



Appeal Decision

Site visit made on 8 August 2023

by O Marigold BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 August 2023

Appeal Ref: APP/D0840/W/22/3313961

**Mount Whistle Farm, Mount Whistle Road, South Tehidy, Cornwall
TR14 0HU**

- 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 Kathleen Harriet Hocking against the decision of Cornwall Council.
 - The application Ref PA22/03782, dated 18 April 2022, was refused by notice dated 7 July 2022.
 - The development proposed is described as 'permission to rent out a touring caravan for the holiday season. Previously used for 28 days a year'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the application form. From the appellant's Statement of Case, I understand that there has been a caravan at the property since 2017 and permission is now sought to use a caravan as holiday accommodation, on a seasonal basis each year. Although the appellant suggests that the caravan could be moved regularly within the holding, a fixed site for it has been identified and I have considered the appeal on this basis. A caravan was on the site at the time of my visit, but I do not know if it was being occupied or for how long. As such, I have treated the appeal as being for a proposal, rather than for retention of the existing caravan and use.
3. Following the Council's determination of the appeal application, the Climate Emergency Development Plan Document (DPD) was adopted in February 2023. As it now forms part of the Development Plan, and the appellant has had the opportunity to comment on it, I shall take the DPD into account in my decision.

Main Issue

4. The main issue is whether the site would provide a suitable location for the proposal, having regard to the spatial strategy of the Development Plan, the accessibility of the site to services and facilities, and its effect on the character and appearance of the area.

Reasons

5. The proposal seeks to rent out the caravan for holiday purposes. Even so, the caravan would contain all the facilities for day-to-day occupation. As such, for the purposes of planning policy, it would represent an additional unit of

- residential accommodation, or housing, albeit that it would be possible to restrict its use by planning condition to holiday purposes.
6. Policies 2 and 3 of the Cornwall Local Plan (CLP), adopted November 2016, set out the Council's spatial strategy. They seek to maintain the dispersed pattern of development in Cornwall, with the provision of new housing based on the role and function of each place. The policies confirm that development will be focused on settlements with a range of facilities, to ensure that it occurs in the most sustainable locations. Outside of the main towns, new housing will normally only be permitted in circumstances that do not apply to the proposal.
 7. CLP Policy 5 supports the development of new or upgraded tourist accommodation where it would be accessible by a range of transport modes and where its scale would be appropriate to its location. Similarly, CLP Policy 21 only encourages a proposal where its accessibility to services and facilities, and its effect on the character of the surrounding area, are taken into account.
 8. The site is on the outer edge of the settlements of Tolvaddon and South Tehidy. As well as the dwelling within Mount Whistle Farm, there are others nearby, including a ribbon of properties on the opposite side of Mount Whistle Road. Even so, to access the nearest services and facilities, including bus stops, occupiers of the proposal would have to walk along the fairly narrow road. This has neither footway nor street lighting and is darkened by overhanging trees. It would therefore not be a suitable means of travel particularly at night, in inclement weather, or for those with limited mobility.
 9. As such, the location of the site means that occupiers would be heavily reliant on private vehicles for many day-to-day services and facilities, as would visitors and deliveries. This would cause environmental harm, because the proposal would not contribute to a cumulative reduction in harmful greenhouse gas emissions, or to an improvement in air quality and public health.
 10. CLP policies 12 and 23 require that proposals have a design that responds to its landscape setting and to local distinctiveness. There is an existing static unit adjacent to the site as well as dwellings nearby. However, the site is in countryside within a pastoral landscape identified by the Landscape Character Assessment in the former County Council's Landscape Character Study, June 2008.
 11. I understand that the appellant has recently planted a significant number of trees which, together with existing hedging would largely screen the proposal from Mount Whistle Road, at least when in leaf. Even so, the proposed caravan would have a stark, utilitarian appearance that would be incongruous and out of place with its rural surroundings. Furthermore, its siting outside of the group of buildings at and around Mount Whistle Farm, together with the intensification of domestic paraphernalia associated with the proposed use, would harmfully erode the rural character of the landscape.
 12. As such, for the reasons given above, the site would not provide a suitable location for the proposal, having regard to the spatial strategy of the Development Plan, the accessibility of the site to services and facilities and its effect on the character and appearance of the area. Accordingly, the proposal would conflict with CLP Policies 2, 3, 5, 12, 21 and 23. It would also conflict with CLP Policy 7, which permits new housing in the countryside only in special circumstances that do not apply here.

13. For similar reasons, the proposal would conflict with Policy PH3 of the Illogan Parish Neighbourhood Development Plan (NDP), made May 2019, which requires that proposals respect the character and appearance of the surrounding area. The proposal would also not accord with DPD policies C1 and T1, which seek to minimise greenhouse gas emissions and the need to travel, or with the aims of the National Planning Policy Framework, including that tourism respects the character and beauty of the countryside.
14. Due to the conflict with Development Plan policies that I have identified, it follows that the presumption in favour of sustainable development contained in CLP Policy 1 does not apply and so is neutral in the planning balance. I have little to suggest that the proposal would close an open gap between settlements that NDP Policy PEH1 seeks to maintain, and so I find no conflict with this policy. However, this does not change my conclusions with regard to the conflict with the Development Plan.

Other Matters

15. Under the provisions of the Town and Country Planning (General Permitted Development) Order 2015, there may well be a fallback open to the appellant whereby a caravan could be occupied on the site for a temporary period each year. However, if the appeal were successful, the harm that I identify from the proposal would exist for a longer period of time than under the fallback. As such, the fallback does not justify the proposal.
16. The appellant refers to the high demand and saturation of holiday accommodation locally and the effects on existing tenants, some of whom have been evicted as a result. The proposal would make a positive contribution to the supply of holiday accommodation and so may help to alleviate these problems. As part of farm diversification, the proposal and its occupiers would also make a positive social and economic contribution to the local area. However, being for only a single unit, these benefits would be relatively minor and so attract only limited weight.

Planning Balance and Conclusion

17. For the reasons given, I have found conflict with the Development Plan as a whole. The material considerations in this case do not indicate a decision other than in accordance with the Development Plan. This leads me to conclude that the appeal should be dismissed.

O Marigold

INSPECTOR