



Appeal Decision

Site visit made on 14 February 2023

by C Rose BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th March 2023.

Appeal Ref: APP/D0840/W/22/3306992

North West of 1 & 2 Rosenun, Horningtops, Liskeard PL14 3QE

- 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 MJL Developments Ltd against the decision of Cornwall Council.
 - The application Ref PA22/02426, dated 4 March 2022, was refused by notice dated 18 May 2022.
 - The development is the Use of Land for Storage of Machinery & Parts.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. At the time of my site visit the development had been carried out and appeared to accord with the submitted plans. For the avoidance of doubt, I have determined the appeal on the basis of those plans.

Main Issues

3. The main issues are:
 - the effect of the development on the character and appearance of the area; and,
 - whether the development would provide a suitable location for the storage of machinery and parts, with particular regard to the provisions of local and national planning policy.

Reasons

Character and appearance

4. The appeal site is located off a narrow country lane and accessed through two large metal gates. The site is hard surfaced with buildings of a functional appearance including a number of storage containers. It is being used for the storage of building materials and associated equipment such as digger buckets. Banks, hedges, and trees adjoin the site boundaries.
5. The local area is characterised by fields divided by hedgerows and trees with sporadic agricultural buildings of traditional design and materials. The access road serving the site is a narrow country lane with hedgerows and trees separating it from the adjoining fields. There is a railway line running close to the western site boundary that cannot be viewed from the road passing the

site. The site falls within the Looe and Seaton Valleys Area of Great Landscape Value.

6. The extent of the hard surfacing combined with the functional appearance of the buildings and stored materials results in the development having a stark appearance. The site and associated buildings, stored materials and access gates provide a harsh visual contrast to the surrounding green landscape that is characterised by woodland, fields and winding lanes enclosed with hedge banks in a heavily wooded valley as described in the Key Landscape Characteristics of the Cornwall and Isles of Scilly Landscape Character Study. In addition, the design and materials of the buildings do not closely reflect the traditional building styles and local materials in the area as required by the Cornwall Design Guide, Achieving quality in development for people, wildlife & the environment December 2021.
7. Whilst there are no views of the appeal site from more distant roads or public viewpoints and planting screens parts of the site from the adjacent road, a number of the buildings, containers, materials, and the access gates are visible from the road when walking and driving past the site.
8. I recognise that the site would benefit from more dense natural screening when the planting is in full leaf in the summer months. However, the size of the site, location immediately adjoining the road and need for screening in winter months, would mean any new landscaping secured by condition would need to screen the site all year round. Such planting would not be reflective of the existing native planting and be likely to appear as an unnatural feature along the road. Given the harsh appearance of the metal access gates and location adjoining the road, they cannot be screened by planting and would remain visible.
9. I acknowledge the presence of a building on the opposite side of the road near to the appeal site entrance. I have been provided with limited details in relation to its planning history and use. However, it is small in scale and of a design reflective of its setting. As a result, it does not alter my findings above.
10. For these reasons, the development harms the character and appearance of the area. As a result, it conflicts with Policies 1, 2, 12, and 23 of the Cornwall Local Plan Strategic Policies 2010-2030 (LP) and with the National Planning Policy Framework (the Framework). Amongst other things, these seek to secure development that improves environmental conditions, protects, conserves, and enhances the natural landscape and its character and sustains local distinctiveness and character and protects and enhances valued landscapes. In addition, the development is contrary to Saved Policy CL9 of the Caradon Local Plan First Alteration which states that development within Areas of Great Landscape Value will not be permitted if it materially harms the character of the area and does not reflect the traditional building styles or local materials.

Location for machinery and parts

11. The site is accessed off narrow country lanes in the countryside and does not fall within the hierarchy of locations under Policy 3 of the LP outlining where new development will be accommodated.

