



Appeal Decision

Site visit made on 14 January 2025

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 January 2025

Appeal Ref: APP/D0840/W/24/3350593

Land east of The Yard, Polstrong, Cambourne, Cornwall, TR14 0QA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs I Dobson against the decision of Cornwall Council.
 - The application Ref is PA23/09264.
 - The development proposed is siting of two holiday pods and associated works.
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Decision

1. The appeal is allowed and planning permission is granted for siting of two holiday pods and associated works in accordance with the terms of the application, Ref PA23/09264 and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans No.: 001 (Location Plans); 003 (Proposed Plans & Elevations); 004 (Enlarged Location Plan).
 - 3) The external surfaces of the development hereby permitted shall be constructed in materials shown on approved plan No.003 (Proposed Plans & Elevations).
 - 4) The development hereby permitted shall be used as holiday accommodation only and shall not be occupied as a person's sole or main place of residence. The owners/operators shall maintain an up-to-date register of the names of all occupiers of the holiday accommodation, and of their main home address, and shall make this information available at all reasonable times to the Local Planning Authority.
 - 5) Before the development hereby permitted is commenced, a scheme of landscaping to provide screening for the two holiday pods shall be submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing comprised in the approved landscaping scheme shall be carried out in the first planting and seeding seasons following the first occupation of the holiday pods or the completion of the development, whichever is the sooner. Any trees, plants or hedging which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

- 6) Before the development hereby permitted is commenced, details of the siting, layout and surfacing materials of parking areas and any other hard surfaces, including boundary treatments, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out prior to the first occupation of the development hereby permitted.
- 7) The development hereby permitted shall not be occupied until the installation of a system to serve the development for the disposal of foul and surface water drainage has been completed in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority. The details shall include a programme for maintaining the system if required. The system shall be retained and maintained thereafter in accordance with the approved details.

Preliminary Matters

2. A revised National Planning Policy Framework (NPPF) came into force on 12 December 2024. However, the policies that are relevant to this appeal have not changed, albeit some of the paragraph numbering is different. In view of this, I have not sought the parties comments on the revised NPPF.

Main Issues

3. Whilst there is only one reason for refusal, this raises two separate issues namely, (a) whether the location of the appeal site would be suitable for tourism development, and (b) the effect of the development on the character and appearance of the area.

Reasons

Suitability of location

4. The Council's reason for refusal refers to policies 1 (Presumption in favour of sustainable development) and 2 (Spatial strategy) of the Cornwall Local Plan Strategic Policies 2010-2030 (November 2016) (CLP). These require, amongst other matters, that new development provides a sustainable approach to accommodating growth, taking account of, in particular, location, layout and design that maintains the dispersed development pattern of Cornwall. The Council's Statement of Case (CSOC) also refers to policies 3 (Role & function of places) and 7 (Housing in the countryside) of the CLP.
5. Policies 3 and 7 of the CLP relate to housing development and employment growth, and housing development in the countryside respectively. Notwithstanding the fact that these policies were not referred to in their reason for refusal, I acknowledge the reasons why the Council have referred to these policies given that the proposed holiday use falls within Class C3 of the Use Classes Order, dwelling-houses. Also, as the proposed pods include a bedroom, bathroom, dining room and lounge thus exhibiting all the facilities and characteristics of a dwelling, and should therefore be assessed on that basis.
6. Policy 3 confirms that new housing will be accommodated in accordance with a hierarchy, with part 1 delivered through a Site Allocations Development Plan Document or Neighbourhood Plan for the identified main towns; part 2 through specific eco-communities; and part 3, for areas outside the main towns, through Neighbourhood Plans, infill, rounding-off, previously developed land (pdl) or rural

exception sites. The appeal site is not allocated in a Neighbourhood Plan, is not within or adjacent to a defined settlement boundary, does not comprise rounding-off or infill, and has not been promoted as pdl or as a rural exception site. Policy 7 confirms that new homes within the open countryside will only be permitted where there are “*special circumstances*”. It is not disputed that the appeal site is located within the open countryside and there is no evidence that the proposal would fall within any of the exceptions or “*special circumstances*” to the policy. As such, I concur with the Council that any proposal for housing on the appeal site would be contrary to policies 3 and 7 of the CLP.

