



Appeal Decision

Site visit made on 6 December 2022

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 03 January 2023

Appeal Ref: APP/D0840/W/22/3294873

Primrose Farm, Lower Sticker, ST. AUSTELL, PL26 7JL

- 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 Tom Bowthorpe of Abode Studio Ltd. against the decision of Cornwall Council.
 - The application Ref PA21/05225, dated 17 May 2021, was refused by notice dated 23 September 2021.
 - The development proposed is siting of three glamping units and associated works.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - a) The effect of the proposal on the character and appearance of the area.
 - b) Whether the site is suitably located for the development proposed, with regard to the development plan.

Reasons

Character and appearance

3. The appeal site is a small steeply sloping and partly wooded field, to the north of a small historic farmstead. It is situated close to the settlement of Sticker, however it has a more immediate relationship to the countryside that surrounds the settlement, being part of a narrow valley with very limited development.
4. The area is within the Gerrans, Veryan and Mevagissey Bays Landscape Character Area. The Landscape Character Area Description refers to stream valleys that give rise to an undulating landform with woodlands concentrated in the valley sides and bottoms. The area is referred to as peaceful and tranquil, a rural landscape with few obvious built structures in the countryside. These are all characteristics of the appeal site and its immediate surroundings, which can be appreciated from within the site, from the footpath to the east that runs along the valley bottom, and from the road on the other side of the valley to the east from where there are views to the west across the valley towards the site and the surrounding agricultural land.
5. The proposal would see the introduction of three isolated structures. They would stand away from the small cluster of buildings that form the existing

farmstead, thus extending built form up through the undeveloped field towards the settlement. At my visit I was able to see that the area is heavily wooded. This includes the appeal site, which has benefited from planting in the last few decades that has established well. This would certainly help to screen the appearance of the proposed buildings to the extent that they would not be visually prominent.

6. However, despite the suggestion made in the appellants' visual impact statement, at my visit to the area I was able to view the proposed locations for all three cabins from the road to the east. This includes the location of cabin three, which is currently identified by an existing building and was visible from various locations through the bare trees. From the road I could also see the clear area at the top of the field where the track is proposed. I do accept that from this perspective the buildings would be nestled to a certain extent within the wooded setting, which could be aided by further carefully considered planting. I also accept that tree cover during the summer months would further mitigate the impact of the buildings and that the dark colours proposed would be less prominent than the light colour of the roof of the existing building in the location proposed for cabin three.
7. They would however represent a scattered form of development that would alter the character and appearance of the undeveloped site. The proposal would see development drawn across a characterful and undeveloped portion of land towards Sticker. The buildings would have an appearance that would not respond positively to the local vernacular, whereby buildings in such locations away from settlements are generally grouped together in a functional manner and constructed of a simple palette of local materials with more conventional forms, as is typified by the appearance and grouping of the existing barns.
8. Thus, although they would not be prominent to view, even if I take into account further planting, as a result of the topography of the site there would still be opportunity to view the buildings. During the winter months this would increase when the surrounding vegetation is not in leaf. Where seen they would appear out of place as a result of their sporadic siting across the existing field away from existing development. This, in combination with the unconventional form of each of the buildings, would have a significant adverse effect on the existing character and appearance of the area.
9. Cabins 1 and 2 would occupy levelled plots. At my visit I saw that the sites for these units had been recently dug out, requiring the excavation of a significant volume of soil to form a level area. The two areas, even when occupied by the proposed buildings with established landscaping, would be at an artificial level that would fail to respond positively to the natural topography of the field. Cabin 3 would sit on a raised level, with the slope of the field falling away underneath the building. The artificial level of all three buildings would be at odds with the way that the walls of the existing masonry barns follow the site levels.
10. The impact of the buildings would be exacerbated by the presence and movement of vehicles and the introduction of lighting, including that from vehicles and the large east facing glazing of the proposed buildings. Additionally, it is likely that paraphernalia associated with each building would also be identifiable despite the best intentions of the appellants, particularly as

the buildings would have large openings that would open out over level external areas that would be attractive for recreational use.