12. I acknowledge that St. Keyne train station and some bus stops serve the local area. However, access to the site from these public transport facilities is unattractive in light of the routes being some distance from the site via narrow unlit roads without footpaths and with limited passing places. As a result, the majority of visitors to the site would be reliant on the car. In light of this, and although I recognise that the appellant lives in the area with vehicular access via local roads to the A38 and A30 allowing some reduction in vehicle movements and some benefits to the operational efficiency of the business, the site overall is in a remote location. This is the case regardless of how infrequently people may visit the site.
13. The site is of a sizable area containing a number of structures and containers. In light of this and given my findings above in relation to the harm to the character and appearance of the area, I do not find the scale of the development appropriate to its location.
14. I acknowledge the appellants reference to on-line searches and nearby larger developments not bringing forward employment land and the appellant being unable to identify a suitable alternative site. I also appreciate the justification for the location mid-way between two existing offices in Exeter and Helston. However, I have not been provided with compelling or detailed evidence demonstrating the lack of availability of other sites or that all other options have been fully considered and reasonably discounted. In addition, the evidence does not demonstrate an overriding locational or business need to be on this site as opposed to other sites between Exeter and Helston that may be able to provide similar operational and trip benefits.
15. I note the comments regarding the need for a continued supply of employment land, the lack of provision of employment land in the Cornwall and the Caradon Community Network Area. I also note the comments in relation to the implications from reduced European funding, Brexit, viability, consents for other uses and larger developments in the area not bringing forward employment space. However, Table 3 of the LP referenced by the appellant only provides figures up to 2015. Given that this was a number of years ago, the LP runs until 2030, and given that the appeal is not supported by any up-to-date detailed employment land availability assessment, I do not find that this justifies the development or clearly demonstrates a lack of continued supply or adequately demonstrates that this site is the only viable and available option.
16. I recognise that Paragraph 84 of the Framework supports a prosperous rural economy through the sustainable growth and expansion of business in rural areas. I also acknowledge that Paragraph 85 of the Framework supports local business needs in rural areas beyond settlements. However, whilst the site is in a rural location, it does not involve the growth or expansion of a business that was already operating in, or that needs to be in, a rural/countryside location. In addition, as I have found above, the development does not comprise well-designed buildings and is not sensitive to its surroundings. As a result, I do not find that it gains support from these paragraphs of the Framework.
17. In conclusion, the appeal site is not a suitable location for the storage of machinery and parts, with particular regard to the provisions of local and national planning policy. It is therefore contrary to Policies 1, 2, 5, 21 and 27 of the LP and the Framework. Amongst other things, these seek to maintain the

dispersed development pattern of the area and provide jobs based on the role and function of each place, use previously developed land, ensure continued supply of business space within areas well served by public transport, be of a scale appropriate to its location or demonstrating an overriding locational and business need to be in the location and represent sustainable growth of business in rural areas that are sensitive to its surroundings.

Other Matters

18. I recognise the benefits from the development to local employment and economic growth and low traffic movements. However, these matters do not outweigh the harm identified above. I also acknowledge the lack of harm to highway safety, the retention of existing trees and planting, the lack of harm to living conditions of nearby occupiers, heritage assets and wildlife habitats, and that the development would adequately mitigate against flood risk and contamination. However, these matters are neutral in my consideration.
19. The appellant, in their Design and Access Statement, references a Cornwall Design Guide 2013. I have not been provided with a copy of the document and there is no information before me in relation to its status. On that basis, I give the document little weight. In any case, from the Design and Access Statement, the document relates to securing good design that is informed by the character of the area and the creation of sustainable communities and I have dealt with these matters above.
20. The appellant has suggested that a temporary permission could be granted to enable the site to be used in the short term. However, in light of my findings above, I do not find this to be reasonable or justified.

Conclusion

21. For the reasons given above I conclude that the development conflicts with the development plan taken as a whole. There are no considerations, including the provisions of the Framework, which indicate a decision should be made other than in accordance with the development plan. As such, I conclude that the appeal should be dismissed.

C Rose

INSPECTOR