7. Even so, the proposal that is before me is specifically for holiday pods and holiday accommodation, reflected in the submitted plans, supporting documents and on the application form. As such, policy 5 (Business & tourism) of the CLP is, in my view, the key planning policy in that it relates, in part, to new tourism facilities. Part 3 of the policy states that development in the form of new, high quality sustainable tourism facilities and accommodation “*will be supported where they would be of an appropriate scale to their location and to their accessibility by a range of transport modes.*” The supporting text to the policy does not expand or define “*appropriate scale*” or “*accessibility*” further. Paragraph 2.8 simply states that tourism plays a major part in the economic, social and environmental wellbeing of Cornwall, generates significant revenues, provides thousands of jobs and supports local communities.
8. Part 3 of policy 5 must be read in conjunction with policies C1 (Climate change principles) and T1 (Sustainable transport) of the Climate Emergency Development Plan Document (February 2023) (DPD), also referred to in the Council’s reason for refusal. These policies require, amongst other matters, that: new development must represent sustainable development; maximise the ability to make trips by public transport; be designed and located to minimise the need to travel by private car; and to support, in particular, walking, cycling and public transport.
9. Within the above context, the appeal site comprises a small parcel of scrubland located adjoining a complex of buildings that includes Polstrong Farm and Manor House, various residential properties, some of which have been converted from farm buildings, other farm outbuildings, stables and a menage and an engineering business. The appeal proposal itself involves the construction of two small holiday pods with a car parking space to serve each unit. Each pod would include an open plan living area and bedroom, with a separate bathroom. Externally, the pods would include a traditional curved roof design constructed from natural slate, with a small uPVC window and double doors set within timber cladding at either end.
10. As I observed on my site visit, the appeal site is located a short distance from Camborne and its variety of services and facilities that a tourist might need to access when staying at the proposed pods. That proximity is shown further on Figure 1 to the Appellant’s Statement of Case (ASOC), which also shows the opportunities to access Camborne by walking, cycling and by public transport. Based on my own calculations, Camborne can be accessed on foot, on routes to the east, within some 15 - 20 minutes and by cycling within some 5 minutes. There are bus stops on Roseworthy Hill, to the north of the appeal site, some 10 minutes on foot, which the evidence before me indicates provide regular bus services into Camborne and nearby towns.

11. As I also observed, there are various routes into Cambourne or to the bus stops and a large part of this is along a private road that serves the complex of buildings at Polstrong Farm. Part of the route does involve walking or cycling along rural lanes and then a tarmacked public footpath, but the distance involved is not far and these routes appear quiet and reasonably safe. There is certainly no evidence before me to indicate that these routes are busy or unsafe. Whilst I accept that these routes do not have dedicated pavements and/or are unlit, those considerations are likely to be true of a large amount of new tourist accommodation located within the countryside and should not be a determining factor in this specific case. Overall, I am satisfied that the appeal site is sufficiently accessible to local services and facilities on foot, cycle or public transport and is a location that would support walking, cycling and the use of public transport.
12. Even so, part 3 of policy 5 of the CLP refers to new tourism facilities being supported “*by a range of transport modes*”. It therefore accepts and acknowledges that tourists using such facilities are also likely to do so using a private car, as one such “*mode*”. The proposal will by its very nature and location inevitably generate some trips by private car, but as I have found the appeal site is also sufficiently accessible to other modes of transport. Moreover, it is important to emphasise that the policy does not require tourist facilities to be located within or immediately adjoining existing settlements and that there is no objection in principle to such facilities within the open countryside. That approach is consistent with paragraph 88 of the NPPF and part c) which states that policies and decisions should enable sustainable rural tourism developments which respect the character of the countryside. Paragraph 89 is also, in my view, relevant in that it states that policies and decisions should recognise that sites to meet local business and community needs may have to be found adjacent to or beyond existing settlements that are not well served by public transport.
13. For the above reasons, I am satisfied that the appeal proposal “*would be of an appropriate scale to their location and to their accessibility by a range of transport modes*”.
14. The Council contend that the routes into Cambourne would not be safe or easy to access at night or in inclement weather. As I confirmed earlier, I am not persuaded in this specific case that these consideration are a determining factor. As I have found, local services and facilities are within a reasonable and safe distance from the appeal site and would be accessible for most of the main holiday seasons even in the evening when it is light, with nearby bus services offering an option when it is dark or in poor weather.
15. Both parties have referred to appeal decisions in support of their case. Whilst I have had regard to these, as is required, I have determined the appeal proposal on its individual merits, having regard to the particular circumstances of the case, its location and accessibility. Even so, a number of the decisions referred to by the Council are not, in my view, comparable in that they involved developments that were isolated and of a greater scale, were a significant distance from local services, facilities and public transport (bus) routes or where no evidence of bus routes was provided and/or involved walking and cycling on busy and unsafe main roads. The Appellant has also referred to the benefits of the proposal including its support for tourist accommodation that in turn supports and sustains the Cornish economy. It would also increase local spend and there would be health and well-being benefits

by providing access to the countryside and the walking/cycling opportunities it offers. These benefits add further support to my findings.