11. Although the buildings would be difficult to spot from the footpath, there would be some harm to the tranquillity of the area as those using the footpath would pass close by to the site. From here the level of additional activity would be apparent, particularly when external areas are in use.
12. In summary, the proposal would harm the character and appearance of the area. It would be contrary to Policies 1, 2 and 23 of the Cornwall Local Plan Strategic Policies 2010-2030 (LP) paragraphs 130 and 174 of the National Planning Policy Framework and Policy 11 of the St Mewan Parish Neighbourhood Development Plan, insofar as they seek to ensure that development proposals maintain and respect the special character of Cornwall, its local distinctiveness and the landscape setting of the site.

Location

13. Although the proposed units would be small and would not have the two bedrooms that the Council refers to, they would still provide all the facilities required for day to day living and should therefore be considered first and foremost as dwellings. Those policies related to the delivery of housing set out in the LP are therefore relevant in the determination of the appeal, an approach that is established by caselaw¹.
14. Policy 3 of the LP establishes the Council's hierarchy for delivering new development in its area. Outside the main towns it states that development shall be delivered by rounding off and by developing previously developed land within or immediately adjoining that settlement, and that which fills a small gap in an otherwise continuous built frontage. There can be no doubt that the development subject of this appeal cannot be considered rounding off or infill development, and that the site is not previously developed.
15. At Policy 7, the LP sets out exceptions for new housing in the open countryside. The proposal for holiday accommodation would not meet any of these exceptions.
16. Policy 5 of the LP provides support for the development of new tourism facilities through the provision of new, high quality, sustainable tourism accommodation, where of an appropriate scale to its location and accessible by a range of transport modes. The Policy does not set out an in-principle objection to tourist accommodation in the countryside.
17. There is no reason why the proposed buildings would not be high quality. Notwithstanding my finding on the first main issue, the buildings would be appropriately scaled for their location.
18. As to whether they could be considered sustainable and accessible by a range of transport modes, the site is close to Sticker which has a shop and pub. Access can be achieved on foot along the footpath to the east of the site. This is a very pleasant recreational route that would be attractive to those staying at the site to provide access to Sticker and for more general recreational purposes. It is identified as a priority gold route and appeared to be well maintained and well used at the time of my visit. I accept that it could be

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

difficult for use by some in poor weather, however alternative access to the west along the farm track would provide a more suitable route at such times. Sticker is on a bus route with an hourly service to St Austell and Truro, and stops are available nearby including one at the end of the track.

19. Travel options are unlikely to meet the needs of those who would reside at the site on a permanent basis without relying on a private car. Indeed, routes from the site on foot or by bicycle are not well lit and could be difficult to use during periods of poor weather. It is therefore likely that such persons residing permanently at the site would rely on a private car to meet their day to day needs. However, the proposal is for holiday accommodation. Pleasant access from the site to various local facilities and services that could be enjoyed by those visiting the site for short periods is available by walking or cycling into Sticker, or by catching a bus to a larger conurbation. I am satisfied that this is sufficient for tourist accommodation, whereby the needs of those staying at the site could be met without reliance on a private car. This satisfies the policy requirement for the site to be accessible by a range of transport modes.
20. In summary, the site is suitably located for the development proposed. It accords with Policy 5 of the LP, which provides support for the development of new tourism facilities where they are of an appropriate scale and accessible by a range of transport modes.

Other Matters

21. The site lies within the zone of influence of the Fal and Helford Special Area of Conservation. The addition of three holiday units within this area has the potential to have an adverse impact on its features of importance. This matter forms the basis of the Council's second refusal reason. The appellants have submitted an undertaking pursuant to Section 111 of the Local Government Act 1972 to secure a habitat mitigation contribution. However, as I am dismissing the appeal for other reasons, the impact will not occur in any event, and this matter does not therefore need to be considered further.
22. The proposal would deliver economic benefits through the provision of holiday accommodation in respect of the spending of future visitors. I note the support that the appellants have gathered from local businesses. Whilst this weighs in favour, the weight I give this benefit is limited by the small scale of the proposal. It is not sufficient to outweigh my findings on the first main issue of the appeal.

Conclusion

23. In conclusion, the proposal would conflict with the development plan and there are no other considerations that outweigh this conflict. Therefore, the appeal should be dismissed.

A Tucker

INSPECTOR