



Appeal Decision

Site visit made on 8 June 2020

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 June 2020

Appeal Ref: APP/K1128/W/19/3243018

Salcombe Retreat, Land to Soar Mill Cove Road, Malborough, TQ7 3DS.

- 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 Salcombe Park Ltd against the decision of South Hams District Council.
 - The application Ref 4015/18/FUL, dated 21 November 2018, was refused by notice dated 31 October 2019.
 - The development proposed is for 23 new caravan/lodge bases including associated parking and internal access road.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Salcombe Park Ltd against South Hams District Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area, with particular regard to the location within the South Devon Area of Outstanding Natural Beauty (AONB) and the Undeveloped Coast.

Reasons

4. The site includes a series of static caravans used for holiday accommodation, sited reasonably tightly together and separated by grassed and landscaped areas. The northern part of the site is towards the top of a gentle slope and is generally an open grassed area. The surrounding area beyond the holiday park includes an attractive gently rolling landscape with well-defined field and hedge boundaries, open fields and some trees. The holiday park is visible in the landscape including from the elevated land to the south and through the two accesses from the adjoining road.
5. At my site visit, I walked sections of the footpaths to the south. From View Points 3 and 4, it is possible to appreciate the expansive landscape of this part of the AONB. In the views towards Salcombe Retreat there is also a mix of buildings, some towards the lower parts of the adjoining hillside while other buildings, such as agricultural buildings, are more prominent because of their elevated position. The static caravans of the holiday park are readily apparent in the landscape. In particular, the horizontal form of the ridge lines of the

roofs, the reasonably tightly positioned and regimented nature of the caravans, and the present limited height of the planting which is visible between the caravans, all combine to give the appearance of quite a prominent mass of caravans stepping up the slope of the hillside.

6. The planting on the southern boundary helps to ameliorate the appearance of the caravans alongside that edge of the site. However, next to those caravans on the western boundary, the hedgebank had been cut reasonably low such that the caravans in this area are fairly apparent when viewed from View Point 4. It is understandable that occupiers of those caravans close to the boundary would wish to enjoy the view out over the countryside and not have a height of planting that could affect light to the adjoining windows and balcony of the caravans.
7. The proposal would add 23 caravans to the site. They would be sited across the majority of the existing grassed area in a fairly formal and tightly positioned form. The western and northern boundary planting in this area is well established and could help to provide a screen in some views. However, given the experience with the other hedgebanks along this western boundary, I consider, in all likelihood, that notwithstanding the intentions of the landscaping proposals and any restrictions that could be applied, in the longer term it would be necessary to manage the western boundary to ensure that it was compatible with the living conditions of occupiers of the adjoining caravans. The extension of the row of caravans up the slope on this western boundary would therefore be apparent from View Point 4 and add to the overall appearance and visual mass of the caravans in the landscape.
8. From View Point 3, and parts of this footpath further south, the ridge lines of some of the additional caravans would be apparent above the ridge lines of the existing caravans because of the slope of the land. In this view, parts of the roofs of some of the additional caravans would appear towards the skyline and again add to the overall prominent appearance of the site within the landscape. There would also be glimpsed views of the proposed caravans through the gate in the corner of the site.
9. The proposed static caravans would not extend beyond the boundaries of the existing commercial site, however, they would project across much of the open land available and parts of the caravans would be apparent in some wider views. Despite the muted colours and fairly dark roofs of the caravans and the additional landscaping that is proposed to take place and which would mature in time, the additional caravans would unsympathetically contrast with the open rolling countryside of the wider surroundings. Their regimented form and appearance, notwithstanding any comprehensive landscaping scheme, would not assimilate into the landscape but increase the discordant appearance of the caravans to the area. In this way, the scheme would cause landscape harm.
10. The site for the proposed caravans has the benefit of a lawful use for the siting of tents and touring caravans. It is probable that this use would take place if the appeal is dismissed and this use would have a landscape impact. However, it is likely that the tents would be erected for temporary periods of the year and that the touring caravans would be smaller and have less impact than the permanently sited static caravans which are proposed, even taking into account the variety of designs, colours and appearances of the tents and touring caravans. Overall I consider that the proposed static caravans would have a

greater and more harmful landscape impact than the lawful use of this part of the site for tents and touring caravans. Consequently, this fallback position does not support the proposal in this case.

