



Appeal Decision

Site visit made on 12 June 2023

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 July 2023

Appeal Ref: APP/D0840/W/22/3307853

The Good Life Farm, Road from Zion to Junction South East of Tremount, Trevellas, St Agnes, Cornwall TR5 0XR

- 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 Phae and Jay Raine against the decision of Cornwall Council.
 - The application Ref PA22/03995, dated 26 April 2022, was refused by notice dated 7 July 2022.
 - The development proposed is change of use of land for use for a small-scale campsite (up to 6 pitches) between Easter to the end of September each calendar year and the temporary siting of moveable toilet and shower blocks.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal has been accompanied by a completed S.111 undertaking and proof of a financial contribution towards limiting the proposal's effects on the Fal and Helford Special Area of Conservation (SAC) and the Penhale Dunes SAC ('the SACs'). My assessment takes account of those details and will be discussed further below.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the countryside; and whether the appeal site is an appropriate location for the development proposed.

Reasons

Character and appearance

4. The appeal site forms part of a large grass field surrounded by low hedges. The field's western boundary has an access onto the highway that connects Trevallas to Perranporth Airfield. The site is visible from that road over the low boundary hedge and through the site access. The field has, in part, been subdivided by post and wire fencing, enclosing areas for goats and chickens and separating these from produce growing areas. There is also a small shed close to the west boundary with the highway selling a small range of the holding's produce. Notwithstanding, the presence of those features, the field has a largely open and pastoral appearance.

5. The appeal site is surrounded by agricultural fields in all directions and the locality has a distinctly rural quality that is, given its position on a gently rolling plateau, visible from within the site and from the highway running to the west. The appeal field is close to small clusters of nearby houses and buildings. Furthermore, Perrans View, a large holiday park containing tourist accommodation and on-site amenities is to the south and opposite side of the road to the appeal site. The holiday park recently received planning approval for the siting of 41 static caravans.
6. At a finer grain level, the site falls within Landscape Character Area 14 (LCA14) as defined by the Cornwall and Isles of Scilly Landscape character Study (June 2008) (the LCA). LCA14's features include medium large fields, low Cornish hedges, long views to the north and the coast within an open gently undulating plateau landscape. The character area's description also notes that tourism development is prevalent within the northern part of the LCA nearest the coast.
7. The appeal site and surrounding land are consistent with the landscape features listed in LCA14, while also being close to other tourism development. The appeal site's contribution to landscape character is, in my view, moderate given that the natural features that define the locality are somewhat diluted by the small number of buildings and tourism uses.
8. Policy 5 of the Cornwall Local Plan Strategic Policies 2010-2030 (the Local Plan) is supportive of new, or upgraded, high quality sustainable tourism facilities where they would be of an appropriate scale to their location and to their accessibility by a range of transport modes. Proposals should provide a well-balanced mix of economic, social and environmental benefits.
9. Policy 19 of the St Agnes Parish Neighbourhood Development Plan 2018-2030 (the Neighbourhood Plan) is more specific, in that it requires proposals for new tourist accommodation to respect the landscape of St Agnes parish. Schemes should be accessible to the widest range of transport modes available in the area, as well as being appropriate in scale and character to their setting and location. The Neighbourhood Plan has become part of the development plan more recently than the Local Plan. Therefore, in accordance with Section 38(5) of the Planning and Compulsory Purchase Act 2004 (as amended), any conflict between the two policies should be resolved in favour of the Neighbourhood Plan.
10. The six proposed camping pitches would cover a large portion of the field, extending, in part, from its roadside frontage to its northern boundary. The pitches are generous in size and arranged in two groups of three either side of the existing gravel access track. They could adequately accommodate large tents, associated visitor vehicles and other paraphernalia such as outdoor seating and camping equipment. The pitches would be in use for up to seven months a year from March to September. Toilet and washing facilities in the form of small moveable structures would be placed near the pitches as well as a bin storage area.
11. The proposal would be temporary in nature, nevertheless the presence of tents, vehicles and other equipment strewn over the site, for up to seven months of the year, would inevitably detract from the field's largely open character. The placing of tents of various colours, vehicles, camping paraphernalia, and toilet/washing cabins over a large part of the appeal field

would significantly intensify activity at the site and introduce numerous physical objects that would harmfully change its rural appearance.

