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## Appeal Decision

Site visit made on 30 October 2025

by **C Butcher BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 04 December 2025

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**Appeal Ref: APP/D0840/W/25/3366094**

**Fentonladock Cottage, Lane from Junction West of Fentonladock Cottage to Fentonladock, Ladock, Cornwall, TR2 4NH**

- 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 Jo Murray against the decision of Cornwall Council.
  - The application Ref is PA24/08275.
  - The development proposed is the retention of annex building for holiday use.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. I have determined the appeal on the basis that retrospective permission is sought for the development which has already been implemented.

### Main Issue

3. The main issue is whether the holiday accommodation is in a suitable location, taking account of the Council's spatial strategy and access to services and facilities.

### Reasons

4. Policy 3 of the Cornwall Local Plan Strategic Policies 2010 – 2030 (the LP) sets out the spatial strategy for new development. Part 3 notes that, outside of the main towns, housing and employment growth will be delivered subject to certain criteria, such as the rounding off of settlements, infill schemes and rural exception sites. It is notable that the proposed development would not meet any of these criteria.
5. Within locations in the countryside, including the appeal site, LP Policy 7 seeks to limit the provision of new housing. Exceptions include the sub-division of existing dwellings and the re-use of redundant buildings. The supporting text to the policy makes it clear that the sub-division of buildings does not apply to annexes. Furthermore, while I note that the appellant has confirmed that the annexe is no longer needed in connection to the main dwelling, I do not consider that this means that it is redundant in planning terms.
6. Part 3 of LP Policy 5 does support the provision of new tourism accommodation where it would be of an appropriate scale, taking into account its accessibility by a range of transport modes. In this instance, the appeal site is located in a highly rural area, outside of any settlement. The village of Ladock, which is situated to the south of the site, has some limited services and facilities including a public house,

community hall and primary school. However, it is primarily accessible by utilising the busy B3275 road which is neither lit or has a pavement. Furthermore, while there are footpaths that could be utilised to reach the village, this would involve a fairly indirect route which is also unlit. As such, reaching Ladock on foot or by bicycle is highly unlikely to be an attractive option, particularly in poor weather or during the hours of darkness.

7. The appellant has noted that there is a bus route on the B3275 which passes the appeal site. However, I have no evidence before me to suggest that there is a formal bus stop near to the site, and it seems unlikely that such services could be 'hailed' in the way that the appellant suggests. Overall, taking all of these factors into account, it is clear that the occupiers of the holiday accommodation would be highly reliant upon the use of a private vehicle to access services and facilities.
8. On this basis, I conclude that the development would conflict with LP Policies 1, 2, 3, 5 and 7, as well as Policies C1 and T1 of the Climate Emergency Development Plan Document February 2023 (the CE). The relevant aspects of these policies seek to ensure that new development takes place in sustainable locations, including by enabling the use of a variety of modes of transport.

### **Other Matters**

9. The appeal site is within the zone of influence of the Penhale Dunes and Fal and Helford Special Area of Conservation. However, as I am dismissing this appeal, I am not required to consider this matter further.
10. The appellant has noted that the site was previously used as a garage which would have involved a more intensive use of the site. However, it is clear from the evidence that the garage use ceased several years ago, and this appeal must be assessed on the current lawful use of the site and the adopted policy framework as it currently stands. As such, this has not been a determinative factor within my decision. I do also acknowledge that the previous use of the annexe would have generated some trips by private vehicle, particularly when friends or family were staying there. However, the use of the building for holiday accommodation is likely to result in a more intensive use of the site, including regular trips to various tourist spots and facilities within the wider area.
11. Furthermore, while the accommodation has an electric vehicle (EV) charging point, its use would be entirely dependent on whether or not paying guests have an electric vehicle. The presence of the EV charger therefore does not mitigate the identified harm to any meaningful degree.
12. The appellant has set out that the holiday accommodation is required to provide a second source of income. However, there is little evidence before me in this regard, and I do not consider that this is a matter which overcomes the identified harm. The appellant has also provided brief details of other schemes that they believe to be comparable. However, I do not have the full details of these schemes before me, and it is therefore not clear what considerations were taken into account when those decisions were made by the Council. I therefore attribute this issue very little weight.

## Planning Balance and Conclusion

13. From the evidence before me, the Council is unable to demonstrate a five-year supply of deliverable housing sites, with the current figure being just 3.9 years. In such circumstances, given that the holiday accommodation is within use class C3, the test set out in paragraph 11(d)(ii) of the National Planning Policy Framework (the Framework) is engaged.
14. The proposal is contrary to the objectives of the spatial strategy contained within CS Policies 1, 2, 3, 5 and 7, as well as CE Policies C1 and T1. The proposal therefore conflicts with the development plan taken as a whole. The aforementioned policies are broadly consistent with the aims of the Framework, notably, in respect of seeking to promote development, including tourism accommodation, in sustainable locations with genuine sustainable travel choices. Consequently, I have given considerable weight to the conflict with the development plan.
15. The appeal proposal would make a small but nonetheless positive contribution to supply in an area with a significant housing shortfall. It would also provide some social and economic benefits associated with the use and occupation of the holiday accommodation, including the potential to support wider services. I also note that there are some environmental benefits to the scheme, including solar panels and the EV charging point. However, given the scale of development, I give these benefits modest weight.
16. Due to the lack of access to facilities and services and the reliance on private vehicles, there would be adverse environmental impacts, contrary to elements of the Framework. This is a matter to which I have given significant weight.
17. Therefore, when assessed against the policies in the Framework taken as a whole, I find that the adverse impacts of the development would significantly and demonstrably outweigh the benefits. The appeal scheme therefore does not benefit from the presumption in favour of sustainable development.
18. In conclusion, the proposal conflicts with the development plan when read as a whole. There are no material considerations, including the provisions of the Framework, that indicate that a decision should be made other than in accordance with it. The appeal is therefore dismissed

*C Butcher*

INSPECTOR