



Appeal Decision

Site visit made on 26 February 2025

by T Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th March 2025

Appeal Ref: APP/D0840/W/24/3349253

Trevedras Farm, Access To Trevedras Farm, St Mawgan, Cornwall TR8 4HE

- 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 Mrs Davina Whiteoak against the decision of Cornwall Council.
 - The application Ref is PA23/09628.
 - The development proposed is Use of existing one bed annexe accommodation for holiday guests.
-

Decision

1. The appeal is allowed and planning permission is granted for Use of existing one bed annexe accommodation for holiday guests at Trevedras Farm, Access To Trevedras Farm, St Mawgan, Cornwall TR8 4HE in accordance with the terms of the application, Ref PA23/09628, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be occupied as holiday accommodation only and shall not be occupied as a sole or main place of residence. An up to date register shall be kept at the holiday accommodation hereby permitted and be made available for inspection by the local planning authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.

Main Issue

2. The main issue is whether the proposed development is in a suitable location having particular regard to development plan policies and accessibility to local services and facilities.

Reasons

3. The appeal site contains a former detached garage building that has been converted to annexe accommodation associated with Trevedras Farm. Situated in the open countryside and outside of any settlement, the site is in a relatively isolated position.
4. The annexe contains all the facilities necessary for normal day to day private domestic existence. It would not lose this characteristic if it was occupied by a series of different persons. Consequently, although its proposed holiday let use could be conditioned, it is appropriate to treat the appeal proposal as providing residential accommodation for the purposes of applying planning policies. Policies in the Cornwall Local Plan Strategic Policies 2010 - 2030 (CLP) relating to the

provision of housing are therefore relevant. However, based on the submitted evidence, the site's location and the use proposed, the appeal proposal does not meet any of the criteria in CLP Policies 3 and 7.

5. The nearest settlement to the site which includes some services and facilities is St Mawgan. However, walking or cycling there or to the nearest bus stops would involve negotiating some narrow sections of highway with neither lighting nor separation from vehicular traffic for much of the way. Furthermore, although the site is not that far from St Mawgan, the route involves some relatively steep ascents and descents. Walking and cycling would therefore neither be particularly appealing nor safe, especially when carrying anything or during darkness and poor weather. With the nearest bus stops also being some distance away, future occupiers would thus be likely to drive for the majority of their journeys, with the exception of for example some recreational walking or cycling should the local highway conditions not put people off before they reach the area's various scenic footpaths and other rights of way.
6. I accept that this is likely to be the case for many rural areas in general and that tourists in such places may often be expected to drive. Amongst other aspects, the National Planning Policy Framework (Framework) also recognises that opportunities to maximise sustainable transport solutions will vary from urban to rural areas; and sets out that sites to meet local needs in rural areas may have to be found beyond settlements and in locations not well served by public transport.
7. However, the lack of practicable alternative transport options and the distance to services and facilities mean that future occupiers of the development would likely be wholly reliant on the private vehicle to serve their daily needs. Despite its modest scale being appropriate to its location, this indicates that the appeal proposal cannot therefore reasonably be described as being, in the words of CLP Policies 5 and 21, accessible by a range of transport modes and sustainably located. The site's location in relation to other settlements and tourist destinations does not lead me to a different view. Such reliance on the private vehicle indicates that the proposal would also have an adverse environmental impact.
8. It has been put to me that the proposed use would support diversification of the farm. Be that as it may, with the first part of CLP Policy 5 relating to proposals for new employment land and uses, part 1c of the policy is not applicable to the appeal proposal.
9. For the above reasons, I conclude that the proposed development is not in a suitable location having regard to development plan policies and accessibility to local services and facilities. I therefore find that it conflicts with CLP Policies 2, 3, 5, 7 and 21. Amongst other aspects, these set out the Council's approach to the delivery of housing and its spatial strategy (including new development providing a sustainable approach); encourage sustainably located proposals; and support new tourism accommodation where it would be of an appropriate scale to its location and accessibility by a range of transport modes, and provide a well balanced mix of economic, social and environmental benefits. These policies appear to be broadly consistent with the relevant provisions in the Framework.
10. The Council also alleges a conflict with CLP Policy 1. However, my attention has not been drawn to any words in it that are relevant to this issue. The policy has therefore not been determinative in my decision.

Other matters

11. The proposed use would result in various benefits. This includes the provision of a self-contained residential unit which would contribute to the supply of housing in the locality. Although not quantified, the proposed use would contribute to the local economy to some extent through tourists visiting attractions and using local services and facilities. Whilst limited detail is provided as to the current use and viability of the farm, the proposed holiday accommodation use of the annexe would also clearly provide some additional income to the appellant which, it seems to me would in turn support the holding and its diversification. In coming to this view, I have taken into account the sheep grazing arrangements that my attention has been drawn to; the approved conversion of other buildings on the farm to holiday accommodation; and the permissive nature of Policy AG1 of the Climate Emergency Development Plan Document, which the Council has sought to introduce in its appeal statement.

Planning Balance

12. I have found that the proposed development is not in a suitable location having particular regard to development plan policies and accessibility to local services and facilities. On the basis of the evidence before me and my finding that the proposal would not accord with various CLP policies, this leads me to conclude that the proposed development conflicts with the development plan as a whole.
13. However, the available evidence indicates that the Council has a relatively significant shortfall in housing supply, currently only being able to demonstrate a supply of approximately 3.8 years. The lack of a sufficient supply of deliverable housing sites means that the approach set out in paragraph 11d) of the Framework applies. Although the size of the development means that its benefits, as detailed above, would be modest, the appeal proposal would nevertheless provide an additional residential unit in an area without a sufficient supply of housing, support farm diversification and contribute to the local economy. These are significant aspects which weigh in favour of the appeal proposal and align with what various local and national policies seek to achieve, including the provisions in the Framework in relation to delivering a sufficient supply of homes and supporting a prosperous rural economy.
14. On the other hand, the proposed use would result in a new dwelling in the countryside, contrary to the various restrictions on housing in such area in local and national planning policy; and future occupiers relying on the private vehicle, causing some environmental harm and conflicting with CLP and Framework policies that seek to promote and prioritise sustainable transport modes and enable sustainable rural tourism developments. However, there will be a certain number of vehicle movements associated with the current lawful use of the annexe; and whilst the proposed holiday use may increase this to some extent, the change is unlikely to be substantial. The size of the appeal building means that the number of trips associated with its use as holiday accommodation is also likely to be relatively limited in any event. Accordingly, the adverse environmental impacts arising from the proposed change of use would not be significant; and whilst the proposal would create an isolated home in the countryside, it would contribute towards the supply of housing in the area and make use of an existing building.

15. Consequently, the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole and having particular regard to its key policies for directing development to sustainable locations. The presumption in favour of sustainable development therefore applies in this instance.

Conclusion and Conditions

16. Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance, whilst the appeal proposal would conflict with various CLP policies and result in some environmental harm due to the lack of practicable alternative transport options to the private vehicle, there is a clear need for housing in the district given the shortfall in supply. The proposal would also support farm diversification and contribute to the local economy, whilst I have found that the harm that would arise would not be significant. Accordingly, although I give great weight to the conflict with the development plan, material considerations outweigh the harm that would arise and the policy conflicts; and indicate that the development proposed should be permitted notwithstanding its conflict with the development plan as a whole.
17. Although I have imposed the standard time limit condition, a plans condition is not necessary given that the proposed development involves a change of use only. However, I have imposed a condition relating to the holiday use of the accommodation in the interests of certainty and to ensure it is used for the stated purpose.

T Gethin

INSPECTOR