

Appeal Decision

Site visit made on 14 August 2024

by Lewis Condé BSc, MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th September 2024

Appeal Ref: APP/D0840/W/24/3338414

Trevose View Farm, Harlyn Bay Road, Padstow, Cornwall,

Grid Ref Easting: 189129, Grid Ref Northing: 75081

- 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 James Old against the decision of Cornwall Council.
 - The application Ref is PA23/07789.
 - The development proposed is Change of use of agricultural farmland to allow camping from the 1st of May to 31st of August. The capacity of the site will be up to 40 tent pitches and 10 touring grass pitches - no permanent structures.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The site address has been taken from the appeal form as opposed to the original planning application form as this provides a more accurate description of the appeal site.
3. In November 2023, Areas of Outstanding Natural Beauty (AONBs) were renamed 'National Landscapes', and the Cornwall AONB within which the appeal site is located became known as the Cornwall National Landscape. I have therefore referred to the National Landscapes and the Cornwall National Landscape in my decision, except where legislation or policy documents continue to refer to AONBs.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area, with particular regard to the Cornwall National Landscape.

Reasons

5. Located in the countryside, off a narrow country road near the edge of Trevone, the appeal site comprises a medium sized, agricultural field that is part of a wider farm holding. The appeal site is gently undulating and is mostly enclosed by Cornish hedgerow. The field is predominantly free from permanent built form, save for a sizeable agricultural building, which has a

rural vernacular. A wide, rather open, entrance to the site is provided off Harlyn Bay Road, which allows views into much of the site.

6. The northern part of the appeal site lies adjacent to residential built form at the edge of Trevone. Nonetheless the appeal site is, mainly bound by, and situated amongst swathes of agricultural land that lead down towards the coast. As such, the appeal site and nearby surrounding area are highly rural in character.
7. Overall, I find the appeal site to reflect the open and gently rolling exposed plateau of medium sized field patterns, with Cornish hedgerows, which are a valued characteristic of this area, as outlined within the Cornwall Character Area Description (CCA23: Trevoze Head and Coastal Plateau). Such characteristics also positively contribute to the area's designation as a National Landscape.
8. Although the wider area contains an array of tourism developments of varying scales, often in prominent locations, these are not necessarily positive attributes of the Cornwall National Landscape. Indeed, the Cornwall Nationally Protected Landscape (AONB) Management Plan 2022-2027 (the Management Plan) identifies that the site is located within the 'Carnewas to Stepper Point' section of the National Landscape, whereby some holiday and visitor developments are intrusive in nature. Notably, seeking to reduce the landscape and visual impacts of tourism development is a key policy objective of the Management Plan, along with encouraging the enhancement of the coast and settlements (including around Trevone) towards having a more undeveloped character.
9. I understand that the appeal site is already utilised for camping via permitted development rights (PDR) on a temporary basis. This appeared evident during my site visit, whereby several tents, vehicles, and related trappings were visible on the site. This was despite activity on the site being mainly located around the periphery of the field, near vegetated boundaries and on lower lying areas of the site. From my observations, the use of the field for camping results in a clutter of paraphernalia on the site, diminishing its largely open and pastoral appearance to the detriment of the rural character of the area. Whereas, under PDR such harm could be limited to up to 60 days per calendar year, the proposal would significantly extend the period of such use.
10. The appellant's supporting documents include a landscape and visual impact assessment (LVIA). However, this has not seemingly been undertaken by a qualified landscape expert or follow best practice in relation to the preparation of LVIA's. For example, it is mainly confined to consideration of visual aspects of the appeal proposal, whilst very few potential affected receptors are considered without appropriate justification to discount other receptors. Furthermore, the finding of the visual assessment did not tally with my own experience, whereby the current (temporary) use of the site for camping was already apparent from several nearby public vantage points.
11. During my visit views of the camping arrangements at the site were somewhat limited due to boundary vegetation. Nevertheless, the presence of numerous tents and associated paraphernalia could be viewed from positions close to the site. Most notably from the public road as it passes the site's wide

entrance, as well as from points along the public right of way that lies immediately to the east. Additionally, due to the topography, I also found such views to be available when approaching the site along Harlyn Bay Road, near its junction with the B3276. I appreciate that views of the activity on the site from these locations were rather limited and likely transient in nature. Nonetheless, the use of the site for camping purposes remained apparent with the presence of various tents, vehicles and related activity eroding the open and rural character of the site.

