

Appeal Decision

Site visit made on 11 January 2017

by J F Powis BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 March 2017

Appeal Ref: APP/D0840/W/16/3159219

Harlyn Meadow, Harlyn Bay Road, Padstow, Cornwall PL28 8SF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Benjamin Eldridge against the decision of Cornwall Council.
 - The application Ref PA16/01111, dated 3 February 2016, was refused by notice dated 1 April 2016.
 - The development proposed is the change of use of land for the siting of 3no. safari tents for seasonal tourist accommodation with ancillary operations.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Following submission of the appeal, the Cornwall Local Plan: Strategic Policies 2010-2030 (CLP) was adopted on 22 November 2016 and now forms part of the development plan. The appeal is determined on the basis of the development plan in place at the time of writing.

Main Issues

3. The main issues are:
 - the effect of the proposed development on the character and appearance of the site and surrounding area, with particular reference to the Cornwall Area of Outstanding Natural Beauty (AONB); and,
 - whether the site would provide a suitable location for the proposed development, having regard to its accessibility by a range of transport modes.

Reasons

The Effect on Character and Appearance

4. The appeal site is an undeveloped field last in use for agricultural purposes and as a seasonal campsite under the permitted development '28 day rule'. Immediately to the south is the edge of an existing holiday park which comprises a significant number of static caravans. In other directions, the site is mainly surrounded by open fields, together with some modest agricultural structures and residential gardens.
 5. The site is located within the 'Carnewas to Stepper Point' area of the Cornwall AONB which is characterised in the AONB Management Plan 2016-2021 as having a peaceful and wild nature interrupted sharply in some coastal places by
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recreational activity. Whilst there is evidence of some dispersed residential development and tourist accommodation nearby, the local landscape in the vicinity of the site has a predominantly rural character.

6. The proposed development would involve placing three large safari-style tent structures in the field for use as tourist accommodation, together with an area of hardstanding for car parking. An existing wooden shed at the northern extent of the site would be retained for ancillary uses such as cycle and bin storage.
7. The drawings indicate a simple pitched roof design for the tent structures themselves, with walls and roofs comprising olive drab/khaki canvas and clear plastic and mosquito mesh windows. The tents would be erected on top of timber decks, with support posts driven into the ground without the need for site excavation. Each tent would have a footprint of approximately 11 metres by 6.75 metres, with a height above the deck level of over 3.5 metres. As such, they would be of a considerable size and bulk.
8. The tents would be temporary structures and as such the site could be returned to its present state with relative ease. The appellant's submissions indicate that the site would operate on a seasonal basis, between late spring and early autumn, but that the tents would be pitched on a permanent basis, remaining in situ during the unoccupied months. They would also comprise mains water and sewerage connections together with features such as timber decking and railings to the front and black chimney flues, giving their presence a degree of permanence and a domestic appearance.
9. The appeal site sits above the level of the adjacent highway, and rises gradually away from the road. Whilst the hedgebank along the majority of the site frontage would limit views into the site from the public highway, views in to the site would be possible through the new site entrance. From this viewpoint, the tent structures would be clearly visible. Although they would be viewed against the backdrop of a line of existing static caravans on rising ground immediately beyond the site boundary, the tents would nonetheless due to their size and siting appear as sizeable and conspicuous features.
10. The proposed development would also be visible in longer range views from elsewhere within the AONB, particularly from elevated land to the west and north-west of the site. The western site boundary currently comprises modest post-and-rail style fencing with some low level planting, allowing long views across the adjoining land and contributing to a sense of openness that is an important characteristic of the local landscape quality. Viewed from this direction, the tent structures and associated development would appear large and incongruous in their setting. In this sense, the proposal would detract from the currently undeveloped nature of the site and erode the open character of this part of the AONB.
11. The plans indicate the introduction of several new areas of mixed planting with a view to minimising the visual impact of the development on its landscape setting and improving biodiversity on the site. Whilst this would assist in screening some views of the tent structures, it would also result in considerable coverage of the southern half of the site with new planting which would enclose the site significantly. As such, I am concerned that the proposed landscaping would further undermine the site's open nature and be at odds with the surrounding landscape character.