12. Passers-by would view the proposal over the highway boundary hedge and through the site access. The largely uninterrupted views through the site of the gently undulating rural landscape beyond would be altered by the scale and coverage of the camping use, thus adversely affecting local character. The proposal would diverge from the prevailing character of the site and fail to accord with the vision and objectives of LCA14, which is to encourage the conservation of the existing countryside while strictly controlling development which would clutter the landscape.
13. The appellant draws attention to existing physical features at the site (e.g. enclosures for animals, produce growing areas, polytunnels, vehicles and mobile home). The enclosures cover a small portion of the appeal field, while the associated wire and post fencing has a low visual impact. Despite the presence of those features the appeal field maintains a rural appearance. Conversely, the proposal would have a more disjointed and cluttered presence that would detract from the assembly of what I consider to be relatively low-key agricultural fencing. Moreover, I noted that the polytunnels, mobile home and other structures referred to were in the field beyond the appeal site, which is largely screened when viewed from the road by an existing boundary hedge. Therefore, I have given the appearance of those existing features limited weight as a reason to justify the proposal.
14. It is acknowledged that the site does not form part of a landscape designation, yet this does not diminish the harmful effect the proposal would have on the rural character of the site.
15. In conclusion, the proposed development would have an unacceptable effect on the character and appearance of the countryside. It would fail to accord with the provisions of Policies 1, 2, 5, 12 and 23 of the Local Plan, Policies 6, 10, and 19 of the neighbourhood Plan and Paragraph 174 of the National Planning Policy Framework. Together these require, amongst other things, that development is of an appropriate scale, preserves its setting, sustains local distinctiveness and countryside character and protects, and, where possible, enhances Cornwall's natural environment and assets.
16. Given that the proposal would be seen partially in context with development nearby, the localised nature of the visual impact in short to medium views, the small number of pitches and the temporary nature of the proposed use, I have judged the level of harm to the landscape, in this case, as moderate.

Location

17. The appeal site lies in the open countryside, distant from any settlements that are served by railway stations or inter-regional bus termini. Accordingly, it is likely that almost all visitors attracted to the site would arrive by private vehicle.
18. The site is roughly equidistant between Perranporth and St. Agnes, both of which contain a range of services and facilities. Accessing shops and other amenities there would involve a trip of around 3km, each way, largely along lanes and busy roads with no or limited street lighting, segregated footways or cycle lanes. It is therefore unlikely that tourists would regularly walk or cycle to

- and from the appeal site to those settlements to access day-to-day goods and services.
19. Although it has been highlighted that the holiday park, a short walk to the south, has a small shop, pub, pool and launderette, tourists visiting the area would likely want to access a more varied range of amenities. Thus, the holiday park would not provide for the daily needs and requirements of all occupants, and given that it is orientated primarily at families, visitors staying at the appeal site may wish to access alternative facilities.
 20. Similarly, the camping supplies shop nearby, although within easy reach by foot, would only offer visitors a limited more focused range of goods. The public house and shop at Mithian are also referred to. But the route from the appeal site to access those, would be along a busy, unsegregated B-road and an unlit public footpath. The nature of that walk or cycle is unlikely to be preferential to the use of private vehicles to many individuals, particularly outside of daylight or during inclement weather.
 21. During my site visit I noted a shed selling a small amount of goods produced at the appeal farm. These were limited to a very small range of goods that included mushrooms and eggs, which I doubt would cater for most of the food needs of future visitors.
 22. On the above basis, it is unlikely that most occupants of the site would access everyday goods and services by foot or bicycle.
 23. There are hourly bus services a short walk away from the appeal site, near the B3285 junction, that connect passengers to several large towns and coastal resorts. The route to and from the bus stop is along an unlit road that does not contain a footway, although the journey would be short and include several verges and passing bays that pedestrians could use should they encounter traffic during their journey. Notwithstanding this, hourly services are inevitably less convenient than private vehicles. In addition, I only observed a small bus shelter on the north bound carriageway, while visitors travelling in a southerly direction towards the likes of St Agnes would have to wait at a narrow, informal verge besides the busy B-road, which is likely to dissuade many visitors from using services in that direction, particular during poor weather. Therefore, despite being within easy reach, in terms of distance, the use of bus transport to access tourist sites and the area's services and amenities would not be desirable to all visitors.
 24. With a total of six camping pitches the proposal is somewhat small in terms of its scale. Nevertheless, during a 7-month camping season with regular site occupancy, the comings, and goings to and from the site, most likely by private vehicle, would be significant in number, and in all likelihood, given the limitations I have identified above, much greater than the number of journeys taken by more sustainable transport modes.
 25. Given the constraints relating to journeys to and from the appeal site by foot, cycle, and bus, I have found that the site is not well served by a range of transport modes. Visitors would therefore be reliant on the use of private vehicles during their stay. In addition, the scale of the development would not be commensurate with this restricted level of accessibility to services and attractions.

