presence on the holding, or full time rural occupation workers where there is evidence of an essential business need for the occupier to live in that specific location. Paragraph 79 of the National Planning Policy Framework (the Framework) adopts a similar approach and restricts housing in the countryside to certain situations, including an essential need for a rural worker to live permanently at or near their place of work in the countryside.

7. Occupants of the caravans have typically been seasonal workers on short term letting arrangements who have been employed by businesses operating within the urban confines of Padstow, not in association with Treravel House or its immediate rural environs. Given that circumstances 4 and 5 of Policy 7 are predicated on rural workers having an essential requirement to live at a specific rural business, the scheme would conflict with the policy. The emphasis placed by the Framework on the permanence of the worker and the rurality of the business location also precludes its support for the appeal scheme.
8. Policy 27 of the CLP requires schemes to provide safe and suitable access to the site for all people and minimise car travel. Getting to Padstow via the PROWs or the bus stop necessitates transit along a section of the A389. The speed of passing vehicles and the absence of street lighting or footpaths leads this to be an unsafe and inhospitable environment for those on foot. Cycling may not be an option for all residents. The PROWs are not properly surfaced, are without lighting, and are not dependable routes into the town. It is likely, in the circumstances, that residents would see it as necessary to travel by car to their places of employment. For these reasons, the scheme conflicts with Policy 27. It also finds no support under Policy 21 of the CLP, which encourages the reuse of land provided that the proposal is sustainably located.
9. I therefore conclude on this issue that the site is not suitable for the proposal, having regard to local and national policy for the location of housing. The proposal would conflict with Policies 1, 2, 7, 21 and 27 of the CLP and the Framework in this regard.

Character and appearance

10. The site is within the AONB, a landscape designation which enjoys the highest status of protection in relation to conserving and enhancing its landscape and scenic beauty. The AONB landscape surrounding the site is rural, with open fields interspersed with farmsteads and isolated dwellings. The tourism industry is also present however, most notably at the large-scale Padstow Holiday Park, which offers glimpsed views of numerous mobile homes.
11. The appeal site and its caravans are well screened from view from the A389 by the substantial hedgerow which separates the site from the carriageway. If the caravans within the site are glimpsed, they are read against the immediate backdrop of the built form at Treravel House and within influence of Padstow Holiday Park. Given such, the proposal does not materially harm the landscape or scenic beauty of the AONB at this point.
12. I therefore conclude on this issue that the proposal has an acceptable effect on the character and appearance of the area, with particular regard to the AONB. It accords with the landscape aims of Policy 23 of the CLP and the Framework and the guidance within the Cornwall AONB Management Plan 2016 - 2021.

Planning Balance

13. Planning law and the Framework require proposals to be determined against the development plan unless material considerations indicate otherwise. The scheme fails to provide safe and suitable access or minimise car travel and conflicts with development plan policy for the location of housing, thereby undermining the Council's plan-led approach, contrary to Paragraph 15 of the Framework. This brings the proposal into conflict with the development plan when read as a whole.
14. The proposal contributes towards meeting a need for short-term low-cost rental accommodation, generated by businesses which operate in Padstow. The housing challenges facing Padstow, with particular regard to open market and affordable housing for purchase, have been clearly quantified by the appellant. However, given the comparative absence of data in regard to the rental market, the stated difficulties in finding the proposed form of seasonal and sometimes very short-term tenure have not been substantively evidenced. Moreover, the possibility of housing seasonal workers in other ways, such as at their respective places of employment, has not been sufficiently explored.
15. Given these circumstances, the social and economic benefits of the proposal attract limited weight. They are not considerations which justify the setting aside of development plan policy for the location of housing.

Conclusion

16. For the reasons outlined above and taking all matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR