



Appeal Decision

Site visit made on 3 May 2023

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 May 2023

Appeal Ref: APP/D0840/W/22/3306576

Touring Park, Treeve Lane, Connor Downs, Hayle TR27 5BN

- 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 and Mrs Birch against the decision of Cornwall Council.
 - The application Ref PA22/00584, dated 18 January 2022, was refused by notice dated 4 July 2022.
 - The development proposed is replacement of touring pitches with 23 static caravans.
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Decision

1. The appeal is allowed and planning permission is granted for replacement of touring pitches with 23 static caravans at Touring Park, Treeve Lane, Connor Downs, Hayle TR27 5BN under the terms of the application Ref PA22/00584, dated 18 January 2022, and subject to the conditions in the attached schedule.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The site is a grass field situated above the A30 in the countryside close by to the northwest of Connor Downs, which is reached by road bridge over the A30 via Treeve Lane, which bounds the site to the south, and Mutton Hill. The site has extant permission for tourism use granted in 2021¹. That permission restricts the use to touring caravans and camping on a seasonal basis only.
4. The site straddles two landscape character areas: CA05 St Ives Bay and CA06 Mounts Bay East². As a gently sloping grass field with a pastoral character, the site exhibits positive characteristics of these areas. The site does not do so particularly publicly, however, as it is largely screened by boundary vegetation and is barely noticeable approaching along Treeve Lane from the northwest.
5. With additional landscaping and the introduction of a bund the site would be very well screened all year. This area is not of purely rural character in any event; Connor Downs is a fair-sized village, there is ribbon development and industrial uses at Treeve to the northwest, and the immediate landform is quite engineered and regraded, and dominated by the cutting which cradles the A30. A typical, manicured caravan site layout and the proposed bund would not look out of place within this already somewhat contrived, developed environment.

¹ Appeal Ref: APP/D0840/W/20/3264429

² Cornwall and Isles of Scilly Landscape Character Study (2008)

6. Coming from Connor Downs the eastern end of the site is open briefly to public view. However, the site is set down from the highway and it is likely that little more than the roofs of the closest static caravans would be visible and then only fleetingly. There is little notion of tranquillity around the site as Treeve Lane / Mutton Hill is an active road into and out of Connor Downs and the A30 offers constant noise and movement. Increased transport noise and the activity related to the proposal would barely move the dial within this context.
7. The Council has stated that a seasonal condition was attached to the 2021 permission in the interests of preserving the character of the area, and such a condition would not be appropriate in relation to the appeal proposal. However, having considered this scheme on its own merits and the supporting evidence, I have not found that any consequential harm to the landscape character would arise even on the basis that the site be used for tourism purposes all year round. A seasonal occupancy condition is not therefore required in this regard.
8. Consequently, I conclude that the proposal would have an acceptable effect on the character and appearance of the area. It would accord with the landscape objectives of Policies 2, 5 and 23 of the Cornwall Local Plan Strategic Policies 2010–2030 (adopted 2016) (CLP), Policy 1 of the CLP, and the landscape objectives of the National Planning Policy Framework.

Conditions

9. In addition to the standard time condition, a condition is required to confirm the approved plans in the interest of certainty. Given that caravans are not development in and of themselves, a condition is required to ensure that no more than the 23 caravans sought by this appeal are brought onto the site at any one time. In the interests of water quality, a condition shall confirm the details of sewage treatment at the site. In order to prevent flooding offsite, information is also necessary with regard to surface water drainage provision.
10. As this is a location where the principle of new unfettered residential uses may not usually be accepted, a condition is necessary to ensure that the caravans are only occupied for tourism purposes. The site plan accompanying the appeal does not seek to specify planting details or precise dimensions of the bunding. As such, it is necessary for these details to be provided within a landscaping condition. However, they can be provided before any new static caravans are first brought onto the land. Likewise, although in the interests of ecology the details of any external lighting should be agreed by the Council, this can happen prior to its installation, not the commencement of development.

Conclusion

11. For the reasons outlined above, and taking all other matters raised into account, I conclude that the appeal should be allowed.

Matthew Jones

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 21288-PL-00-01, 21288-PL-00-02, 21288-PL-00-04 B, 21288-PL-02-01, 21288-PL-01-01.
- 3) No more than 23 caravans shall be stationed on the land at any time.
- 4) The development hereby permitted shall not be occupied until the installation of a system for the disposal of sewage has been completed in accordance with details which shall first have been submitted to and approved in writing by the local planning authority. The system shall be retained thereafter in accordance with the approved details.
- 5) Before the development hereby permitted is brought into use, details of surface water disposal works serving the development shall be submitted to and approved in writing by the local planning authority. These works shall be retained thereafter in accordance with the approved details.
- 6) The development hereby permitted shall be used for holiday use only and shall not at any time be used for permanent residential accommodation. The owners/operators shall maintain an up-to-date register of the names of all occupiers of each of the pitches, and of their main home addresses, and shall make this information available at all reasonable times to the local planning authority.
- 7) Prior to the bringing onto the land of any caravan hereby approved, there shall be submitted to and approved by the local planning authority a scheme of landscaping, which shall include the dimensions and locations of the proposed bunding, details of the species of all new planting, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection over the course of the development. The protection measures shall be adhered to as agreed.

All bunding, planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of any caravan hereby approved.

Any trees or plants which within a period of five years from the first occupation of any caravan hereby approved die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

- 8) Prior to its installation, details of any external lighting shall be submitted to and approved in writing by the local planning authority. The lighting shall be installed in accordance with the approved details and retained as such.