



Appeal Decision

Site visit made on 24 October 2023

by C Cresswell BSc (Hons) MA, MBA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 December 2023

Appeal Ref: APP/D0840/W/23/3320042

Clowance Wood Meadow, Clowance Wood, Praze-an-Beeble, Camborne, Cornwall TR14 0NW

- 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 M Wills against the decision of Cornwall Council.
 - The application Ref PA23/00245, dated 31 January 2023, was refused by notice dated 31 March 2023.
 - The development proposed is "retention of two caravans with one caravan to be used as living accommodation and the other to be used for storage whilst replacement dwelling is being erected under application PA22/04705 for a period of 12 months".
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The planning application was made retrospectively. The caravans have already been placed on the site.

Main Issues

3. The main issues in this case are:
 - whether the site is a suitable location for the caravans, having particular regard to development plan policies which seek to control new housing in the countryside.
 - the effect of the proposal on the character and appearance of the area.

Reasons

Location

4. The appeal concerns two static caravans which are situated in close proximity to one another in a courtyard which also contains two large agricultural buildings. I understand that one of the caravans is being used as a dwelling and the other caravan is being used for storage.
5. The Local Plan¹ aims to achieve a sustainable pattern of development. This is expressed through Policies 1, 2 and 3 of the plan which, when taken together, aim to steer the majority of new housing towards the main towns. Development in the open countryside is restricted.

¹ Cornwall Local Plan Strategic Policies 2010-2030

6. Policy 3 does allow a limited amount of new housing within, or on the edge, of small rural settlements. However, the pattern of development in the vicinity of the site is low density and the caravans are situated some distance away from the nearest dwellings in an agricultural setting. As such, the site is not related to a distinct built-up area that could be described as settlement. Hence, the caravans cannot be justified on the basis of Policy 3.
7. Policy 7 of the Local Plan only permits new dwellings in the countryside where there are special circumstances. Paragraph 2.33 of the plan defines the open countryside as *the area outside of the physical boundaries of existing settlements (where they have a clear form and shape)*. I have determined that the caravans are located outside the confines of a settlement and hence they are within the open countryside for the purposes of Policy 7. None of the special circumstances listed in Policy 7 are applicable and so the proposal is in conflict with the Local Plan in this respect.
8. For similar reasons, the caravans are not supported by Policy HT1 of the Neighbourhood Plan². This allows small scale development to take place within the boundaries of Crowan, Leedstown, Nancegollan, Praze-an-Beeble and Townshend. The caravans are situated outside these settlements.
9. The appellant has a permanent home under construction a short distance away. The Council say it has no objection to the appellant living in a caravan on that site whilst the home is being built. However, this would involve the appellant moving the existing caravans, or potentially having to break them up and purchase new ones. It would also involve more commuting as the appellant works on the site.
10. The proposal would therefore yield some small environmental benefits in terms of reducing greenhouse gasses and waste. However, this is not sufficient justification to warrant a departure from development plan policies which govern the location of new dwellings. These policies direct the majority of new housing to the most sustainable locations with the best access to shops, services and public transport. Development in rural areas is only supported if special circumstances apply. The caravans represent sporadic development in the countryside which would undermine this strategy. Hence, the proposal is also in conflict with Policies C1 and T1 of the Climate Emergency DPD³ which aim to reduce dependence on private cars for day-to-day living.
11. Although the caravans are temporary and only one of them is currently being used for living accommodation, this still constitutes residential development for the purposes of planning policy. The development plan policies referred to in this appeal do not differentiate between temporary and permanent forms of accommodation.
12. I understand that there are other caravans in the area which are being used for living accommodation. However, I am not aware of the full circumstances of those cases. As such, they do not establish a convincing precedent which should guide my decision in the current appeal.
13. I therefore conclude on this issue that the site is not a suitable location for the proposed caravans.

² Crowan Parish Neighbourhood Development Plan 2018-2030

³ Climate Emergency Development Plan Document, February 2023

Character and appearance

14. While the caravans have a functional appearance which does not reflect the design of typical housing in this area, they are nonetheless small and low lying structures which are partly screened by vegetation and surrounding development. Although they can be seen from the road and public footpath, they are visually dominated by nearby agricultural buildings and so do not appear particularly prominent in their local setting. Domestic paraphernalia is mainly confined to small areas of decking and is not obtrusive.
15. I therefore conclude on this issue that the caravans have an acceptable effect on the character and appearance of the area. There is no conflict with Policies 12 and 23 of the Local Plan which seek appropriate standards of design and aim to protect landscape quality. Nor is there any conflict with Policy 24 of the Local Plan which aims to protect heritage assets.

Other matters

16. The appellant refers to the inconvenience and expense that would be incurred in the event of the appeal being dismissed. Although I have some sympathy for this situation, I am required to base my decision on the development plan in accordance with planning law. The personal circumstances of the appellant are not matters to which I assign a great deal of weight in this appeal and so do not outweigh the provisions of the development plan.
17. That said, I note the original planning application sought temporary permission for the caravans for a period of 12 months while the appellant's house is being constructed. This was dated 31 January 2023 which is approaching a year from this appeal decision. The caravans have remained in place throughout this time and the appellant has been able to live on the site. Hence, for the most part, the appellant has achieved what he originally sought.

Conclusion

18. Although the caravans have an acceptable effect on the character and appearance of the area, the site does not provide a suitable location for new housing. The appeal is therefore dismissed.

C Cresswell

INSPECTOR