16. Accordingly, I find that the appeal proposal would comply with policies 1, 2 and 5 of the CLP, policies C1 and T1 of the DPD and the corresponding policies of the NPPF. Whilst a proposal for housing on the appeal site would conflict with policies 3 and 7 of the CLP, I am satisfied that this is not a determining factor in this appeal in that the proposal before me specifically seeks planning permission for holiday accommodation and as the proposal can be restricted to holiday use only in line with the condition suggested by the Council, a matter that I return to later.

Character and appearance

17. Part 3 of policy 5 of the CLP requires new tourism facilities to be of an “*appropriate scale*” to their location. Policy 12 (Design) requires new development to be of a high quality, ensure Cornwall’s enduring distinctiveness and maintain and enhance its distinctive natural character. Policy 23 (Natural environment), also referred to in the Council’s reason for refusal, requires new development to protect and where possible enhance Cornwall’s natural environment and assets according to their international, national and local significance. In relation to “*Cornish Landscapes*” the policy requires development to be of an appropriate scale and design, that recognises and respects the landscape character of both designated and undesignated landscapes.
18. The proposed pods would be small scale and low key, with a high quality traditional design. There would be a limited amount of permeable brick paving for access and parking, and a modest boundary fence between the two units. The submitted plans show that existing native planting/trees and Cornish Hedging, on the boundaries, would be retained, which could be enhanced through the submission and approval of a landscaping scheme. Over half the site would remain open. Whilst there is some evidence of a previous building on part of the site, this is not conclusive and the Appellant does not contend that the site is pdl.
19. Even so, the proposed pods would be sited on an area of cleared scrubland that appears to have no other value or use and which visually is largely screened from its surroundings. The site is positioned in between stables and a menage to the east and the main Polstrong Farm complex to the west, which includes a large engineering building. As such and in view of the small scale of the proposal and its close visual and physical relationship with existing buildings, the development would not be visually intrusive, and neither would it result in a scattered form of development or any harmful encroachment into the open countryside. Overall, the proposal would, in my judgment, be largely indiscernible within its surroundings.
20. The proposed pods would be hidden from public views in that the lane that leads up to it is private and my attention has not been drawn to any other views of the proposal from public rights of way or long range views. I am also satisfied that given the small size and nature of the holiday accommodation, and the retention of existing native planting/trees, with the ability to enhance this through a landscaping scheme, the impact of any associated paraphernalia would be limited. I accept that items such as a table and chairs and BBQ equipment would involve a change to the appearance of part of the curtilage, but that change would, in my view, be limited and in a location that would not be visually prominent.

21. The key characteristics of the local landscape are set out in the Cornwall Character Area Descriptions for CCA09, Silverwell to Cambourne and CCA08 North Coast to Reskajeage Downs (CCA). The main characteristics of these CAA's (the appeal sites is located on the boundary between the two) is their mixed arable and pastoral medium scale field patterns, smaller and more sinuous fields bounded by well treed Cornish Hedges, main land cover of improved grassland and pasture, sheltered valleys, medieval farmsteads, former industrial and mining areas and dispersed rural settlements. The appeal proposal would not impact on any of these key characteristics of the CCA's.
22. In relation to policy C1 of the DPD, insofar as this seeks to conserve and enhance the natural environment, I am satisfied for the reasons given above that the appeal proposal would comply with the general aims and objectives of this policy.
23. Accordingly, I find that the appeal proposal would not result in any harm to the character and appearance of the area or to the intrinsic beauty and character of the countryside and its rural setting, and would thus comply with policies 1, 2, 5, 12 and 23 of the CLP, policy C1 of the DPD and the corresponding policies of the NPPF.

Conditions

24. The Council has suggested various conditions which I have considered against the advice in the NPPF and the Planning Practice Guidance (PPG) chapter on the 'Use of planning conditions'. I have also had regard to the Appellants Final Comments which did not raise any objections to the conditions listed in section 7 of the CSOC.
25. The suggested conditions seek to control the use of the development as holiday accommodation and require details to be submitted and approved by the Council, either before the development is commenced or is first occupied, of landscaping, layout and surfacing of parking areas and disposal of foul and surface water drainage. These conditions are reasonable and necessary in the interests of securing a high quality development, to reflect the details set out in the application and prevent the proposed pods being used as independent residential accommodation, to protect visual amenities and ensure the site has appropriate drainage.
26. I have added, as suggested, a plans condition and again, to secure a high quality development, also added a materials condition to reflect those shown on the approved plans.

Conclusions

27. For the reasons given above and having taken all the other matters raised into account, I conclude that the appeal should be allowed.

G Roberts

INSPECTOR