26. Paragraph 85 of the Framework recognises that sites for local business needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. However, this policy is not without exception and in such circumstances, it will be important to ensure that development is sensitive to its surroundings. Given that I have found the proposal unacceptable in that respect, Paragraph 85 carries limited weight in favour of the appeal.
27. Considering the above, I conclude that the appeal site is not an appropriate location for the proposed development. It would be contrary to Policy 5 of the Local Plan and Policies 13 and 19 of the Neighbourhood Plan, which seek, amongst other things, to ensure that new tourist accommodation is accessible to the widest range of transport modes available in the area and is of a scale appropriate to the level of accessibility.

Other Matters

28. I acknowledge that the extension to the Perrans View holiday park, covers a significant area while being more permanent in appearance. Indeed, the Council's officer report acknowledged there would be visual impacts on the locality. Also, the proximity to bus stops nearby was seen as a positive aspect of the scheme. But that scheme related to the expansion of an existing holiday park, utilising previously developed land. It also included economic and environmental benefits that weighed in its favour. The appeal scheme, although much smaller, and temporary in terms of its use would differ in that it would encroach into an agricultural field, harming its rural character and the open setting of the site. Furthermore, the proposal does not include any of the comparable biodiversity net gain or economic benefits that weighed in favour of the Perran's View development. Therefore, the appeal can be distinguished from that neighbouring scheme.
29. The appellant draws similarities between the appeal proposal and a scheme, allowed at appeal, near Balwest¹. Yet that scheme differs in that it is aimed at visitors with access needs. It also includes a minibus service that would transport visitors to nearby tourist attractions, thus reducing the need to journey by private vehicle. Those factors clearly weighed in the scheme's favour and are not matters which relate to this appeal. Accordingly, the Balwest scheme is not directly comparable to the appeal proposal, and I have given it limited weight.
30. The proposal would likely provide additional revenue to supplement the appellant's farming income. However, I have not been given any projected forecasts of what that could be. Therefore, I can only give limited weight to such a benefit.
31. The Council's second refusal reason relates to the proposal's effects on increased recreational activity upon the SACs. The evidence indicates that the appeal site lies within the zones of influence of the SACs. The Cornwall European Sites Mitigation Supplementary Planning Document (July 2021) (the SPD) identifies that increases in population are placing greater pressure from recreational activity on the features of interest for which the SACs are designated. It sets out mitigation strategies through strategic access management and monitoring, which are to be funded by contributions from

¹ APP/D0840/W/20/3262901, allowed on 10th March 2021

new development. The SPD clarifies that mitigation is required for all tourist accommodation, as the evidence shows that holidaymakers visit the SACs for recreational purposes.

32. The appellant has provided proof of payment of the required financial contribution and a signed and completed S.111 undertaking. However, notwithstanding those details there is no need to consider the implications of the proposal on the protected sites because the scheme is unacceptable for other reasons.

Planning Balance and Conclusion

33. The proposed use would be small and offer basic facilities. It would likely appeal to some visitors looking for alternative accommodation to the larger sites in the locality and would add to the variety and mix of tourist options. The proposal would also generate an increase in local spending, yet this is likely to be modest given the number of camping pitches proposed. These scheme benefits are relatively minor and do not outweigh the moderate harm to landscape character and the limitations in respect of accessibility to a range of transport modes, which I have found to be contrary to development plan policies.
34. For the reasons given above, the proposal would be contrary to the development plan as a whole. There are no material considerations, including the Framework, which indicate that I should take a decision otherwise than in accordance with the development plan in this case. Therefore, I conclude that the appeal should be dismissed.

RE Jones

INSPECTOR