



Appeal Decision

Site visit made on 23 September 2025

by **G Roberts BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 08 October 2025

Appeal Ref: APP/D0840/W/25/3367135

Maidenland, Cricks, St Kew, Bodmin, Cornwall, PL30 3HA

- 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 Rosanna Harris against the decision of Cornwall Council.
 - The application Ref is PA24/05815.
 - The development proposed is change of use of an existing unused agricultural building to tourism through high quality glamping accommodation and landscaping, utilising existing access and parking for the purposes of tourist accommodation, designed in response to available guidance.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of the development from the application form. I have also referred to the National Planning Policy Framework (NPPF) which came into force on 12 December 2024, after the application was refused permission but before the appeal was lodged on 5 June 2025.

Main Issues

3. The main issues are (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 spatial strategy for Cornwall is set out in policy 2 of the Cornwall Local Plan Strategic Policies 2010-2030 (CLP). This needs to be read in conjunction with policies 1 and 27 of the CLP and policies C1 and T1 of the Climate Emergency Development Plan Document (DPD). Combined, these require, amongst other matters, that new development provides a sustainable approach to accommodating future growth taking account of location, layout, design and scale, maintains the dispersed development pattern of Cornwall, supports new development within defined settlement boundaries and is designed and located so as to minimise the need to travel by private car and support walking, cycling and public transport.
5. Housing and employment growth and housing within the countryside are dealt with in policies 3 and 7 of the CLP. They are raised in the Council's reasons for refusal, as the proposed holiday accommodation falls within Class C3 of the Use Classes

- Order (dwelling-houses). Also, as the proposal exhibits all the characteristics of a dwelling, in that it includes 2 bedrooms, an open plan kitchen, diner with living room and a bathroom. As such, it is established practice and case law that the proposal should be assessed on the basis that it could constitute a new dwelling.
6. Policy 3 of the CLP requires new housing to be accommodated through a hierarchy starting with Site Allocation/Neighbourhood Plans, eco-communities, and for areas outside the main towns through infill, rounding off, previously developed land (PDL) or rural exception sites. The appeal site is not allocated, it is not within or adjacent to a defined settlement, it does not comprise rounding-off/infill or a rural exception site. Policy 7 states that new homes within the countryside will only be permitted where there are “*special circumstances*”. The appeal site is located within the open countryside, and the proposal would not fall within any of the exceptions to that policy. As such, any proposal for housing would be contrary to policies 3 and 7.
 7. The Appellant suggests that the appeal site is PDL. Whether that is the case or not is not a matter that is before me, and I am not aware of any Lawful Development Certificate having been obtained to confirm its lawful use as PDL. Even so, policy 3 of the CLP only permits the development of PDL where it is within or immediately adjoining a settlement, which does not apply here. As far as policy 21 of the CLP is concerned, this seeks to give encouragement to sustainably located proposals that use PDL or buildings and deliver a sustainable balance of development, in line with policy 3 and does not provide support for the proposal.
 8. Notwithstanding the above, the appeal proposal is for holiday accommodation, which is covered in part 3 of policy 5 of the CLP. This states that development in the form of high quality sustainable tourism facilities “*will be supported where they would be of an appropriate scale to their location and to their accessibility by a range of transport modes.*”
 9. The appeal site is located to the east of the property known as Maidenland, which is also owned by the Appellant. It comprises a single storey timber stables building with a separate access from the lane to the south. The stables are located on the western side of a larger field, also owned by the Appellant, which extends to the south, east and north. The proposal involves the demolition of the stable and replacement by a two storey building, with the upper floor largely within the roofscape.
 10. The first requirement of part 3 of policy 5 relates to a proposal being of an appropriate scale to its location. The appeal proposal would provide a two storey building with two bedrooms (for up to four people), bathroom, open plan diner, kitchen and living room, and craft studio area. There is also a separate craft studio area on the first floor mezzanine level. A large patio area is shown on the east elevation facing the field, with a new path leading to this from the parking area. An area of concrete hardstanding is shown as being retained to the north of the building, with what appears to be an area of garden to the north east and east of the building. However, it is unclear how far the latter extends, as the application site red line falls well short of a new hedgerow on the proposed plans. An ‘Access Plan’ leads to further confusion, in that it shows the red line extending further than that on the proposed plans (to apparently include the new hedgerow). Also, the status of this ‘Access Plan’ is unclear, as it does not appear to be referenced in the decision notice or in the Appellant’s ‘5b List of Application Plans’.