12. The appeal proposal, whilst not including any permanent structures or external lighting would still involve a sizeable capacity of tents as well as touring pitches, over a more prolonged period than permissible under PDR. I do not consider that confining the number and location of tents/caravans on the site through the appeal scheme would suitably mitigate the landscape impacts of the proposed development. As such, I find that the proposal would be more harmful than the existing use of PDR at the site.
13. Notwithstanding its potential lawfulness, I recognise that the sizeable agricultural building at the site may be its most prominent feature, but this building unlike the proposed development is inherently agricultural in appearance.
14. It is likely that the appeal scheme would be barely perceptible from long distance views, notably from public footpaths near Trevoise Head and Harlyn Bay, as well as from St. Merryn. However, this does not diminish my above findings in relation to the effect of the development from more localised views. Furthermore, based on my own observations, and the scope of the submitted LVIA, I am not satisfied that the proposal would not be appreciable from other visual receptors at more intermediate distances.
15. The appellant's LVIA also focuses heavily on the proposal's visual impact and does little to assess its landscape impact, which I consider would be quite marked, changing the landscape for prolonged periods from agricultural to a tourism use. So far as the landscape is concerned, the existing vegetation would not disguise the change of use which would significantly change the character of the site for a significant portion of the year.
16. The appellant has indicated a willingness to accept a reduced temporary period of 90 days for the proposed use of the site, which could be appropriately secured by a planning condition on the grant of permission. This would still considerably exceed the length of time that the site could be used for camping under PDR, nor would it result in the appeal proposal conserving or enhancing the landscape or scenic beauty of the National Landscape.
17. The proposal would allow for farm diversification and be of a benefit to the appellant's business. While I have been provided with headline figures as to the importance of the camping use to the farm's finances, the figures relate to a single year and have not been supported by any detailed financial accounts. As such, there are no robust details before me to demonstrate that the appeal scheme is essential for the farm business to remain viable in the future or that there is an overriding locational or business need for the development. Whilst given my above findings in relation to the impact on the character of the area, I do not consider the proposal to be of an appropriate scale for its location.

18. The Framework does provide support for sustainable rural tourism, but this should not be at the expense of the landscape quality of a designated National Landscape. Particularly as the Framework requires that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs, which have the highest status of protection in relation to these issues. Moreover, Policy PAD19 of the Padstow Parish Neighbourhood Plan (Made 2022) (the Neighbourhood Plan), although providing support for tourism development, still requires such proposals to conserve and enhance the landscape and scenic beauty of the AONB. Additionally, while there is demand for tourism accommodation at the appeal site, this does not necessarily equate for the locational need for the facilities to be within the National Landscape.
19. Overall, I find the proposal would cause harm to the landscape character of the area. Given the overall scale and temporary seasonal nature of the proposal, the harm would be relatively modest. Nonetheless, it would not conserve or enhance the landscape or scenic beauty of the Cornwall National Landscape. Consequently, the proposed development conflicts with Local Plan Policies 1, 2, 5 and 23, as well as Policies PAD1, PAD3 and PAD19 of the Neighbourhood Plan. Together these policies, amongst other matters, seek to protect the natural environment, particularly through conserving and enhancing the landscape and scenic beauty of the AONB, including where proposals involve tourism development or farm diversification.
20. Likewise, the proposal would not adhere to the aims of the Management Plan or the Framework in respect of conserving and enhancing the landscape and scenic beauty of the designated National Landscape.

Other Matters

21. The appellant highlights that other fields within his ownership may be utilised on a rolling or rotational basis for camping via PDR. I do not have full details of the appellant's landholdings and there may be practical reasons why it would not be suitable for his other fields to be used for such purposes. In any case though, allowing this appeal would not guarantee that the appellant's wider landholding was also not used for temporary campsites in addition to the appeal scheme. As such, this is not a factor that weighs in favour of the proposed development.
22. The proposal would also provide socio-economic benefits including through contributing to the Cornish tourism industry, with future users likely to utilise local facilities and services. Given the scale and nature of the proposal I give these matters only modest weight and they would not outweigh the harm that I have found.
23. The appellant has suggested that the development would result in environmental benefits including through managing existing hedgerows at the site and providing new nesting opportunities for birds within the existing building. Such benefits are again limited and do not appear to be reliant upon the appeal scheme, as such I afford them very limited weight. While given my findings in respect to the character and appearance of the area, I do not consider that the development would make effective use of the land.

24. My attention has been drawn by the appellant to various, fairly recent, decisions of the Council whereby it has approved permanent development nearby to the appeal site within the National Landscape. These decisions related to entirely different forms of development, notably a replacement dwelling, rural exception housing, and the development of holiday lodges at an existing tourism site. I do not have the full details of each of those cases, including the planning histories of the site or the specific merits of the proposals. However, it remains that the site and planning contexts of those developments are entirely different to the scheme before me. As such, my decision does not turn on this matter.
25. A reduction in prior approval applications to the local planning authority (in association with the continued campsite use under PDR) is not a suitable justification for the proposed development.
26. Support or a lack of objections from relevant consultees are not a reason to allow unacceptable development. Additionally, compliance with other development plan policies, for example in respect of highway safety, ecology, and neighbouring living conditions, is to be expected of development proposals and therefore also do not weigh in favour of the appeal scheme.

Conclusion

27. For the reasons outlined above, the appeal scheme conflicts with the development plan taken as a whole. There are no other material considerations, either individually or cumulatively, that indicate that a decision should be taken other than in accordance with it. The appeal is therefore dismissed.

Lewis Condé

INSPECTOR