12. I note the alternative site parking layout arrangements put forward by the appellant in support of the appeal (as shown on drawing no. PA-003 Rev.A) but do not consider that the alternative arrangements would be sufficient to overcome my concerns in respect of the proposed development as a whole, as outlined above.
13. My attention has been drawn to a separate decision of the Council to grant permission for three 'glamping' (glamorous camping) units in the AONB at Welltown, Warleggan. I do not have full details of that case before me but note that it involved three shepherd huts which may reasonably be expected to be considerably smaller than the units proposed in the appeal development and to be of a more mobile nature, being ordinarily mounted on wheels. As such, I consider the cited permission to represent a perceptibly different 'glamping' proposition to the one before me. I am also mindful that the decision was made in a materially different policy context, before adoption of the CLP. For these reasons, I attach limited weight to the Welltown decision in my consideration of this appeal.
14. Taking all of these matters together, I conclude that the proposed development would cause unacceptable harm to the character and appearance of the site and surrounding area, with particular reference to the Cornwall AONB. Consequently, the proposal would be contrary to Policies 5, 12 and 23 of the CLP and saved Policy ENV1 of the North Cornwall Local Plan (adopted 1999), which together seek to achieve high quality tourist development that promotes local distinctiveness and conserves and enhances the landscape character and natural beauty of the AONB. I also find conflict with paragraphs 17, 28 and 115 of the National Planning Policy Framework (the Framework) insofar as they support rural tourism development that respects the character of the countryside, including by conserving landscape and scenic beauty in AONBs.

The Suitability of the Site for the Proposed Development

15. The appeal development would constitute new tourist accommodation outside of any settlement boundary. Although the site is adjacent to an existing holiday park, the proposal would be unrelated to it in a functional sense. The appeal site is physically disconnected from the nearest settlements of Harlyn and St Merryn which provide basic tourist facilities and services. Access to the settlements would be via narrow country roads, typically bounded by high hedges and with no pavements or street lighting. As such, their attractiveness for walking and cycling would be limited, despite good provision for cycle storage on the site. The appellant's submissions allude to links with the local public right of way network but I do not have detailed information to demonstrate that this could provide a realistic alternative for pedestrians and/or cyclists seeking to access local facilities.
16. The site is located within walking distance of two bus stops at Mother Iveys Corner and Gentle Jane Cottage, providing local services between Padstow and Newquay. However, access to the bus stops would appear to require pedestrians to use the aforementioned narrow roads which are not conducive to walking. Consequently, opportunities to access the site by a range of transport modes would be somewhat limited and it is reasonable to expect that the majority of trips taken by users of the site would be made via private car.
17. I have had regard to the appellant's submissions in relation to the particular type of tourist accommodation being proposed, which I accept would, by its nature, be difficult to accommodate within a larger rural service centre. I also note the correspondence from industry body Classic Glamping indicating market demand in

the area. The proposal would provide a holiday experience distinct from conventional camping or caravan park holidays and would cater for a different section of the market, with the potential to broaden the tourist offer in the area. However, I do not have detailed evidence to demonstrate that there is a site specific need for the appeal development in this location sufficient to justify the proposal in this case.

18. I therefore conclude that, on the basis of the evidence before me, the site would not provide a suitable location for the proposed development, having regard to its accessibility by a range of transport modes. Consequently, the appeal scheme would fail to meet the requirements of Policy 5 of the CLP insofar as it requires new tourist accommodation to be of an appropriate scale to its location and to its accessibility. It would also be inconsistent with the Framework core principles at paragraph 17 of actively managing patterns of growth to make the fullest possible use of public transport, walking and cycling, and the need to site tourist facilities in appropriate locations within rural areas in accordance with paragraph 28.

Other Matters

Benefits of the Proposal

19. The proposed development would represent an expansion of the appellant's established local tourism enterprise and would directly create employment in the order of approximately 0.6 full time equivalent hours during the operational season. It would also generate minor spin off benefits for other local tourism businesses. However, I do not consider that these modest economic benefits would outweigh the unacceptable harm that I have identified in respect of the main issues in this case.

Conclusions

20. For the reasons given above I conclude that the appeal should be dismissed.

J F Powis

INSPECTOR