11. The existing parking area would be reused for parking and turning and to provide refuse/cycle storage, but it's unclear whether this area would be resurfaced. The design of the access is also unclear, with the proposed plans showing a red line around the access and then a blue line set back from the edge of the lane. I assume the set back is to accommodate visibility splays, which are only shown on the 'Access Plan'. The south eastern splay would require the cutting back of the hedgerow to a height of 0.9 metres, but all the plans show that this would appear to be on land outside the red and blue lines.
12. Notwithstanding the above, the scale and footprint of the new building would be similar to that of a detached 2 bedroom house with a traditional pitched roof. This compares to the stable, which has a traditional utilitarian appearance, with a low profile roof and an 'L' shape, with one corner open on two sides (with a roof over). The extent of the new build would, therefore, be significant compared to existing and on a domestic scale. That would be compounded by the proposed design that includes large areas of glazing, a patio and open areas that could be domesticated. There is also the new hedgerow boundary that extends well into the larger field (apparently beyond the application red line), and well beyond the hedge on the eastern side of the stables that, in part, screens it from the wider field.
13. The overall scale of the development would not, in my view, be appropriate, or be proportionate for its location or surroundings. It would be visible from the lane and in long range views, in a location where there are no agricultural or other buildings that it would physically or visually integrate with.
14. Turning to the remaining section of part 3 of policy 5 of the CLP, accessibility to a range of transport modes, policy 21 of the CLP and policy T1 of the DPD also require development to be located so as to minimise the need to travel, and support a hierarchy that essentially promotes walking, cycling and public transport, then car clubs and electric vehicles. As I observed on my site visit, the appeal site is not well related to the nearest settlements that contain the variety of services and facilities that a tourist might need to access or use when staying at the proposed unit. The evidence before me indicates that there is a bus stop some 900 metres from the appeal site, at Kew Highway, together with a pub and convenience store all accessed via the lane. There is also a pub a similar distance to the north west. I note that some of the bus services are not that frequent, varying from 2 – 7 buses a day, and it's unclear whether this includes late evenings or weekends.
15. The route to the bus stops, pub and shop for walkers is long and involves a narrow lane, which might be quiet but is enclosed by hedging, with no pavements, verges or streetlights on large parts of the route. I accept that the latter is not uncommon in rural areas, but with holidaymakers (tourists) who are not familiar with the area or have young children or are elderly, they would be unlikely to consider the route to be convenient, easy, safe or comfortable during poor weather. In relation to the convenience store, the distance there and back would be a considerable walk, and with having to carry any shopping it is more than likely that people would use their private car.
16. On balance, therefore, I find that future occupiers of the proposed holiday unit would be more reliant on the private car in order to access services such as a shop, as well as a choice of pubs/restaurants or, it would appear, to reach comprehensive public transport connections. I accept that the proposal would not result in the level of trips that would impact on road safety, and that the dependence on private cars

often provides the main means of transport within rural areas, but the appeal proposal would exacerbate the level of reliance on the private car which the policies of the CLP and DPD are seeking to reduce, and would not sufficiently support the use of public transport, walking and cycling.

17. I recognise that criterion 3 of policy 5 of the CLP refers to new tourism facilities being supported “*by a range of transport modes*”. The policy, therefore, accepts that tourists using such facilities are also likely to do so using a private car, as one such “*mode*”. However, as I have found, the proposal would place more reliance on and exacerbate the use of the private car in a location that is not sufficiently accessible to other modes of transport. My finding in this respect is supported by paragraphs 88 and 89 of the NPPF, which state that policies and decisions should enable sustainable rural tourism developments which exploit opportunities to make a location more sustainable.
18. Both parties have referred to examples of other approvals, including on appeal, for tourist accommodation elsewhere in Cornwall. The Appellant has also referred to examples elsewhere in the Country which are not, in my view, comparable, as they relate to different policy regimes and local circumstances. Even so, my experience of similar cases in Cornwall is that no two proposals are ever directly comparable, and that there will inevitably be differences in terms of, for example, the scale and nature of the development, location, policy designation and local context. Each proposal should, in my view, be considered on a case by case basis. They should also be assessed, as is required, on their individual merits, having regard to the circumstances of the case and their local context. That is the approach I have adopted here.
19. The Appellant refers to the inclusion of electric charging points and electric bikes. However, these are increasingly standard requirements for all new developments. Reference has also been made to a travel plan, but any such measures would not mitigate for the poor accessibility of the site. I accept that the proposal would support the tourist industry, secure short term employment during construction, increase local spend and secure biodiversity improvements. Even so, some are again standard policy requirements that most new developments must secure. Overall, these benefits are modest, and they do not outweigh the conflict with development plan policies.
20. Accordingly, I find that the appeal proposal fails to comply with policies 1, 2, 3, 5, 7, 21 and 27 of the CLP, policies C1 and T1 of the DPD, and the corresponding policies of the NPPF.

