



Appeal Decision

Site visit made on 8 May 2024

by Philip Lewis BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 May 2024

Appeal Ref: APP/C9499/W/23/3332902

High Fellside, Middleton, Carnforth, Cumbria LA6 2NF

- 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 Ian Handley against the decision of the Yorkshire Dales National Park Authority.
 - The application Ref S/11/25, dated 22 December 2022, was refused by notice dated 31 May 2023.
 - The development proposed is change of use of land to site four camping pods.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the Yorkshire Dales National Park.

Reasons

3. The appeal site is situated within the Yorkshire Dales National Park. National Parks have the highest status of protection in relation to landscape and scenic beauty. The two purposes of National Parks are to conserve and enhance the natural beauty, wildlife and cultural heritage of the area, and to promote opportunities for the understanding and enjoyment of the special qualities of National Parks by the public. The Levelling-up and Regeneration Act 2023, amended The National Parks and Access to the Countryside Act 1949 to further the statutory purposes of National Parks in England. Consequently, in exercising or performing any functions in relation to a National Park in England, Paragraph 182 of the National Planning Policy Framework (NPPF) requires that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks.
4. The appeal site comprises open pastoral fields, used for livestock grazing, situated adjacent to High Fellside Hall. The landscape within which the appeal site is situated has a managed pastoral character, with sloping pastures along the lower valley sides, with fields bounded by stone walls. Fields are interspersed with woodlands, coppice and isolated trees. On higher ground there is unenclosed rough grazing, bracken and rocky outcrops found on the valley sides and fells. I agree with the National Park Authority that this area has the appearance of an undeveloped landscape of high visual quality, with a sense of tranquillity and isolation.

5. It is proposed that four camping pods would be situated close to the site boundary with the Middleton Hall Beck, which would provide a woodland backdrop from some viewpoints. The proposed pods would be of a contemporary design, with curved sides and roof, clad in timber with an Astro Turf roof/side walls. The site would be accessed via a new twin wheeled track to a parking area in an adjacent field, with mown paths serving the pods. Extensive indigenous tree planting is proposed between each pod, near the car parking area and along the upper boundaries of the fields in which the appeal proposal would sit, with the provision of a wildflower meadow.
6. The introduction of the camping pods and access and parking area, with associated paraphernalia would give rise to an incongruous development in this open and exposed landscape. The proposed pods given their scale, and that they would be of a contemporary design and a non-traditional appearance, including the Astro Turf roof/side walls, would appear discordant within the landscape. Whilst the existing woodland would provide a backdrop to the proposed development from some views and the proposed planting would increasingly filter views of the site over time, the proposed development would nevertheless give rise to a significant change in the landscape, visible from the nearby footpath and in wider views such as from open access land. In addition, the existing and proposed planting would not screen the site from views towards it from the west. Inevitably, the appeal scheme would give rise to an intensification of human activity to the detriment of the tranquillity of the area.
7. The need for the provision of lighting for the proposed development is not disputed by the appellant. Clearly, the provision of lighting in this remote and open location is likely to give rise to some effects upon the landscape and biodiversity. However, there is not a proposed lighting scheme before me and in the absence of any details, I cannot assess whether the provision of any necessary lighting would be acceptable, or determine if it could have been a matter which could have been dealt with by way of a planning condition had I been so minded to allow the appeal.
8. Consequently, the proposed development would have a harmful effect on the character and appearance of the National Park. The proposal therefore conflicts with Policy T6 of the South Lakeland Local Plan 2006 & Alterations : Final Composite Plan : March 2007 (SLLP) which is concerned with caravan site development and sets out that such development would only be permitted where amongst other things, it would not have an adverse impact on the conservation of the landscape and built environment. SLLP Policy T6 is relevant as the proposed pods fall within the definition of a caravan. It also conflicts with SLLP Policy C5 which is concerned with external lighting which includes amongst other things that applications for development requiring, or likely to require, external lighting shall include details of lighting schemes, which will be expected to demonstrate that; the lighting scheme proposed is the minimum required to undertake the task; light spillage is minimised; and in edge of town or village locations, or in rural areas, landscaping measures will be provided to screen the lighting installation from view from neighbouring countryside areas.
9. I also find conflict with South Lakeland Local Development Framework Core Strategy (CS) Policy CS7.6 Tourism development which includes amongst other things that development should be of an appropriate scale and be located where the environment and infrastructure can accommodate the visitor impact.

The appeal proposal also conflicts with CS Policy CS8.2 Protection and enhancement of landscape and settlement character and CS Policy CS8.10 Design which includes amongst other things that the siting, design, scale and materials of all development should be of a character which maintains or enhances the quality of the landscape. Furthermore, the appeal proposal conflicts with the first statutory purpose of the National Park, and national planning policy as set out in the NPPF.

Other matters

10. The proposed development would provide holiday accommodation without affecting the existing housing stock, and the provision of tourist accommodation helps to promote opportunities for the enjoyment and understanding of the special qualities of the National Park, and gives rise to some economic benefits, including farm diversification. I also take into account the locational requirements for camping/glamping sites, and the comments that the proposed pods would have lesser impact than a caravan due to their size and design. The appeal scheme includes the provision of a wildflower meadow, but I do not have any specific evidence to quantify the biodiversity net gain which may arise. I also take into account that the proposal is supported in principle by local plan and NPPF policies on tourism which encourage provision of tourism development and farm diversification. These matters do not however lead me to a different conclusion, and I must attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park.
11. The appellant has referred me to a number of camping pod developments in the National Park; Catgill Farm, near to Bolton Abbey, Aysgarth Lodge Holidays, Westholme Bank, Aysgarth, Land west and north of 17 New Street/west of Castlehaw Lane, Sedbergh, and Town Head Farm, Douk Ghyll Lane, Horton in Ribblesdale, Settle. I take into account that the National Park Authority has approved the development of camping pods elsewhere, in a variety of locations, with pods screened by woodland, and lighting controlled by planning condition. From the information provided by the appellant about those particular developments, I am not convinced that the particular circumstances of each scheme are so similar to that before me. In any event, even if the developments and circumstances are similar, I do not find that they provide examples that should inevitably be followed given the harm found in this case.

Conclusion

12. For the reasons given and having considered all matters raised, the appeal is dismissed.

Philip Lewis

INSPECTOR