

Date 31<sup>st</sup> January 2025  
Our ref 2025.01/02/001/ADW  
Your ref



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**By email: [planning@cornwall.gov.uk](mailto:planning@cornwall.gov.uk)**

Dear Sir/Madam

**2025/01: Change of Use of Holiday Units at Tudor Lodges, Morval (Re- submission)**

Further to the recent Appeal decision reference, APP/D0840/W/23/3326019, we submit the same previously refused, and appealed, application.

We refer you to the Planning Inspector's Appeal decision notice letter and its contents, as part of this application submission.

Each aspect of the appeal is addressed and responded to with the inspector's opinions and findings.

We enclose within the application a copy of the inspector's decision and reasoning and these are to be considered as our own in relation to the new application here.

You will note that in summary the only aspect of the appeal that the inspector found against in the appeal was the non-resolution of securing an off-site affordable housing contribution (albeit, it was as a result of the LPA and the Affordable Housing team refusing to co-operate to do so).

As such the exact same application here, merits and warrants the exact application of policy and resolution, save for the fact that the new application here includes for an off-site AH contribution secured by S106 Legal Agreement, in the amount and structure as confirmed by the LPA at the Appeal hearing and AH Team (a copy of the email as provided by the planning officer at the appeal hearing is included here in the application for ease of reference). The draft heads of terms for the AH S106 Legal Agreement is included with the application.

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Although the NPPF has been updated since the last application and after the Appeal hearing the decision was issued after the inclusion of consideration of the updated NPPF in December 2024.

In summary, we refer the LPA to the following: -

### **Preliminary Matter**

1. The appeal site as edged red on the submitted drawings, incorporates 7 holiday lodges and a manager's dwelling. The application only relates to the proposed change of use of the 7 holiday lodges. This is as stipulated previously by the LPA in the previous application, albeit that we do not agree that it is correct procedure to do so.
2. The Government published a revised National Planning Policy Framework (the Framework) on 12 December 2024. Those parts of the Framework most relevant to the application have not been amended.

### **Main Issues**

3. Whilst the Council refused the previous planning application for a single reason, it raised the following main issues:

- i) Whether the appeal site is in a suitable location for housing.
- ii) The effect of the proposal on the local tourism economy.
- iii) The effect of the proposal on an Area of Great Landscape Value, and
- iv) Whether the proposal makes appropriate provision towards affordable housing.

### **Background**

4. Planning consent was initially obtained for the construction of 6 holiday lodges at the appeal site in 2004. Subsequently, an additional unit was granted consent as manager's accommodation. Under a separate application this was then varied from manager's accommodation for use as a holiday lodge.
5. The 7 holiday lodges benefit from consent permitting them to be let for a full 12 months per year. The appeal site operates as 'Tudor Lodges.'
6. The Applicants have obtained further planning consent. This includes the current managers dwelling and 3 additional holiday lodges. The manager's dwelling was completed in 2016 and is occupied by one of the Applicants.

### **Reasons**

#### *Suitable location for housing*

7. The Council's settlement strategy is contained within Policy 2 of the Cornwall Local Plan Strategic Policies (2010-2030) ('CLP'). This sets out a sustainable approach to accommodating growth and maintaining the dispersed development pattern of Cornwall and providing jobs in a proportional manner based on the role and function of each place.

