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# Appeal Decision

Site visit made on 15 February 2024

**by C Butcher BSc MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 08 March 2024**

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**Appeal Ref: APP/F9498/W/23/3324108**

**Lynmouth Holiday Retreat, Manor Farm, Lynton, Devon EX35 6LD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr David James (Brean Beach Holiday Parks Limited) against the decision of Exmoor National Park Authority.
  - The application ref 62/41/22/001, dated 9 December 2021, was refused by notice dated 16 December 2022.
  - The development proposed is the proposed siting of 5 no. timber and canvas glamping safari tents, permeable parking/turning area with 6 no. parking bays, with a double EV charging point, recycling/waste facilities, associated footpaths, landscaping, composting toilets and an underground water treatment plant for drainage treatment.
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## Decision

1. The appeal is allowed and planning permission is granted for the proposed siting of 5 no. timber and canvas glamping safari tents, permeable parking/turning area with 6 no. parking bays, with a double EV charging point, recycling/waste facilities, associated footpaths, landscaping, composting toilets and an underground water treatment plant for drainage treatment at Lynmouth Holiday Retreat, Manor Farm, Lynton, Devon EX35 6LD in accordance with the terms of the application, Ref 62/41/22/001, dated 9 December 2021, subject to the conditions in the attached schedule.

## Applications for costs

2. An application for an award of costs was made by Mr David James (Brean Beach Holiday Parks Limited) against Exmoor National Park Authority. This application will be the subject of a separate decision.

## Preliminary Matters

3. During the course of the application, a revised description of development was agreed between the main parties. As such, I have used that description as part of this decision.

## Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area, including the landscape and scenic beauty of Exmoor National Park.

## Reasons

5. The appeal site is effectively split into two distinct parts. It is proposed that three of the safari tents, the parking area, refuse and recycling facilities and

the water treatment plant would be located on the southern part of the site. I note that the Council is satisfied that these elements of the proposed development would not lead to harm. Given the topography of this part of the site, and the amount of natural screening that exists, I can see no reason to disagree with that position.

6. It is also proposed that two further safari tents be located on higher ground on the northern part of the site. I observed on my site visit that views of part of the site can be glimpsed from across the valley on Station Hill, largely as a result of the time of year and the consequent lack of foliage on the trees that surround the site. The tents themselves would be placed upon wooden platforms and it is likely that they would be visible to some extent as part of those longer range views. However, when seen from Station Hill, the two tents would be seen within the context of the static caravans which are already visible behind the appeal site. Furthermore, the appellant has provided evidence that the field immediately to the east of the site is used for pitching tents in the main holiday season. Again, from Station Hill, the two safari tents would be seen in that context and would appear well related to the wider holiday park. In addition, during the summer months, foliage would block views of much of the site.
7. The plans show that the safari tents would be a tan colour and this would reduce their prominence further. While I accept that some earthworks will be required to install the wooden frames, their size would be limited and the works required would not cause any visual harm.
8. As a result, I conclude that the proposed development would not harm the character and appearance of the area, or the landscape and scenic beauty of Exmoor National Park. It would therefore not conflict with Policies CE-S1, RT-S1, RT-D5 and RT-D9 of the Exmoor National Park Local Plan 2011 – 2031, the relevant aspects of which seek to preserve the character and appearance of the natural environment.

### **Other Matters**

9. In support of their application, the appellant produced a Preliminary Ecological Appraisal Report (Orbis Ecology, July 2022). The report concludes that it is unlikely that there would be an adverse impact on protected species, subject to certain recommendations. The report appears to be based on a robust methodology, and I have no reason to dispute its findings. I am satisfied that the recommended actions can be secured via condition. As such, the proposed development would not cause harm to protected species.
10. A third party has raised concerns about the impact of the proposal on the local highway network. However, the scale of the proposed development is limited and there is no substantive evidence before me that leads me to conclude that harm would be caused in this regard.

### **Conditions**

11. I have imposed the standard conditions to identify the relevant timescales and plans in the interests of certainty. Additional conditions limit the use of the safari tents to holiday accommodation. I have also imposed conditions to provide certainty over parking arrangements, and to protect and enhance wildlife, biodiversity and the character of the area.

## **Conclusion**

12. The proposed development is in accordance with the development plan when considered as a whole. Having had regard to all matters raised, I conclude that the appeal should be allowed.

*C Butcher*

INSPECTOR

### **Schedule of Conditions**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (reference 210821-01-01 rev A); Proposed Site Layout Plan (reference 210821-01-03 Rev D); Landscape Plan (reference 210821-01-04 Rev E); Drainage Plan (reference 210821-01-04-Rev E) and Elevations and Floor Plans (reference 210821-09-01 Rev A).
- 3) The proposed glamping safari tents hereby approved shall only be used in association with the camping facilities at Lynmouth Holiday Retreat (also known as Channel View Caravan Park). They shall not be used for any other purposes.
- 4) No safari tent shall be occupied until space has been laid out within the site, in accordance with the Proposed Site Layout Plan (210821-01-03 Rev D), for six cars to be parked, and that space shall thereafter be kept available at all times for those purposes.
- 5) The development hereby permitted shall not be used or occupied other than for the provision of short let holiday accommodation and shall not at any time be used, let, sold or otherwise occupied as a separate unit of accommodation. No person, couple, family or group shall occupy or use the accommodation hereby permitted for a single period or cumulative periods exceeding 28 days in any calendar year.
- 6) The owner/operator of the holiday accommodation hereby approved shall maintain an up-to-date register of the names and main home addresses of all occupiers and shall make this register available to the Authority for inspection upon request.
- 7) The development hereby approved shall be carried out in accordance with the recommendations made in Section 5 of the Preliminary Ecological Appraisal Report prepared by Orbis Ecology including sensitive lighting and precautionary methods of work with respect to reptiles.
- 8) The development hereby approved shall be carried out in accordance with the approved planting and shall be maintained hereafter as set out within the associated Landscaping Plan (reference 210821-01-10 Rev E).
- 9) At least six integrated bird boxes and at least four bat boxes shall be erected in suitable locations on mature trees on or adjacent to the site.