



Appeal Decision

Site visit made on 20 March 2023

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 April 2023

Appeal Ref: APP/P1615/W/22/3311165

Tintern View, Hollywell Lane, Brockweir, Gloucestershire NP16 7PJ

- 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 S Richards against the decision of Forest of Dean District Council.
 - The application Ref P0458/22/FUL, dated 29 March 2022, was refused by notice dated 18 August 2022.
 - The development proposed is described as 'proposed holiday lodge cabin with associated parking and access and landscaping.'
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effect of the proposed development on the character and appearance of the area with specific regard to the special character of the Wye Valley Area of Outstanding Natural Beauty (AONB).

Reasons

3. By virtue of being outside of a defined settlement, the appeal site is in the countryside. It exudes a distinct and pleasant rural character with agricultural fields, mature trees and hedgerows contributing to a good quality and largely unspoilt, undisturbed landscape. It is adjacent a small cluster of dwellings, the nearest adjoining the appeal site to the east. The appeal site adjoins agricultural land to the south, access roads to the north and west and an existing dwelling and the Offa's Dyke path to the east. The quality of the area, in open and undeveloped terms, contributes positively to the specific interest and thus character of the AONB.
4. The proposed development would see the siting of a holiday lodge and formalised access with a parking and turning area and footpath. Taken together, along with its eventual operation, the proposed development would represent something of an unwelcome incursion, detracting from the open feel of the wider area and detracting from the quality of the surrounding landscape. Whilst having a reduced effect in the summer months when in full leaf, the appeal site would be clearly discernible through the existing landscaping surrounding it for other parts of the year, exacerbating its overall effect. The harm the proposed development, in these terms, would cause, would translate to the same to the special character and interest of the AONB.

5. The appeal scheme would therefore be contrary to Policies AP1 and AP4 of the Forest of Dean District Council Allocation Plan (2018) (AP) and Policies CSP.1, CSP.4 and CSP.7 of the Forest of Dean District Council Core Strategy (2012) (CS). These together seek, amongst other things, to ensure that developments take account of important characteristics of the environment and preserve and enhance local character. The proposed development would also be at odds with paragraphs 84, 130 and 176 of the Framework and the National Design Guide which seek, amongst other things, to ensure developments are visually attractive and sympathetic to local character. They also set out that great weight is given to conserving and enhancing the landscape and scenic beauty of AONB's.

Other Matters

6. Policy CSP.4 expects most changes to take place within towns and villages, inside settlement boundaries. As the proposal is for holiday accommodation, it finds some support in Policy CSP.7. Whilst no formal business plan has been submitted, there is no requirement for such justification to be provided. The appeal is supported by various pieces of information including details of nearby attractions, a list of local services and facilities and details of its proximity to nearby roads and settlements. The proposal would evidently provide accommodation in an area known for its scenic beauty. The appellant has also explained why tourism would be a success at the site and I have no reason to disagree or consider that the development would not be viable going forwards.
7. As such, and in this regard, the proposed development would comply with the aims of Policies CSP.1, CSP.4 and CSP.7 of the CS, and Policies AP.1 and AP.4 of the AP. These policies seek, amongst other things, to ensure that proposals sustain the development of tourism as a key economic sector.

Conclusion

8. Be the above as it may, and in complying with parts of the development plan, this would be a lack of harm which would be incapable of weighing against it. In addition, and as a small scheme, the overall benefits of the proposals would be limited and unlikely capable of outweighing the harm and conflict with the development plan I have found. It is for this reason that the appeal should be dismissed.

Tamsin Law

INSPECTOR