11. I have carefully considered the analysis of the Council's Landscape Officer that helped lead to the officer recommendation to the Committee. It is clearly a matter of judgement as to the impact of the proposal on the landscape. For the reasons explained above, I am not satisfied, even with the comprehensive landscaping scheme that is proposed across the whole site and which would mature in time, that the landscape of the AONB would be conserved because of the intensity and extent of caravans proposed across this part of the site.
12. It follows that the scheme would not conserve or enhance the landscape and scenic beauty of the AONB, a matter which the National Planning Policy Framework (the Framework) requires to be given great weight. Furthermore, there would be a conflict with Policy DEV25 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (the JLP) which sets out that the AONB will be given the highest degree of protection from potentially damaging or inappropriate development.
13. Accordingly, the proposal would not meet with Policy DEV24 of the JLP concerning the Undeveloped Coast which requires that in this area development which would have a detrimental effect on the undeveloped and unspoilt character, appearance or tranquillity will not be permitted except under exceptional circumstances.
14. The scheme would replace touring caravan accommodation with additional static caravans. This would be in contravention of Policy 27 of Malborough's Neighbourhood Plan 2014-2034 (the NP) which indicates that proposals for such are likely to be resisted as comprising "development creep".
15. The Council at the appeal stage seek to argue that the proposal constitutes major development within the meaning of paragraph 172 of the Framework. As this proposal is for additional units to an existing static caravan site I do not consider that the nature, scale and setting of the proposal would constitute major development in this case. Nevertheless, this does not negate the harm I have found to the character and appearance of the area and the related conflict with the policies of the development plan and the Framework in this respect.
16. In the light of the above analysis, I conclude that the proposal would harm the character and appearance of the area and, in particular, the AONB and Undeveloped Coast. Consequently, the proposal would conflict with Policies DEV24 and DEV25 of the JLP, Policy 27 of the NP and the Framework which seek, amongst other things, to give great weight to conserving landscape and scenic beauty in the nationally protected landscapes.

Planning Balance and Conclusion

17. I have taken into account all the representations received, both for and against the proposal and including those comments from the Parish Council and the National Trust.
18. The evidence from the appellant sets out that there is a need for the additional holiday caravans in the area which would provide high quality but affordable accommodation. It is explained that the accommodation would maintain and boost jobs on the site and increase visitor spend in the area over a more

sustained period of the year than the lawful tent and touring caravan use. The information is that there is a strong business case for the proposal and there is a desire to expand to ensure viability and meet customer needs.

19. It is explained that the proposal would decrease vehicle movements to the site along the rural roads compared with the lawful use of the site for tents and touring caravans. The planting would assist the ecological value of the site and the static caravans and the extended site would meet high environmental and sustainability standards.
20. These would all be benefits of the proposal and would generally accord with the tourism and economic development policies of the JLP and the Framework. Given the number of static caravans proposed, and having regard to the potential loss of the economic benefits from the lawful use of this part of the site for tent and touring caravan use, I consider that the cumulative benefits of the proposal set out in the submissions afford moderate weight.
21. On the other hand, I have found that the scheme would harm the landscape and scenic beauty of the AONB. While this harm would be localised to this section of the countryside, it would not accord with the Framework requirement with regard to the protection of the AONB and is a matter which I attribute great weight. Furthermore, the scheme would not comply with the relevant policies in the JLP in respect of the AONB and protection of the Undeveloped Coast. The proposal would also be in conflict with Policy 27 of the NP.
22. Collectively this harm and conflict with these development plan policies weighs heavily against the scheme and would not be outweighed by the benefits and associated compliance with development plan policies in this respect.
23. For the above reasons, and having regard to all other matters raised, the proposal would not comply with the development plan when considered as a whole and there are no material considerations that outweigh the identified harm and the associated development plan conflict. I therefore conclude that the appeal should be dismissed.

David Wyborn

INSPECTOR