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8. Policy 3 of the CLP sets out the strategy for the delivery of housing across Cornwall and growth is centered on the named, larger settlements within the county. However, the supporting text to this Policy says that settlements that are not named within Policy 3 of the CLP can help meet housing requirement by amongst other things development of previously developed land ('PDL') within or immediately adjoining the settlement of a scale appropriate to its size and role.
9. The Council's Chief Planning Officer's Advice Notes – Infill/Rounding Off (December 2017) and Lifting Holiday Occupancy Conditions (December 2017). The former provides some guidance on what would constitute a settlement and previously developed land. The other, as per its title provides guidance in relation to the removal of holiday occupancy conditions. Whilst being informal guidance, these provide clarity on the approach to be adopted in relation to such matters, and as such I have had regard to these as far as these are relevant to the proposal.
10. In accordance with the Morval Neighbourhood Development Plan (formally made on the 24 November 2022) ('NDP') Morval is a civil parish and within its boundaries are the village of Widegates and several hamlets including Morval. It enjoys a rural setting with the majority of the Parish classified as an Area of Great Landscape Value and is part of the Liskeard and Looe Community Network Area (CNA).
11. The application site is within the parish of Morval, there are a number of dwellings within its vicinity as well as a pub (currently trading as a motel) and a modern community church. These buildings comprise a well-defined group of built development which broadly line and are accessed off a main road ('the A387'). Also, historically this area was known as 'Gellies.' Note :- At the Appeal hearing, the Council's representative (Mr Jim Lee) confirmed that this area comprises a 'small hamlet.'
12. Drawing on the above reasons and because the application site accommodates 7 holiday lodges and the managers dwelling, despite its rural setting, it is confirmed this forms part of a settlement.
13. As such as confirmed by the Planning Inspector, Policy 3 of the CLP applies to this same proposal. Although the application site may not have comprised PDL when the initial holiday lodges were approved, at present this is clearly a developed site and there is nothing to suggest that it does not constitute PDL as defined in the Framework.
14. The existing holiday lodges already contribute to the scale of the settlement and the holiday use associated with these supports its role. Because the proposal is for a change of use, there would be no alteration to the overall scale and quantum of development at the application site, and the use of the holiday accommodation as market dwellings would continue to support the settlement and area. Therefore, I consider the extent of the development to be appropriate to the size and role of this settlement.
15. As already stated, the settlement which the application site is located within, includes a motel and church. There is also a bus route which passes near the site, and although there is no physical bus stop nearby, buses stop near the access to the application site. This bus service travels between Polperro and Liskeard and includes a stop at a local train station. Details of this service which were given at the appeal hearing are also included in this application, which mainly operates during the day. Nevertheless, this would still allow access to some shops, services and facilities.
16. Although there are no footpaths or street lighting for the majority of the walking routes to these facilities, some are accessible by cycling.

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17. Future residents of the application scheme would need to leave the settlement in order to access work, education beyond primary school and many other routine health and retail facilities that are only available in larger settlements. As such, this would require the use of private cars. I am also mindful that because the application site is used for holiday accommodation with limited on-site facilities, it is likely that visitors are already undertaking considerable journeys by private cars. Accordingly, the proposal would not undermine the Council's aims to minimise greenhouse gas emissions.
18. Furthermore, the location of the application site, because of the existing bus service, does offer a sustainable travel option. Also, the Framework advises that opportunities to maximise sustainable transport solutions will vary between areas.
19. For the above reasons, the application site is in a suitable location for housing, and accords with the aims of Policies 2 and 3 of the CLP.
20. The Council's reason for refusal of the same previous application refers to a number of other policies. Policy 7 of the CLP concerns housing in the countryside. The supporting text to this Policy defines open countryside as being the area outside of the physical boundaries of an existing settlement. However, because the application site is located within a settlement, the provisions of Policy 7 of the CLP do not apply in this case.
21. Policy 6 of the NDP relates to the construction of small-scale infilling and rounding off housing development. This Policy is also not relevant to the proposal, which is for a change of use.
22. The proposal is not predicated as a rural exception site. Accordingly, Policy 9 of the CLP and Policy 7 of the NDP, which specifically relate to rural exception schemes are not applicable.