Character and appearance

21. I have already found that in relation to part 3 of policy 5 of the CLP the appeal proposal would not be of an “*appropriate scale*” to its location. Policy 12 of the CLP also requires development to be of a high quality, ensure Cornwall’s enduring distinctiveness and maintain and enhance its natural character. Policy 23 of the CLP requires new development to protect and, where possible, enhance Cornwall’s natural environment and assets according to their significance, ensure that development is of an appropriate scale, and recognises and respects landscape character, designated and undesignated. Within that context, the appeal site falls within the Camel & Allen Valleys Area of Great Landscape Value (AGLV), where

saved policy ENV1 of the North Cornwall District Local Plan (NCLP) states that the protection of landscape character will be particularly important.

22. The scale and footprint of the proposed building would be comparable to that of a detached two storey house and would be significant, reflected in the large amount of accommodation it would include. Its visual prominence would be accentuated by the formal areas of parking and turning, external path, patio and other garden areas and feature boundary hedgerow. Within the garden there would be the potential for domestic paraphernalia such as an outdoor BBQ, fire pits, clothesline, storage sheds and/or maintenance structures.
23. Compared to the low profile utilitarian stables, the proposed building would have a modern domestic appearance with large areas of glazing, which, combined with its scale, results in a development that is not characteristic of the locality, and would be out of character with the more traditional forms of agricultural development. The proposed building would not have any physical or visual relationship to a farmstead or other buildings. As I also confirmed earlier, the extent of the new curtilage (gardens) is unclear, but appears on all the plans to extend well into the open field compared to existing.
24. Whilst I accept that the proposed building would not be highly visible and prominent in public views, it would still be visible from the lane and potentially in long range views, from where it would appear out of character with the more traditional forms of development found within rural landscapes. The new building and its curtilage would harm and undermine the intrinsic character and positive landscape of the AGLV. Further harm would arise from the cutting back of the hedgerow to the lane.
25. I accept that planting and other biodiversity improvements are proposed, but I am not convinced that these measures would provide any effective mitigation. It also appears that the wider field was previously subdivided, but is now open, with no firm features beyond the hedging to the stables. The new hedgerow, along part of the proposed curtilage, would introduce an artificial division that would extend well into this field, contributing to the level of harm that results to the local landscape.
26. The key characteristics of the appeal sites landscape and AGLV are set out in the Cornwall Character Area description for CCA 29 Camel & Allen Valleys (CCA). These include an intact and tranquil landscape and a sparsely settled traditional working agricultural landscape where the pressures for change include recreational development, including tourist accommodation. For the reasons set out above, the appeal proposal would have a harmful impact on a number of the key characteristics and qualities of the CCA.
27. Turning to lighting, and whilst I accept that this is a matter that could be subject to further approval, it is inevitable, with the amount of new accommodation and large areas of glazing, that the proposal would result in light spillage where I assume any light sources from the stables are limited, resulting in harm to dark sky nights and the tranquillity of the area. Both are positive elements of the AGLV's valued landscape character. The use of shutters may provide some mitigation, but I cannot see how their use/retention could be secured or enforced, and there will still remain the potential need for outside lighting to the parking, patio and sitting out areas.

28. In relation to policies 12 and 23 of the CLP, policy C1 of the DPD and policy ENV1 of the NCLP, insofar as these require new development to maintain and enhance the natural character and environment of Cornwall and its assets according to their significance, the appeal proposal would, for the reasons given, conflict with the aims and objectives of those policies. Paragraph 187 a) of the NPPF states that decisions should protect and enhance valued landscapes commensurate with their statutory status or identified quality in the development plan. The appeal proposal fails to do this, contrary to the aims and objectives of the policies referred to above. As a landscape of important value and quality, its protection and enhancement should be accorded considerable weight.
29. The Appellant refers to the fallback position of the stables remaining a commercial livery. Whilst I understand it has been used for this purpose until recently, there is no evidence that this has caused any harm or results in a level of comings and goings that would be materially different than the proposed use. As I have found, the appeal proposal would represent a marked difference to the stables in terms of its scale, footprint, design, curtilage and potential domestic paraphernalia. They are not comparable, and for the reasons given the proposal would erode the rural essence and character of the area and harm this part of the AGLV.
30. Accordingly, I find that the proposal would result in harm to the character and appearance of the area, contrary to policies 1, 5, 12 and 23 of the CLP, policy C1 of the DPD, policy ENV1 of the NDLP and the corresponding policies of the NPPF.

Other Matters

31. The Council's Questionnaire indicates that the appeal site lies within the setting of a Grade II Listed Building, Maidenland. Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires that special regard must be had to the desirability of preserving that buildings setting. Similar advice is to be found in the NPPF. The Council's Historic Environment Officer found that, with the retention of the mature hedging/trees between the appeal site and the curtilage of Maidenland, the appeal proposal would have a neutral impact on its setting. I agree with those findings. I am satisfied, therefore, that the proposal would not result in any harm to the setting of this Listed Building.

Conclusions

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

G Roberts

INSPECTOR