#### *Local tourism economy*

23. The original and subsequent developments were only approved in the location of the appeal site because these provide specialist holiday accommodation. Indeed, on the available evidence and my visit, Tudor Lodges provides holiday accommodation which is designed for those with disabilities. Therefore, the proposal would result in the loss of this specialist holiday accommodation.
24. The applicants previous submissions confirm Tudor Lodges has been struggling financially for a number of years and trading with limited operating profits.
25. The applicants have also previously provided evidence to show that Tudor Lodges has been offered for sale for in excess of 9 months, (now more than 3 years and 7 months). The marketing price was based on a number of valuations, and subsequently the asking price was substantially reduced from the original listing price of £1.4M. on 08/07/2021, to £1.25M. (reduced on 20/03/2023). Despite the substantial reduction in marketing price, there have been no viewings, and no offers. As such, the applicants assert that Tudor Lodges is not only unviable as a business, but it is also unviable to sell.
26. The Council considers that the business was marketed at an excessive value. However, they have provided no evidence to support this. Irrespective, and although the Council uses viability information in the assessment of these types of proposals, there is no policy requirement for this. As such it is a moot point.

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27. The decline in occupancy suggests that despite Tudor Lodges providing specialised accommodation, demand for this is falling. Possibly due to similar but newer accommodation with better facilities located closer to other larger nearby settlements being available. Indeed, The LPA have not provided any clear evidence that suggests that there is demand for the specific type of accommodation available at Tudor Lodges.
28. Although the proposal would impact an existing tourist facility, this is a relatively small facility of 7 units, and because its occupancy has been in decline, this is likely to have resulted in reductions in visitor spend. On the other hand, the proposal would bring new residents to the area who are also likely to support the local economy.
29. As such the loss of the holiday accommodation at Tudor Lodges, would not unacceptably undermine the local tourism economy.
30. Moreover, whilst Policy 5 (3) of the CLP supports the development of new or upgrading of existing tourism facilities through the enhancement of existing or provision of new, high quality sustainable tourism facilities, including accommodation, this Policy does not exclude the conversion or loss of such facilities. As such, there is no conflict with Policy 5 (3) of the CLP.

#### *Area of Great Landscape Value.*

31. To facilitate the proposal some boundary treatments and the creation of parking areas would be necessary. The details for these and any new planting can be secured by planning conditions. Furthermore, because the areas where such alterations are necessary, would be largely screened from public vantage points, these would not unduly harm the appearance of the site which forms part of an Area of Great Landscape Value.
32. As such, there is no conflict with the aims of Policy 23 of the CLP, which requires developments to be of an appropriate scale which sustains, protects and enhances the landscape character according to their international, national and local significance.

#### *Affordable housing*

33. Policy 8 of the CLP requires that In Designated Rural Areas and Areas of Outstanding Natural Beauty, the threshold will be more than 5 dwellings. For developments of between 6 and 10 dwellings in such areas a financial contribution in lieu of on-site provision of affordable housing is sought, per unit of affordable housing that would have been provided.
34. The LPA agreed in the former appeal that the application site forms part of a Designated Rural Area, and therefore Policy 8 of the CLP applies and that a financial affordable housing contribution is required and necessary.
35. At the appeal hearing the LPA representative confirmed the amount of the financial affordable housing contribution requested by the Council (which was substantially lower than that previously stipulated in the previous planning application).

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## Other Matters

36. Whilst the Council may have been able to demonstrate a 5-year housing land supply at the time of the previous planning application and at the time of the appeal hearing, which support its assertions that the areas housing needs have been met in sequentially preferable and more sustainable locations, housing requirements are set as minima and the development would still deliver 7 additional dwellings. In addition, we are advised by the LPA that the Council can no longer confirm a 5-year supply under the revised NPPF revised in December 2024.

## Conclusion

37. The Planning Inspector found that the (appeal) site is in a suitable location for housing and would not unacceptably harm the tourism economy or an Area of Great Landscape Value.

38. Therefore, subject to satisfying the requirement for an off-site AH contribution secured by a S106 Legal Agreement the Planning Inspector has confirmed that the application and application site is supportable, and in conformity with both the updated NPPF and Cornwall Local Plan. As such the LPA should now support the new planning application being the same as the appealed submission.

Yours Faithfully

*Andrew Wilks*

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